

HOUSE No. 3434

The Commonwealth of Massachusetts

PRESENTED BY:

Alice K. Wolf

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to providing health education in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Alice K. Wolf	25th Middlesex
Tom Sannicandro	7th Middlesex
William Lantigua	16th Essex
William N. Brownsberger	24th Middlesex
Pam Richardson	6th Middlesex
Byron Rushing	9th Suffolk
Rosemary Sandlin	3rd Hampden
Denise Provost	27th Middlesex
Cleon H. Turner	1st Barnstable
Ellen Story	3rd Hampshire
Frank I. Smizik	15th Norfolk
Stephen Kulik	1st Franklin
Denis E. Guyer	2nd Berkshire
Barbara A. L'Italien	18th Essex
Matthew C. Patrick	3rd Barnstable
Katherine Clark	32nd Middlesex
Bill Bowles	2nd Bristol
Harriette L. Chandler	First Worcester
Peter v. Kocot	1st Hampshire

Kay Khan	11th Middlesex
Elizabeth A. Malia	11th Suffolk
John D. Keenan	7th Essex
Jay R. Kaufman	15th Middlesex
Ruth B. Balser	12th Middlesex
Martin J. Walsh	13th Suffolk
Christine E. Canavan	10th Plymouth
John P. Fresolo	16th Worcester
David P. Linsky	5th Middlesex
Steven M. Walsh	11th Essex
John W. Scibak	2nd Hampshire
Jennifer L. Flanagan	Worcester and Middlesex
Michael J. Moran	18th Suffolk
James B. Eldridge	Middlesex and Worcester
Timothy J. Toomey, Jr.	26th Middlesex
Linda Dorcena Forry	12th Suffolk
Sarah K. Peake	4th Barnstable
Carl M. Sciortino, Jr.	34th Middlesex
Cheryl A. Coakley-Rivera	10th Hampden
Anne M. Gobi	5th Worcester
Mark V. Falzone	9th Essex
Martha M. Walz	8th Suffolk
Jennifer M. Callahan	18th Worcester
Cory Atkins	14th Middlesex
Kate Hogan	3rd Middlesex
Jonathan Hecht	29th Middlesex
James J. O'Day	14th Worcester District
Louis L. Kafka	8th Norfolk
Barry R. Finegold	17th Essex
Jason Lewis	31st Middlesex
Mary E. Grant	6th Essex
Paul McMurtry	11th Norfolk
Lori Ehrlich	8th Essex
Steven J. D'Amico	4th Bristol
Sean Garballey	23rd Middlesex
Thomas P. Conroy	13th Middlesex
Alice Hanlon Peisch	14th Norfolk
Lida E. Harkins	13th Norfolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO PROVIDING HEALTH EDUCATION IN SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1D of chapter 69 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by inserting after the word “languages”, in line 6, the words:— , health
3 education.

4 SECTION 2. Paragraph 3 of said section 1D of said chapter 69, as so appearing, is hereby further
5 amended by striking out the fourth sentence and inserting in place thereof the following sentence:— The
6 standards for health education shall be age-appropriate, medically accurate and shall, at minimum,
7 provide for instruction in the following areas: growth and physical development, physical activity and
8 fitness, nutrition, reproduction and sexuality, mental health, family life, interpersonal relationships,
9 disease prevention and control, safety and injury prevention, tobacco, alcohol, and other substance use
10 and abuse prevention, consumer health and resource management, ecological health, and community and
11 public health.

12 SECTION 3. Paragraph 14 of said section 1I of said chapter 69, as so appearing, is hereby amended by
13 adding the following clause:— (l) health education.

14 SECTION 4. The commissioner of education shall submit a report on the provision of health education by
15 school districts to the joint committee on education, the clerk of the house and the clerk of the senate no
16 later than January 1, 2010. The report shall include the following data for each public school in the
17 Commonwealth: health education requirements by grade level; health education curriculum offered by
18 grade level; the number of students who receive health education by grade level, the number of students
19 who opt-out of any portion of the health education curriculum involving human sexual education or
20 human sexuality issues; and approximate number of hours spent on each of the categories in the
21 curriculum frameworks listed in Section 2 of this bill by grade level.

22 SECTION 5. Consistent with the provisions of said section 1E of said chapter 69, the Massachusetts
23 Comprehensive Health Curriculum Framework shall be construed as a guide for local school districts in
24 the development and selection of curriculum, textbooks and instructional materials.

25 SECTION 6. Consistent with the provisions of section 32A of chapter 71, every city, town, regional
26 school district or vocational school district implementing or maintaining curriculum which primarily
27 involves human sexual education or human sexuality issues shall adopt a policy ensuring
28 parental/guardian notification. Such policy shall afford parents or guardians the flexibility to exempt their
29 children from any portion of said curriculum through written notification to the school principal. No child
30 so exempted shall be penalized by reason of such exemption. To the extent practicable, program
31 instruction materials for said curriculum shall be made reasonably accessible to parents, guardians,
32 educators, school administrators, and others for inspection and review.

33 SECTION 7. Nothing in this act shall be construed to require an MCAS exam on health education.

34 SECTION 8 The Foundation Budget must be re-evaluated in the categories of (1) Classroom and
35 Specialist Teachers, (2) Instructional Equipment, and (3) Professional Development to ensure sufficient
36 funding to provide the Health Education envisioned in the Frameworks and Section 2 above.

37 SECTION 9. This act shall take effect on July 1, 2009.