
SENATE BILL 6175

State of Washington

66th Legislature

2020 Regular Session

By Senators Wilson, C., Kuderer, Hasegawa, Darneille, Hunt, Keiser, Lovelett, Nguyen, Pedersen, and Rolfes

Prefiled 01/08/20. Read first time 01/13/20. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to sexual health education including information
2 about affirmative consent; and amending RCW 28A.300.475.

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

4 **Sec. 1.** RCW 28A.300.475 and 2007 c 265 s 2 are each amended to
5 read as follows:

6 (1) (a) By September 1, ~~((2008))~~ 2021, every public school that
7 offers sexual health education must assure that sexual health
8 education is evidenced-informed, medically and scientifically
9 accurate, age-appropriate, ~~((appropriate for))~~ and inclusive of all
10 students regardless of ((gender, race, disability status, or sexual
11 orientation,)) their protected class status under chapter 49.60 RCW
12 and includes information ((about)) and instruction that:

13 (i) Includes both abstinence and other methods of preventing
14 unintended pregnancy and sexually transmitted diseases; and

15 (ii) Emphasizes the importance of affirmative consent, meaning
16 conscious and voluntary agreement to engage in sexual activity, as a
17 requirement before sexual activity.

18 (b) In addition:

19 (i) All sexual health information, instruction, and materials
20 must be medically and scientifically accurate((-));

1 (ii) Abstinence may not be taught to the exclusion of other
2 materials and instruction on contraceptives and disease
3 prevention(~~(-)~~);

4 (iii) A public school may choose to use separate, outside
5 speakers or prepared curriculum to teach different content areas or
6 units within the comprehensive sexual health education program as
7 long as all speakers, curriculum, and materials used are in
8 compliance with this section(~~(-)~~); and

9 (iv) Sexual health education must be consistent with the
10 Washington state health and physical education K-12 learning
11 standards and the January 2005 guidelines for sexual health
12 information and disease prevention developed by the department of
13 health and the office of the superintendent of public instruction.

14 (2) As used in (~~chapter 265, Laws of 2007, "medically~~) this
15 section:

16 (a) "Evidence-informed" means a program that is informed by
17 scientific research and effective practice and replicates evidence-
18 based programs or substantially incorporates elements of effective
19 programs.

20 (b) "Medically and scientifically accurate" means information
21 that is verified or supported by research in compliance with
22 scientific methods, is published in (~~peer-review~~) peer-reviewed
23 journals, where appropriate, and is recognized as accurate and
24 objective by professional organizations and agencies with expertise
25 in the field of sexual health including but not limited to the
26 American college of obstetricians and gynecologists, the (~~Washington~~
27 state)) department of health, and the federal centers for disease
28 control and prevention.

29 (3) The superintendent of public instruction (~~and the department~~
30 ~~of health~~) shall make the Washington state health and physical
31 education K-12 learning standards and the January 2005 guidelines for
32 sexual health information and disease prevention available to public
33 schools (~~(districts)~~), teachers, and guest speakers on (~~(their)~~) the
34 office of the superintendent of public instruction's web site(~~(s)~~).
35 Within available resources, the superintendent of public instruction
36 (~~and the department of health~~) shall make any related information,
37 model policies, curricula, or other resources available as well.

38 (4) (a) The superintendent of public instruction, in consultation
39 with the department of health, shall develop a list of sexual health
40 education curricula that are consistent with the 2005 guidelines for

1 sexual health information and disease prevention, the Washington
2 state health and physical education K-12 learning standards, and this
3 section. This list shall be intended to serve as a resource for
4 school(~~s~~) districts, teachers, or any other organization or
5 community group, and shall be updated (~~no less frequently than~~
6 ~~annually~~) at least biannually and made available on the web
7 site(~~s~~) of the office of the superintendent of public instruction
8 (~~and the department of health~~).

9 (b) By September 1, 2020, the superintendent of public
10 instruction must develop sexual health education instructional
11 materials review tools and make them available on the office of the
12 superintendent of public instruction's web site.

13 (5) Public schools that offer sexual health education (~~are~~
14 ~~encouraged to review their sexual health curricula and~~) must choose
15 a curriculum from the list developed under subsection (4) (a) of this
16 section(~~(. Any public school that offers sexual health education~~
17 ~~may)~~) or use the review tools developed under subsection (4) (b) of
18 this section to identify, choose, or develop any other curriculum(~~(~~
19 ~~if the curriculum chosen or developed)~~) that complies with the
20 requirements of this section. Public schools that offer sexual health
21 education must use the review tools when choosing curricula other
22 than those from the list developed under subsection (4) (a) of this
23 section.

24 (6) (~~Any parent~~) Parents or legal guardians who (~~wishes~~) wish
25 to have (~~his or her child~~) their children excused from any planned
26 instruction in sexual health education may do so upon filing a
27 written request with the school district board of directors or its
28 designee, (~~or~~) the principal of the school (~~his or her~~) their
29 child attends, or the principal's designee. Parents or legal
30 guardians' written request to have their child excused from this
31 instruction must be granted. In addition, (~~any~~) parents or legal
32 guardians may review the sexual health education curriculum offered
33 in (~~his or her~~) their child's school by filing a written request
34 with the school district board of directors or its designee, the
35 principal of the school (~~his or her~~) their child attends, or the
36 principal's designee.

37 (7) The office of the superintendent of public instruction shall,
38 through its Washington state school health profiles survey or other
39 existing reporting mechanism, ask public schools to identify any
40 curricula used to provide sexual health education, and shall report

1 the results of this inquiry to the legislature on a biennial basis,
2 beginning with the 2008-09 school year.

3 (8) (~~The requirement~~) RCW 28A.600.480(2), which encourages
4 school employees, students, and volunteers to report harassment,
5 intimidation, or bullying (~~under RCW 28A.600.480(2)~~), applies to
6 this section.

--- END ---