

HOUSE No. 439

The Commonwealth of Massachusetts

PRESENTED BY:

Joseph D. McKenna

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 adoption of the accompanying bill:

An Act regarding parental notification and consent.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|----------------------------------|-------------------------------------|
| <i>Joseph D. McKenna</i> | <i>18th Worcester</i> |
| <i>James J. Lyons, Jr.</i> | <i>18th Essex</i> |
| <i>Shawn Dooley</i> | <i>9th Norfolk</i> |
| <i>Marc T. Lombardo</i> | <i>22nd Middlesex</i> |
| <i>Donald F. Humason, Jr.</i> | <i>Second Hampden and Hampshire</i> |
| <i>Angelo L. D'Emilia</i> | <i>8th Plymouth</i> |
| <i>Donald R. Berthiaume, Jr.</i> | <i>5th Worcester</i> |
| <i>Randy Hunt</i> | <i>5th Barnstable</i> |
| <i>Kevin J. Kuros</i> | <i>8th Worcester</i> |
| <i>Nicholas A. Boldyga</i> | <i>3rd Hampden</i> |

HOUSE No. 439

By Mr. McKenna of Webster, a petition (accompanied by bill, House, No. 439) of Joseph D. McKenna and others for legislation to require parental notification and consent prior to implementing age appropriate sexual health education in the schools. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 333 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**
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An Act regarding parental notification and consent.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 71, Section 32A of the General Laws is hereby revised as follows:

2 Section 32A. Human sexuality education; Requirements for parental notification and
3 consent.

4 (a) Every city, town, or regional school district, vocational school district, or charter
5 school presenting, implementing, or maintaining school programs involving human sexuality
6 issues and behaviors shall adopt and implement a written policy ensuring parental/guardian
7 notification of such school programs and a description of their content.

8 (b) All such school programs shall be offered only in clearly identified non-mandatory
9 elective courses, units, or activities in which parents or guardians may choose to enroll their

10 children through written notification to the school, in a manner reasonably similar to other
11 elective courses, units, or activities offered by the school district.

12 (c) The school shall make available instruction materials and related items with adequate
13 advance notice to parents, guardians, educators, school administrators, and others for inspection
14 and review. Through written request prior to a related special event or assembly held at school,
15 parents or guardians shall be allowed access to monitor its content.

16 (d) No public school teacher, administrator, or staff member shall be required to
17 participate in any such school programs that violate his religious beliefs.

18 (e) The term "human sexuality issues and behaviors" includes but is not limited to: sexual
19 education, contraception, abortion, sexually transmitted diseases, promiscuity, homosexuality,
20 bisexuality, lesbianism, transsexuality, transgenderism, cross-dressing, gender re-assignment, sex
21 change, opposite-sex hormone treatments, sodomy, oral sex, anal sex, masturbation, fornication,
22 bestiality, pansexuality, pederasty, prostitution, polygamy, polyandry, bondage and discipline,
23 and sadomasochism. It also includes issues, concepts, and relationships deriving from those
24 issues and behaviors, including but not limited to sexual orientation, gender identity, gender
25 stereotype, alternative parenting models, and non-traditional marriage and family constructs.

26 (f) The term "school programs" includes but is not limited to any school sanctioned
27 activity, or portion thereof directed toward students, whether on or off campus, whether during
28 or outside school hours, whether organized, presented or directed by school employees, agents of
29 the school, students, volunteers, outside presenters, or others. Such school programs include, but
30 are not limited to, classes, curriculum, assemblies, outside speakers, workshops, theater
31 productions, recognized student clubs, teacher/staff organizations meeting in the school

32 including students, private or non-private counseling sessions, materials displayed or available in
33 staff offices or classrooms, teachable moments, suggested or recommended (non-required)
34 reading lists or assignments, videos, exhibits, posters, displays, public announcements, and
35 handouts.