

AN ACT relating to abstinence education.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO READ AS FOLLOWS:

(1) As used in this section and Section 2 of this Act, unless the context otherwise requires, "abstinence education" means an educational or motivational program with course material and instruction that:

(a) Has as its exclusive purpose, teaching the social, psychological, and health gains to be realized by abstaining from sexual activity;

(b) Teaches abstinence from sexual activity outside of marriage as the expected standard for all school age children;

(c) Teaches that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health problems;

(d) Teaches that a mutually faithful monogamous relationship in the context of marriage is the expected standard of human sexual activity;

(e) Teaches that sexual activity outside of the context of marriage is likely to have harmful psychological and physical effects;

(f) Teaches that bearing children out-of-wedlock is likely to have harmful consequences for the child, the child's parents, and society;

(g) Teaches young people how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances; and

(h) Teaches the importance of attaining self-sufficiency before engaging in sexual activity.

(2) Abstinence education shall be the standard for any sex-related education taught in public schools. Health education or family life curricula and learning materials of a public school relating to human reproduction, sexual activity,

sexually transmitted diseases, or avoiding out-of-wedlock pregnancies shall be age appropriate and shall be based on the principles of abstinence education.

- (3) All curriculum and learning materials for a course with a curriculum relating to human reproduction, sexual activity, sexually transmitted diseases, or avoiding out-of-wedlock pregnancies, shall be available for review by the parent or legal guardian of a student at least thirty (30) days prior to the beginning of the course.
- (4) The demonstration or distribution of contraceptives, including condoms and other devices, shall not take place or be made available on school property.
- (5) Courses of study developed by the Kentucky Department of Education for health education relating to human reproduction, sexual activity, sexually transmitted diseases, or avoiding out-of wedlock pregnancy shall be age appropriate, and shall identify a common curriculum content based on the principles of abstinence education.

SECTION 2. A NEW SECTION OF KRS CHAPTER 194A IS CREATED TO READ AS FOLLOWS:

- (1) As used in this section, unless the context otherwise requires, "abstinence education" shall have the same meaning as in Section 1 of this Act.
- (2) The Cabinet for Health Services shall use one hundred percent (100%) of federal funds and state matching funds appropriated for abstinence education under Title V of the Federal Social Security Act, 42 U.S.C. sec. 710, to fund school or community-based grants to institute abstinence education programs, subject to the approval of the federal agency responsible for administering the program.
- (3) A grant application shall include a written assurance from the school or organization that the curriculum, learning materials, and teaching practice of the proposed program are based on the principles of abstinence education.
- (4) The Cabinet for Health Services shall provide to all public school districts information regarding the availability of abstinence education funds, the

requirements for receiving funds, and the grant application process.

- (5) A public school or school district may submit a grant application developed in partnership with local public health departments, other public and private community agencies, organizations, and religious institutions.