BYLAWS OF THE BEAUFORT COUNTY SCHOOL DISTRICT (BCSD)
HEALTH ADVISORY COMMITTEE

BACKGROUND

Pursuant to the S.C. Comprehensive Health Education Act (CHEA)(S.C. Ann. 9 59-32 30(B)), the Health Advisory Committee (HAC) operates under the authority and guidance of the Beaufort County School Board of Education ("the Board"). As such, HAC members are selected by, and answerable to, the Board. The following by-laws are approved and enforced by the Board.

Final decisions regarding reproductive health education, family life education, and pregnancy prevention education rests with the Beaufort County Board of Education. This committee advises the Board by assisting in the selection of components and curriculum materials.

II. PURPOSE

A. The purpose of the HAC is to review components and curriculum materials reflective of what is stated in the South Carolina Comprehensive Health Education Act, S.C. Code Ann. 8 59-32-30(B).

B. "(B) Local school boards may use the instructional unit made available by the board [South Carolina State Board of Education] pursuant to Section 59-32-20, or local boards may develop or select their own instructional materials addressing the subjects of reproductive health education, family life education, and pregnancy prevention education. To assist in the selection of components and curriculum materials, each local school board shall appoint a thirteen-member local advisory committee consisting of two parents, three clergy, two health professionals, two teachers, two students, one being the president of the student body of a high school, and two other persons not employed by the local school district." S.C. Code Ann. 8 59-32-30(B).

III. CRITERIA FOR MEMBERSHIP

A. The South Carolina Comprehensive Health Education states that the local advisory committee shall be appointed by the local school board and consist of 13 members representing:

1. Two Parents
2. Three Clergy
3. Two Health Professionals
4. Two Teachers
5. Two Students
    a) One being the president of the student body of a high school
6. Two Other Persons not employed by BCSD

B. Nominees must be able to attend meetings, attend training(s), be interested in children's health issues, and uphold the South Carolina Comprehensive Health Education Act.

C. Members shall reside in Beaufort County and shall reflect demographic and geographic representation across the county.

IV. TERMS OF MEMBERSHIP

A. Members shall serve three-year terms of office at the pleasure of the Board.

B. Members completing a term of service shall be eligible to serve a second 3-year term at the discretion of the Board.

C. A year is defined as July through June.

D. The two students shall be at least juniors in high school, and each shall serve one annual term and shall be eligible to serve a second term if he/she is still enrolled in the BCSD. One student must be the student body president of a high school.

V. SELECTION OF COMMITTEE MEMBERS

A. Any member of the Board, former and current members of the HAC, and members of the Beaufort County community may make nominations for the HAC.

B. Each nominee or individual who wishes to serve on the HAC shall submit a resume or letter of interest to the Board's Executive Administrative Assistant. These applicants shall be reviewed and screened by the Executive Administrative Assistant and Superintendent's designee(s) and shall be presented to the Academics Committee of the Board, which shall recommend to the Board a slate of nominees.

VI. DUTIES OF MEMBERS

A. Members of the HAC should endeavor to attend all meetings. Where possible, a member should notify the Chair or Vice Chair in advance if they are unable to attend a meeting.

B. Members of the HAC shall be prepared to discuss items presented on the agenda, review all curricula materials submitted, suggest other items for consideration, and vote upon motions presented for the best interest of children.

C. Comply with the South Carolina Comprehensive Health Education Act, Bylaws, and relevant local policies, rules, and regulations.

D. Have a general working knowledge of the educational aims and objectives of the Board policies.

E. Work with other members as a team.

VII. ELECTION OF OFFICERS

A. Election of the officers shall be the first order of business at the first meeting of the year. The first meeting of the year shall be conducted by the last Chairperson until the new Chairperson is elected. If the last Chairperson is not available, the meeting shall be conducted by the last Vice-Chairperson. Nominations for Chairperson can be made by any member of the committee. Each nominee shall be the

subject of a vote until one is selected by a vote of the majority. A duly elected Chairperson may serve consecutive terms within their 3-year term.

B. The Vice-Chairperson will be elected in the same manner as is the Chairperson, to serve a one-year term of office. A duly elected Vice Chairperson may serve consecutive terms within their 3-year term.

C. The Board of Education shall appoint an Executive Secretary to serve in an ex officio capacity and shall have no vote.

VIII. DUTIES OF OFFICERS

A. Duties of Chairperson

1. The Chairperson, in cooperation with the Executive Secretary, shall set the agenda of each committee meeting, although any item shall be placed on the agenda if requested by a member of the HAC.

2. The Chairperson shall cause the draft agenda to be distributed to the members and to the Board, no later than 3 days prior to the meeting.

3. The Chairperson shall preside over all meetings in compliance with Robert's Rules of Order, unless that is inconsistent with the by-laws, in which case the by-laws control.

4. The Chairperson shall keep the Board informed of the status and works of the HAC and may be called upon to report to the Board or a committee of the Board.

B. Duties of Vice Chairperson

1. The Vice Chairperson shall have the power and duties of the Chairperson during the absence or disability of the Chairperson and such powers and duties as the HAC may, from time to time determine.

C. Duties of the Executive Secretary

1. The Board of Education's Executive Administrative Assistant shall serve as the Executive Secretary.

2. The Executive Secretary shall keep a record of all proceedings of all meetings of the Committee, and shall keep safe all pertinent books, papers, and reports, and shall furnish copies upon request by the committee.

3. The Executive Secretary shall prepare the final agenda as directed by the Chairperson and shall be responsible for ensuring that meeting agendas are posted and distributed to members and as required under the S.C. Freedom of Information Act.

IX. ATTENDANCE

A. If a member misses multiple meetings within the year, the majority of the HAC members may recommend to the Board the removal of that member. That member shall be given written notice by the Board Chair and the opportunity to be heard before removal.

X. FILLING VACANCIES

A. In the event of a vacancy on the HAC, the vacancy shall be filled for the remainder of the unexpired term by appointment of the Board. The Board will fill the vacant position with someone from the same category, as designated by the South Carolina Comprehensive Health Education Act.

B. If the unexpired term expires in less than one year from the first day of school, that appointee shall be eligible for two more three-year terms. If not, that appointee shall only be eligible for one more three-year term.

XI. CONDUCT OF COMMITTEE MEETINGS

A. The HAC is a public body, as defined by the South Carolina Freedom of Information Act (S.C. Code Ann. § 39-4-10 et seq.). All actions of the HAC shall be taken only in official Committee meetings called, scheduled, and conducted according to these bylaws, and state law, including the South Carolina Freedom of Information Act. All official meetings shall be open to the public.

XII. AGENDA

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E. Additional meetings may be scheduled, as needed, at the direction of either the Board or Chairperson of the HAC.

F. Meetings shall take place at the District office or through video conference or any other live, contemporaneous medium, unless another location is selected by a majority of the HAC.

XIII. QUORUM

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XIV. PROCEDURE

A. The rules of parliamentary procedure of Robert's Rules of Order shall govern the HAC deliberations unless contrary to the bylaws. Rules may be temporarily suspended, at any meeting, by a two-thirds majority vote.

B. Minutes of the HAC meetings shall be maintained and provided to the Board of Education.

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D. Time for open discussion of curriculum materials presented must be allowed. Once a presentation has been discussed, the HAC members will study the curriculum prior to a vote. HAC Members should be allowed reasonable time to research/review the curriculum under consideration. Any vote should take place at a subsequent meeting unless a two-thirds vote agrees to proceed with a vote.

E. Curriculum recommended by the HAC will be reviewed by the Academics Committee prior to consideration by the Board. The Academics Committee will submit the curriculum to the Board with a recommendation.

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A. The committee agenda shall include a time for public comment for matters within the committee's domain. A total of thirty minutes will be provided for public comment. The HAC recognizes its responsibility to conduct the business of the Board in an orderly and efficient manner and will therefore require reasonable controls to facilitate public presentations to the HAC. Individuals who desire to appear before the HAC shall sign in before the meeting comes to order. Each individual shall be permitted three minutes to comment.

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Three-Year Term Appointment Cycles
Health Advisory Committee

Cycle A 2022-23	**Cycle B** 2022-24	**Cycle C** 2022-25
Name Student Appointed Annually		
Name Student, HS Student Body President Appointed Annually		
Name Parent 07/01/2022 - 06/30/2023	**Name** Parent 07/01/2022 - 06/30/2024	
Name Health Professional 07/01/2022 - 06/30/2023		**Name** Health Professional 07/01/2022 - 06/30/2025
Name Community 07/01/2022 - 06/30/2023	**Name** Community 07/01/2022 - 06/30/2024	
	Name Teacher 07/01/2022 - 06/30/2024	**Name** Teacher 07/01/2022 - 06/30/2025
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Three-Year Term Appointment Cycles
Health Advisory Committee

Cycle A 2024-25	Cycle B 2024-26	Cycle C 2024-27
Dagmire Levine Student Appointed Annually		
Grace Beasley Student Appointed Annually		
Angela Rosillo Parent 07/01/2022 - 06/30/2023	**Susan Heid** Parent 07/01/2022 - 06/30/2024	
Christopher Johnston Health Professional 07/01/2022 - 06/30/2023		**Constance Pope** Health Professional 07/01/2022 - 06/30/2025
Cynthia (Cindy) Coburn-Smith Community 07/01/2022 - 06/30/2023	**Holton (Tim) Pierce** Community 07/01/2022 - 06/30/2024	
	Caitlyn Shacklock Teacher 07/01/2022 - 06/30/2024	**Amy Prior** Teacher 07/01/2022 - 06/30/2025
Michael Coxwell Clergy 07/01/2022 - 06/30/2023	**Wanda Glaze** Clergy 07/01/2022 - 06/30/2024	**Richard Norris** Clergy 07/01/2022 - 06/30/2025

L. The sponsor annually shall evaluate the conditions outlined in S.C. Code Ann. § 59-40-110. The annual evaluation results must be used in making a determination for nonrenewal or revocation and notify in writing the charter school's governing body of the proposed action. S.C. Code Ann. § 59-40-110(F)

M. Shall permanently close any charter school at the conclusion of the school year after receiving the lowest performance level rating as defined by the federal accountability system for three consecutive years in accordance with S.C. Code Ann. § 59-40-110(E).

N. Prior to any public charter school closure, the sponsor shall develop a public charter school closure protocol to ensure timely notification to parents, orderly transition of students and student records to new schools, and proper disposition of school funds, property, and net assets in accordance with S.C. Code Ann. § 59-40-110(K).

O. Sponsors shall classify schools as Alternative Education Campuses (AEC) as outlined in S.C. Code Ann. § 59-40-111 and follow procedures as outlined in S.C. Code Ann. § 59-40-110(E) for automatic closure.

P. Will receive and distribute state, county, and school district funds to a charter school as determined by the formula outlined in S.C. Code Ann. § 59-40-140(A).

Q. The South Carolina Public Charter School District or public or independent institution of higher learning sponsor shall receive and distribute state funds to the charter school as provided by the General Assembly as outlined in S.C. Code Ann. § 59-40-140(B).

R. Will receive and distribute to the charter school federal funds which are allocated to the sponsor on the basis of the number of special characteristics of the students attending the charter school. These amounts must be verified by the State Department of Education before the first disbursement of funds as outlined in S.C. Code Ann. § 59-40-140(C).

S. After receipt of federal or state categorical aid funds, sponsors shall, within ten business days, supply to the charter school the proportional share of each categorical fund for which the charter school qualifies as outlined in S.C. Code Ann. § 59-40-140(D).

T. Shall provide technical assistance to persons and groups preparing or revising charter applications at no expense per S.C. Code Ann. § 59-40-140(I).

U. If a school district declares a building surplus and chooses to sell or lease the building, a charter school's board of directors or a charter committee operating or applying within the district must be given the first refusal to purchase or lease the building under the same or better terms and conditions as it would be offered to the public as outlined in S.C. Code Ann. § 59-40-170.

V. Use its funding provided pursuant to this section exclusively for the purpose of fulfilling sponsor obligations in accordance with the South Carolina Charter Schools Act of 1996.

Signature of Sponsoring District Superintendent

1/16/25
Date

SOUTH CAROLINA STATE DEPARTMENT OF EDUCATION

South Carolina Public Charter School Annual Report

Statement of Assurances for Charter School Sponsors

As the authorized representative of [Beaufort County School District], I hereby certify that the stated charter school sponsor complies with all applicable South Carolina Charter Schools Act of 1996 requirements as submitted in this statement of assurances.

A. The sponsor of a charter school is the charter school's local education agency (LEA) and a charter school is a school within that LEA. The sponsor retains responsibility for special education and shall ensure that students enrolled in its charter schools are served in a manner consistent with LEA obligations under applicable federal, state, and local law as defined in section S.C. Code Ann. § 59-40-40.

B. Adopt national industry standards of quality charter schools and shall authorize and implement practices consistent with those standards in order to promote the quality of charter school outcomes and oversight. S.C. Code Ann. § 59-40-55

C. Approve and decline charter applications as specified in S.C. Code Ann. §§ 59-40-50, 59-40-60, and 59-40-70(C).

D. Conduct or require oversight activities that enable the sponsor to fulfill its responsibilities outlined in this chapter, including conducting appropriate inquiries and investigations, only if those activities are consistent with the intent of this chapter, adhere to the terms of the charter contract, and do not unduly inhibit the autonomy granted to public charter schools. S.C. Code Ann. § 59-40-55

E. Collect, in accordance with S.C. Code Ann. § 59-40-140(H), an annual report from each of its sponsored charter schools and submit the reports to the Department of Education. S.C. Code Ann. § 59-40-55

F. Provide to parents and the general public information about charter schools authorized by the sponsor as an enrollment option within the district in which the charter school is located to the same extent and through the same means as the district in which the charter school is located provides and publicizes information about all public schools in the district. S.C. Code Ann. § 59-40-55

G. Will negotiate, execute, and monitor the terms of a contract between the charter school and the sponsor as defined in S.C. Code Ann. §§ 59-40-55 and 59-40-60. Contracts must be submitted to the SCDE annually.

H. Will comply with S.C. Code Ann. § 59-40-70 (1996), which outlines charter school application hearing, approval, and appeal process.

I. Will adhere to all provisions of S.C. Code Ann. § 59-40-100 pertaining to conversion charter schools, as applicable.

J. Notify the charter school of perceived problems if its performance or legal compliance appears to be unsatisfactory and provide reasonable opportunity for the school to remedy the problem, unless the problem warrants revocation and revocation timeframes apply. S.C. Code Ann. § 59-40-55

K. Take appropriate corrective actions or exercise sanctions short of revocation in response to apparent deficiencies in charter school performance or legal compliance. These actions or sanctions may include requiring a school to develop and execute a corrective action plan within a specified timeframe. S.C. Code Ann. § 59-40-55

South Carolina Code of Laws
Unannotated

Title 59 - Education

CHAPTER 32

Comprehensive Health Education Program

SECTION 59-32-5. Short title.

This may be cited as the "Comprehensive Health Education Act".

HISTORY: 1988 Act No. 437, Section 1.

SECTION 59-32-10. Definitions.

As used in this chapter:

(1) "Comprehensive health education" means health education in a school setting that is planned and carried out with the purpose of maintaining, reinforcing, or enhancing the health, health-related skills, and health attitudes and practices of children and youth that are conducive to their good health and that promote wellness, health maintenance, and disease prevention. It includes age-appropriate, sequential instruction in health either as part of existing courses or as a special course.

(2) "Reproductive health education" means instruction in human physiology, conception, prenatal care and development, childbirth, and postnatal care, but does not include instruction concerning sexual practices outside marriage or practices unrelated to reproduction except within the context of the risk of disease. Abstinence and the risks associated with sexual activity outside of marriage must be strongly emphasized.

(3) "Family life education" means instruction intended to:

(a) develop an understanding of the physical, mental, emotional, social, economic, and psychological aspects of close personal relationships and an understanding of the

physiological, psychological, and cultural foundations of human development;

(b) provide instruction that will support the development of responsible personal values and behavior and aid in establishing a strong family life for themselves in the future and emphasize the responsibilities of marriage.

(c) provide instruction as to the laws of this State relating to the sexual conduct of minors, including criminal sexual conduct.

(4) "Pregnancy prevention education" means instruction intended to:

(a) stress the importance of abstaining from sexual activity until marriage;

(b) help students develop skills to enable them to resist peer pressure and abstain from sexual activity;

(c) explain methods of contraception and the risks and benefits of each method. Abortion must not be included as a method of birth control. Instruction explaining the methods of contraception must not be included in any education program for grades kindergarten through fifth. Contraceptive information must be given in the context of future family planning.

(5) "Local school board" means the governing board of public school districts as well as those of other state-supported institutions which provide educational services to students at the elementary and secondary school level. For purposes of this chapter, programs or services provided by the Department of Health and Environmental Control in educational settings must be approved by the local school board.

(6) "Board" means the State Board of Education.

(7) "Department" means the State Department of Education.

HISTORY: 1988 Act No. 437, Section 3.

SECTION 59-32-20. Selection or adoption of instruction units by state board required.

(A) Before August 1, 1988, the board, through the department, shall select or develop an instructional unit with separate components addressing the subjects of reproductive

health education, family life education, pregnancy prevention education, and sexually transmitted diseases and make the instructional unit available to local school districts. The board, through the department, also shall make available information about other programs developed by other states upon request of a local school district.

(B) In addition to the provisions of subsection (A), before September 1, 2015, the board, through the department, shall select or develop instructional units in sexual abuse and assault awareness and prevention, with separate units appropriate for each age level from four-year-old kindergarten through twelfth grade.

(C) Before August 1, 2018, and through the cyclical review process, if deemed necessary, the board shall include instruction on prescription opioid abuse prevention, with an emphasis on the prescription drug epidemic and the connection between opioid abuse and addiction to other drugs, such as heroin, in the health standards. In addition, the board shall make available to districts a list of instructional materials that meet state standards. Districts shall continue to adopt or develop curriculum locally.

(D) At the next cyclical review of the health standards, the board shall continue to revise existing age-appropriate standards and concepts that address mental, emotional, and social health.

HISTORY: 1988 Act No. 437, Section 3; 2014 Act No. 293 (H.4061), Section 1, eff June 23, 2014; 2018 Act No. 185 (S.302), Section 3, eff May 17, 2018; 2020 Act No. 170 (H.3257), Section 1, eff September 29, 2020.

Effect of Amendment

2014 Act No. 293, Section 1, inserted subsection designator (A), and added subsection (B).

2018 Act No. 185, Section 3, added (C), relating to instruction on prescription opioid abuse prevention.

2020 Act No. 170, Section 1, added (D).

SECTION 59-32-30. Local school boards to implement comprehensive health education program; guidelines and restrictions.

(A) Pursuant to guidelines developed by the board, each local school board shall

implement the following program of instruction:

(1) Beginning with the 1988-89 school year, for grades kindergarten through five, instruction in comprehensive health education must include the following subjects: community health, consumer health, environmental health, growth and development, nutritional health, personal health, prevention and control of diseases and disorders, safety and accident prevention, substance use and abuse, dental health, and mental and emotional health. Sexually transmitted diseases as defined in the annual Department of Health and Environmental Control List of Reportable Diseases are to be excluded from instruction on the prevention and control of diseases and disorders. At the discretion of the local board, age-appropriate instruction in reproductive health may be included.

(2) Beginning with the 1988-1989 school year, for grades six through eight, instruction in comprehensive health must include the following subjects: community health, consumer health, environmental health, growth and development, nutritional health, personal health, prevention and control of diseases and disorders, safety and accident prevention, substance use and abuse, dental health, mental and emotional health, and reproductive health education. Sexually transmitted diseases are to be included as a part of instruction. At the discretion of the local board, instruction in family life education or pregnancy prevention education or both may be included, but instruction in these subjects may not include an explanation of the methods of contraception before the sixth grade. Beginning with the 2016-2017 school year, for grades six through eight, instruction in comprehensive health education also must include the subject of domestic violence.

(3) Beginning with the 1989-90 school year, at least one time during the four years of grades nine through twelve, each student shall receive instruction in comprehensive health education, including at least seven hundred fifty minutes of reproductive health education and pregnancy prevention education.

(4) The South Carolina Educational Television Commission shall work with the department in developing instructional programs and materials that may be available to the school districts. Films and other materials may be designed for the purpose of explaining bodily functions or the human reproductive process. These materials may not contain actual or simulated portrayals of sexual activities or sexual intercourse.

For the validity of (A)(5), see Editors' Notes below.

(5) The program of instruction provided for in this section may not include a discussion of

alternate sexual lifestyles from heterosexual relationships including, but not limited to, homosexual relationships except in the context of instruction concerning sexually transmitted diseases.

(6) In grades nine through twelve, students must also be given appropriate instruction that adoption is a positive alternative.

(7) At least one time during the entire four years of grades nine through twelve, each student shall receive instruction in cardiopulmonary resuscitation (CPR), which must include, but not be limited to, hands-only CPR and must include awareness in the use of an automated external defibrillator (AED). Each school district shall use a program that incorporates the instruction of the psychomotor skills necessary to perform CPR developed by the American Heart Association, the American Red Cross, or an instructional program that is nationally recognized and based on the most current national evidence-based emergency cardiovascular care guidelines for CPR and awareness in the use of an AED. Local and statewide school districts shall coordinate with entities that have the experience and necessary equipment for the instruction of CPR and awareness in the use of AEDs; provided, however, that virtual schools may administer the instruction virtually and are exempt from any in-person instructional requirements. A school district must adopt a policy providing a waiver for this requirement for a student absent on the day the instruction occurred, a student with a disability whose individualized education program indicates such student is unable to complete all or a portion of the hands-only CPR requirement, or a student whose parent or guardian completes, in writing, a form approved by the school district opting out of hands-only CPR instruction and AED awareness. The State Board of Education shall incorporate CPR training and AED awareness into the South Carolina Health and Safety Education Curriculum Standards and promulgate regulations to implement this section.

(B) Local school boards may use the instructional unit made available by the board pursuant to Section 59-32-20, or local boards may develop or select their own instructional materials addressing the subjects of reproductive health education, family life education, and pregnancy prevention education. To assist in the selection of components and curriculum materials, each local school board shall appoint a thirteen-member local advisory committee consisting of two parents, three clergy, two health professionals, two teachers, two students, one being the president of the student body of a high school, and two other persons not employed by the local school district.

(C) The time required for health instruction for students in kindergarten through eighth

grade must not be reduced below the level required during the 1986-87 school year. Health instruction for students in grades nine through twelve may be given either as part of an existing course or as a special course.

(D) No contraceptive device or contraceptive medication may be distributed in or on the school grounds of any public elementary or secondary school. No school district may contract with any contraceptive provider for their distribution in or on the school grounds. Except as to that instruction provided by this chapter relating to complications which may develop from all types of abortions, school districts may not offer programs, instruction, or activities including abortion counseling, information about abortion services, or assist in obtaining abortion, and materials containing this information must not be distributed in schools. Nothing in this section prevents school authorities from referring students to a physician for medical reasons after making reasonable efforts to notify the student's parents or legal guardians or the appropriate court, if applicable.

(E) Any course or instruction in sexually transmitted diseases must be taught within the reproductive health, family life, or pregnancy prevention education components, or it must be presented as a separate component.

(F) Instruction in pregnancy prevention education must be presented separately to male and female students.

(G) Beginning with the 2015-2016 school year, districts annually shall provide age-appropriate instruction in sexual abuse and assault awareness and prevention to all students in four-year-old kindergarten, where offered, through twelfth grade. This instruction must be based on the units developed by the board, through the department, pursuant to Section 59-32-20(B).

HISTORY: 1988 Act No. 437, Section 3; 2014 Act No. 293 (H.4061), Section 2, eff June 23, 2014; 2015 Act No. 58 (S.3), Pt IV, Section 22, eff June 4, 2015; 2016 Act No. 152 (H.3265), Section 2, eff April 21, 2016.

Validity

Pursuant to the consent decree from Gender and Sexuality Alliance v. Spearman, 2020 WL 1227345 (D.S.C. Mar. 11, 2020), the Superintendent and the Superintendent's officers, assigns, successors, agents, employees, attorneys, and other persons who are acting in concert or in participation with each or any of them, are permanently enjoined from

enforcing, applying, or relying on S.C. Code. Section 59-32-30(A)(5), as it violates the Equal Protection Clause of the Fourteenth Amendment.

Editor's Note

2016 Act No. 152, Sections 1, 3 to 5 provide as follows:

"SECTION 1. This act may be referred to and cited as 'Ronald Rouse's Law'."

"SECTION 3. Students who have already completed the requisite health course will not be required to take the course a second time.

"SECTION 4. The State Department of Education may include language from any section of this act in the South Carolina Health and Safety Education Curriculum Standards.

"SECTION 5. School districts must begin complying with the provisions of this act no later than the 2017-2018 school year."

Effect of Amendment

2014 Act No. 293, Section 2, added subsection (G).

2015 Act No. 58, Section 22, in (A)(2), substituted "1988-1989 school year" for "1988-89 school year", and added the last sentence, relating to the 2016-2017 school year.

2016 Act No. 152, Section 2, added (A)(7), relating to instruction in CPR and AED use awareness in high schools.

SECTION 59-32-36. Comprehensive health education program.

(A) A nurse, counselor, teacher, principal, or other official or staff at a public school shall not knowingly:

(1) encourage or coerce a minor to withhold from the minor's parent or legal guardian the fact that the minor's perception of his or her gender is inconsistent with his or her sex, as defined in Section 44-42-310; or

(2) withhold from a minor's parent or legal guardian information related to the minor's

perception that his or her gender is inconsistent with his or her sex, as defined in Section 44-42-310.

(B) The principal, vice principal, or counselor at a public school shall immediately notify in writing a minor's parent or legal guardian if the minor:

(1) asserts to any school employee that the minor's gender is inconsistent with his or her sex, as defined in Section 44-42-310; or

(2) requests a school employee to address a minor using a pronoun or title that does not align with the minor's sex.

HISTORY: 2024 Act No. 203 (H.4624), Section 2, eff May 21, 2024.

SECTION 59-32-40. Staff development.

As part of their program for staff development, the department and local school boards shall provide appropriate staff development activities for educational personnel participating in the comprehensive health education program. Local school boards are encouraged to coordinate the activities with the department and institutions of higher learning.

HISTORY: 1988 Act No. 437, Section 3.

SECTION 59-32-50. Notice to parents; right to have child exempted from comprehensive health education program classes.

Pursuant to policies and guidelines adopted by the local school board, public school principals shall develop a method of notifying parents of students in the relevant grades of the content of the instructional materials concerning reproductive health, family life, pregnancy prevention, and of their option to exempt their child from this instruction, and sexually transmitted diseases if instruction in the diseases is presented as a separate component. Notice must be provided sufficiently in advance of a student's enrollment in courses using these instructional materials to allow parents and legal guardians the opportunity to preview the materials and exempt their children.

A public school principal, upon receipt of a statement signed by a student's parent or legal guardian stating that participation by the student in the health education program conflicts

with the family's beliefs, shall exempt that student from any portion or all of the units on reproductive health, family life, and pregnancy prevention where any conflicts occur. No student must be penalized as a result of an exemption. School districts shall use procedures to ensure that students exempted from the program by their parents or guardians are not embarrassed by the exemption.

HISTORY: 1988 Act No. 437, Section 3.

SECTION 59-32-60. Department to ensure compliance; annual district report.

The department shall assure district compliance with this chapter. Each local school board shall consider the programs addressed in this chapter in developing its annual district report.

HISTORY: 1988 Act No. 437, Section 3.

SECTION 59-32-70. Applicability to private schools.

The provisions of this chapter do not apply to private schools.

HISTORY: 1988 Act No. 437, Section 3.

SECTION 59-32-80. Penalty for teachers violation of or refusal to comply with chapter.

Any teacher violating the provisions of this chapter or who refuses to comply with the curriculum prescribed by the school board as provided by this chapter is subject to dismissal.

HISTORY: 1988 Act No. 437, Section 3.

SECTION 59-32-90. Restrictions on use of films, pictures, or diagrams.

Films, pictures, or diagrams in any comprehensive health education program in public schools must be designed solely for the purpose of explaining bodily functions or the human reproduction process and may not include actual or simulated portrayals of sexual activities or sexual intercourse.

HISTORY: 1988 Act No. 437, Section 3.