
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that sexuality health
2 education promotes healthy attitudes on adolescent growth and
3 development, body image, gender and sexuality, dating,
4 relationships, and family. The legislature also finds that
5 sexuality health education should positively affect adolescent
6 behavior and provide teens with the information, skills, and
7 support needed to develop positive values, make healthy
8 decisions, and respect the important role that sexuality plays
9 throughout a person's life.

10 The legislature recognizes that several states, including
11 Hawaii, have enacted laws that require school districts that
12 teach sexuality health education to include age-appropriate and
13 medically accurate health education. However, the legislature
14 believes that the effectiveness of sexuality health education in
15 Hawaii's schools could be bolstered by providing clearer
16 guidance on a comprehensive approach to sexuality health



1 education, greater flexibility in the implementation of the
2 curricula, and greater public access to the curricula.

3 Accordingly, the purpose of this Act is to:

- 4 (1) Add specific requirements for sexuality health
5 education programs funded by the State;
- 6 (2) Require the board of education and department of
7 education to collaborate to develop, maintain, and
8 make available to the public a list of sexuality
9 health education curricula; and
- 10 (3) Allow parents to request that their children not
11 receive the sexuality health education provided
12 pursuant to Hawaii's sexuality health education law.

13 SECTION 2. Section 321-11.1, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[~~§~~321-11.1~~]~~ **Medically accurate sexuality health**
16 **education.** (a) Sexuality health education programs funded by
17 the State shall provide medically accurate and factual
18 information that [~~is~~]:

- 19 (1) Is age appropriate [~~and includes~~];
- 20 (2) Includes education on abstinence, contraception, and
21 methods of disease prevention to prevent unintended



1 pregnancy and sexually transmitted disease, including
2 human immunodeficiency virus[-];

3 (3) Helps students develop relationships and communication
4 skills to form healthy relationships that are based on
5 mutual respect and affection and free from violence,
6 coercion, and intimidation;

7 (4) Helps students develop skills in critical thinking,
8 problem solving, decision making, and stress
9 management to make healthy decisions about sexuality
10 and relationships; and

11 (5) Encourages students to communicate with their parents,
12 guardians, and other trusted adults about sexuality
13 and intimate relations.

14 (b) Each teacher, in the teacher's discretion and good
15 faith, may provide answers to any question initiated by a
16 student or students that is reasonably related to, and
17 consistent with, the material of a course provided pursuant to
18 subsection (a).

19 (c) The department of education may eliminate or modify
20 components of instruction under subsection (a)(2) in elementary
21 school for reasons of age appropriateness.



1 (d) No sexuality health education provided under
2 subsection (a) shall discriminate on the basis of sex, race,
3 ethnicity, national origin, disability, religion, sexual
4 orientation, or gender identity.

5 (e) The board of education shall collaborate with the
6 department of education to develop, maintain, and make available
7 to the public a current list of sexuality health education
8 curricula that are consistent with the requirements under
9 subsection (a).

10 (f) A student shall be excused from any part of the
11 instruction provided pursuant to this section only upon the
12 written request of the student's parent or legal guardian. No
13 student shall be subject to disciplinary action, academic
14 penalty, or other sanction if the student's parent or legal
15 guardian requests that the student not receive the instruction
16 provided under this section.

17 (g) The department of education shall establish minimum
18 education and training qualifications for sexuality health
19 education teachers.

20 [~~b~~] (h) For the purposes of this section:



1 "Age appropriate" means suitable to a particular age or age
2 group based on developing cognitive, emotional, and behavioral
3 capacity typical for that age or age group.

4 "Factual information" means medical, psychiatric,
5 psychological, empirical, or statistical information that is
6 verified or supported by research conducted by recognized
7 medical, psychiatric, psychological, and public health
8 professionals or organizations.

9 "Medically accurate" means verified or supported by
10 research conducted in compliance with accepted scientific
11 methods and recognized as accurate and objective by professional
12 organizations and agencies with expertise in the relevant field,
13 such as the federal Centers for Disease Control and Prevention,
14 the American Public Health Association, the American Academy of
15 Pediatrics, and the American College of Obstetricians and
16 Gynecologists.

17 "Sexuality health education" means education in any medium
18 regarding human development and sexuality, including education
19 on pregnancy, family planning, and sexually transmitted
20 diseases."



H.B. NO. 1195

1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.
4

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "John R. ...", is written over a horizontal line. Below the line, the date "JAN 24 2023" is stamped in a bold, sans-serif font.



H.B. NO. 1195

Report Title:

BOE; DOE; Comprehensive Sexuality Education

Description:

Adds specific requirements for sexuality health education programs funded by the State. Requires the Board of Education and Department of Education to collaborate to provide curricula information to the public. Requires students to be excused from the provided instruction upon the written request of the student's parent or legal guardian.

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