

YMCA YOUTH LEGISLATURE OF THE STATE OF MONTANA

House Bill Number 381

Legislative Action:

Introduced by: Tate Carpenter

House Committee: _____

Authored by: Tate Carpenter

House: _____

Senate Committee: _____

Senate: _____

Delegation: Bozeman High School

Governor: _____

Referred to Committee: House Health & Human Services Committee

1 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE HEALTHY YOUTH
2 PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND
3 HUMAN SERVICES.""

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5 BE IT ENACTED BY THE 2007 MONTANA YMCA YOUTH LEGISLATURE:
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7 NEW SECTION. **Section 1. Short title.** May be cited as the "Healthy Youth Program Act".

8 NEW SECTION. **Section 2. Definitions.** As used in [sections 1 through 10], the following
9 definitions apply:

10 (1) "Age-appropriate sexuality education contract program" means a comprehensive age-
11 based sexuality education program conducted by an eligible entity under contract with the
12 department.

13 (2) "Department" means the department of public health and human

14 (3) "Eligible entity" means a city, county, or tribal health service.

15 (4) "Medically accurate" means verified or supported by research conducted in compliance
16 with scientific methods and published in peer-reviewed journals, where appropriate, and
17 recognized as accurate and objective by professional organizations and agencies with expertise in
18 the field, such as the federal centers for disease control and prevention, the American public
19 health association, the American academy of pediatrics, and the American college of
20 obstetricians and gynecologists.

21 (5) "Program plan" means the contract plan submitted to the department by an eligible entity.
22

23 NEW SECTION. **Section 3. Age-appropriate sexuality education contract program.** (1)

24 The age-appropriate sexuality education contract program must be created and administered by
25 the department after consultation with the office of public instruction.

26 (2) The purpose of the program is to provide contracts to eligible entities to support age-
27 appropriate sexuality education contract programs for young people that provide them with
28 topics of instruction.

29 (3) In order for an eligible entity to receive an annual contract, the entity shall submit a local
30 health agency authorization form, along with the components of instruction that will be offered
31 in its age-appropriate sexuality education contract program.

32 (4) The emphasis on all components are not required to be equal. A program may not be
33 inconsistent with any of the components or include information or messages that contradict any
34 of the components. The components of instruction:

35 (a) must be age-appropriate and medically accurate;

36 (b) may not teach or promote religion. However, this requirement does not preclude
37 discussion of moral, ethical, or religious views related to sex or sexual relationships.

38 (c) must stress the benefits of sexual abstinence while addressing the health needs of
39 adolescents who have had or who are engaged in a sexual relationship;

40 (d) must provide information about the health benefits and side effects of all contraceptives
41 and barrier methods as a means to reduce the risk of contracting sexually transmitted infections,
42 HIV, AIDS, and other diseases and preventing unintended pregnancy;

43 (e) must encourage family communication about sexuality among parents, other adult
44 household members, and children;

45 (f) must teach skills to make responsible decisions about sexuality, including how to prevent
46 unwanted verbal, physical, and sexual advances. This requirement includes information about
47 healthy versus unhealthy relationships, dating violence, sexual harassment, and sexual violence.

48 (g) must illustrate how alcohol and drug use can affect responsible decisionmaking;

49 (h) must help young people gain knowledge about the physical, biological, and hormonal
50 changes of adolescence and subsequent changes of human maturation;

51 (i) must assist young people in gaining knowledge and skills about the specific
52 responsibilities of both relationship partners in consensual sexual decision making;

53 (j) must develop healthy attitudes concerning growth and development, body image, gender
54 roles, sexual orientation, and other subjects;

55 (k) must encourage young people to practice healthy life skills including goal setting,
56 decisionmaking, negotiation, communication, and stress management; and

57 (l) must promote self-esteem, healthy behaviors, positive interpersonal skills, and
58 maintenance of personal safety within relationships including platonic, romantic, intimate, and
59 family relationships.

60 (5) Any eligible entity may accept and, upon approval by the department, be awarded an
61 annual age-appropriate sexuality education contract if the entity demonstrates the contract
62 program plan is capable of providing young people with an effective education program that is
63 meaningful, substantially involves parents and other adults as feasible and appropriate, and is
64 conducted in accordance with [sections 1 through 10].

65

66 **NEW SECTION. Section 4. Contract program plan.** (1) The eligible entity shall submit to
67 the department a program plan along with its signed local health agency authorization form. The
68 program plan must include a detailed description of the proposed age-appropriate sexuality
69 education contract program, including but not limited to:

70 (a) identification of components in [section 3] primarily addressed by the program plan;

71 (b) an outline of any curriculum to be used in the program, including instructional materials,
72 books, videos, and other tools;

73 (c) training that will be provided to teachers, personnel, and volunteers who will conduct the
74 program;

75 (d) any special, unique, or innovative services, programs, or educational methods to be
76 utilized;

77 (e) the geographic area in which the proposed program will be offered and a description of the
78 demographics of adolescents included in the program;

79 (f) an estimate of the number of individuals who will participate in the program; and

80 (g) the manner in which parents and other adults may be involved in the program.

81

82 **NEW SECTION. Section 5. Acceptance of contracts.** (1) The department shall establish a
83 contract procedure through which eligible entities may accept a contract pursuant to [sections 1

84 through 10] and that is consistent with specified program plan objectives identified in [sections 3
85 and 4].

86 (2) Once a program plan is approved, the department may not suspend it unless good cause is
87 shown. A program plan that is rejected or suspended does not prohibit the applicant from
88 resubmitting a new or supplemental application with the department for consideration in future
89 fiscal years.

90 NEW SECTION. Section 7. Funding. Subject to legislative appropriation, the department shall
91 administer and fund the age-appropriate sexuality education contract program.

92

93 NEW SECTION. Section 8. Funding -- priorities -- exception. (1) Funds made available for
94 the age-appropriate sexuality education contract program must be in addition to and not in lieu of
95 any funds historically appropriated for the same or similar purpose and may not be used to offset
96 or reduce funds previously expended for the programs.

97 (2) Acceptance of program funds must supplant any funding received from the abstinence
98 education, also administered by the department. Because the requirements set forth in each
99 program are in direct conflict, an eligible entity may not accept contracts from both programs.

100

101 NEW SECTION. Section 9. Annual reports by contract recipients. (1) Local health
102 agencies are required to submit annual program reports by September 1 of each year.

103 (2) The report must include the number of:

104 (a) classes or activities;

105 (b) hours of each class or activity;

106 (c) youth attending each class or activity;

107 (d) parents or adults involved in each class or activity;

108 (e) youth engaged in program design or implementation;

109 (f) youth referred to other community resources;

110 (g) local newspaper articles and public service announcements generated by the program; and

111 (h) community-based organizations that publicly supported the program through donations,
112 advertisements, or volunteer support.

113 (3) The report must also include copies of any subcontracts.

114 NEW SECTION. Section 10. Enactment: to be enacted at the beginning of the 2008-2009
115 school year, no later than September 1

116 -end-