

FINAL

NO FISCAL IMPACT

Drafting Number: LLS 07-0670**Date:** May 22, 2007**Prime Sponsor(s):** Rep. Todd
Sen. Windels**Bill Status:** Signed into Law**Fiscal Analyst:** Harry Zeid (303-866-4753)

TITLE: CONCERNING THE ADOPTION OF SCIENCE-BASED CONTENT STANDARDS FOR INSTRUCTION REGARDING HUMAN SEXUALITY.**Summary of Assessment**

This bill requires school districts, charter schools, institute charter schools, and teen pregnancy and dropout prevention programs that offer a planned curriculum that includes instruction concerning human sexuality to maintain content standards for the curriculum based on scientific research. School districts, charter schools, and institute charter schools are encouraged to involve teachers, school nurses, parents, and community members in the development of the content standards and to integrate available community resources into programs providing instruction regarding human sexuality. The bill also identifies the minimum requirements for a school district curriculum concerning human sexuality. The content standards would:

- encourage parental involvement and family communication;
- emphasize abstinence and teach that sexual abstinence is the only certain way and the most effective way to avoid pregnancy and sexually transmitted diseases and infections;
- include instruction to help students develop skills for making responsible and healthy decisions;
- include discussion of how alcohol and drug use impairs responsible and healthy decision-making;
- be age-appropriate, culturally sensitive, and medically accurate;
- provide instruction about the health benefits and potential side effects of using contraceptives and barrier methods to prevent pregnancy, including instruction regarding emergency contraception and the availability of contraceptive methods; and
- for school districts that have established a character education program, promote the guidelines of behavior established in the character education program.

A school district, charter school, or institute charter school that is receiving direct or indirect funding from the federal government for the provision of an abstinence education program pursuant to 42 U.S.C. Section 710 shall not be required to adopt content standards that are based on scientific research so long as federal funding continues to be received. On this basis, this fiscal note assumes that federal funds will not be in jeopardy for school districts receiving federal funding for abstinence education.

While school districts will be required to adopt content standards, the additional workload that will be necessary is viewed to be minimal and can be accomplished within existing school district resources. At the state level, the bill will have no fiscal impact. As such, the bill is assessed as having no fiscal impact. The bill was signed by the Governor and became law on May 14, 2007.

Background. The Department of Public Health and Environment received \$488,314 in federal funds in FY 2006-07 from the U.S. Department of Health and Human Services, Section 510 Abstinence Education Program. Of this amount, \$433,314 is available in the current calendar year for abstinence education programs and the remaining \$55,000 is available to the department for program administration. To date, a total of \$214,500 has been made available for four contracts to provide abstinence education, as follows:

- Center Consolidated School District - \$39,500;
- Weld County Health Department to provide education in the St. Vrain School District - \$65,000;
- Friends First to provide education in the Greeley-Evans District 6 - \$65,000; and
- FACT Foundation to provide education in Mesa County Valley School District #51 - \$45,000.

The department's contracts with these program providers is for three years (calendar years 2007 through 2009), subject to the annual availability of federal funds.

Section 510 [42 U.S.C. 710] (2)(A) of the Abstinence Education Program states that abstinence education means an educational or motivational program which has as its exclusive purpose, teaching the social, psychological, and health gains to be realized by abstaining from sexual activity. Further, federal guidelines state that "neither the State nor any of its sub-awardees may use Federal or matching funds under this award to promote the use of contraception."

Departments Contacted

Education
Human Services

Health Care Policy and Financing
Public Health and Environment