

**WAC 392-410-140 Sexual health education—Definition—Optional course or subject matter—Excusal of students.**

(1) Local option. The decision as to whether or not a program about sexual health education is to be introduced into the common schools is a matter for determination at the district level by the local school board, the duly elected representatives of the people of the community.

(2) Definition(s).

(a) Sexual health education for the purpose of this regulation is consistent with the 2005 *Guidelines for Sexual Health and Disease Prevention*. It includes:

(i) The physiological, psychological, and sociological developmental processes experienced by an individual;

(ii) The development of intrapersonal and interpersonal skills to communicate, respectfully and effectively, to reduce health risks and choose healthy behaviors;

(iii) Health care and prevention resources;

(iv) The development of meaningful relationships and avoidance of exploitative relationships; and

(v) Understanding of the influences of family, peers, community and the media throughout life on healthy sexual relationships.

(b) Medically and scientifically accurate means information that is verified or supported by research in compliance with scientific methods, is published in peer reviewed journals, where appropriate, and is recognized as accurate and objective by professional organizations and agencies with expertise in the field of sexual health including but not limited to the American College of Obstetricians and Gynecologists, the Washington state department of health and the U.S. Centers for Disease Control and Prevention.

(3) By September 1, 2008, every public school that offers sexual health education must assure the sexual health education is medically and scientifically accurate, age appropriate, and inclusive of students regardless of gender, race, disability status, or sexual orientation.

(4) Development of instruction in sexual health education. School districts shall involve parents and school district community groups in the planning, development, evaluation, and revision of any instruction in sexual health education offered as a part of the school program.

(5) All sexual health education programs must include an emphasis on abstinence as the only one hundred percent effective means of preventing unintended pregnancy, HIV and other sexually transmitted diseases. All sexual health education programs must also provide medically and scientifically accurate information on all other methods of preventing unintended pregnancy, HIV and other sexually transmitted diseases. Abstinence may not be taught to the exclusion of instruction on contraception and disease prevention.

(6) Schools may choose to use separate, outside speakers or prepared curriculum to teach different content areas or units within the comprehensive sexual health program. All such curricula, presentations and materials used must be medically and scientifically accurate. The Washington state department of health, upon request, may provide technical assistance regarding medical and scientific accuracy.

(7) Notification of parents. Each school district shall, at least one month before teaching a program in sexual health education in any classroom or other school venue, provide notice to parents of the planned instruction and that the materials or course of study are

available for inspection. Such notification includes all formats of instruction related to sexual health education including, but not limited to written materials, guest speakers, classroom presentations, videos, electronically formatted materials.

(8) Excusal of students—Alternative studies. Any parent or legal guardian who wishes to have his/her child excused from any planned instruction in sexual health education may do so upon filing a written request with the school district board of directors or its designee and the board of directors shall make available the appropriate forms for such requests. Alternative educational opportunities shall be provided for those excused.

The requirement to report harassment, intimidation, or bullying under RCW 28A.600.480(2) applies to this section.

[Statutory Authority: RCW 28A.300.040. WSR 08-17-029 and 08-19-038, § 392-410-140, filed 8/13/08 and 9/10/08, effective 9/13/08 and 10/11/08. Statutory Authority: 2006 c 263. WSR 06-14-009, recodified as § 392-410-140, filed 6/22/06, effective 6/22/06. Statutory Authority: RCW 28A.04.120 (6) and (8). WSR 84-21-004 (Order 12-84), § 180-50-140, filed 10/4/84.]