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**SUBSTITUTE SENATE BILL 5044**

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**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** Senate Committee on Education (originally sponsored by Senator McCaslin)

READ FIRST TIME 02/13/01.

1 AN ACT Relating to parental involvement in AIDS education; and  
2 amending RCW 28A.230.070.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.230.070 and 1994 c 245 s 7 are each amended to  
5 read as follows:

6 (1) The life-threatening dangers of acquired immunodeficiency  
7 syndrome (AIDS) and its prevention shall be taught in the public  
8 schools of this state. AIDS prevention education shall be limited to  
9 the discussion of the life-threatening dangers of the disease, its  
10 spread, and prevention. Students shall receive such education at least  
11 once each school year beginning no later than the fifth grade.

12 (2) Each district board of directors shall adopt an AIDS prevention  
13 education program which is developed in consultation with teachers,  
14 administrators, parents, and other community members including, but not  
15 limited to, persons from medical, public health, and mental health  
16 organizations and agencies so long as the curricula and materials  
17 developed for use in the AIDS education program either (a) are the  
18 model curricula and resources under subsection (3) of this section, or  
19 (b) are developed by the school district and approved for medical

1 accuracy by the office on AIDS established in RCW 70.24.250. If a  
2 district elects to use curricula developed by the school district, the  
3 district shall submit to the office on AIDS a copy of its curricula and  
4 an affidavit of medical accuracy stating that the material in the  
5 district-developed curricula has been compared to the model curricula  
6 for medical accuracy and that in the opinion of the district the  
7 district-developed materials are medically accurate. Upon submission  
8 of the affidavit and curricula, the district may use these materials  
9 until the approval procedure to be conducted by the office of AIDS has  
10 been completed.

11 (3) Model curricula and other resources available from the  
12 superintendent of public instruction may be reviewed by the school  
13 district board of directors, in addition to materials designed locally,  
14 in developing the district's AIDS education program. The model  
15 curricula shall be reviewed for medical accuracy by the office on AIDS  
16 established in RCW 70.24.250 within the department of social and health  
17 services.

18 (4) Each school district shall, at least one month before teaching  
19 AIDS prevention education in any classroom, conduct at least one  
20 presentation during weekend and evening hours for the parents and  
21 guardians of students concerning the curricula and materials that will  
22 be used for such education. The parents and guardians shall be  
23 notified by the school district of the presentation and that the  
24 curricula and materials are available for inspection. The parents or  
25 guardians may attend the presentation but are not required to attend.

26 (5) No student may be required to participate in AIDS prevention  
27 education if the student's parent or guardian, having attended at least  
28 one of the district presentations in the prior three years, objects in  
29 writing to the participation.

30 ((+5+)) (6) The office of the superintendent of public instruction  
31 with the assistance of the office on AIDS shall update AIDS education  
32 curriculum material as newly discovered medical facts make it  
33 necessary.

34 ((+6+)) (7) The curriculum for AIDS prevention education shall be  
35 designed to teach students which behaviors place a person dangerously  
36 at risk of infection with the human immunodeficiency virus (HIV) and  
37 methods to avoid such risk including, at least:

38 (a) The dangers of drug abuse, especially that involving the use of  
39 hypodermic needles; and

1 (b) The dangers of sexual intercourse, with or without condoms.  
2 ((+7+)) (8) The program of AIDS prevention education shall stress  
3 the life-threatening dangers of contracting AIDS and shall stress that  
4 abstinence from sexual activity is the only certain means for the  
5 prevention of the spread or contraction of the AIDS virus through  
6 sexual contact. It shall also teach that condoms and other artificial  
7 means of birth control are not a certain means of preventing the spread  
8 of the AIDS virus and reliance on condoms puts a person at risk for  
9 exposure to the disease.

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