

**158.1415 Curriculum for instruction on human sexuality or sexually transmitted diseases -- Written consent of parents -- Notification to parents -- Provision of alternative curriculum.**

- (1) If a school council or, if none exists, the principal adopts a curriculum for human sexuality or sexually transmitted diseases, instruction shall include but not be limited to the following content:
  - (a) Abstinence from sexual activity is the desirable goal for all school-age children;
  - (b) Abstinence from sexual activity is the only certain way to avoid unintended pregnancy, sexually transmitted diseases, and other associated health problems;
  - (c) The best way to avoid sexually transmitted diseases and other associated health problems is to establish a permanent mutually faithful monogamous relationship;
  - (d) A policy to respect parental rights by ensuring that:
    1. Children in grade five (5) and below do not receive any instruction through curriculum or programs on human sexuality or sexually transmitted diseases; or
    2. Any child, regardless of grade level, enrolled in the district does not receive any instruction or presentation that has a goal or purpose of students studying or exploring gender identity, gender expression, or sexual orientation; and
  - (e) A policy to notify a parent in advance and obtain the parent's written consent before the parent's child in grade six (6) or above receives any instruction through curriculum or programs on human sexuality or sexually transmitted diseases authorized in this section.
- (2) Any course, curriculum, or program offered by a public school on the subject of human sexuality provided by school personnel or by third parties authorized by the school shall:
  - (a) Provide an alternative course, curriculum, or program without any penalty to the student's grade or standing for students whose parents have not provided written consent as required in subsection (1)(e) of this section;
  - (b) Be subject to an inspection by parents of participating students that allows parents to review the following materials:
    1. Curriculum;
    2. Instructional materials;
    3. Lesson plans;
    4. Assessments or tests;
    5. Surveys or questionnaires;
    6. Assignments; and
    7. Instructional activities;
  - (c) Be developmentally appropriate; and

- (d) Be limited to a curriculum that has been subject to the reasonable review and response by stakeholders in conformity with this subsection and KRS 160.345(2).
- (3) A public school offering any course, curriculum, or program on the subject of human sexuality shall provide written notification to the parents of a student at least two (2) weeks prior to the student's planned participation in the course, curriculum, or program. The written notification shall:
  - (a) Inform the parents of the provisions of subsection (2) of this section;
  - (b) Provide the date the course, curriculum, or program is scheduled to begin;
  - (c) Detail the process for a parent to review the materials outlined in subsection (2) of this section;
  - (d) Explain the process for a parent to provide written consent for the student's participation in the course, curriculum, or program; and
  - (e) Provide the contact information for the teacher or instructor of the course, curriculum, or program and a school administrator designated with oversight.
- (4) Nothing in this section shall prohibit school personnel from:
  - (a) Discussing human sexuality, including the sexuality of any historic person, group, or public figure, where the discussion provides necessary context in relation to a topic of instruction from a curriculum approved pursuant to KRS 160.345; or
  - (b) Responding to a question from a student during class regarding human sexuality as it relates to a topic of instruction from a curriculum approved pursuant to KRS 160.345.

**Effective:** March 29, 2023

**History:** Amended 2023 Ky. Acts ch. 132, sec. 2, effective March 29, 2023. -- Created 2018 Ky. Acts ch. 156, sec. 1, effective July 14, 2018.