

SENATE BILL NO. 301—SENATOR HAMMOND

MARCH 16, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to courses of instruction concerning acquired immune deficiency syndrome and the human reproductive system. (BDR 34-676)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted-material] is material to be omitted.

AN ACT relating to education; requiring the board of trustees of a school district to approve the instructional materials for a course of instruction concerning acquired immune deficiency syndrome and the human reproductive system; making various other changes to provisions governing such courses; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the board of trustees of each school district to establish a course of instruction concerning acquired immune deficiency syndrome and the human reproductive system. Existing law further requires each board of trustees to appoint an advisory committee to advise the district concerning the content of such a course and materials to be used in the course. Existing law also requires that: (1) the board of trustees make the final decision on matters regarding the content of the course and materials to be used in the course; (2) all instructional materials to be used in a course are available for inspection by parents or guardians of pupils; and (3) written notice of the availability of the material be furnished to all parents and guardians. (NRS 389.065) This bill requires representatives appointed to an advisory committee to reside in the school district, to the extent practicable. This bill requires that a publisher or manufacturer that submits instructional materials for approval by a board of trustees for use in a course: (1) post the materials on an Internet website that is accessible to the general public before the board of trustees approves the materials; and (2) ensure the materials remain posted, if they are approved, until the materials are no longer used by any school in the district. This bill also requires that any instructional materials to be used in such a course be: (1) approved by the board of trustees; and (2) available for inspection by parents or guardians of pupils. This bill also requires the written notice of the availability of



materials to be furnished to all parents or guardians before the date on which instruction will be provided.

Existing law authorizes a teacher or school nurse whose qualifications have been previously approved by the board of trustees to teach such a course. (NRS 389.065) This bill requires a qualified school nurse who teaches such a course to teach under the direction of a teacher, to the extent practicable. This bill also prohibits a teacher or school nurse who teaches such a course from allowing a consultant or guest speaker to provide any instruction in the course.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 389.065 is hereby amended to read as follows:

389.065 1. The board of trustees of a school district shall establish a course or unit of a course of:

(a) Factual instruction concerning acquired immune deficiency syndrome; and

(b) Instruction on the human reproductive system, related communicable diseases and sexual responsibility.

2. Each board of trustees shall appoint an advisory committee consisting of:

(a) Five parents of children who attend schools in the district; and

(b) Four representatives ~~who, to the extent practicable, reside in the district and are appointed so that~~ one ~~representative is~~ from each of four of the following professions or occupations:

(1) Medicine or nursing;

(2) Counseling;

(3) Religion;

(4) Pupils who attend schools in the district; or

(5) Teaching.

~~{→ This}~~

3. The committee shall advise the district concerning the content of and materials to be used in a course of instruction established pursuant to this section, and the recommended ages of the pupils to whom the course is offered. The final decision on these matters must be that of the board of trustees.

~~{3-}~~ **4.** The subjects of the courses may be taught only by a teacher or school nurse whose qualifications have been previously approved by the board of trustees ~~;~~

~~—4-}, and a school nurse who teaches the subjects of the courses must provide instruction under the direction of the teacher, to the extent practicable. A teacher or school nurse shall not allow a consultant or guest speaker to provide any instruction in the subjects of the courses.~~



5. The parent or guardian of each pupil to whom a course is offered must first be furnished written notice that the course will be offered. The notice must be given in the usual manner used by the local district to transmit written material to parents, and must contain a form for the signature of the parent or guardian of the pupil consenting to the pupil's attendance. Upon receipt of the written consent of the parent or guardian, the pupil may attend the course. If the written consent of the parent or guardian is not received, the pupil must be excused from such attendance without any penalty as to credits or academic standing. Any course offered pursuant to this section is not a requirement for graduation.

~~[5.—AH]~~

6. *The board of trustees must approve instructional materials before they may be used in a course of instruction established pursuant to this section.*

7. *Before a board of trustees may approve instructional materials for use in a course of instruction established pursuant to this section, the publisher or manufacturer of any such materials must make the materials available in digital format on an Internet website that is accessible to the general public and in a manner that conforms with 29 U.S.C. § 794d. If the materials are approved, the board of trustees must ensure that its agreement with the publisher or manufacturer provides for the materials to remain available on the Internet website until the materials are no longer used by any school in the district.*

8. *The board of trustees shall ensure that physical copies of the instructional materials to be used in a course ~~[must be]~~ of instruction established pursuant to this section are made* available for inspection by parents or guardians of pupils at reasonable times and locations . ~~[before the course is taught, and appropriate]~~ *Appropriate* written notice of the availability of the ~~[material]~~ *materials* must be furnished to all parents and guardians ~~[] before the date on which instruction will be provided pursuant to subsection 1.~~

Sec. 2. This act becomes effective on July 1, 2015.

