

1 AN ACT concerning education.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The School Code is amended by changing  
5 Sections 27-9.1 and 27-9.2 as follows:

6 (105 ILCS 5/27-9.1) (from Ch. 122, par. 27-9.1)  
7 Sec. 27-9.1. Sex Education.

8 (a) No pupil shall be required to take or participate in  
9 any class or course in comprehensive sex education if the  
10 pupil's his parent or guardian submits written objection  
11 thereto, and refusal to take or participate in such course or  
12 program shall not be reason for suspension or expulsion of  
13 such pupil. Each class or course in comprehensive sex  
14 education offered in any of grades K 6 through 12 shall  
15 include instruction on the prevention of sexually transmitted  
16 infections, including the prevention, transmission and spread  
17 of HIV AIDS. Nothing in this Section prohibits instruction in  
18 sanitation, hygiene or traditional courses in biology.

19 (b) All public elementary, junior high, and senior high  
20 school classes that teach sex education and discuss sexual  
21 activity or behavior intercourse shall emphasize that  
22 abstinence is an effective method of preventing unintended is  
23 ~~the-expected-norm-in-that-abstinence-from-sexual--intercourse~~  
24 ~~is--the--only--protection--that--is--100%--effective--against~~  
25 ~~unwanted--teenage~~ pregnancy, sexually transmitted diseases,  
26 and HIV ~~acquired--immune--deficiency--syndrome--(AIDS)~~ when  
27 transmitted sexually.

28 (c) In this subsection (c):  
29 "Factual information" includes without limitation  
30 medical, psychiatric, psychological, empirical, and  
31 statistical statements.

1 "Medically accurate" means verified or supported by  
 2 research conducted in compliance with scientific methods,  
 3 published in peer-review journals, where appropriate, and  
 4 recognized as accurate and objective by professional  
 5 organizations and agencies with expertise in the relevant  
 6 field.

7 All sex education courses that discuss sexual activity or  
 8 behavior intercourse shall satisfy the following criteria:

9 (1) Factual information presented in course  
 10 material and instruction shall be medically accurate and  
 11 objective.

12 (2) All (1) course material and instruction shall  
 13 be age and developmentally appropriate.

14 (3) Course material and instruction shall include a  
 15 discussion of sexual abstinence as a method to prevent  
 16 unintended pregnancy and sexually transmitted infections,  
 17 including HIV.

18 (4) Course material and instruction shall present  
 19 the latest medically factual information regarding both  
 20 the possible side effects and health benefits of all  
 21 forms of contraception, including the success and failure  
 22 rates for the prevention of pregnancy and sexually  
 23 transmitted infections, including HIV.

24 (5) Course material and instruction shall include a  
 25 discussion of the possible consequences of unintended  
 26 pregnancy and sexually transmitted infections, including  
 27 HIV.

28 ~~(2) --Course material--and--instruction--shall--teach~~  
 29 ~~honor--and--respect--for--monogamous--heterosexual--marriage--~~

30 ~~(3) --Course--material--and--instruction--shall--stress~~  
 31 ~~that--pupils--should--abstain--from--sexual--intercourse--until~~  
 32 ~~they--are--ready--for--marriage--~~

33 ~~(4) --Course material and instruction shall include a~~  
 34 ~~discussion--of--the--possible--emotional--and--psychological~~

1        consequences--of--preadolescent--and--adolescent---sexual  
2        intercourse--outside--of--marriage--and--the--consequences--of  
3        unwanted-adolescent-pregnancy.

4            (6) (5) Course material and instruction shall  
5        stress that sexually transmitted infections diseases are  
6        serious possible hazards of sexual activity or behavior  
7        intercourse. Pupils shall be provided with statistics  
8        based on the latest medical information citing the  
9        failure and success rates of all contraceptive methods  
10        endems in preventing unintended pregnancies and HIV AIDS  
11        and other sexually transmitted infections diseases.

12            (7) (6) Course material and instruction shall  
13        advise pupils of the laws pertaining to their financial  
14        responsibility to children born in and out of wedlock.

15            (8) (7) Course material and instruction shall  
16        advise pupils that it is unlawful for males or females of  
17        any age to engage in sexual conduct or have sexual  
18        relations with a minor as specified in of--the  
19        circumstances-under-which-it-is--unlawful--for--males--to  
20        have-sexual-relations-with-females-under-the-age-of-18-to  
21        whom--they--are-not-married-pursuant-to Article 12 of the  
22        Criminal Code of 1961,as-new-or-hereafter-amended.

23            (9) Course material and instruction shall discuss  
24        and provide for the development of positive communication  
25        skills to maintain healthy relationships and avoid  
26        unwanted sexual activity.

27            (10) Course material and instruction shall  
28        emphasize that the pupil has the power to control  
29        personal behavior. Pupils shall be encouraged to base  
30        their actions on reasoning, self-discipline, sense of  
31        responsibility, self-control, and ethical considerations,  
32        such as respect for oneself and others.

33            (11) (8) Course material and instruction shall  
34        teach pupils to not make unwanted physical and verbal

1 sexual advances and how to say no to unwanted sexual  
2 advances and shall include information about verbal,  
3 physical, and visual sexual harassment, including without  
4 limitation nonconsensual sexual advances, nonconsensual  
5 physical sexual contact, and rape by an acquaintance. The  
6 course material and instruction shall contain methods of  
7 preventing sexual assault by an acquaintance, including  
8 exercising good judgment and avoiding behavior that  
9 impairs one's judgment. The course material and  
10 instruction shall emphasize personal accountability and  
11 respect for others and Pupils-shall-be-taught-that-it-is  
12 wrong-to-take-advantage-of-or-to-exploit-another--person.  
13 The--material--and-instruction shall also encourage youth  
14 to resist negative peer pressure. The course material and  
15 instruction shall inform pupils of the potential legal  
16 consequences of sexual assault by an acquaintance.  
17 Specifically, pupils shall be advised that it is unlawful  
18 to touch an intimate part of another person as specified  
19 in the Criminal Code of 1961.

20 (12) Course material and instruction shall teach  
21 male pupils about male accountability for sexual violence  
22 and shall teach female students about reducing  
23 vulnerability for sexual violence.

24 (13) Course material and instruction shall teach  
25 pupils about counseling, medical, and legal resources  
26 available to survivors of sexual abuse and sexual  
27 assault, including resources for escaping violent  
28 relationships.

29 (14) Course material and instruction shall teach  
30 pupils that it is wrong to take advantage of or to  
31 exploit another person.

32 (15) Course material and instruction shall be free  
33 of racial, ethnic, gender, religious, or sexual  
34 orientation biases.

1 (d) An opportunity shall be afforded to parents or  
2 guardians to examine the instructional materials to be used  
3 in such class or course.

4 (Source: P.A. 86-941.)

5 (105 ILCS 5/27-9.2) (from Ch. 122, par. 27-9.2)

6 Sec. 27-9.2. Family Life.

7 (a) If any school district provides courses of  
8 instruction designed to promote wholesome and comprehensive  
9 understanding of the emotional, psychological, physiological,  
10 hygienic and social responsibility aspects of family life,  
11 then such courses of instruction shall include the teaching  
12 of prevention of unintended pregnancy and all options related  
13 to unintended pregnancy, as the-alternatives-to-abortion,  
14 appropriate to the various grade levels; and whenever such  
15 courses of instruction are provided in any of grades K 6  
16 through 12, then such courses also shall include age  
17 appropriate instruction on the prevention of sexually  
18 transmitted infections, including the prevention,  
19 transmission and spread of HIV AIDS. However, no pupil shall  
20 be required to take or participate in any family life class  
21 or course on HIV AIDS instruction if his parent or guardian  
22 submits written objection thereto, and refusal to take or  
23 participate in such course or program shall not be reason for  
24 suspension or expulsion of such pupil.

25 (b) In this subsection (b):

26 "Factual information" includes without limitation  
27 medical, psychiatric, psychological, empirical, and  
28 statistical statements.

29 "Medically accurate" means verified or supported by  
30 research conducted in compliance with scientific methods,  
31 published in peer-review journals, where appropriate, and  
32 recognized as accurate and objective by professional  
33 organizations and agencies with expertise in the relevant

1 field.

2 All family life courses of instruction shall satisfy the  
3 following criteria:

4 (1) Factual information presented in course  
5 material and instruction shall be medically accurate and  
6 objective.

7 (2) All course material and instruction in classes  
8 that teach sex education and discuss sexual activity or  
9 behavior shall be age and developmentally appropriate.

10 (3) Course material and instruction shall include a  
11 discussion of sexual abstinence as a method to prevent  
12 unintended pregnancy and sexually transmitted infections,  
13 including HIV.

14 (4) Course material and instruction shall present  
15 the latest medically factual information regarding both  
16 the possible side effects and health benefits of all  
17 forms of contraception, including the success and failure  
18 rates for the prevention of pregnancy and sexually  
19 transmitted infections, including HIV.

20 (5) Course material and instruction shall stress  
21 that sexually transmitted infections are serious possible  
22 hazards of sexual activity or behavior. Pupils shall be  
23 provided with statistics based on the latest medical  
24 information citing the failure and success rates of all  
25 contraceptive methods in preventing unintended pregnancy  
26 and HIV and other sexually transmitted infections.

27 (6) Course material and instruction shall advise  
28 pupils that it is unlawful for males or females of any  
29 age to engage in sexual conduct or have sexual relations  
30 with a minor as specified in Article 12 of the Criminal  
31 Code of 1961.

32 (7) Course material and instruction shall discuss  
33 and provide for the development of positive communication  
34 skills to maintain healthy relationships and avoid

1 unwanted sexual activity.

2 (8) Course material and instruction shall emphasize  
3 that the pupil has the power to control personal  
4 behavior. Pupils shall be encouraged to base their  
5 actions on reasoning, self-discipline, sense of  
6 responsibility, self-control, and ethical considerations,  
7 such as respect for oneself and others.

8 (9) Course material and instruction shall teach  
9 pupils to not make unwanted physical and verbal sexual  
10 advances and how to say no to unwanted sexual advances  
11 and shall include information about verbal, physical, and  
12 visual sexual harassment, including without limitation  
13 nonconsensual sexual advances, nonconsensual physical  
14 sexual contact, and rape by an acquaintance. The course  
15 material and instruction shall contain methods of  
16 preventing sexual assault by an acquaintance, including  
17 exercising good judgment and avoiding behavior that  
18 impairs one's judgment. The course material and  
19 instruction shall emphasize personal accountability and  
20 respect for others and shall also encourage youth to  
21 resist negative peer pressure. The course material and  
22 instruction shall inform pupils of the potential legal  
23 consequences of sexual assault by an acquaintance.  
24 Specifically, pupils shall be advised that it is unlawful  
25 to touch an intimate part of another person, as specified  
26 in the Criminal Code of 1961.

27 (10) Course material and instruction shall teach  
28 male pupils about male accountability for sexual violence  
29 and shall teach female students about reducing  
30 vulnerability for sexual violence.

31 (11) Course material and instruction shall teach  
32 pupils about counseling, medical, and legal resources  
33 available to survivors of sexual abuse and sexual  
34 assault, including resources for escaping violent

1 relationships.

2 (12) Course material and instruction in classes  
3 that discuss sexual activity or behavior shall teach  
4 pupils that it is wrong to take advantage of or to  
5 exploit another person.

6 (13) Course material and instruction shall be free  
7 of racial, ethnic, gender, religious, and sexual  
8 orientation biases.

9 (c) The State Superintendent of Education shall prepare  
10 and make available to local school districts courses of  
11 instruction designed to satisfy the requirements of this  
12 Section.

13 The State Superintendent of Education shall develop a  
14 procedure for evaluating and measuring the effectiveness of  
15 the family life courses of instruction in each local school  
16 district, including the setting of reasonable goals for  
17 reduced sexual activity, sexually transmitted diseases and  
18 premarital pregnancy. The goals shall be set by the beginning  
19 of the 1991-92 school year. The State Superintendent shall  
20 distribute a copy of the procedure to each local school  
21 district. Each local school district may develop additional  
22 procedures or methods for measuring the effectiveness of the  
23 family life courses of instruction within the district.  
24 Before the beginning of the 1993-94 school year, the State  
25 Superintendent shall collect and evaluate all relevant data  
26 to determine whether the goals are being achieved.

27 (Source: P.A. 86-941.)

28 Section 10. The Critical Health Problems and  
29 Comprehensive Health Education Act is amended by changing  
30 Sections 2 and 3 as follows:

31 (105 ILCS 110/2) (from Ch. 122, par. 862)

32 Sec. 2. Definitions. In this Act, the following terms



1 shall have the following meanings respectively prescribed for  
2 them, except as the context otherwise requires:

3 (a) "Comprehensive Health Education Program": a  
4 systematic and extensive educational program designed to  
5 provide a variety of learning experiences based upon  
6 scientific knowledge of the human organism as it functions  
7 within its environment which will favorably influence the  
8 knowledge, attitudes, values and practices of Illinois school  
9 youth; and which will aid them in making wise personal  
10 decisions in matters of health.

11 "Factual information" includes without limitation  
12 medical, psychiatric, psychological, empirical, and  
13 statistical statements.

14 "Medically accurate" means verified or supported by  
15 research conducted in compliance with scientific methods,  
16 published in peer-review journals, where appropriate, and  
17 recognized as accurate and objective by professional  
18 organizations and agencies with expertise in the relevant  
19 field.

20 (Source: P.A. 77-1405.)

21 (105 ILCS 110/3) (from Ch. 122, par. 863)

22 Sec. 3. Comprehensive Health Education Program.

23 (a) The program established under this Act shall  
24 include, but not be limited to, the following major  
25 educational areas as a basis for curricula in all elementary  
26 and secondary schools in this State: human ecology and  
27 health, human growth and development, the emotional,  
28 psychological, physiological, hygienic and social  
29 responsibilities of family life, including sexual abstinence  
30 and prevention of unintended pregnancy until--marriage,  
31 prevention and control of disease, including age appropriate  
32 instruction in grades K 6 through 12 on the prevention of  
33 sexually transmitted infections, including the prevention,

1 transmission and spread of HIV AIDS, public and environmental  
2 health, consumer health, safety education and disaster  
3 survival, mental health and illness, personal health habits,  
4 alcohol, drug use, and abuse including the medical and legal  
5 ramifications of alcohol, drug, and tobacco use, abuse during  
6 pregnancy, sexual abstinence ~~until---~~marriage, tobacco,  
7 nutrition, and dental health.

8 (b) All comprehensive health education programs  
9 established under this Act shall satisfy the following  
10 criteria:

11 (1) Factual information presented in course  
12 material and instruction shall be medically accurate and  
13 objective.

14 (2) All course material and instruction in classes  
15 that teach sex education and discuss sexual activity or  
16 behavior shall be age and developmentally appropriate.

17 (3) Course material and instruction shall include a  
18 discussion of sexual abstinence as a method to prevent  
19 unintended pregnancy and sexually transmitted infections,  
20 including HIV.

21 (4) Course material and instruction shall present  
22 the latest medically factual information regarding both  
23 the possible side effects and health benefits of all  
24 forms of contraception, including the success and failure  
25 rates for the prevention of pregnancy and sexually  
26 transmitted infections, including HIV.

27 (5) Course material and instruction shall stress  
28 that sexually transmitted infections are serious possible  
29 hazards of sexual activity or behavior. Pupils shall be  
30 provided with statistics based on the latest medical  
31 information citing the failure and success rates of all  
32 methods of contraception in preventing HIV and other  
33 sexually transmitted infections.

34 (6) Course material and instruction shall advise

1 pupils that it is unlawful for males or females of any  
2 age to engage in sexual conduct or have sexual relations  
3 with a minor as specified in Article 12 of the Criminal  
4 Code of 1961.

5 (7) Course material and discussion shall discuss  
6 and provide for the development of positive communication  
7 skills to maintain healthy relationships and avoid  
8 unwanted sexual activity.

9 (8) Course material and instruction shall emphasize  
10 that the pupil has the power to control personal  
11 behavior. Pupils shall be encouraged to base their  
12 actions on reasoning, self-discipline, sense of  
13 responsibility, self-control, and ethical considerations,  
14 such as respect for oneself and others.

15 (9) Course material and instruction shall teach  
16 pupils to not make unwanted physical and verbal sexual  
17 advances and how to say no to unwanted sexual advances  
18 and shall include information about verbal, physical, and  
19 visual sexual harassment, including without limitation  
20 nonconsensual sexual advances, nonconsensual physical  
21 sexual contact, and rape by an acquaintance. The course  
22 material and instruction shall contain methods of  
23 preventing sexual assault by an acquaintance, including  
24 exercising good judgment and avoiding behavior that  
25 impairs one's judgment. The course material and  
26 instruction shall emphasize personal accountability and  
27 respect for others and shall also encourage youth to  
28 resist negative peer pressure. The course material and  
29 instruction shall inform pupils of the potential legal  
30 consequences of sexual assault by an acquaintance.  
31 Specifically, pupils shall be advised that it is unlawful  
32 to touch an intimate part of another person as specified  
33 in the Criminal Code of 1961.

34 (10) Course material and instruction shall teach

1 male pupils about male accountability for sexual violence  
2 and shall teach female students about reducing  
3 vulnerability for sexual violence.

4 (11) Course material and instruction shall teach  
5 pupils about counseling, medical, and legal resources  
6 available to survivors of sexual abuse and sexual  
7 assault, including resources for escaping violent  
8 relationships.

9 (12) Course material and instruction in classes  
10 that discuss sexual activity or behavior shall teach  
11 pupils that it is wrong to take advantage of or to  
12 exploit another person.

13 (13) Course material and instruction shall be free  
14 of racial, ethnic, gender, religious, or sexual  
15 orientation biases.

16 (c) Notwithstanding the above educational areas, the  
17 following areas may also be included as a basis for curricula  
18 in all elementary and secondary schools in this State: basic  
19 first aid (including, but not limited to, cardiopulmonary  
20 resuscitation and the Heimlich maneuver), early prevention  
21 and detection of cancer, heart disease, diabetes, stroke, and  
22 the prevention of child abuse, neglect, and suicide. The  
23 school board of each public elementary and secondary school  
24 in the State shall encourage all teachers and other school  
25 personnel to acquire, develop, and maintain the knowledge and  
26 skills necessary to properly administer life-saving  
27 techniques, including without limitation the Heimlich  
28 maneuver and rescue breathing. The training shall be in  
29 accordance with standards of the American Red Cross, the  
30 American Heart Association, or another nationally recognized  
31 certifying organization. A school board may use the services  
32 of non-governmental entities whose personnel have expertise  
33 in life-saving techniques to instruct teachers and other  
34 school personnel in these techniques. Each school board is

1 encouraged to have in its employ, or on its volunteer staff,  
2 at least one person who is certified, by the American Red  
3 Cross or by another qualified certifying agency, as qualified  
4 to administer first aid and cardiopulmonary resuscitation.  
5 In addition, each school board is authorized to allocate  
6 appropriate portions of its institute or inservice days to  
7 conduct training programs for teachers and other school  
8 personnel who have expressed an interest in becoming  
9 qualified to administer emergency first aid or  
10 cardiopulmonary resuscitation. School boards are urged to  
11 encourage their teachers and other school personnel who coach  
12 school athletic programs and other extracurricular school  
13 activities to acquire, develop, and maintain the knowledge  
14 and skills necessary to properly administer first aid and  
15 cardiopulmonary resuscitation in accordance with standards  
16 and requirements established by the American Red Cross or  
17 another qualified certifying agency.

18 (d) No pupil shall be required to take or participate in  
19 any class or course on HIV AIDS or family life instruction if  
20 his parent or guardian submits written objection thereto, and  
21 refusal to take or participate in the course or program shall  
22 not be reason for suspension or expulsion of the pupil.

23 (e) Curricula developed under programs established in  
24 accordance with this Act in the major educational area of  
25 alcohol and drug use and abuse shall include classroom  
26 instruction in grades 5 through 12. The instruction, which  
27 shall include matters relating to both the physical and legal  
28 effects and ramifications of drug and substance abuse, shall  
29 be integrated into existing curricula; and the State Board of  
30 Education shall develop and make available to all elementary  
31 and secondary schools in this State instructional materials  
32 and guidelines which will assist the schools in incorporating  
33 the instruction into their existing curricula. In addition,  
34 school districts may offer, as part of existing curricula

1 during the school day or as part of an after school program,  
2 support services and instruction for pupils or pupils whose  
3 parent, parents, or guardians are chemically dependent.

4 (Source: P.A. 92-23, eff. 7-1-01.)

5 Section 90. The State Mandates Act is amended by adding  
6 Section 8.27 as follows:

7 (30 ILCS 805/8.27 new)

8 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6  
9 and 8 of this Act, no reimbursement by the State is required  
10 for the implementation of any mandate created by this  
11 amendatory Act of the 93rd General Assembly.

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.