



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB5012

Introduced 2/18/2020, by Rep. Camille Y. Lilly

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.62	from Ch. 122, par. 2-3.62
105 ILCS 5/27-9.1	from Ch. 122, par. 27-9.1
105 ILCS 5/27-9.2	from Ch. 122, par. 27-9.2
105 ILCS 110/3	

Amends the School Code. Makes changes concerning sex education, including changing the name to sexual health and changing course requirements. Makes changes concerning family life course requirements. Amends the Critical Health Problems and Comprehensive Health Education Act to make changes concerning the educational areas a comprehensive health education program must include. Effective immediately.

LRB101 19427 NHT 70040 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 Sections  
5 2-3.62, 27-9.1, and 27-9.2 as follows:

6 (105 ILCS 5/2-3.62) (from Ch. 122, par. 2-3.62)  
7 Sec. 2-3.62. Educational service centers.

8 (a) A regional network of educational service centers shall  
9 be established by the State Board of Education to coordinate  
10 and combine existing services in a manner which is practical  
11 and efficient and to provide new services to schools as  
12 provided in this Section. Services to be made available by such  
13 centers shall include the planning, implementation and  
14 evaluation of:

15 (1) (blank);

16 (2) computer technology education;

17 (3) mathematics, science and reading resources for  
18 teachers including continuing education, inservice  
19 training and staff development.

20 The centers may provide training, technical assistance,  
21 coordination and planning in other program areas such as school  
22 improvement, school accountability, financial planning,  
23 consultation, and services, career guidance, early childhood

1 education, alcohol/drug education and prevention, family life  
2 - sexual health ~~sex~~ education, electronic transmission of data  
3 from school districts to the State, alternative education and  
4 regional special education, and telecommunications systems  
5 that provide distance learning. Such telecommunications  
6 systems may be obtained through the Department of Central  
7 Management Services pursuant to Section 405-270 of the  
8 Department of Central Management Services Law (20 ILCS  
9 405/405-270). The programs and services of educational service  
10 centers may be offered to private school teachers and private  
11 school students within each service center area provided public  
12 schools have already been afforded adequate access to such  
13 programs and services.

14 Upon the abolition of the office, removal from office,  
15 disqualification for office, resignation from office, or  
16 expiration of the current term of office of the regional  
17 superintendent of schools, whichever is earlier, the chief  
18 administrative officer of the centers serving that portion of a  
19 Class II county school unit outside of a city of 500,000 or  
20 more inhabitants shall have and exercise, in and with respect  
21 to each educational service region having a population of  
22 2,000,000 or more inhabitants and in and with respect to each  
23 school district located in any such educational service region,  
24 all of the rights, powers, duties, and responsibilities  
25 theretofore vested by law in and exercised and performed by the  
26 regional superintendent of schools for that area under the

1 provisions of this Code or any other laws of this State.

2 The State Board of Education shall promulgate rules and  
3 regulations necessary to implement this Section. The rules  
4 shall include detailed standards which delineate the scope and  
5 specific content of programs to be provided by each Educational  
6 Service Center, as well as the specific planning,  
7 implementation and evaluation services to be provided by each  
8 Center relative to its programs. The Board shall also provide  
9 the standards by which it will evaluate the programs provided  
10 by each Center.

11 (b) Centers serving Class 1 county school units shall be  
12 governed by an 11-member board, 3 members of which shall be  
13 public school teachers nominated by the local bargaining  
14 representatives to the appropriate regional superintendent for  
15 appointment and no more than 3 members of which shall be from  
16 each of the following categories, including but not limited to  
17 superintendents, regional superintendents, school board  
18 members and a representative of an institution of higher  
19 education. The members of the board shall be appointed by the  
20 regional superintendents whose school districts are served by  
21 the educational service center. The composition of the board  
22 will reflect the revisions of this amendatory Act of 1989 as  
23 the terms of office of current members expire.

24 (c) The centers shall be of sufficient size and number to  
25 assure delivery of services to all local school districts in  
26 the State.

1           (d) From monies appropriated for this program the State  
2 Board of Education shall provide grants paid from the Personal  
3 Property Tax Replacement Fund to qualifying Educational  
4 Service Centers applying for such grants in accordance with  
5 rules and regulations promulgated by the State Board of  
6 Education to implement this Section.

7           (e) The governing authority of each of the 18 regional  
8 educational service centers shall appoint a family life -  
9 sexual health ~~sex~~ education advisory board consisting of 2  
10 parents, 2 teachers, 2 school administrators, 2 school board  
11 members, 2 health care professionals, one library system  
12 representative, and the director of the regional educational  
13 service center who shall serve as chairperson of the advisory  
14 board so appointed. Members of the family life - sexual health  
15 ~~sex~~ education advisory boards shall serve without  
16 compensation. Each of the advisory boards appointed pursuant to  
17 this subsection shall develop a plan for regional  
18 teacher-parent family life - sexual health ~~sex~~ education  
19 training sessions and shall file a written report of such plan  
20 with the governing board of their regional educational service  
21 center. The directors of each of the regional educational  
22 service centers shall thereupon meet, review each of the  
23 reports submitted by the advisory boards and combine those  
24 reports into a single written report which they shall file with  
25 the Citizens Council on School Problems prior to the end of the  
26 regular school term of the 1987-1988 school year.

1 (f) The 14 educational service centers serving Class I  
2 county school units shall be disbanded on the first Monday of  
3 August, 1995, and their statutory responsibilities and  
4 programs shall be assumed by the regional offices of education,  
5 subject to rules and regulations developed by the State Board  
6 of Education. The regional superintendents of schools elected  
7 by the voters residing in all Class I counties shall serve as  
8 the chief administrators for these programs and services.

9 (Source: P.A. 98-24, eff. 6-19-13; 98-647, eff. 6-13-14; 99-30,  
10 eff. 7-10-15.)

11 (105 ILCS 5/27-9.1) (from Ch. 122, par. 27-9.1)

12 Sec. 27-9.1. Sexual Health ~~Sex~~ education.

13 (a) In this Section:

14 "Abstinence" means not engaging in oral, vaginal, or anal  
15 intercourse or genital skin-to-skin contact.

16 "Adapt" means to modify an evidence-based or  
17 evidence-informed program model for use with a particular  
18 demographic, ethnic, linguistic, or cultural group.

19 "Age appropriate" means suitable to particular ages or age  
20 groups of children and adolescents, based on the developing  
21 cognitive, emotional, and behavioral capacity typical for the  
22 age or age group.

23 "Anatomy and physiology" means that information that  
24 provides a foundation for understanding basic human  
25 functioning.

1       "Characteristics of effective programs" means the aspects  
2 of evidence-based programs, including the development,  
3 content, and implementation of such programs, that (i) have  
4 been shown to be effective in terms of increasing knowledge,  
5 clarifying values and attitudes, increasing skills, and  
6 impacting behavior and (ii) are widely recognized by leading  
7 medical and public health agencies to be effective in changing  
8 sexual behaviors that lead to sexually transmitted infections,  
9 including HIV, unintended pregnancy, and dating violence and  
10 sexual assault among young people.

11       "Comprehensive" means essential information that includes,  
12 but is not limited to, content related to anatomy and  
13 physiology; healthy relationships; identity; personal safety;  
14 pregnancy and reproduction; puberty, growth, and adolescent  
15 development; and sexually transmitted infections, including  
16 HIV.

17       "Consent" means an affirmative, knowing, conscious,  
18 ongoing, and voluntary agreement to engage in interpersonal,  
19 physical, or sexual activity, which can be revoked at any  
20 point, including during the course of interpersonal, physical,  
21 or sexual activity.

22       "Culturally appropriate" means affirming culturally  
23 diverse individuals, families, and communities in an  
24 inclusive, respectful, and effective manner, including  
25 materials and instruction that are inclusive of race,  
26 ethnicity, language, cultural background, religion, gender,

1 gender identity, gender expression, sexual orientation, sexual  
2 behavior, and different abilities.

3 "Evidence-based program" means a program for which  
4 systematic, empirical research or evaluation has provided  
5 evidence of effectiveness.

6 "Evidence-informed program" means a program that uses the  
7 best available research and practice knowledge to guide program  
8 design and implementation.

9 "Healthy relationships" means that information that helps  
10 pupils learn how to identify healthy and unhealthy relationship  
11 behaviors and helps pupils develop the skills to navigate  
12 changing relationships among family, peers, and partners.

13 "Identity" means that information that addresses several  
14 fundamental aspects of people's understanding of how they  
15 identify their sexual orientation, gender, gender identity, or  
16 gender expression.

17 "Personal safety" means that information that helps pupils  
18 develop an awareness about and the skills and confidence to  
19 respond to bullying, harassment, including sexual harassment,  
20 sexual abuse, sexual assault, intimate partner violence,  
21 incest, rape, and sex trafficking and the role that schools  
22 play in creating learning environments that promote personal  
23 safety.

24 "Pregnancy and reproduction" means that information that  
25 addresses how pregnancy happens, decision-making to avoid  
26 unintended pregnancy through abstinence and contraception,



1 prenatal practices and resources that support a healthy  
2 pregnancy; and information that helps pupils understand  
3 resources and laws related to pregnancy, adoption, abortion,  
4 and parenting.

5 Puberty, growth, and adolescent development" means that  
6 information that addresses a pivotal milestone for every person  
7 that has an impact on cognitive, emotional, physical, sexual  
8 and social development.

9 "Sexually transmitted infections, including HIV" means  
10 that information that provides both content and skills for  
11 understanding scientifically accepted methods of how to  
12 prevent and avoid exposure to sexually transmitted infections  
13 (STIs), including HIV, through abstinence, condoms,  
14 vaccination, Pre-exposure Prophylaxis (PrEP), and  
15 Post-exposure Prophylaxis (PEP), including how they are  
16 transmitted, their signs, symptoms, and options for screening,  
17 testing, and treatment, and other medical care.

18 "Medically accurate" means verified or supported by the  
19 weight of research conducted in compliance with accepted  
20 scientific methods and published in peer-reviewed journals, if  
21 applicable, or comprising information recognized as accurate,  
22 objective, and complete.

23 "Unintended pregnancy" means a pregnancy that is  
24 unplanned, unwanted (that is, the pregnancy occurred when no  
25 children or no more children were desired) or mistimed (that  
26 is, the pregnancy occurred earlier than desired).

1 (a-5) No pupil shall be required to take or participate in  
2 any class or course in comprehensive sexual health ~~sex~~  
3 education if that pupil's ~~his~~ parent or guardian submits  
4 written objection thereto, and refusal to take or participate  
5 in such course or program shall not be reason for suspension or  
6 expulsion of such pupil. ~~Each class or course in comprehensive~~  
7 ~~sex education offered in any of grades 6 through 12 shall~~  
8 ~~include instruction on both abstinence and contraception for~~  
9 ~~the prevention of pregnancy and sexually transmitted diseases,~~  
10 ~~including HIV/AIDS.~~ Nothing in this Section prohibits  
11 instruction in sanitation, hygiene or traditional courses in  
12 biology.

13 (b) (Blank). ~~All public school classes that teach sex~~  
14 ~~education and discuss sexual intercourse in grades 6 through 12~~  
15 ~~shall emphasize that abstinence from sexual intercourse is a~~  
16 ~~responsible and positive decision and is the only protection~~  
17 ~~that is 100% effective against unwanted teenage pregnancy,~~  
18 ~~sexually transmitted diseases, and acquired immune deficiency~~  
19 ~~syndrome (AIDS) when transmitted sexually.~~

20 (c) All classes that teach sexual health ~~sex~~ education and  
21 discuss sexual intercourse in grades 6 through 12 shall satisfy  
22 the following criteria:

23 (1) Course material and instruction shall be  
24 culturally, developmentally, linguistically, and age  
25 appropriate, medically accurate, and comprehensive  
26 complete.

1 (1.5) Course material and instruction shall replicate  
2 evidence-based or evidence-informed programs or  
3 substantially incorporate elements of evidence-based  
4 programs or evidence-informed programs or characteristics  
5 of effective programs.

6 (2) Course material and instruction shall include  
7 information on the value of healthy, consenting, committed  
8 relationships, including marriage and civil unions and how  
9 to form and maintain healthy romantic, sexual, and intimate  
10 partnerships that are based on mutual consent and are free  
11 from violence, coercion, and intimidation. ~~teach honor and~~  
12 ~~respect for monogamous heterosexual marriage.~~

13 (3) Course material and instruction shall include  
14 information stating that continuous, consistent,  
15 abstinence from sexual activity is the only protection that  
16 is 100% effective against unintended pregnancy and STIs,  
17 including HIV. Course material and instruction shall also  
18 include information about scientifically accepted methods  
19 that can be used to greatly reduce unintended pregnancy and  
20 STIs, including HIV. These methods include, but are not  
21 limited to, contraception, vaccination, PrEP and PEP,  
22 regular testing and screening, and other medical care.  
23 ~~place substantial emphasis on both abstinence, including~~  
24 ~~abstinence until marriage, and contraception for the~~  
25 ~~prevention of pregnancy and sexually transmitted diseases~~  
26 ~~among youth and shall stress that abstinence is the ensured~~

1 ~~method of avoiding unintended pregnancy, sexually~~  
2 ~~transmitted diseases, and HIV/AIDS.~~

3 (4) Course material and instruction related to  
4 pregnancy shall include an objective discussion of  
5 parenting, adoption, and abortion. ~~shall include a~~  
6 ~~discussion of the possible emotional and psychological~~  
7 ~~consequences of preadolescent and adolescent sexual~~  
8 ~~intercourse and the consequences of unwanted adolescent~~  
9 ~~pregnancy.~~

10 (5) Course material and instruction shall include  
11 information, consistent with federal Centers for Disease  
12 Control and Prevention (CDC) statistics, citing the  
13 effectiveness and safety of all federal Food and Drug  
14 Administration (FDA) approved methods in preventing or  
15 reducing the likelihood of acquiring HIV and other STIs.  
16 ~~stress that sexually transmitted diseases are serious~~  
17 ~~possible hazards of sexual intercourse. Pupils shall be~~  
18 ~~provided with statistics based on the latest medical~~  
19 ~~information citing the failure and success rates of condoms~~  
20 ~~in preventing AIDS and other sexually transmitted~~  
21 ~~diseases.~~

22 (5.5) Course material and instruction shall provide  
23 information, consistent with CDC statistics, citing the  
24 effectiveness and safety of all FDA-approved contraceptive  
25 methods in preventing unintended pregnancy, including, but  
26 not limited to, emergency contraception.

1           (6) Course material and instruction shall include  
2 information and skills development relating to parenting,  
3 including financial and emotional responsibilities,  
4 communication skills, problem solving, and caretaking.  
5 Course material and instruction shall also include  
6 information on laws pertaining to medical care and medical  
7 decisions throughout pregnancy and birth, surrendering  
8 physical custody of a child pursuant to the Abandoned  
9 Newborn Infant Protection Act, and the rights of pregnant  
10 pupils to stay in their own school or enroll in a school  
11 designed just for pregnant pupils. ~~advise pupils of the~~  
12 ~~laws pertaining to their financial responsibility to~~  
13 ~~children born in and out of wedlock.~~

14           (7) Course material and instruction shall advise  
15 pupils of the circumstances under which it is unlawful for  
16 a person to have sexual relations with an individual who is  
17 under the age of 17 and for a person who is in a position of  
18 trust, authority, or supervision to have sexual relations  
19 with an individual who is under the age of 18 pursuant to  
20 Article 11 of the Criminal Code of 2012.

21           (8) Course material and instruction shall provide  
22 pupils with the knowledge and skills for making and  
23 implementing healthy decisions about sexuality, including  
24 negotiation and refusal skills, to assist pupils in  
25 overcoming peer pressure and using effective  
26 decision-making skills to avoid high risk activities.

1 Course material and instruction shall also teach pupils to  
2 not make unwanted physical and verbal sexual advances and  
3 how to say no to unwanted sexual advances and how to give,  
4 receive, and understand consent. Pupils shall be taught  
5 that it is wrong to take advantage of or to exploit another  
6 person. The material and instruction shall also encourage  
7 pupils ~~youth~~ to resist negative peer pressure. The material  
8 and instruction shall include discussion on what may be  
9 considered sexual harassment or sexual assault.

10 (9) (Blank).

11 (10) Course material and instruction shall teach  
12 pupils about the effect of drugs and alcohol on responsible  
13 decision-making and consent, including the dangers  
14 associated with drug and alcohol consumption during  
15 pregnancy and when engaging in sexual activity.

16 (11) Course material and instruction must include an  
17 age-appropriate discussion on the meaning of consent that  
18 includes discussion on recognizing all of the following:

19 (A) That consent is a freely given agreement to  
20 sexual activity.

21 (B) That consent to one particular sexual activity  
22 does not constitute consent to other types of sexual  
23 activities.

24 (C) That a person's lack of verbal or physical  
25 resistance or submission resulting from the use or  
26 threat of force does not constitute consent.

1 (D) That a person's manner of dress does not  
2 constitute consent.

3 (E) That a person's consent to past sexual activity  
4 does not constitute consent to future sexual activity.

5 (F) That a person's consent to engage in sexual  
6 activity with one person does not constitute consent to  
7 engage in sexual activity with another person.

8 (G) That a person can withdraw consent at any time.

9 (H) That a person cannot consent to sexual activity  
10 if that person is unable to understand the nature of  
11 the activity or give knowing consent due to certain  
12 circumstances that include, but are not limited to, (i)  
13 the person is incapacitated due to the use or influence  
14 of alcohol or drugs, (ii) the person is asleep or  
15 unconscious, (iii) the person is a minor, or (iv) the  
16 person is incapacitated due to a mental disability.

17 (12) Course material and instruction shall include  
18 information about State laws that apply to minor  
19 confidentiality and minor consent, including exceptions.  
20 If available, material and instructions shall include  
21 local resources that include, but are not limited to, how  
22 and where to access local resources; pupils' legal rights  
23 to access local resources for sexual and reproductive  
24 health care; parenting resources; substance abuse  
25 treatment; mental health treatment; emergency medical  
26 treatment for sexual assault; and resources for assistance

1 with sexual assault, harassment, intimate partner  
2 violence, stalking, sex trafficking and suicide  
3 prevention. Local resources must be inclusive of gender  
4 identity, gender expression, sexual orientation, and  
5 sexual behavior.

6 (13) Course material and instruction shall encourage  
7 pupils to communicate with their parents or guardians,  
8 faith, health, and social service professionals, and other  
9 trusted adults about sexuality and intimate relationships.

10 (14) Course material and instruction may not  
11 deliberately withhold health-promoting or life-saving  
12 information about sexuality-related topics, including  
13 FDA-approved treatment and options.

14 (15) Course material and instruction may not be  
15 medically inaccurate or include information that is  
16 scientifically shown to be ineffective.

17 (16) Course material and instruction may not reflect or  
18 promote bias against any person on the basis of the  
19 person's race, ethnicity, language, cultural background,  
20 religion, HIV status, gender, gender identity, gender  
21 expression, sexual orientation, sexual behavior, or  
22 ability.

23 (17) Course material and instruction may not be  
24 insensitive and unresponsive to the needs of pupils based  
25 on their status as pregnant or parenting, living with STIs,  
26 including HIV, sexually active, asexual, or intersex or



1 based on their gender, gender identity, gender expression,  
2 sexual orientation, or ability.

3 (18) Course material and instruction may not be  
4 insensitive and unresponsive to the needs of survivors of  
5 sexual abuse or assault.

6 (19) Course material and instruction may not be  
7 inconsistent with the ethical imperatives of medicine and  
8 public health.

9 (20) Pupils may not be denied access to sexual health  
10 instruction on the basis of any disability or perceived  
11 disability or English Learner status.

12 (c-5) All classes that teach sexual health education in  
13 grades 5 and below shall use course material and provide  
14 instruction that is medically accurate, evidence-based or  
15 evidence-informed, and culturally, developmentally,  
16 linguistically, and age appropriate.

17 (d) An opportunity shall be afforded to individuals,  
18 including parents or guardians, to review ~~examine~~ the scope and  
19 sequence of instructional materials to be used in such class or  
20 course electronically or in person.

21 (e) The State Board of Education shall make available  
22 resource materials, including, at a minimum, a free sample  
23 curriculum or a free set of instruction modules, with the  
24 cooperation and input of experts that provide comprehensive,  
25 culturally appropriate sexual health education and  
26 organizations and entities that promote comprehensive,

1 culturally appropriate sexual health education policy. ~~the~~  
2 ~~agency that administers grant programs consistent with~~  
3 ~~criteria (1) and (1.5) of subsection (c) of this Section, for~~  
4 ~~educating children regarding sex education and may take into~~  
5 ~~consideration the curriculum on this subject developed by other~~  
6 ~~states, as well as any other curricular materials suggested by~~  
7 ~~education experts and other groups that work on sex education~~  
8 ~~issues.~~ Materials may include, without limitation, model  
9 sexual health ~~sex~~ education curriculums and sexual health  
10 education programs. The State Board of Education shall make  
11 these resource materials available on its Internet website, in  
12 a clearly identified and easily accessible place. School  
13 districts that do not currently provide sexual health ~~sex~~  
14 education are not required to teach sexual health ~~sex~~  
15 education. If a sexual health ~~sex~~ education class or course is  
16 offered in any grade ~~of grades 6 through 12,~~ the school  
17 district must teach the curriculum, adapted appropriately, to  
18 all pupils in that grade, including pupils with disabilities  
19 and non-English speaking pupils. Schools may choose and adapt  
20 the culturally, developmentally, linguistically, and  
21 age-appropriate, medically accurate, evidence-based or  
22 evidence-informed, and, in the case of grades 6 through 12  
23 comprehensive sexual health ~~complete sex~~ education curriculum  
24 that meets the specific needs of its community.

25 (f) The State Board of Education shall, through existing  
26 reporting mechanisms, direct each school district to identify

1 any curricula used to provide comprehensive sexual health  
2 education, whether the instruction was provided by a teacher in  
3 the school, a consultant, or a community group; the number of  
4 pupils receiving instruction; the number of pupils excused from  
5 instruction; and the duration of instruction and shall report  
6 the results of this inquiry to the General Assembly annually,  
7 beginning one year after the effective date of this amendatory  
8 Act of the 101st General Assembly.

9 (Source: P.A. 100-684, eff. 8-3-18; 101-579, eff. 1-1-20.)

10 (105 ILCS 5/27-9.2) (from Ch. 122, par. 27-9.2)

11 Sec. 27-9.2. Family Life. If any school district provides  
12 courses of instruction designed to promote a wholesome and  
13 comprehensive understanding of the emotional, psychological,  
14 physiological, hygienic and social responsibility aspects of  
15 family life, then such courses of instruction shall include the  
16 teaching of all pregnancy options ~~the alternatives to abortion,~~  
17 appropriate to the various grade levels; and whenever such  
18 courses of instruction are provided in any of grades 6 through  
19 12, then such courses also shall include instruction on the  
20 prevention, transmission, screening, and treatment ~~spread~~ of  
21 HIV/AIDS AIDS. However, no pupil shall be required to take or  
22 participate in any family life class or course on HIV/AIDS AIDS  
23 instruction if the pupil's ~~his~~ parent or guardian submits  
24 written objection thereto, and refusal to take or participate  
25 in such course or program shall not be reason for suspension or

1 expulsion of such pupil.

2 The State Superintendent of Education shall prepare and  
3 make available to local school districts courses of instruction  
4 designed to satisfy the requirements of this Section.

5 The State Superintendent of Education shall develop a  
6 procedure for evaluating and measuring the effectiveness of the  
7 family life courses of instruction in each local school  
8 district, including the setting of reasonable and equitable  
9 goals for improved sexual health outcomes, such as reduced  
10 instances and disparities of sexually transmitted infections  
11 (STI), including HIV, increased instances of STI, including  
12 HIV, screening and treatment, especially in community areas  
13 with high STI, including HIV, diagnoses rates, and decreased  
14 instances and disparities of sexual assault and unintended  
15 pregnancy. ~~reduced sexual activity, sexually transmitted~~  
16 ~~diseases and premarital pregnancy. The goals shall be set by~~  
17 ~~the beginning of the 1991-92 school year.~~ The State  
18 Superintendent shall distribute a copy of the procedure to each  
19 local school district. Each local school district may develop  
20 additional procedures or methods for measuring the  
21 effectiveness of the family life courses of instruction within  
22 the district. ~~Before the beginning of the 1993-94 school year,~~  
23 ~~the State Superintendent shall collect and evaluate all~~  
24 ~~relevant data to determine whether the goals are being~~  
25 ~~achieved.~~

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

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

4 (105 ILCS 110/3)

5 Sec. 3. Comprehensive Health Education Program. The  
6 program established under this Act shall include, but not be  
7 limited to, the following major educational areas as a basis  
8 for curricula in all elementary and secondary schools in this  
9 State: human ecology and health, human growth and development,  
10 the emotional, psychological, physiological, hygienic and  
11 social responsibilities of family life, culturally,  
12 developmentally, linguistically, and age-appropriate,  
13 medically accurate, and evidence-based or evidence-informed  
14 information regarding ~~including sexual~~ abstinence ~~until~~  
15 marriage, contraception, vaccination, Pre-exposure Prophylaxis  
16 (PREP) and Post-exposure Prophylaxis (PEP), and other medical  
17 care for the prevention and control of unintended pregnancy and  
18 sexually transmitted infections disease, including instruction  
19 in grades 6 through 12 on the prevention, transmission, and  
20 treatment of HIV ~~spread of AIDS,~~ age-appropriate sexual abuse  
21 and assault awareness and prevention education in grades  
22 pre-kindergarten through 12, public and environmental health,  
23 consumer health, safety education and disaster survival,  
24 mental health and illness, personal health habits, alcohol,

1 drug use, and abuse including the medical and legal  
2 ramifications of alcohol, drug, and tobacco use, abuse during  
3 pregnancy, ~~evidence based and medically accurate information~~  
4 ~~regarding sexual abstinence,~~ tobacco, nutrition, and dental  
5 health. The instruction on mental health and illness must  
6 evaluate the multiple dimensions of health by reviewing the  
7 relationship between physical and mental health so as to  
8 enhance student understanding, attitudes, and behaviors that  
9 promote health, well-being, and human dignity. The program  
10 shall also provide course material and instruction to advise  
11 pupils of the Abandoned Newborn Infant Protection Act. The  
12 program shall include medically accurate information about  
13 cancer, including without limitation types of cancer, signs and  
14 symptoms, risk factors, the importance of early prevention and  
15 detection, and information on where to go for help.  
16 Notwithstanding the above educational areas, the following  
17 areas may also be included as a basis for curricula in all  
18 elementary and secondary schools in this State: basic first aid  
19 (including, but not limited to, cardiopulmonary resuscitation  
20 and the Heimlich maneuver), heart disease, diabetes, stroke,  
21 the prevention of child abuse, neglect, and suicide, and teen  
22 dating violence in grades 7 through 12. Beginning with the  
23 2014-2015 school year, training on how to properly administer  
24 cardiopulmonary resuscitation (which training must be in  
25 accordance with standards of the American Red Cross, the  
26 American Heart Association, or another nationally recognized

1 certifying organization) and how to use an automated external  
2 defibrillator shall be included as a basis for curricula in all  
3 secondary schools in this State.

4 The school board of each public elementary and secondary  
5 school in the State shall encourage all teachers and other  
6 school personnel to acquire, develop, and maintain the  
7 knowledge and skills necessary to properly administer  
8 life-saving techniques, including without limitation the  
9 Heimlich maneuver and rescue breathing. The training shall be  
10 in accordance with standards of the American Red Cross, the  
11 American Heart Association, or another nationally recognized  
12 certifying organization. A school board may use the services of  
13 non-governmental entities whose personnel have expertise in  
14 life-saving techniques to instruct teachers and other school  
15 personnel in these techniques. Each school board is encouraged  
16 to have in its employ, or on its volunteer staff, at least one  
17 person who is certified, by the American Red Cross or by  
18 another qualified certifying agency, as qualified to  
19 administer first aid and cardiopulmonary resuscitation. In  
20 addition, each school board is authorized to allocate  
21 appropriate portions of its institute or inservice days to  
22 conduct training programs for teachers and other school  
23 personnel who have expressed an interest in becoming qualified  
24 to administer emergency first aid or cardiopulmonary  
25 resuscitation. School boards are urged to encourage their  
26 teachers and other school personnel who coach school athletic

1 programs and other extracurricular school activities to  
2 acquire, develop, and maintain the knowledge and skills  
3 necessary to properly administer first aid and cardiopulmonary  
4 resuscitation in accordance with standards and requirements  
5 established by the American Red Cross or another qualified  
6 certifying agency. Subject to appropriation, the State Board of  
7 Education shall establish and administer a matching grant  
8 program to pay for half of the cost that a school district  
9 incurs in training those teachers and other school personnel  
10 who express an interest in becoming qualified to administer  
11 cardiopulmonary resuscitation (which training must be in  
12 accordance with standards of the American Red Cross, the  
13 American Heart Association, or another nationally recognized  
14 certifying organization) or in learning how to use an automated  
15 external defibrillator. A school district that applies for a  
16 grant must demonstrate that it has funds to pay half of the  
17 cost of the training for which matching grant money is sought.  
18 The State Board of Education shall award the grants on a  
19 first-come, first-serve basis.

20 No pupil shall be required to take or participate in any  
21 class or course on HIV/AIDS ~~AIDS~~ or family life instruction or  
22 to receive training on how to properly administer  
23 cardiopulmonary resuscitation or how to use an automated  
24 external defibrillator if the pupil's ~~his or her~~ parent or  
25 guardian submits written objection thereto, and refusal to take  
26 or participate in the course or program or the training shall



1 not be reason for suspension or expulsion of the pupil.

2 Curricula developed under programs established in  
3 accordance with this Act in the major educational area of  
4 alcohol and drug use and abuse shall include classroom  
5 instruction in grades 5 through 12. The instruction, which  
6 shall include matters relating to both the physical and legal  
7 effects and ramifications of drug and substance abuse, shall be  
8 integrated into existing curricula; and the State Board of  
9 Education shall develop and make available to all elementary  
10 and secondary schools in this State instructional materials and  
11 guidelines which will assist the schools in incorporating the  
12 instruction into their existing curricula. In addition, school  
13 districts may offer, as part of existing curricula during the  
14 school day or as part of an after school program, support  
15 services and instruction for pupils or pupils whose parent,  
16 parents, or guardians are chemically dependent.

17 (Source: P.A. 101-305, eff. 1-1-20.)

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.