

1 **R7-2-303. Sex education**

2 **A.** Instruction in sex education in the public schools of Arizona shall be offered only in
3 conformity with the following requirements.

4 1. Common schools: Nature of instruction; approval; format.

5 a. Supplemental/elective nature of instruction. The common schools of Arizona
6 may provide a specific elective lesson or lessons concerning sex education as a
7 supplement to the health course of study.

8 i. This supplement may only be taken by the student at the written request of
9 the student's parent or guardian.

10 ii. Alternative elective lessons from the state-adopted optional subjects shall be
11 provided for students who do not enroll in elective sex education.

12 iii. Elective sex education lessons shall not exceed the equivalent of one class
13 period per day for 1/8 of the school year for grades K-4.

14 iv. Elective sex education lessons shall not exceed the equivalent of one class
15 period per day for 1/4 of the school year for grades 5-8.

16 b. Local governing board approval. All elective sex education lessons to be offered
17 shall first be approved by the local governing board.

18 i. Each local governing board contemplating the offering of elective sex
19 education shall establish an advisory committee with membership
20 representative of district size and the racial and ethnic composition of the
21 community to assist in the development of lessons and advise the local
22 governing board on an ongoing basis.

23 ii. The local governing board shall review the total instructional materials for
24 lessons presented for approval.

25 iii. The local governing board shall publicize and hold at least two public
26 hearings for the purpose of receiving public input at least one week prior to
27 the local governing board meeting at which the elective sex education lessons
28 will be considered for approval. [THE PUBLIC HEARINGS SHALL ADHERE
29 TO OPEN MEETING LAW REQUIREMENTS PURSUANT TO ARIZONA
30 REVISED STATUTES SECTION 38-431 THROUGH 38-431.09.](#)

31 iv. The local governing board shall maintain for viewing by the public the total
32 instructional materials to be used in approved elective sex education lessons
33 within the district.

34 c. Format of instruction.

35 i. Lessons ~~shall~~ **MAY** be taught to boys and girls separately.

36 ii. Lessons shall be ungraded, require no homework, and any evaluation
37 administered for the purpose of self-analysis shall not be retained or recorded
38 by the school or the teacher in any form.

39 iii. Lessons shall not include tests, psychological inventories, surveys, or
40 examinations containing any questions about the student's or ~~his~~ **THEIR**
41 parents' personal beliefs or practices in sex, family life, morality, values or
42 religion.

43 2. High schools: Course offering; approval; format.

44 a. A course in sex education may be provided in the high schools of Arizona.

45 b. The local governing board shall review the total instructional materials and
46 approve all lessons in the course of study to be offered in sex education.

- 1 c. Lessons shall not include tests, psychological inventories, surveys, or
2 examinations containing any questions about the student's or his parents'
3 personal beliefs or practices in sex, family life, morality, values or religion.
4 d. Local governing boards shall maintain for viewing by the public the total
5 instructional materials to be used in all sex education courses to be offered in
6 high schools within the district.
- 7 3. Content of instruction: Common schools and high schools.
- 8 a. All sex education materials and instruction shall be age appropriate, recognize
9 the needs of exceptional students, meet the needs of the district, recognize local
10 community standards and sensitivities, ~~shall not include the teaching of~~
11 ~~abnormal, deviate, or unusual sexual acts and practices~~, BE MEDICALLY AND
12 SCIENTIFICALLY ACCURATE, and shall include the following:
- 13 i. Emphasis upon the power of individuals to control their own personal
14 behavior. Pupils shall be encouraged to base their actions on reasoning, self-
15 discipline, sense of responsibility, self-control and ethical considerations such
16 as respect for self and others; and
- 17 ii. Instruction on how to say "no" to unwanted sexual advances and to resist
18 negative peer pressure. Pupils shall be taught that it is wrong to take
19 advantage of, or to exploit, another person.
- 20 b. All sex education materials and instruction which discuss sexual intercourse
21 shall:
- 22 i. Stress that pupils should abstain from sexual intercourse until they are mature
23 adults;
- 24 ii. Emphasize that abstinence from sexual intercourse is the only method for
25 avoiding pregnancy that is 100% effective;
- 26 iii. Stress that sexually transmitted ~~diseases~~ INFECTIONS have severe
27 consequences and constitute a serious and widespread public health
28 problem, AND PROVIDE MEDICALLY ACCURATE INSTRUCTION ON
29 METHODS TO PREVENT THE TRANSMISSION OF THESE INFECTIONS;
- 30 iv. Include a discussion of the possible emotional and psychological
31 consequences of preadolescent and adolescent sexual intercourse and the
32 consequences of preadolescent and adolescent pregnancy; and
- 33 v. Advise pupils of Arizona law pertaining to the financial responsibilities of
34 parenting, and legal liabilities related to sexual intercourse with a minor.

35 **B.** Certification of compliance. All districts offering a local governing board-approved
36 sex education course or lesson shall certify, under the notarized signature of both the
37 president of the local governing board and the chief administrator of the school district,
38 compliance with this rule except as specified in subsection (C) AND THAT THE
39 SCHOOL DISTRICT'S OR CHARTER SCHOOL'S LEGAL REPRESENTATION
40 REVIEWED THE SEX EDUCATION COURSE OR LESSON. Acknowledgment of
41 receipt of the compliance certification from the State Board of Education is required as a
42 prerequisite to the initiation of instruction. Certification of compliance shall be in a format
43 and with such particulars as shall be specified by the Department of Education.

44 **C.** All districts offering State Board approved sex education lessons or courses prior to
45 the effective date of this rule shall comply with this rule on or before June 30, 1990.