

HOUSE BILL NO. 566

INTRODUCED BY F. ANDERSON, S. KERNS

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING REQUIREMENTS FOR SCHOOLS TO PROVIDE NOTICE TO PARENTS AND GUARDIANS PRIOR TO THE PROVISION OF HUMAN SEXUALITY INSTRUCTION; REVISING THE DEFINITION OF "HUMAN SEXUALITY INSTRUCTION"; AMENDING SECTION 20-7-120, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 20-7-120, MCA, is amended to read:

"20-7-120. Excused absences from curriculum requirements -- notice -- prohibited activities.

(1) A parent, guardian, or other person who is responsible for the care of a child may refuse to allow the child to attend or withdraw the child from a course of instruction, a class period, an assembly, an organized school function, or instruction provided by the district through its staff or guests invited at the request of the district regarding human sexuality instruction. The withdrawal or refusal to attend is an excused absence pursuant to 20-5-103.

~~(2) Any school implementing or maintaining a curriculum, providing materials, or holding an event or assembly at which the district provides human sexuality instruction, whether introduced by school educators, administrators, or officials or by guests invited at the request of the school, shall adopt a policy ensuring parental or guardian notification no less than 48 hours prior to holding an event or assembly or introducing materials for instructional use.~~

~~(3)~~(2) A school district shall annually notify the parent or guardian of each student scheduled to be enrolled in human sexuality instruction in the district or school in advance of the instruction of:

(a) the basic content of the district's or school's human sexuality instruction intended to be taught to the student; and

(b) the parent's or guardian's right to withdraw the student from the district's or school's human sexuality instruction.

