

**SENATE . . . . . No. 218**

**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 provide health education in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Harriette L. Chandler	First Worcester
Alice K. Wolf	25th Middlesex
Patricia D. Jehlen	Second Middlesex
Anthony W. Petruccelli	First Suffolk and Middlesex
Kenneth J. Donnelly	Fourth Middlesex
Anthony W. Petruccelli	First Suffolk and Middlesex
Steven A. Tolman	Second Suffolk and Middlesex
Susan C. Tucker	Second Essex and Middlesex
Steven M. Walsh	11th Essex
Anthony D. Galluccio	Middlesex, Suffolk and Essex
Thomas M. McGee	Third Essex and Middlesex
Richard R. Tisei	Middlesex and Essex
Karen E. Spilka	Second Middlesex and Norfolk
Cynthia Stone Creem	First Middlesex and Norfolk

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

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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### 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  
2 Edition, is hereby amended by inserting after the word “languages”, in line 6, the words:— , health  
3 education.

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:— The  
6 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 and  
11 public health.

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

14 SECTION 4. The commissioner of education shall submit a report on the provision of health  
15 education by school districts to the joint committee on education, the clerk of the house and the clerk of  
16 the senate no later than July 1, 2009. The report shall include the following data for each public school in  
17 the Commonwealth: health education requirements by grade level; health education curriculum offered by  
18 grade level; the number of students who receive health education by grade level, the number of students  
19 who opt-out of any portion of the health education curriculum involving human sexual education or  
20 human sexuality issues; and approximate number of hours spent on each of the categories in the  
21 curriculum frameworks listed in Section 2 of this bill by grade level.

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

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

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

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

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