

Title: Sex Education Instruction

Effective Date: July 12, 2021

References:

Utah Code §53G-10-401, Definitions

Utah Code §53G-10-402, Instruction in health – Parental consent requirements

Utah Code §53G-10-403, Required parental consent for sex education instruction

Utah Admin. R277-474. School Instruction and Human Sexuality

Purpose

IEA believes that it is the primary responsibility of parents to provide sex education instruction for their children. It is the responsibility of the school to provide supportive instruction which will complement the efforts of parents. This policy serves to provide requirements for IEA and individual educators to appropriately implement sex education and maturation programs that are in alignment with the State Board of Education requirements.

Definitions

1. Maturation education: means instruction and materials used to provide fifth or sixth grade students with age appropriate, medically accurate information regarding the physical and emotional changes associated with puberty, to assist in protecting students from abuse and to promote hygiene and good health practices.
2. “Refusal skills”: means instruction in a student’s ability to clearly and expressly refuse sexual advances by a minor or adult; in a student’s obligation to stop the student’s sexual advances if refused by another individual; informing a student of the student’s right to report and seek counseling for unwanted sexual advances; in sexual harassment; and informing a student that a student may not consent to criminally prohibited activities or activities for which the student is legally prohibited from giving consent, including the electronic transmission of sexually explicit images by an individual of the individual or another.
3. Sex education instruction: means any course, unit, class, lesson, activity, or presentation that, as a focus of the discussion, provides instruction or information to a student about sexual abstinence, human sexuality, human reproduction, reproductive anatomy, physiology, pregnancy, marriage, childbirth, parenthood, contraception, HIV/AIDS, sexually transmitted diseases, or refusal skills.

Policy

Sex Education Instruction.

1. It is the primary responsibility of parents to provide sex education instruction for their children. It is the responsibility of the school to provide supportive instruction which will complement the efforts of parents.

2. The Board authorizes the Director to conduct sex education instruction, within the framework established by the State Board of Education.
3. IEA will follow all provisions of state law when teaching any aspect of sex education instruction, including parent/guardian notification and prior written parental consent requirements.
4. Licensed educators must complete all state USBE trainings requirements specific to sex education instruction and curriculum prior to teaching sex education instruction.
5. The Board authorizes the Director to establish administrative regulations consistent with this policy, subject to review and approval by the Board.

Parent Permission Required

1. The parent/legal guardian of a student must provide written consent before the student may participate in Sex Education Instruction.
2. Consent must be obtained using the Parental Notification Form.
3. The signed Parental Notification Forms must be retained at the school for a reasonable period of time but no less than one year.
4. If a student's parent/legal guardian chooses not to have the student participate Sex Education instruction, the school shall either waive the requirement to participate or provide the student with a reasonable alternative to Sex Education Instruction.
 - a. A student's academic or citizenship performance may not be penalized if the student's parent/legal guardian chooses to have the student not participate in sex education instruction.

Restrictions in Instruction

1. The Sex Education Instruction shall stress:
 1. the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods for preventing certain communicable diseases; and
 2. personal skills that encourage individual choice of abstinence and fidelity.
2. IEA's Sex Education Instruction will comply with state law and board rules emphasizing abstinence before marriage and fidelity after marriage, and prohibiting instruction in the areas outlined in Utah Code §53G-10-402, through the use of instructional materials, direct instruction, or online instruction.
3. At no time may instruction be provided, including responses to spontaneous questions raised by students, regarding any means or methods that facilitate or encourage violation of any state or federal criminal law by a minor or an adult.
 1. This does not preclude an instructor from responding to a spontaneous question as long as the response is consistent with the provisions of this section.

Complaints and Violations

1. Complaints and concerns should initially be handled at the school level between parents, teachers, and administrators.

2. The Director will log and track complaints and comments resulting from student participation in sex education instruction. IEA will report the disposition of complaints to the Utah State Board of Education (USBE) upon request.
3. Licensed educators will individually record parent and community complaints or comments regarding sex education instruction programs and will document their responses.
4. Complaints that cannot be settled at the school level should be sent in writing to the IEA Board of Directors for review.
5. The Director shall report educators who willfully violate these procedures or applicable state law to the Utah Professional Practices Advisory Commission for investigation and possible discipline.

Maturation Instruction

1. Maturation: Each elementary school shall plan an elective maturation program for each fifth-grade girl and her parents and each fifth-grade boy and his parents.
 1. The main purposes of the program will be to provide accurate information about sexual development and to encourage discussion in the home.
 2. At the discretion of the school director, students and their parents from other grades may be invited to attend.

Date originally approved: July 12, 2021