

## **APPENDIX A: East Lansing Public Schools Board of Education Sex Education Policies**

### **EAST LANSING BOARD OF EDUCATION POLICIES**

#### **Section 7000 – Instructional Program**

##### 7115 Sex Education

Pursuant to state law, sex education may be provided by the District but must be an elective class. In order to offer this instruction, a Reproductive Health Advisory Committee must be established. Students will not be permitted to take the class unless the student's parent/guardian is notified in advance of the course and its contents, is given an opportunity to review course materials, is allowed to observe the instruction, and is notified of the right to have the student excused from the class. (See "Parent/Guardian Notification" below.)

##### Sex Education Advisory Board

The Sex Education Advisory Board (hereinafter "Advisory Board") shall recommend materials and methods to the Board of Education in compliance with current statutory requirements as defined in MCL 380.1507. All instruction and materials shall be age-appropriate and medically accurate. Prior to the adoption of any revision to materials or methods of instruction in sex education, the Board of Education shall hold two public hearings. The hearings shall be held at least 1 week apart and shall be posted pursuant to MCL 380.1201.

The Advisory Board shall minimally include the constituencies described in 380.1507(5) (parents/guardians, educators, pupils, clergy, and community health professionals.) One half of the members shall be parents/guardians who have at least one child attending a school operated by the District, and a majority of those parent/guardian members shall be individuals not employed by a school District. The Board of Education shall recommend a process for selecting Advisory Board members that reflects, reasonably, the District population. One of the co-chairs leading the Advisory Board shall be a parent/guardian.

The Advisory Board must establish goals and objectives for pupil knowledge and skills designed to reduce rates of sexual activity, pregnancy and sexually transmitted diseases, review materials and methods and make implementation recommendations to the Board of Education.

The recommendations shall incorporate the required content of MCL 380.1507b and such other material as the Advisory Board finds to be pedagogically sound.

It is recommended that the District align the curriculum to the content recommendations in the State Board of Education Policy to Promote Health and Prevent Disease and Pregnancy (September 2003.) Every two years, the Advisory Board shall evaluate, measure, and report upon attainment of the goals and objectives. The report shall be made available to the parents/guardians of the District.

To comply with the provisions of the No Child Left Behind Act and Michigan Statutes, the Superintendent will, in writing, inform the professional staff of the federal requirements that apply to sex education and the prohibitions and restrictions covering distribution of contraceptives or materials that encourage sexual activities. The District will comply with federal and state guidelines concerning age appropriate sex education.

##### Parent/Guardian Notification

Sex education is not to be provided to any student under the age of 18 unless the parent/guardian is notified in advance of the instruction and the content of the instruction. Parents/Guardians are to be given an opportunity to review materials to be used and to have their child excused from the instruction by filing an annual or continuing written notice that the child is to be excused from the class. If a parent/guardian files a continuing written notice to exclude their child from sex education classes, present or future, the student shall not be enrolled in a sex education class at any time unless the parent/guardian submits a new, written authorization for that enrollment.

Any student is to be excused without penalty or loss of academic credit, from attending class sessions in which the

instruction is provided.

Approved: May 23, 2011

LEGAL REF: MCL 380.1282; 380.1507; 380.1507b; 380.1169; 388.1506; 380.1766;

388.1766a; 20 USCA 7906 (NCLB); State Board of Education Policy to Promote Health and Prevent Disease and Pregnancy (September 2003.)

### 7115-R Sex Education

The Sex Education Advisory Board shall establish program goals and objectives and ensure that materials and instruction in sex education emphasize abstinence and are age-appropriate and medically accurate, and that the curriculum:

- A. Discusses the benefits of abstaining from sex until marriage and the benefits of ceasing sexual activity if the pupil is currently sexually active,
- B. Includes a discussion of the possible emotional, economic, and legal consequences of sex,
- C. Stresses that unplanned pregnancy and sexually transmitted diseases are serious possibilities of sex that are not preventable fully except by abstinence,
- D. Advises pupils of the laws pertaining to their responsibility as parents to children born in and out of wedlock,
- E. Ensures that pupils are not taught in a way that condones the violation of the laws of this state pertaining to sexual activity,
- F. Teaches pupils how to say “no” to sexual advances and that it is wrong to take advantage of, harass, or exploit another person sexually,
- G. Teaches refusal skills and encourages pupils to resist pressure to engage in risky behavior,
- H. Teaches that the pupil has the power to control personal behavior. Pupils shall be taught to base their actions on reasoning, self-discipline, a sense of responsibility, self-control, and other ethical considerations such as respect for self and others,
- I. Provides instruction on healthy dating relationships and on how to set limits and recognize a dangerous environment,
- J. Provides information for pupils about how young parents can learn more about adoption services and about the provisions of the safe delivery of newborns law, and
- K. Includes information clearly informing pupils that having sex or sexual contact with an individual under the age of 16 is a crime punishable by imprisonment and that one of the other results of being convicted of this crime is to be listed on the sex offender registry on the Internet for up to 25 years

### Parent/Guardian Notification

The District will provide appropriate forms for parent/guardian use in directing that their child not be enrolled in a sex education class.

### Complaint Process

Pursuant to MCL 388.1766a, a parent or guardian of a pupil who believes that the District has violated specific laws that govern HIV or sex education (380.1169; 380.1506; 380.1507; 388.1766a) may file a written complaint with the Superintendent or chief administrator of the District. The written complaint must set forth specifically the nature of the alleged violation and the facts upon which the complaint is based. The Superintendent must investigate and provide, within 30 days of the complaint, a written report of her/his findings to the complainant. If violations are discovered the written report shall describe each violation and set forth the corrective action that will be taken to ensure that there are no further violations. A complainant who believes, based upon the report, that the District still does not comply with the law may appeal the findings to the Intermediate School District. If the complainant believes, based upon the Intermediate School District report, that the local school District still does not comply with the law, they may appeal the findings of the Intermediate School District to the State Superintendent for Public Instruction. (See 388.1766).

### **Suspend Use of Outside Vendors/Contractors for Sex Ed Instruction**

Motion: That the Board of Education suspend any outside vendors/contractors in the delivery of its sex education curriculum for the 2015-16 school year. This suspension shall continue until action is taken by the Board to authorize any contracts with outside vendors/contractors. (Motion approved June 2015.)

**The Board of Education approved the following motions at their regular meeting on July 13, 2015:**

#### **Selection Process**

Motion: That the Board of Education establish the following selection process for the Sex Education advisory board: Members of the Sex Education advisory board shall be selected based on both the state mandated membership requirements and the current composition of the advisory board. The Sex Education advisory board membership shall reasonably reflect the East Lansing public school district population.

The membership shall be widely representative of the diverse beliefs and values reflected in our school community and the prevailing community standards within the context of state and federal law.

#### **Number of Members**

Board of Education revise the number of members to serve on the Sex Education Advisory Board to thirteen (13) plus a representative of the ELPS Administration who shall serve in a non-voting capacity. Of the 13 voting members, two (2) shall be pupils of the school district.

#### **Appointment of Co-Chairs**

Motion: The Board of Education appoint co-chairs of the Sex Education Advisory Board for the 2015-16 year. Co-chairs will serve for one year terms and may be re-appointed to serve again as co-chairs, without limit.

#### **Terms of Service**

Motion: That the Board of Education establish the terms of service for the Sex Education advisory board at three (3) years, with the non-pupil members serving on a 3 year rotating basis with 1/3 of the membership reaching the fulfillment of their commitment every three years.

Beginning with the 2015-16 year, the co-chairs shall determine for the non-pupil members:

which 5 members have served the longest and will complete their terms the end of the 2015-16 year;  
which 5 members have served the next longest and will complete their terms at the end of the 2016-17 year;  
and the newest 4 members will complete their term at the end of the 2017-18 year.

Any member who has served their term may re-apply to be considered for a new 3-year appointment to the board.

Pupil members shall serve for one year terms and shall not be eligible to serve as pupil members once they have graduated from, or are no longer students in, ELPS. Pupil members are eligible to apply for reappointment to the board as long as they are pupils within the district