

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0161.02 Jane Ritter x4342

HOUSE BILL 13-1081

HOUSE SPONSORSHIP

Duran, Buckner, Fields, Hamner, Kagan, McCann, Moreno

SENATE SPONSORSHIP

Todd,

House Committees

Health, Insurance & Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING HUMAN SEXUALITY EDUCATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill moves and adds language to the content standards for the instruction of comprehensive human sexuality education.

The bill creates the comprehensive human sexuality education grant program (program) in the department of public health and environment (department). An oversight entity will assess available funding opportunities and work with appropriate state departments to apply for federal and state grant moneys to fund the program. Once the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

program is funded, the oversight entity and the department shall work together to notify school districts, boards of cooperative services, and the state charter school institute of the program. The oversight entity will develop criteria for grant applications and for determining who will receive grant moneys and for how long. The oversight entity shall review all of the grant applications and make recommendations to the department concerning the awarding of grants through the program. The moneys distributed through the program must only be used for the purpose of providing comprehensive human sexuality education programs that are evidence-based, culturally sensitive, medically accurate, age-appropriate, reflective of positive youth development approaches, and that comply with statutory content standards.

The state board of health shall promulgate rules for the implementation of the program.

Schools that receive funding for local comprehensive health education programs are required to implement an opt-out policy rather than an opt-in policy for comprehensive health and sexuality education programs.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** 22-1-110.5.

3 **SECTION 2.** In Colorado Revised Statutes, **add** 22-1-128 as
4 follows:

5 **22-1-128. Comprehensive human sexuality education -**
6 **legislative declaration - definitions - guidelines and content**
7 **standards.** (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND

8 DECLARES THAT:

9 (I) COLORADO YOUTH HAVE A RIGHT TO RECEIVE MEDICALLY AND
10 SCIENTIFICALLY ACCURATE INFORMATION TO EMPOWER THEM TO MAKE
11 INFORMED DECISIONS THAT PROMOTE THEIR INDIVIDUAL PHYSICAL AND
12 MENTAL HEALTH AND WELL-BEING;

13 (II) THIS RIGHT APPLIES TO ALL YOUTH, REGARDLESS OF
14 GEOGRAPHIC LOCATION, ETHNIC OR RACIAL BACKGROUND, FAMILY
15 INCOME, PHYSICAL OR INTELLECTUAL ABILITY, SEXUAL ORIENTATION, OR

1 GENDER EXPRESSION;

2 (III) PARENTS, CAREGIVERS, COMMUNITY ORGANIZATIONS, AND
3 OTHER TRUSTED ADULTS SERVE AS AN ESSENTIAL PART OF THE EDUCATION
4 PROCESS AND MAY RELY ON HEALTH, EDUCATION, AND OTHER
5 PROFESSIONALS TO PROVIDE EVIDENCE-BASED INFORMATION THAT
6 EMPOWERS YOUTH TO MAKE DECISIONS THAT ARE CONSISTENT WITH THEIR
7 OWN VALUES AND LIFE GOALS;

8 (IV) THE INFORMATION, EDUCATION, AND SKILLS THAT COLORADO
9 YOUTH RECEIVE DURING THEIR FORMATIVE YEARS PROVIDE THE
10 FOUNDATION FOR RESPONSIBLE DECISION-MAKING ABOUT PERSONAL
11 BEHAVIORS AND IMPORTANT LIFE DECISIONS THROUGHOUT THE REST OF
12 THEIR LIVES;

13 (V) THE DECISIONS AN INDIVIDUAL MAKES REGARDING HIS OR HER
14 SEXUAL AND REPRODUCTIVE HEALTH IMPACT THE PUBLIC HEALTH AND
15 WELFARE OF THE COMMUNITY IN WHICH THE INDIVIDUAL LIVES;

16 (VI) WHEN COMPARED TO THE NATIONAL AVERAGE, COLORADO
17 HAS A LOWER RATE OF TEEN BIRTHS AND A LOWER RATE OF CERTAIN
18 SEXUALLY TRANSMITTED INFECTIONS, ACCORDING TO THE CENTERS FOR
19 DISEASE CONTROL AND PREVENTION AND THE COLORADO DEPARTMENT OF
20 PUBLIC HEALTH AND ENVIRONMENT. IN SPITE OF THIS DATA, COLORADO
21 YOUTH STILL FACE MANY BARRIERS IN OBTAINING THE MEDICALLY
22 ACCURATE INFORMATION AND RESOURCES THEY NEED TO MAKE INFORMED
23 AND RESPONSIBLE DECISIONS AND LEAD HEALTHY LIVES.

24 (VII) ACCORDING TO THE CENTERS FOR DISEASE CONTROL AND
25 PREVENTION, EVIDENCE-BASED, MEDICALLY ACCURATE,
26 AGE-APPROPRIATE, CULTURALLY SENSITIVE, AND COMPREHENSIVE
27 SEXUALITY EDUCATION PROGRAMS HAVE BEEN PROVEN TO HELP YOUTH

1 DELAY THE ONSET OF SEXUAL ACTIVITY, DECREASE THE FREQUENCY OF
2 SEXUAL ACTIVITY, REDUCE THE NUMBER OF SEXUAL PARTNERS, AND
3 INCREASE CONDOM AND CONTRACEPTIVE USE;

4 (VIII) SEXUAL VIOLENCE AND TEEN DATING VIOLENCE IS A
5 PERVERSIVE AND SERIOUS PUBLIC HEALTH ISSUE, PLACING TEEN VICTIMS AT
6 INCREASED RISK FOR ADOLESCENT PREGNANCY, SEXUALLY TRANSMITTED
7 DISEASES AND INFECTIONS, LOW ACADEMIC PERFORMANCE, TRUANCY,
8 DROPOUT, AND OTHER HARMFUL BEHAVIORS;

9 (IX) ACCORDING TO THE CENTERS FOR DISEASE CONTROL AND
10 PREVENTION, THESE CHANGES IN BEHAVIOR HELP PREVENT UNINTENDED
11 PREGNANCY AND THE SPREAD OF SEXUALLY TRANSMITTED INFECTIONS;

12 (X) THE COLORADO GENERAL ASSEMBLY PASSED HOUSE BILL
13 07-1292, ENACTED IN 2007, TO ESTABLISH CONTENT STANDARDS FOR THE
14 PROVISION OF HUMAN SEXUALITY COURSES TAUGHT IN PUBLIC SCHOOLS
15 THROUGHOUT THE STATE;

16 (XI) THE COLORADO GENERAL ASSEMBLY PASSED THE "PUBLIC
17 HEALTH REAUTHORIZATION ACT", SENATE BILL 08-194, ENACTED IN
18 2008, TO CREATE A STATEWIDE PUBLIC HEALTH IMPROVEMENT PLAN TO
19 ELIMINATE GEOGRAPHIC-BASED AND OTHER DISPARITIES IN THE
20 ACCESSIBILITY AND AVAILABILITY OF SERVICES THROUGH THE STATE'S
21 PUBLIC HEALTH AGENCIES;

22 (XII) THE COLORADO GENERAL ASSEMBLY PASSED THE
23 "EDUCATION ALIGNMENT ACT", SENATE BILL 08-212, ENACTED IN 2008,
24 WHICH STATES THAT ALL SCHOOL DISTRICT STANDARDS MUST MEET OR
25 EXCEED ESTABLISHED STATE STANDARDS, AND THAT SCHOOL DISTRICTS
26 MUST ADOPT CURRICULUM AND ASSESSMENTS THAT ARE CONSISTENT WITH
27 THESE STANDARDS; AND

1 (XIII) IN 2009, THE COLORADO STATE BOARD OF EDUCATION
2 ADOPTED ACADEMIC CONTENT STANDARDS FOR COMPREHENSIVE HEALTH
3 EDUCATION THAT SUPPORT YOUTH IN MAKING INFORMED AND
4 RESPONSIBLE DECISIONS ABOUT THEIR HEALTH AND IN HAVING ACCESS TO
5 THE TOOLS THEY NEED TO LIVE HEALTHY LIVES.

6 (b) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

7 (I) THERE IS A NEED TO CONTINUE AND EXPAND EFFORTS TO
8 ENSURE THAT ALL YOUNG PEOPLE IN COLORADO HAVE ACCESS TO
9 EVIDENCE-BASED, MEDICALLY ACCURATE, CULTURALLY SENSITIVE,
10 AND AGE-APPROPRIATE COMPREHENSIVE SEXUALITY EDUCATION,
11 INFORMATION, AND RESOURCES TO GUIDE THEM IN MAKING INFORMED
12 DECISIONS ABOUT THEIR HEALTH AND RELATIONSHIPS. ADDITIONALLY,
13 SCHOOLS NEED TO PROMOTE HEALTHY RELATIONSHIPS THROUGH
14 AGE-APPROPRIATE, CULTURALLY SENSITIVE, AND COMPREHENSIVE HUMAN
15 SEXUALITY EDUCATION, INCLUDING PROVIDING INFORMATION AND
16 RESOURCES FOR EARLY INTERVENTION AND RESPONSE STRATEGIES TO
17 TEEN DATING VIOLENCE.

18 (II) THE STATE OF COLORADO AND ELIGIBLE STATE AGENCIES AND
19 OTHER ORGANIZATIONS MUST PURSUE FUNDING AND OTHER FEDERAL
20 SUPPORT TO IMPLEMENT COMPREHENSIVE HUMAN SEXUALITY EDUCATION
21 PROGRAMS;

22 (III) THE PROVISIONS OF SEXUAL AND REPRODUCTIVE HEALTH
23 EDUCATION THAT INCORPORATE COMPREHENSIVE, EVIDENCE-BASED,
24 CULTURALLY SENSITIVE, AND AGE-APPROPRIATE STANDARDS CAN RESULT
25 IN YOUTH DELAYING SEXUAL ACTIVITY UNTIL THEY ARE READY, AVOIDING
26 UNWANTED CONSEQUENCES OF SEXUAL BEHAVIOR, LEARNING MEDICALLY
27 ACCURATE INFORMATION ABOUT THEIR HEALTH, AND PROMOTING

1 POSITIVE YOUTH-FRIENDLY MESSAGES CONCERNING GROWTH,
2 DEVELOPMENT, BODY IMAGE, GENDER ROLES, AND ALL ASPECTS RELATED
3 TO HEALTHY, SAFE RELATIONSHIPS AND SEXUAL BEHAVIOR; AND

4 (IV) BROAD-BASED COMMUNITY PARTNERSHIPS ARE ESSENTIAL
5 WHEN DEVELOPING POLICIES AND IMPLEMENTING PROGRAMS THAT AFFECT
6 THE SEXUAL AND REPRODUCTIVE HEALTH OF COLORADO'S YOUTH.

7 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES:

9 (a) "AGE-APPROPRIATE" MEANS TOPICS, MESSAGES, AND TEACHING
10 METHODS SUITABLE TO A PARTICULAR AGE OR AGE GROUP, BASED ON
11 DEVELOPING COGNITIVE, EMOTIONAL, AND BEHAVIORAL CAPACITY
12 TYPICAL FOR THE AGE OR AGE GROUP.

13 (b) "COMPREHENSIVE HUMAN SEXUALITY EDUCATION" MEANS
14 MEDICALLY ACCURATE INFORMATION ABOUT ALL METHODS TO PREVENT
15 UNINTENDED PREGNANCY AND SEXUALLY TRANSMITTED DISEASES AND
16 INFECTIONS, INCLUDING HIV AND AIDS, [REDACTED] AND THE LINK BETWEEN
17 HUMAN PAPILLOMAVIRUS AND CANCER. METHODS MUST INCLUDE
18 INFORMATION ABOUT THE CORRECT AND CONSISTENT USE OF ABSTINENCE,
19 CONTRACEPTION, CONDOMS, AND OTHER BARRIER METHODS. ADDITIONAL
20 CONTENTS OF COMPREHENSIVE HUMAN SEXUALITY EDUCATION MAY
21 INCLUDE:

22 (I) ENCOURAGING FAMILY COMMUNICATION ABOUT SEXUALITY;

23 (II) TEACHING YOUNG PEOPLE HOW TO AVOID, AND AVOID
24 MAKING, UNWANTED VERBAL, PHYSICAL, AND SEXUAL ADVANCES;

25 (III) FOCUSING ON THE DEVELOPMENT OF SAFE RELATIONSHIPS,
26 INCLUDING THE PREVENTION OF SEXUAL VIOLENCE IN DATING AND
27 TEACHING YOUNG PEOPLE HOW TO RECOGNIZE AND RESPOND SAFELY AND

1 EFFECTIVELY IN SITUATIONS WHERE SEXUAL OR PHYSICAL VIOLENCE MAY
2 BE OCCURRING OR WHERE THERE MAY BE A RISK FOR THESE BEHAVIORS TO
3 OCCUR; AND

4 (IV) TEACHING YOUNG PEOPLE HOW ALCOHOL AND DRUG USE CAN
5 AFFECT RESPONSIBLE DECISION-MAKING.

6 (c) "CULTURALLY SENSITIVE" MEANS THE INTEGRATION OF
7 KNOWLEDGE ABOUT INDIVIDUALS AND GROUPS OF PEOPLE INTO SPECIFIC
8 STANDARDS, POLICIES, PRACTICES, AND ATTITUDES USED TO INCREASE THE
9 QUALITY OF SERVICES. "CULTURALLY SENSITIVE" INCLUDES RESOURCES,
10 REFERENCES, AND INFORMATION THAT ARE MEANINGFUL TO THE
11 EXPERIENCES AND NEEDS OF COMMUNITIES OF COLOR; IMMIGRANT
12 COMMUNITIES; LESBIAN, GAY, BISEXUAL, AND TRANSGENDER
13 COMMUNITIES; PEOPLE WITH PHYSICAL OR INTELLECTUAL DISABILITIES;
14 PEOPLE WHO HAVE EXPERIENCED SEXUAL VICTIMIZATION; AND OTHERS
15 WHOSE EXPERIENCES HAVE TRADITIONALLY BEEN LEFT OUT OF SEXUAL
16 HEALTH EDUCATION, PROGRAMS, AND POLICIES.

17 (d) "EVIDENCE-BASED PROGRAM" MEANS A PROGRAM THAT:

18 (I) WAS EVALUATED USING A RIGOROUS RESEARCH DESIGN,
19 INCLUDING:

20 (A) MEASURING KNOWLEDGE, ATTITUDE, AND BEHAVIOR;

21 (B) HAVING AN ADEQUATE SAMPLE SIZE;

22 (C) USING SOUND RESEARCH METHODS AND PROCESSES;

23 (D) REPLICATING IN DIFFERENT LOCATIONS AND FINDING SIMILAR
24 EVALUATION RESULTS; AND

25 (E) PUBLISHING RESULTS IN A PEER-REVIEWED JOURNAL;

26 (II) RESEARCH HAS SHOWN TO BE EFFECTIVE IN CHANGING AT
27 LEAST ONE OF THE FOLLOWING BEHAVIORS THAT CONTRIBUTE TO EARLY

1 PREGNANCY AND, SEXUALLY TRANSMITTED INFECTIONS, INCLUDING HIV:

2 (A) DELAYING SEXUAL INITIATION;

3 (B) REDUCING THE FREQUENCY OF SEXUAL INTERCOURSE;

4 (C) REDUCING THE NUMBER OF SEXUAL PARTNERS; OR

5 (D) INCREASING THE USE OF CONDOMS AND OTHER
6 CONTRACEPTIVES.

7 (e) "POSITIVE YOUTH DEVELOPMENT" MEANS AN APPROACH THAT
8 EMPHASIZES THE MANY POSITIVE ATTRIBUTES OF YOUNG PEOPLE AND
9 FOCUSES ON DEVELOPING INHERENT STRENGTHS AND ASSETS TO PROMOTE
10 HEALTH. POSITIVE YOUTH DEVELOPMENT IS CULTURALLY SENSITIVE,
11 INCLUSIVE OF ALL YOUTH, COLLABORATIVE, AND STRENGTH-BASED.

12 (f) "SEXUAL ABSTINENCE" MEANS NOT ENGAGING IN ORAL,
13 VAGINAL, OR ANAL INTERCOURSE OR GENITAL SKIN-TO-SKIN CONTACT.

14 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (6) OF THIS
15 SECTION, A SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES,
16 CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL THAT OFFERS A
17 PLANNED CURRICULUM THAT INCLUDES COMPREHENSIVE HUMAN
18 SEXUALITY EDUCATION SHALL PROVIDE TO THE PARENT OR GUARDIAN OF
19 EACH STUDENT, PRIOR TO COMMENCING THE PLANNED CURRICULUM:

20 (a) WRITTEN NOTIFICATION OF THE ABILITY TO EXCUSE A
21 STUDENT, WITHOUT PENALTY OR ADDITIONAL ASSIGNMENT, FROM THAT
22 PORTION OF THE PLANNED CURRICULUM THAT INCLUDES COMPREHENSIVE
23 HUMAN SEXUALITY EDUCATION, UPON THE WRITTEN REQUEST OF THE
24 STUDENT'S PARENT OR GUARDIAN; AND

25 (b) A DETAILED, SUBSTANTIVE OUTLINE OF THE TOPICS AND
26 MATERIALS TO BE PRESENTED IN THAT PORTION OF THE PLANNED
27 CURRICULUM RELATED TO COMPREHENSIVE HUMAN SEXUALITY

1 EDUCATION.

2 (4) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE
3 AN ACT OR PROCEDURE IN ADDITION TO THE SIGNATURE OF THE PARENT OR
4 GUARDIAN TO EXCUSE A STUDENT FROM A PLANNED CURRICULUM
5 RELATED TO COMPREHENSIVE HUMAN SEXUALITY EDUCATION.

6 (5) EACH SCHOOL DISTRICT BOARD OF EDUCATION, BOARD OF
7 COOPERATIVE SERVICES, CHARTER SCHOOL, OR INSTITUTE CHARTER
8 SCHOOL IS ENCOURAGED TO DISSEMINATE POLICIES OR INSTRUCTIONS TO
9 THE PUBLIC SCHOOLS OF THE SCHOOL DISTRICT, OR BOARD OF
10 COOPERATIVE SERVICES, OR APPROPRIATE STAFF OF THE CHARTER SCHOOL
11 OR INSTITUTE CHARTER SCHOOL TO ENSURE THE IMPLEMENTATION OF THE
12 PROVISIONS OF THIS SECTION IN A MANNER THAT WILL NOT DRAW UNDUE
13 ATTENTION TO, NOR CAUSE UNDUE EMBARRASSMENT FOR, STUDENTS
14 EXCUSED FROM A PLANNED CURRICULUM RELATED TO COMPREHENSIVE
15 HUMAN SEXUALITY EDUCATION.

16 (6) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO A
17 LOCAL COMPREHENSIVE HEALTH EDUCATION PROGRAM IMPLEMENTED BY
18 A SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, CHARTER SCHOOL,
19 OR INSTITUTE CHARTER SCHOOL PURSUANT TO ARTICLE 25 OF THIS TITLE.

20 (7) EXCEPT AS DESCRIBED IN SUBSECTION (10) OF THIS SECTION,
21 A SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, CHARTER SCHOOL,
22 OR INSTITUTE CHARTER SCHOOL THAT OFFERS A PLANNED CURRICULUM
23 RELATED TO COMPREHENSIVE HUMAN SEXUALITY EDUCATION MUST, IN
24 OFFERING SUCH A CURRICULUM, MAINTAIN CONTENT STANDARDS FOR THE
25 CURRICULUM. THESE CONTENT STANDARDS MUST:

26 (a) ENCOURAGE PARENTAL INVOLVEMENT AND FAMILY
27 COMMUNICATION;

1 (b) INCLUDE MEDICALLY ACCURATE INFORMATION ABOUT
2 METHODS TO PREVENT UNINTENDED PREGNANCY AND SEXUALLY
3 TRANSMITTED INFECTIONS, INCLUDING HIV/AIDS, AND THE LINK
4 BETWEEN HUMAN PAPILLOMAVIRUS AND CANCER. METHODS SHALL
5 INCLUDE INFORMATION ABOUT THE CORRECT AND CONSISTENT USE OF
6 ABSTINENCE, CONTRACEPTION, CONDOMS, AND OTHER BARRIER METHODS.

7 (c) INCLUDE INSTRUCTION TO HELP STUDENTS DEVELOP SKILLS FOR
8 MAKING RESPONSIBLE AND HEALTHY DECISIONS ABOUT HUMAN
9 SEXUALITY, PERSONAL POWER, BOUNDARY SETTING, DEVELOPING SAFE
10 AND HEALTHY RELATIONSHIPS, AND RESISTING PEER PRESSURE, INCLUDING
11 HOW TO AVOID:

- 12 (I) UNWANTED VERBAL, PHYSICAL, AND SEXUAL ADVANCES;
- 13 (II) MAKING UNWANTED VERBAL, PHYSICAL, AND SEXUAL
14 ADVANCES; AND
- 15 (III) MAKING ASSUMPTIONS ABOUT A PERSON'S SUPPOSED SEXUAL
16 INTENTIONS BASED ON THAT PERSON'S APPEARANCE;

17 (d) INCLUDE DISCUSSIONS AND INFORMATION ON HOW TO
18 RECOGNIZE AND RESPOND SAFELY AND EFFECTIVELY IN SITUATIONS
19 WHERE SEXUAL OR PHYSICAL VIOLENCE MAY BE OCCURRING OR WHERE
20 THERE MAY BE A RISK FOR THESE BEHAVIORS TO OCCUR;

21 (e) INCLUDE DISCUSSION OF HOW ALCOHOL AND DRUG USE IMPAIRS
22 RESPONSIBLE AND HEALTHY DECISION-MAKING;

23 (f) BE COMPREHENSIVE, AGE-APPROPRIATE, EVIDENCE-BASED,
24 CULTURALLY SENSITIVE, INCLUSIVE OF A POSITIVE YOUTH DEVELOPMENT
25 FRAMEWORK, AND MEDICALLY ACCURATE;

26 (g) PROVIDE INSTRUCTION ABOUT THE HEALTH BENEFITS AND
27 POTENTIAL SIDE EFFECTS OF USING CONTRACEPTIVES AND BARRIER

1 METHODS TO PREVENT PREGNANCY, INCLUDING INSTRUCTION REGARDING
2 EMERGENCY CONTRACEPTION AND THE AVAILABILITY OF CONTRACEPTIVE
3 METHODS; AND

4 (h) FOR SCHOOL DISTRICTS THAT HAVE ESTABLISHED A
5 CHARACTER EDUCATION PROGRAM PURSUANT TO SECTION 22-29-103,
6 PROMOTE THE GUIDELINES OF BEHAVIOR ESTABLISHED IN THE CHARACTER
7 EDUCATION PROGRAM.

8 (8) NOTHING IN SUBSECTION (7) OF THIS SECTION SHALL BE
9 INTERPRETED TO PROHIBIT DISCUSSION OF HEALTH, MORAL, ETHICAL, OR
10 RELIGIOUS VALUES AS THEY PERTAIN TO COMPREHENSIVE HUMAN
11 SEXUALITY, HEALTHY RELATIONSHIPS, OR FAMILY FORMATION.

12 (9) PUBLIC SCHOOLS, SCHOOL DISTRICTS, BOARDS OF COOPERATIVE
13 SERVICES, CHARTER SCHOOLS, AND INSTITUTE CHARTER SCHOOLS ARE
14 ENCOURAGED TO INVOLVE TEACHERS, SCHOOL NURSES, PARENTS, AND
15 COMMUNITY MEMBERS IN THE DEVELOPMENT OF THE CONTENT
16 STANDARDS REQUIRED BY SUBSECTION (7) OF THIS SECTION AND TO
17 INTEGRATE AVAILABLE COMMUNITY RESOURCES INTO PROGRAMS RELATED
18 TO COMPREHENSIVE HUMAN SEXUALITY EDUCATION.

19 (10) A SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES,
20 CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL THAT IS RECEIVING, ON
21 JULY 1, 2013, OR THEREAFTER, DIRECT OR INDIRECT FUNDING FROM THE
22 FEDERAL GOVERNMENT FOR THE PROVISION OF AN ABSTINENCE
23 EDUCATION PROGRAM PURSUANT TO 42 U.S.C. SEC. 710 IS NOT REQUIRED
24 TO ADOPT CONTENT STANDARDS FOR THE PROVISION OF SUCH
25 INSTRUCTION AS DESCRIBED IN SUBSECTION (5) OF THIS SECTION IN ANY
26 YEAR THAT THE SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES,
27 CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL RECEIVES SUCH

1 FUNDING.

2 **SECTION 3.** In Colorado Revised Statutes, **add** article 44 to title
3 25 as follows:

4 **ARTICLE 44**

5 **Comprehensive Human Sexuality Education Grant Program**

6 **25-44-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
7 CONTEXT OTHERWISE REQUIRES:

8 (1) "AGE-APPROPRIATE" MEANS TOPICS, MESSAGES, AND
9 TEACHING METHODS SUITABLE TO A PARTICULAR AGE OR AGE GROUP,
10 BASED ON DEVELOPING COGNITIVE, EMOTIONAL, AND BEHAVIORAL
11 CAPACITY TYPICAL FOR THE AGE OR AGE GROUP.

12 (2) "CASH FUND" MEANS THE COMPREHENSIVE HUMAN SEXUALITY
13 EDUCATION GRANT PROGRAM CASH FUND CREATED IN SECTION 25-44-104.

14 (3) "COMPREHENSIVE HUMAN SEXUALITY EDUCATION" MEANS
15 MEDICALLY ACCURATE INFORMATION ABOUT ALL METHODS TO PREVENT
16 UNINTENDED PREGNANCY AND SEXUALLY TRANSMITTED DISEASES AND
17 INFECTIONS, INCLUDING HIV AND AIDS, [REDACTED] AND THE LINK BETWEEN
18 HUMAN PAPILLOMAVIRUS AND CANCER. METHODS MUST INCLUDE
19 INFORMATION ABOUT THE CORRECT AND CONSISTENT USE OF ABSTINENCE,
20 CONTRACEPTION, CONDOMS, AND OTHER BARRIER METHODS. ADDITIONAL
21 CONTENTS OF COMPREHENSIVE HUMAN SEXUALITY EDUCATION MAY
22 INCLUDE:

23 (I) ENCOURAGING FAMILY COMMUNICATION ABOUT SEXUALITY;

24 (II) TEACHING YOUNG PEOPLE HOW TO AVOID AND AVOID MAKING
25 UNWANTED VERBAL, PHYSICAL, AND SEXUAL ADVANCES;

26 (III) FOCUSING ON THE DEVELOPMENT OF SAFE RELATIONSHIPS,
27 INCLUDING THE PREVENTION OF SEXUAL VIOLENCE IN DATING; AND

1 (IV) TEACHING YOUNG PEOPLE HOW ALCOHOL AND DRUG USE CAN
2 AFFECT RESPONSIBLE DECISION-MAKING.

3 (4) "CULTURALLY SENSITIVE" MEANS THE INTEGRATION OF
4 KNOWLEDGE ABOUT INDIVIDUALS AND GROUPS OF PEOPLE INTO SPECIFIC
5 STANDARDS, POLICIES, PRACTICES, AND ATTITUDES USED TO INCREASE THE
6 QUALITY OF SERVICES. "CULTURALLY SENSITIVE" INCLUDES RESOURCES,
7 REFERENCES, AND INFORMATION THAT ARE MEANINGFUL TO THE
8 EXPERIENCES AND NEEDS OF COMMUNITIES OF COLOR; IMMIGRANT
9 COMMUNITIES; LESBIAN, GAY, BISEXUAL, AND TRANSGENDER
10 COMMUNITIES; PEOPLE WITH PHYSICAL OR INTELLECTUAL DISABILITIES;
11 PEOPLE WHO HAVE EXPERIENCED SEXUAL VICTIMIZATION; AND OTHERS
12 WHOSE EXPERIENCES HAVE TRADITIONALLY BEEN LEFT OUT OF SEXUAL
13 HEALTH EDUCATION, PROGRAMS, AND POLICIES.

14 (5) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH
15 AND ENVIRONMENT, CREATED AND EXISTING PURSUANT TO SECTION
16 25-1-101.5.

17 (6) "EVIDENCE-BASED PROGRAM" MEANS A PROGRAM THAT:

18 (a) WAS EVALUATED USING A RIGOROUS RESEARCH DESIGN,
19 INCLUDING:

20 (I) MEASURING KNOWLEDGE, ATTITUDE, AND BEHAVIOR;

21 (II) HAVING AN ADEQUATE SAMPLE SIZE;

22 (III) USING SOUND RESEARCH METHODS AND PROCESSES;

23 (IV) REPLICATING IN DIFFERENT LOCATIONS AND FINDING SIMILAR
24 EVALUATION RESULTS; AND

25 (V) PUBLISHING RESULTS IN A PEER-REVIEWED JOURNAL;

26 (b) RESEARCH HAS SHOWN TO BE EFFECTIVE IN CHANGING AT
27 LEAST ONE OF THE FOLLOWING BEHAVIORS THAT CONTRIBUTE TO EARLY

1 PREGNANCY, SEXUALLY TRANSMITTED INFECTIONS AND DISEASE, AND HIV
2 INFECTION:

- 3 (I) DELAYING SEXUAL INITIATION;
- 4 (II) REDUCING THE FREQUENCY OF SEXUAL INTERCOURSE;
- 5 (III) REDUCING THE NUMBER OF SEXUAL PARTNERS; OR
- 6 (IV) INCREASING THE USE OF CONDOMS AND OTHER
7 CONTRACEPTIVES.

8 (7) "OVERSIGHT ENTITY" MEANS THE INTERAGENCY YOUTH
9 SEXUAL HEALTH TEAM CREATED IN SECTION 25-44-103.

10 (8) "POSITIVE YOUTH DEVELOPMENT" MEANS AN APPROACH THAT
11 EMPHASIZES THE MANY POSITIVE ATTRIBUTES OF YOUNG PEOPLE AND
12 FOCUSES ON DEVELOPING INHERENT STRENGTHS AND ASSETS TO PROMOTE
13 HEALTH. POSITIVE YOUTH DEVELOPMENT IS CULTURALLY SENSITIVE,
14 AGE-APPROPRIATE, INCLUSIVE OF ALL YOUTH, COLLABORATIVE, AND
15 STRENGTH-BASED.

16 (9) "PROGRAM" MEANS THE COMPREHENSIVE HUMAN SEXUALITY
17 EDUCATION GRANT PROGRAM CREATED IN SECTION 25-44-102.

18 (10) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT,
19 A DISTRICT CHARTER SCHOOL, AN INSTITUTE CHARTER SCHOOL, A FACILITY
20 SCHOOL, OR A BOARD OF COOPERATIVE SERVICES, AS DEFINED IN SECTION
21 22-5-103.

22 (11) "STATE BOARD" MEANS THE STATE BOARD OF HEALTH
23 CREATED PURSUANT TO SECTION 25-1-103.

24 **25-44-102. Comprehensive human sexuality education grant**
25 **program - creation - application for federal moneys - notification to**
26 **schools - rules.** (1) THERE IS HEREBY CREATED IN THE DEPARTMENT THE
27 COMPREHENSIVE HUMAN SEXUALITY EDUCATION GRANT PROGRAM. THE

1 PURPOSE OF THE PROGRAM IS TO PROVIDE MONEYS TO PUBLIC SCHOOLS
2 AND SCHOOL DISTRICTS FOR USE IN THE CREATION AND IMPLEMENTATION
3 OF COMPREHENSIVE HUMAN SEXUALITY EDUCATION PROGRAMS IN THEIR
4 CURRICULUM.

5 (2) UPON RECEIPT OF FEDERAL MONEYS OR OTHER
6 APPROPRIATIONS TO THE CASH FUND, THE DEPARTMENT, IN CONJUNCTION
7 WITH THE OVERSIGHT ENTITY, SHALL NOTIFY THE SCHOOL DISTRICTS, THE
8 STATE CHARTER SCHOOL INSTITUTE, AND BOARDS OF COOPERATIVE
9 SERVICES THROUGHOUT THE STATE OF GRANTS AVAILABLE THROUGH THE
10 PROGRAM.

11 (3) BASED ON THE RECOMMENDATIONS OF THE OVERSIGHT ENTITY,
12 THE DEPARTMENT SHALL AWARD GRANTS TO PUBLIC SCHOOLS AND
13 SCHOOL DISTRICTS FOR PERIODS OF ONE TO THREE YEARS.

14 (4) MONEYS DISTRIBUTED TO PUBLIC SCHOOLS AND SCHOOL
15 DISTRICTS THROUGH THE PROGRAM MUST ONLY BE USED FOR THE
16 PROVISION OF COMPREHENSIVE HUMAN SEXUALITY EDUCATION PROGRAMS
17 THAT COMPLY WITH THE PROVISIONS OF AND MEET OR EXCEED THE
18 GUIDELINES SET FORTH IN SECTION 22-1-128, C.R.S., AND DEVELOPED
19 PURSUANT TO SECTION 22-25-104 (3), C.R.S.

20 (5) ON OR BEFORE DECEMBER 1, 2013, OR NOT MORE THAN NINETY
21 DAYS AFTER THE DEPARTMENT RECEIVES SUFFICIENT MONEYS TO
22 IMPLEMENT THE PROGRAM, WHICHEVER IS LATER, THE STATE BOARD
23 SHALL PROMULGATE RULES FOR THE ADMINISTRATION OF THIS ARTICLE,
24 USING THE RECOMMENDATIONS DEVELOPED BY THE OVERSIGHT ENTITY
25 PURSUANT TO SECTION 25-44-103 (2) (b).

26 (6) ON OR BEFORE JANUARY 30, 2016, AND EVERY YEAR
27 THEREAFTER IN WHICH GRANTS HAVE BEEN AWARDED PURSUANT TO THIS

1 ARTICLE, THE DEPARTMENT SHALL SUBMIT A REPORT CONCERNING THE
2 OUTCOMES OF THE PROGRAM TO THE STATE BOARD OF EDUCATION, THE
3 DEPARTMENT OF EDUCATION, AND THE EDUCATION COMMITTEES OF THE
4 SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
5 COMMITTEES. THE REPORT MUST INCLUDE, AT A MINIMUM:

6 (a) THE NUMBER OF PUBLIC SCHOOLS AND SCHOOL DISTRICTS THAT
7 RECEIVED A GRANT UNDER THE PROGRAM;

8 (b) THE AMOUNT OF EACH GRANT AWARDED;

9 (c) THE AVERAGE AMOUNT OF ALL GRANTS AWARDED; AND

10 (d) THE SOURCE AND AMOUNT OF EACH GIFT, GRANT, OR
11 DONATION RECEIVED BY THE DEPARTMENT FOR THE IMPLEMENTATION OF
12 THIS ARTICLE.

13 (7) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,
14 THE DEPARTMENT SHALL NOT BE REQUIRED TO IMPLEMENT THE
15 PROVISIONS OF THIS ARTICLE UNTIL SUFFICIENT MONEYS HAVE BEEN
16 RECEIVED AND TRANSFERRED OR APPROPRIATED TO THE CASH FUND.

17 **25-44-103. Comprehensive human sexuality education grant**
18 **program - oversight entity - duties - application process.** (1) ON OR
19 BEFORE JULY 1, 2013, THE DEPARTMENT SHALL CONVENE THE
20 INTERAGENCY YOUTH SEXUAL HEALTH TEAM, REFERRED TO IN THIS
21 ARTICLE AS THE "OVERSIGHT ENTITY". MEMBERSHIP OF THE OVERSIGHT
22 ENTITY MUST INCLUDE:

23 (a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
24 HEALTH AND ENVIRONMENT, OR HIS OR HER DESIGNEE;

25 (b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH
26 CARE POLICY AND FINANCING, OR HIS OR HER DESIGNEE;

27 (c) THE COMMISSIONER OF EDUCATION, OR HIS OR HER DESIGNEE;

1 AND

2 (d) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN
3 SERVICES, OR HIS OR HER DESIGNEE.

4 (2) THE OVERSIGHT ENTITY HAS THE FOLLOWING DUTIES:

5 (a) DURING THE 2013-14 ACADEMIC YEAR AND EVERY ACADEMIC
6 YEAR THEREAFTER, THE OVERSIGHT ENTITY SHALL ASSESS OPPORTUNITIES
7 FOR AVAILABLE FEDERAL AND STATE MONEYS TO FUND THE PROGRAM;
8 EXCEPT THAT THE OVERSIGHT ENTITY SHALL NOT RECOMMEND APPLYING
9 FOR ANY FEDERAL OR STATE MONEYS THAT PROMOTE ABSTINENCE AS THE
10 SOLE BEHAVIORAL METHOD FOR YOUTH OR FUNDING REQUIRING
11 ADHERENCE TO THE A-H GUIDELINES OF SECTION 510 (b) OF TITLE V OF
12 THE FEDERAL "SOCIAL SECURITY ACT", PUB. L. 104-193, WHICH ARE
13 INCONSISTENT WITH THE PROVISIONS OF SECTION 22-1-128, C.R.S. THE
14 OVERSIGHT ENTITY WILL PROVIDE INFORMATION TO THE APPROPRIATE
15 STATE DEPARTMENTS CONCERNING AVAILABLE FEDERAL AND STATE
16 MONEYS RELATED TO COMPREHENSIVE HUMAN SEXUALITY EDUCATION
17 FUNDS FOR WHICH A GIVEN DEPARTMENT IS ELIGIBLE TO APPLY.

18 (b) TO DEVELOP POLICIES AND PROCEDURES FOR THE
19 IMPLEMENTATION OF THE PROGRAM AND RECOMMEND SUCH POLICIES AND
20 PROCEDURES TO THE STATE BOARD FOR ADOPTION BY RULE PURSUANT TO
21 SECTION 25-44-102. THE POLICIES AND PROCEDURES MUST INCLUDE, BUT
22 ARE NOT LIMITED TO:

23 (I) A PROCESS BY WHICH PUBLIC SCHOOLS AND SCHOOL DISTRICTS
24 WILL BE NOTIFIED OF AVAILABLE PROGRAM FUNDS FOR COMPREHENSIVE
25 HUMAN SEXUALITY EDUCATION.

26 (II) THE PROCEDURES BY WHICH PUBLIC SCHOOLS AND SCHOOL
27 DISTRICTS MAY APPLY FOR GRANTS PURSUANT TO THIS ARTICLE. EACH

1 GRANT APPLICATION MUST, AT A MINIMUM, DESCRIBE:

2 (A) HOW THE APPLICANT PUBLIC SCHOOL OR SCHOOL DISTRICT
3 WILL USE ANY AWARDED GRANT MONEYS TO PROVIDE COMPREHENSIVE
4 HUMAN SEXUALITY EDUCATION TO ITS STUDENT POPULATION;

5 (B) HOW THE PROPOSED COMPREHENSIVE HUMAN SEXUALITY
6 EDUCATION PROGRAM COMPLIES WITH SECTION 22-1-128, C.R.S., AND
7 ARTICLE 25 OF TITLE 22, C.R.S., AND IS EVIDENCE-BASED, CULTURALLY
8 SENSITIVE, AND REPRESENTS POSITIVE YOUTH DEVELOPMENT PRINCIPLES;

9 (C) HOW MANY STUDENTS THE PUBLIC SCHOOL OR SCHOOL
10 DISTRICT EXPECTS TO REACH THROUGH THE COMPREHENSIVE HUMAN
11 SEXUALITY EDUCATION PROGRAM; AND

12 (D) THE LENGTH OF TIME FOR WHICH THE APPLICANT IS
13 REQUESTING GRANT MONEYS;

14 (III) CRITERIA FOR THE OVERSIGHT ENTITY TO APPLY IN SELECTING
15 PUBLIC SCHOOLS AND SCHOOL DISTRICTS THAT MAY RECEIVE GRANTS AND
16 HOW TO DETERMINE THE AMOUNT OF GRANT MONEYS TO BE AWARDED TO
17 EACH GRANT RECIPIENT. THE CRITERIA MUST INCLUDE A REQUIREMENT
18 THAT THE PROPOSED COMPREHENSIVE HUMAN SEXUALITY EDUCATION
19 PROGRAM COMPLIES WITH SECTIONS 22-1-128 AND 22-25-104, C.R.S.,
20 AND IS EVIDENCE-BASED, CULTURALLY SENSITIVE, AND REPRESENTS
21 POSITIVE YOUTH DEVELOPMENT PRINCIPLES.

22 (c) IN CONJUNCTION WITH THE DEPARTMENT, TO SOLICIT GRANT
23 APPLICATIONS FROM PUBLIC SCHOOLS AND SCHOOL DISTRICTS;

24 (d) TO REVIEW GRANT APPLICATIONS AND, BASED ON THE CRITERIA
25 DEVELOPED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (2), MAKE
26 RECOMMENDATIONS TO THE DEPARTMENT CONCERNING WHICH PUBLIC
27 SCHOOLS OR SCHOOL DISTRICTS SHOULD RECEIVE GRANTS AND IN WHAT

1 AMOUNT.

2 **25-44-104. Comprehensive human sexuality education grant**
3 **program cash fund - creation - notice of funding through gifts,**

4 **grants, and donations - repeal.** (1) THERE IS HEREBY ESTABLISHED IN
5 THE STATE TREASURY THE COMPREHENSIVE HUMAN SEXUALITY
6 EDUCATION GRANT PROGRAM CASH FUND. THE CASH FUND CONSISTS OF
7 MONEYS TRANSFERRED THERETO PURSUANT TO SUBSECTION (3) OF THIS
8 SECTION AND ANY OTHER MONEYS THAT MAY BE MADE AVAILABLE BY THE
9 GENERAL ASSEMBLY. THE MONEYS IN THE CASH FUND ARE CONTINUOUSLY
10 APPROPRIATED TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS
11 ASSOCIATED WITH IMPLEMENTING THIS ARTICLE. ANY MONEYS NOT
12 PROVIDED AS GRANTS MAY BE INVESTED BY THE STATE TREASURER AS
13 PROVIDED IN SECTION 24-36-113, C.R.S. ALL INTEREST AND INCOME
14 DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE CASH
15 FUND MUST BE CREDITED TO THE CASH FUND. ANY AMOUNT REMAINING IN
16 THE CASH FUND AT THE END OF ANY FISCAL YEAR MUST REMAIN IN THE
17 CASH FUND AND MUST NOT BE CREDITED OR TRANSFERRED TO THE
18 GENERAL FUND OR TO ANY OTHER FUND.

19 (2) THE DEPARTMENT IS AUTHORIZED TO EXPEND A REASONABLE
20 AMOUNT OF THE MONEYS RECEIVED FOR THE PROGRAM FOR THE DIRECT
21 AND INDIRECT COSTS ASSOCIATED WITH ADMINISTERING THE PROGRAM,
22 UNLESS OTHERWISE PROVIDED BY ANY PROVISION RELATED TO THE
23 DEPARTMENT'S RECEIPT OF FEDERAL MONEYS THAT ARE APPLIED TO THE
24 GRANT PROGRAM.

25 (3) (a) GENERAL FUND MONEYS SHALL NOT BE APPROPRIATED TO
26 THE CASH FUND FOR THE IMPLEMENTATION OF THIS ARTICLE.

27 (b) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND PUBLIC OR

1 PRIVATE GIFTS, GRANTS, AND DONATIONS FROM PUBLIC AND PRIVATE
2 SOURCES TO IMPLEMENT THIS ARTICLE; EXCEPT THAT THE DEPARTMENT
3 SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO
4 CONDITIONS THAT ARE INCONSISTENT WITH THE PROVISIONS OF SECTION
5 25-44-102 (2) OR ANY OTHER STATE LAW. THE DEPARTMENT SHALL
6 TRANSFER ALL PUBLIC AND PRIVATE MONEYS RECEIVED THROUGH GIFTS,
7 GRANTS, AND DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT
8 THE SAME TO THE CASH FUND.

9 (c) (I) IN SEEKING OR ACCEPTING A GIFT, GRANT, OR DONATION,
10 THE DEPARTMENT SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN
11 IT HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR
12 DONATIONS FOR THE PROGRAM AND SHALL INCLUDE IN THE NOTIFICATION
13 THE INFORMATION SPECIFIED IN SECTION 24-75-1303 (3), C.R.S.

14 (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2016.

15 **SECTION 4.** In Colorado Revised Statutes, 22-25-103, **add** (3.1),
16 (3.2), and (5.7) as follows:

17 **22-25-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
18 CONTEXT OTHERWISE REQUIRES:

19 (3.1) "CULTURALLY SENSITIVE" MEANS THE INTEGRATION OF
20 KNOWLEDGE ABOUT INDIVIDUALS AND GROUPS OF PEOPLE INTO SPECIFIC
21 STANDARDS, POLICIES, PRACTICES, AND ATTITUDES USED TO INCREASE THE
22 QUALITY OF SERVICES. "CULTURALLY SENSITIVE" INCLUDES RESOURCES,
23 REFERENCES, AND INFORMATION THAT ARE MEANINGFUL TO THE
24 EXPERIENCES AND NEEDS OF COMMUNITIES OF COLOR; IMMIGRANT
25 COMMUNITIES; LESBIAN, GAY, BISEXUAL, AND TRANSGENDER
26 COMMUNITIES; PEOPLE WITH PHYSICAL OR INTELLECTUAL DISABILITIES;
27 PEOPLE WHO HAVE EXPERIENCED SEXUAL VICTIMIZATION; AND OTHERS

1 WHOSE EXPERIENCES HAVE TRADITIONALLY BEEN LEFT OUT OF SEXUAL
2 HEALTH EDUCATION, PROGRAMS, AND POLICIES.

3 (3.2) "EVIDENCE-BASED PROGRAM" MEANS A PROGRAM THAT:

4 (a) WAS EVALUATED USING A RIGOROUS RESEARCH DESIGN,
5 INCLUDING:

6 (I) MEASURING KNOWLEDGE, ATTITUDE, AND BEHAVIOR;

7 (II) HAVING AN ADEQUATE SAMPLE SIZE;

8 (III) USING SOUND RESEARCH METHODS AND PROCESSES;

9 (IV) REPLICATING IN DIFFERENT LOCATIONS AND FINDING SIMILAR
10 EVALUATION RESULTS; AND

11 (V) PUBLISHING RESULTS IN A PEER-REVIEWED JOURNAL;

12 (b) RESEARCH HAS SHOWN TO BE EFFECTIVE IN CHANGING AT
13 LEAST ONE OF THE FOLLOWING BEHAVIORS THAT CONTRIBUTE TO EARLY
14 PREGNANCY, SEXUALLY TRANSMITTED INFECTIONS, INCLUDING HIV:

15 (I) DELAYING SEXUAL INITIATION;

16 (II) REDUCING THE FREQUENCY OF SEXUAL INTERCOURSE;

17 (III) REDUCING THE NUMBER OF SEXUAL PARTNERS; OR

18 (IV) INCREASING THE USE OF CONDOMS AND OTHER
19 CONTRACEPTIVES.

20 (5.7) "POSITIVE YOUTH DEVELOPMENT" MEANS AN APPROACH
21 THAT EMPHASIZES THE MANY POSITIVE ATTRIBUTES OF YOUNG PEOPLE
22 AND FOCUSES ON DEVELOPING INHERENT STRENGTHS AND ASSETS TO
23 PROMOTE HEALTH. POSITIVE YOUTH DEVELOPMENT IS CULTURALLY
24 SENSITIVE, INCLUSIVE OF ALL YOUTH, COLLABORATIVE, AND
25 STRENGTH-BASED.

26 **SECTION 5.** In Colorado Revised Statutes, 22-25-104, **amend**
27 (3) (a); and **add** (4.5) and (6) (d) as follows:

1 **22-25-104. Colorado comprehensive health education program**
2 **- role of department of education - recommended curriculum**
3 **guidelines - allocation of funds - rules.** (3) (a) With the assistance of
4 parents, school districts, the department of public health and environment,
5 the Colorado commission on higher education, and other interested
6 parties, the department of education shall develop recommended
7 guidelines for the implementation of local comprehensive health
8 education programs and local student wellness programs. The guidelines
9 developed pursuant to this subsection (3) ~~shall~~ MUST comply with the
10 requirements of section ~~22-1-110.5~~ 22-1-128 AND SHALL APPLY TO ALL
11 SCHOOL DISTRICTS.

12 (4.5) THE DEPARTMENT OF EDUCATION SHALL IDENTIFY PROGRAMS
13 THAT ARE EVIDENCE-BASED, CULTURALLY SENSITIVE, AND REFLECTIVE OF
14 POSITIVE YOUTH DEVELOPMENT GUIDELINES FOR USE BY SCHOOL
15 DISTRICTS IN LOCAL COMPREHENSIVE HEALTH EDUCATION PROGRAMS,
16 INCLUDING:

- 17 (a) SAFE SCHOOLS AND ANTIBULLYING;
- 18 (b) SEXUAL ASSAULT AND TEEN DATING VIOLENCE PREVENTION;
- 19 (c) COMPREHENSIVE HUMAN SEXUALITY EDUCATION;
- 20 (d) SOCIAL AND EMOTIONAL WELLNESS;
- 21 (e) BENEFITS OF PHYSICAL ACTIVITY; AND
- 22 (f) NUTRITION.

23 (6) (d) FOR THOSE SCHOOLS RECEIVING FUNDS PURSUANT TO THIS
24 ARTICLE, SCHOOL OFFICIALS MUST RECEIVE PRIOR WRITTEN CONSENT
25 FROM A PARENT OR GUARDIAN BEFORE HIS OR HER CHILD IS EXCLUDED IN
26 ANY PROGRAM DISCUSSING OR TEACHING SEXUALITY AND HUMAN
27 REPRODUCTION. AT LEAST TWO WEEKS PRIOR TO WHEN INSTRUCTION

1 BEGINS FOR SUCH A PROGRAM, EACH PARENT MUST RECEIVE AN OVERVIEW
2 OF THE TOPICS AND MATERIALS TO BE PRESENTED IN THE CURRICULUM
3 AND A WRITTEN FORM ALLOWING HIM OR HER TO DECLINE TO HAVE HIS OR
4 HER CHILD PARTICIPATE IN THE PROGRAM.

5 **SECTION 6.** In Colorado Revised Statutes, 22-25-110, **amend**
6 (2) (c) as follows:

7 **22-25-110. Funding of existing programs - operation of other**
8 **health education programs.** (2) Nothing in this article shall be
9 interpreted to require a school district or board of cooperative services to
10 establish a local comprehensive health education program nor shall it be
11 interpreted to prevent a school district or board of cooperative services
12 from offering a health education program which is not operated under the
13 requirements of this article; except that any school district or board of
14 cooperative services offering such a health education program shall:

15 (c) Unless the school district or board of cooperative services is
16 receiving direct or indirect funding from the federal government for the
17 provision of an abstinence education program pursuant to 42 U.S.C. sec.
18 710 as described in section ~~22-1-110.5 (9)~~ 22-1-128 (10), comply with the
19 requirements specified in section ~~22-1-110.5 (5)~~ 22-1-128 (7) regarding
20 the adoption of science-based content standards for instruction regarding
21 human sexuality.

22 **SECTION 7.** In Colorado Revised Statutes, 25.5-5-603, **amend**
23 (2) (b) (IV) as follows:

24 **25.5-5-603. Program - teen pregnancy and dropout**
25 **prevention.** (2) (b) Such services may include, but shall not be limited
26 to, the following services or combination of services:

27 (IV) Instruction concerning human sexuality; except that the

1 department, in providing a teen pregnancy prevention program pursuant
2 to the provisions of this part 6 that provides instruction concerning human
3 sexuality, shall adopt science-based content standards to ensure that any
4 instruction concerning human sexuality that is provided satisfies the
5 requirements of section ~~22-1-110.5 (5)~~ 22-1-128 (7), C.R.S., as if the
6 program were provided by a school district.

7 **SECTION 8. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.