

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 Section  
5 27-9.1 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) In this Section:

9 "Adapt" means to modify an evidence-based program model for  
10 use with a particular demographic, ethnic, linguistic, or  
11 cultural group.

12 "Age appropriate" means suitable to particular ages or age  
13 groups of children and adolescents, based on the developing  
14 cognitive, emotional, and behavioral capacity typical for the  
15 age or age group.

16 "Evidence-based program" means a program for which  
17 systematic, empirical research or evaluation has provided  
18 evidence of effectiveness.

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

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

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

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

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

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

4           (2) Course material and instruction shall teach honor  
5           and respect for monogamous heterosexual marriage.

6           (3) Course material and instruction shall place  
7           substantial emphasis on both abstinence, including  
8           abstinence until marriage, and contraception for the  
9           prevention of pregnancy and sexually transmitted diseases  
10           among youth and shall stress that abstinence is the ensured  
11           method of avoiding unintended pregnancy, sexually  
12           transmitted diseases, and HIV/AIDS ~~pupils should abstain~~  
13           ~~from sexual intercourse until they are ready for marriage.~~

14           (4) Course material and instruction shall include a  
15           discussion of the possible emotional and psychological  
16           consequences of preadolescent and adolescent sexual  
17           intercourse ~~outside of marriage~~ and the consequences of  
18           unwanted adolescent pregnancy.

19           (5) Course material and instruction shall stress that  
20           sexually transmitted diseases are serious possible hazards  
21           of sexual intercourse. Pupils shall be provided with  
22           statistics based on the latest medical information citing  
23           the failure and success rates of condoms in preventing AIDS  
24           and other sexually transmitted diseases.

25           (6) Course material and instruction shall advise  
26           pupils of the laws pertaining to their financial

1 responsibility to children born in and out of wedlock.

2 (7) Course material and instruction shall advise  
3 pupils of the circumstances under which it is unlawful for  
4 males to have sexual relations with females under the age  
5 of 18 to whom they are not married pursuant to Article 11  
6 of the Criminal Code of 2012.

7 (8) Course material and instruction shall teach pupils  
8 to not make unwanted physical and verbal sexual advances  
9 and how to say no to unwanted sexual advances. Pupils shall  
10 be taught that it is wrong to take advantage of or to  
11 exploit another person. The material and instruction shall  
12 also encourage youth to resist negative peer pressure.

13 (9) (Blank).

14 (10) Course material and instruction shall teach  
15 pupils about the dangers associated with drug and alcohol  
16 consumption during pregnancy.

17 (d) An opportunity shall be afforded to individuals,  
18 including parents or guardians, to examine the instructional  
19 materials to be used in such class or course.

20 (e) The State Board of Education shall make available  
21 resource materials, with the cooperation and input of the  
22 agency that administers grant programs consistent with  
23 criteria (1) and (1.5) of subsection (c) of this Section, for  
24 educating children regarding sex education and may take into  
25 consideration the curriculum on this subject developed by other  
26 states, as well as any other curricular materials suggested by

1 education experts and other groups that work on sex education  
2 issues. Materials may include without limitation model sex  
3 education curriculums and sexual health education programs.  
4 The State Board of Education shall make these resource  
5 materials available on its Internet website. School districts  
6 that do not currently provide sex education are not required to  
7 teach sex education. If a sex education class or course is  
8 offered in any of grades 6 through 12, the school district may  
9 choose and adapt the developmentally and age-appropriate,  
10 medically accurate, evidence-based, and complete sex education  
11 curriculum that meets the specific needs of its community.

12 (Source: P.A. 96-1082, eff. 7-16-10; 97-1150, eff. 1-25-13.)

13 Section 10. The Critical Health Problems and Comprehensive  
14 Health Education Act is amended by changing Section 3 as  
15 follows:

16 (105 ILCS 110/3)

17 Sec. 3. Comprehensive Health Education Program. The  
18 program established under this Act shall include, but not be  
19 limited to, the following major educational areas as a basis  
20 for curricula in all elementary and secondary schools in this  
21 State: human ecology and health, human growth and development,  
22 the emotional, psychological, physiological, hygienic and  
23 social responsibilities of family life, including sexual  
24 abstinence until marriage, prevention and control of disease,

1 including instruction in grades 6 through 12 on the prevention,  
2 transmission and spread of AIDS, age-appropriate sexual abuse  
3 and assault awareness and prevention education in grades  
4 pre-kindergarten through 12, public and environmental health,  
5 consumer health, safety education and disaster survival,  
6 mental health and illness, personal health habits, alcohol,  
7 drug use, and abuse including the medical and legal  
8 ramifications of alcohol, drug, and tobacco use, abuse during  
9 pregnancy, evidence-based and medically accurate information  
10 regarding sexual abstinence ~~until marriage~~, tobacco,  
11 nutrition, and dental health. The program shall also provide  
12 course material and instruction to advise pupils of the  
13 Abandoned Newborn Infant Protection Act. The program shall  
14 include information about cancer, including without limitation  
15 types of cancer, signs and symptoms, risk factors, the  
16 importance of early prevention and detection, and information  
17 on where to go for help. Notwithstanding the above educational  
18 areas, the following areas may also be included as a basis for  
19 curricula in all elementary and secondary schools in this  
20 State: basic first aid (including, but not limited to,  
21 cardiopulmonary resuscitation and the Heimlich maneuver),  
22 heart disease, diabetes, stroke, the prevention of child abuse,  
23 neglect, and suicide, and teen dating violence in grades 8  
24 through 12.

25 The school board of each public elementary and secondary  
26 school in the State shall encourage all teachers and other

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

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

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

20 Curricula developed under programs established in  
21 accordance with this Act in the major educational area of  
22 alcohol and drug use and abuse shall include classroom  
23 instruction in grades 5 through 12. The instruction, which  
24 shall include matters relating to both the physical and legal  
25 effects and ramifications of drug and substance abuse, shall be  
26 integrated into existing curricula; and the State Board of



1 Education shall develop and make available to all elementary  
2 and secondary schools in this State instructional materials and  
3 guidelines which will assist the schools in incorporating the  
4 instruction into their existing curricula. In addition, school  
5 districts may offer, as part of existing curricula during the  
6 school day or as part of an after school program, support  
7 services and instruction for pupils or pupils whose parent,  
8 parents, or guardians are chemically dependent.

9 (Source: P.A. 96-128, eff. 1-1-10; 96-328, eff. 8-11-09;  
10 96-383, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-1147, eff.  
11 1-24-13.)

1 INDEX

2 Statutes amended in order of appearance

3 105 ILCS 5/27-9.1 from Ch. 122, par. 27-9.1

4 105 ILCS 110/3