

Division of Student Services

# Sexual Health Education

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Climate



# Introduction

## 2022-2027 Strategic Plan

### Guardrail 1 – Wellness

#### Support:

The Superintendent may not make decisions without ensuring that students and staff are connected with necessary wellness resources.

### Interim Guardrail 4.1

The percent of students' favorable responses to the statement "If I have a problem, I know who I can go to for help" will grow from 64% in May 2022 to 85% by May 2025.

## Purpose

- Present policy 5315 (updated to 5050) revisions to comply with the Parental Rights in Education law and Chapters 1003.42, 1003.46, and 1006.48, Florida Statutes.
- Introduce Sexual Health Curriculum Matrix of revisions.

## Request for School Board

- Approve Policy 5050 on 5/9/23.
- Approve the Sexual Health Curriculum on 5/9/23 .

## Alignment to State Statutes and Board of Education Rules:

Statutes and Board of Education rules are outlined on the following slide.

## Policy Revision History:

Policy 5313 was overhauled, in collaboration with the BCPS legal team to:

- align content within the comprehensive policy to Parental Rights in Education.
- change the policy number to align with the policy project number system.



# Florida Department of Education Review Letter

On November 18, 2022, Florida Department of Education Senior Chancellor Jacob Oliva issued a letter to BCPS directing the district to review all policies and procedures for compliance with Parental Rights in Education.

While this letter specifically called out the previous LGBTQ Critical Support Guide, a review of all policies and procedures was initiated. In addition to the LGBTQ Critical Support Guide, SBBC Policy 5315 – Family Life and Human Sexuality, and the Sexual Health Curriculum went under review for compliance with state statutes.

The following slides outline staff's findings and recommendations of this review.

Source:  
See Granicus Attachments  
Florida DOE 11/18/22 Letter  
Broward 12/9/22 Response Letter



# State Statutes and Florida Administrative Codes Guiding District Review

*With the approval of **Parental Rights in Education [Chapter 1001.42 (8) F.S.]**, the following statutes and Florida administrative codes related to sexual health education were also impacted:*

- Chapter 1003.42 F.S. – Required Instruction
- Chapter 1003.46 F.S. – Health education; instruction in acquired immune deficiency syndrome
- Chapter 1006.28 F.S. – Duties of district school board, district school superintendent, and school principal regarding K-12 instructional materials
- 6A-10.081 F.A.C. – Principles of Professional Conduct for the Education Profession in Florida

Source: See Appendix



# Sexual Health Instruction Guidance

Florida Statutes provide guidance to district school board on required and optional health education.

Required Instruction	Optional Instruction
For students in grades 6-12, awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.  Chapter 1003.42 F.S.	Each district school board may provide instruction in reproductive health and HIV/AIDS education as a specific area of health education.  Chapter 1003.46 F.S.

Source: See Appendix



# Policy and Curriculum Matrix Summary

## Policy Matrix Summary

- Local policies cannot contradict State law. The allowable content for sexual health education is governed by Florida Statutes and state standards. These do not allow for the content outlined in the policy to be considered comprehensive; therefore, some content was removed.
- Additional updates were made for clarification purposes; i.e., putting defined terms in alphabetical order, aligning and clarifying stakeholder responsibilities, etc.
- Redline Policy Changes Key: ~~Red = deletion~~, blue = additions, and green = sequencing

## Curriculum Matrix Summary

- Lessons in each grade level were reviewed for alignment with state standards in Health, Science, and Social Studies.
- Some content was moved to the grade level in accordance with state standards while content not aligned to a state standard in Health, Science, or Social Studies was removed.
- Content that was duplicative with state approved courses in Science will continue to be taught through Science.

Source: See Granicus Attachments

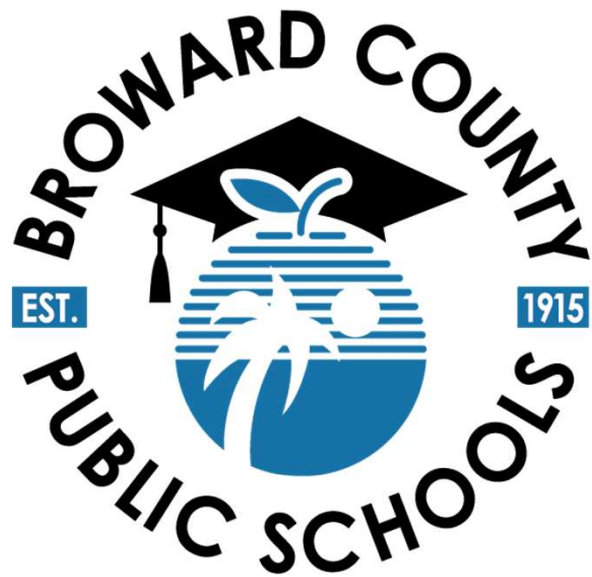


# Attachments

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- Florida DOE 11/18/22 Letter
- Broward 12/9/22 Response Letter
- Policy Redline
- Policy Clean Copy
- Policy Matrix of Revisions
- Curriculum Matrix of Revisions





# Board Discussion and Guidance







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# Appendix



# Parental Rights in Education

Parental Rights in Education requires school districts to develop procedures that will reinforce parents' rights to make decisions regarding the care and upbringing of their child in the public-school setting in six (6) key areas.

The bill does not allow:

1. a change in services or monitoring (related to mental, emotional, or physical health or well-being) without parental notification.
2. procedures that require personnel to withhold information from parents\*
3. classroom instruction on sexual orientation or gender identity K-3 or in a manner that is not age- or developmentally appropriate for students in accordance with state standards.
4. healthcare services to be provided without notification to parents and consent.
5. parent concerns to go unresolved (must have a procedure).
6. trainings that are not aligned to the guidelines, standards, and frameworks.

\*School districts can adopt procedures that permit school personnel to withhold information from a parent if a reasonably prudent person would believe that disclosure would result in abuse, abandonment, or neglect.



# Statutes Governing Sexual Health Education

## Florida Statute 1003.42 – Required Instruction

- All instructional materials used to teach reproductive health or disease, including HIV/AIDS must be annually approved by a district school board in an open, noticed public meeting.
- For students in grades 6-12, awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.
- All parents can opt their child out of instruction on reproductive health and disease, including HIV/AIDS.



# Statutes Governing Sexual Health Education

## **Florida Statute 1003.46 – Health education; instruction in acquired immune deficiency syndrome**

1. Each school district **may** provide health and disease instruction, including HIV/AIDS.
2. Teach abstinence from sexual activity outside of marriage as the expected standard for all school-age students while teaching the benefits of monogamous heterosexual marriage.
3. Emphasize that abstinence from sexual activity is a certain way to avoid out-of-wedlock pregnancy and STDs.
4. Teach students that they have the power to control personal behavior and encourage students to base actions on reasoning, self-esteem, and respect for others.
5. Provide instruction and material that is appropriate for the grade and age of the student.



# Statutes Governing Sexual Health Education

## **Florida Statute 1006.28 – Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.**

1. Each district school board is responsible for the content of all instructional materials and any other materials used in a classroom, made available in a school library, or included on a reading list, whether adopted and purchased from the state-adopted instructional materials list, adopted and purchased through a district instructional materials program under s. 1006.283, or otherwise purchased or made available.



# Florida Administrative Code

## **10.081 F.A.C. – Principles of Professional Conduct for the Education Profession in Florida**

(2) Florida educators shall comply with the following disciplinary principles. Violation of any of these principles shall subject the individual to revocation or suspension of the individual educator's certificate, or the other penalties as provided by law.

(a) Obligation to the student requires that the individual:

6. Shall not intentionally provide classroom instruction to students in kindergarten through grade 3 on sexual orientation or gender identity.

8. Shall not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being, unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined by Section 39.01, F.S.

