

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Harriette L. Chandler

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 to providing health education in schools.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Harriette L. Chandler

First Worcester

Alice K. Wolf

25th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00288 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT 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 2004 Official Edition, is
2 hereby amended by inserting after the word “languages”, in line 6, the words:☐ , health education.

3

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:☐
6 The 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
11 and public health.

12

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

15

16 SECTION 4. The commissioner of education shall submit a report on the provision of health education by
17 school districts to the joint committee on education, the clerk of the house and the clerk of the senate

18 no later than July 1, 2009. The report shall include the following data for each public school in the
19 Commonwealth: health education requirements by grade level; health education curriculum offered by
20 grade level; the number of students who receive health education by grade level, the number of
21 students who opt-out of any portion of the health education curriculum involving human sexual
22 education or human sexuality issues; and approximate number of hours spent on each of the categories
23 in the curriculum frameworks listed in Section 2 of this bill by grade level.

24

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

28

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

37

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

39

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

43

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

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