

Bill as
Introduced

HB 201 - AS INTRODUCED

2013 SESSION

13-0811

04/05

HOUSE BILL

201

AN ACT

relative to school district policies on health and sex education.

SPONSORS:

Rep. Ladd, Graf 4; Rep. Boehm, Hills 20

COMMITTEE:

Education

ANALYSIS

This bill requires school district policies regarding exceptions to health and sex education to include a provision allowing an exception for moral beliefs.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to school district policies on health and sex education.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1 1 School Boards; Health and Sex Education. Amend RSA 186:11, IX-b to read as follows:
- 2 IX-b. Health and Sex Education. Require school districts to adopt a policy allowing an
- 3 exception to a particular unit of health or sex education instruction based on religious objections *or*
- 4 *moral beliefs*. Such policy shall include a provision for alternative learning sufficient to enable the
- 5 child to meet state requirements for health education.
- 6 2 Effective Date. This act shall take effect 60 days after its passage.

Amendments



Rep. Ladd, Graf. 4
January 22, 2013
2013-0030h
04/05

Amendment to HB 201

1 Amend the bill by replacing section 1 with the following:

2

3 1 School Boards; Health and Sex Education. Amend RSA 186:11, IX-b to read as follows:

4 IX-b. Health and Sex Education. Require school districts to adopt a policy allowing an
5 exception ~~[to a]~~ *for* particular ~~[unit of]~~ *lessons on* health or sex education instruction based on
6 religious objections *or moral beliefs*. Such policy shall include a provision for alternative learning
7 sufficient to enable the child to meet state requirements for health education.

not adopted



2013-0030h

AMENDED ANALYSIS

This bill requires school district policies regarding exceptions for particular lessons on health and sex education to include a provision allowing an exception for moral beliefs.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 201

BILL TITLE: relative to school district policies on health and sex education.

DATE: 1/22/13

LOB ROOM: 207 **Time Public Hearing Called to Order:** 10:05 am

Time Adjourned: 10:45 am

(please circle if present)

Committee Members: Reps. Gile, Grassie, Frazier, Burke, Arsenault, A. Schmidt, Rokas, Gorman, Myler, Spang, Shaw, Boehm, Greemore, Cordelli, Ladd, Willette, Grenier, Pitre, Bick and Harris.

Bill Sponsors: Rep. Ladd, Graf 4; Rep. Boehm, Hills 20

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Rick Ladd, Sponsor

* Written testimony

Presented amendment #0030h

Limits to lesson rather than full unit or allows choice.

Includes moral with religious

Ann Marie Banfield, Cornerstone

*Written testimony

Allows parent choice

Mark Joyce, NH School Admin. Assoc. – Opposed to bill.

Understands notion of unnecessary & unintended consequences.

Unnecessary – Can find any schools whose school boards do not already have policies in place or have statute in place.

Unintended consequences – Speaks also of health. Opens up to any health issues. Obesity, exercise, could also be objected to time and expense for alternative program, downshifted to tax payer.

Objections are handled very well currently all over state through local programs.

George Reed, Christian Scientist

*Written testimony

Prefers the new language

Mary Bubris, Dept. of Education – Opposed

Opposed due to more opportunity to opt students out of health

More responsibility on school districts, local expense

Narrow to sex education would be more acceptable.

Specific subject matter is not always mandated by law, but rather general topic.

Respectfully Submitted,

Rep Barbara Shaw

Rep. Barbara Shaw, Clerk

HOUSE COMMITTEE ON EDUCATION

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Bill Sponsors: Rep. Ladd, Graf 4; Rep. Boehm, Hills 20

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

- ① Rep Rick Ladd
* written testimony
presented amendment # 0030h
limits to lesson rather than full unit or allows choice
includes moral with religions
- ② Ann Marie Banfield - Cornerstone
* written testimony
allows parent choice
- ③ Mark Joyce - NH Sc Adm Asso.
opposed to bill
understands notion of
unnecessary & unintended consequences
 - ⓐ unnecessary -
 - can find no schools whose school boards do not already have policies in place
 - have statute in place
 - ⓑ unintended consequences
 - speaks also of health. Opens up to any health issue
 - obesity, exercise, could also be objected to

- time and expense for alternative program - downshifted to tax payer
- objections are handled very well currently all over state through local programs

④ George Reed - Christian Scientists
 * written testimony
 prefers the new language

~~⑤ Ben Dibble~~

- ⑤ Mary Bubnis - DOE
- opposed due to more opportunity to opt students out of health
 - more responsibility on school districts - local expense
 - narrow to sex education would be more acceptable
 - specific subject matter is not always ~~mandated~~ mandated by law, but rather rather general topic

Testimony

② Ann Marie Banfield

HB 201 - File Copy

Sex Education is one of the most controversial subjects taught in public schools today. Some believe offering sex education is needed in order to ensure children are receiving information that could help when making important decisions. Others would argue that this information should be given to children only by the parents or in some cases, a close family member or friend.

However you feel, the fact is, schools are now offering sex education to children. The question becomes, should parents have the option to remove their child from these classes?

Currently parents who feel their children should not be part of a sex education presentation are permitted to remove their children from this instruction only if they exercise their religious exemption.

HB 161 and HB 201 will offer this privilege to other non-religious families. I believe opening this up to all parents is the right thing to do, however I feel both Bills move us in the right direction. I will leave it up to the Committee to work out the details.

There have been situations where school districts have had to face angry and hostile parents when these subjects were discussed with their children.

In Helena, Montana, the sex education proposed drew an angry response from many parents as it extended to children as young as kindergarten. The draft proposal would begin teaching children in kindergarten, via the school nurse, the proper terms such as: nipple, breast, penis, scrotum and uterus. Students who are 10 years old would be taught the various ways people can have intercourse: vaginally, orally or through anal penetration. These were the "Competencies" set for public school students. <http://www.helena.k12.mt.us/images/documents/curriculum/HealthCurriculum/K12FinalHealth.pdf>

A little closer to home, parents in Keene were outraged when a presentation on AIDS prevention included a gift bag of condoms, flavored lubricants and candy. Some students reported that the freshman were laughing and saying how they were going to go home and try the lubricant out with their boyfriend/girlfriend. <http://www.youtube.com/watch?v=la-UEdoVVwl&feature=reImfu>

I talked to one parent who believed this approach encouraged sexual activity instead of offering facts that could prevent the transmission of STD's among students. This was a parent who seemed to support sex education in the school but felt this presentation crossed a line and actually put children in a more risky situation.

This was confirmed when students acknowledged the presentation actually encouraged students to begin engaging in sexual activity.

For many parents who support sex education in the school and for their children, even they have found instances when they would appreciate opting their children out of a class that encourages sexual activity.

The school district has banned this organization from making any more presentations at the school however the damage had already been done.

While there will always be debate and differences on how schools should approach subjects like HIV, AIDS and STDs, offering an "opt out" to all parents should be required of schools who may be actually causing more harm to the students than "good".

Submitted by: Ann Marie Banfield, Education Liaison for Cornerstone Action

Christian Science Committee on Publication for New Hampshire

68 Woodhill Road
Bow, NH 03304
newhampshire@compub.org
603-774-5100/225-5400

January 22, 2013

Re: testimony for HB 201 / 161

Dear Honorable Representatives:

We helped to write the language for RSA 186:11, IX-b back in 2008 along with then Nashua Senator Foster and Londonderry Representative Carson.

It has met a need of religious accommodation for Christian Science children to be given alternative study. We prefer not to study diseases as this is contrary to our sincerely held religious beliefs. This statute worked fine with our daughter at Bow High School (now a senior at Amherst College).

We prefer the language in HB 201 because it keeps the religious accommodation intact, yet also allows for philosophical accommodation.

Thank you for your consideration.

Respectfully,

George Reed

Voting Sheets

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 201

BILL TITLE: relative to school district policies on health and sex education.

DATE: 1/29/13

LOB ROOM: 207

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Ladd

Seconded by Rep. Arsenault

Vote: 18-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 18-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,
Rep Barbara Shaw
Rep. Barbara E. Shaw, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 201

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Sponsor: Rep.

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OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *hadd*

Seconded by Rep. *arsenault*

Vote: *18-0* (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: *18-0*

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Barbara E Shaw
Rep. Barbara E. Shaw, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 8:43:55 AM
Roll Call Committee Registers
Report

2013 SESSION

EDUCATION

Bill #: HB 201

Title: Relative to school district policies on health and sex education.

PH Date: 1/22/2013

Exec Session Date: 1/29/2013

Motion: ITL

Amendment #: _____

MEMBER	YEAS	NAYS
Gile, Mary Stuart, Chairman	✓	
Grassie, Anne C, V Chairman	✓	
Shaw, Barbara E, Clerk	✓	
Gorman, Mary J	✓	
Burke, Rachel B	✓	
Frazer, June M	✓	
Spang, Judith T	✓	
Arsenault, Beth R	✓	
Rokas, Ted	abs	
Schmidt, Andrew R	✓	
Myler, Mel	✓	
Boehm, Ralph G	✓	
Ladd, Rick M	✓	
Greemore, Robert H	✓	
Pitre, Joseph A	✓	
Willette, Robert F	✓	
Bick, Patrick J	✓	
Cordelli, Glenn	✓	
Grenier, James L	abs	
Harris, Jeffrey F	✓	
TOTAL VOTE:	18	0

Committee Report

CONSENT CALENDAR

February 20, 2013

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on EDUCATION to which was referred
HB201,**

**AN ACT relative to school district policies on health and
sex education. Having considered the same, report the
same with the following Resolution: RESOLVED, That it
is INEXPEDIENT TO LEGISLATE.**

Rep. Rick M Ladd

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	EDUCATION
Bill Number:	HB201
Title:	relative to school district policies on health and sex education.
Date:	January 29, 2013
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

House bills 201 and 161 addressed the issue of district policies affecting opt-out provisions on health and sex education. A house education sub committee merged content from HB 201 into HB 161 with amending language. The committee by unanimous vote recommended ITL.

Vote 18-0.

Rep. Rick M Ladd
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

EDUCATION

HB201, relative to school district policies on health and sex education. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick M Ladd for EDUCATION. House bills 201 and 161 addressed the issue of district policies affecting opt-out provisions on health and sex education. A house education sub committee merged content from HB 201 into HB 161 with amending language. The committee by unanimous vote recommended ITL. **Vote 18-0.**

HB 201 relative to school district policies on health and sex education.

House bills 201 and 161 addressed the issue of district policies affecting opt-out provisions on health and sex education. A house education sub committee merged content from HB 201 into HB 161 with amending language. The committee by unanimous vote recommended ITL.

Rep. Rick Ladd
For the Committee
18-0 ITL CC

Mary Stuart Gile

COMMITTEE REPORT

COMMITTEE: Education

BILL NUMBER: HB 201

TITLE: Relative to school district policies on health and sex education,

DATE: 1-29-2013 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No. _____

STATEMENT OF INTENT:

House bills 201 and 161 addressed the issue of district policies ^{affecting} addressing opt-out provisions on health and sex education. A house education sub committee merged content from hb 201 into hb 161 with amending language. The committee by unanimous vote recommends ITL

COMMITTEE VOTE: 18-0

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. *Rick Ladd*
For the Committee