



# Reproductive Health Education Manual

Updated 4 January 2019

SEX EDUCATION:

# Policy and Curriculum



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## Reproductive Health Education Introduction

Health education is an important curriculum area and topics such as safety, physical activity, nutrition, mental and emotional health, resilience and drug education and healthy relationships are covered from grades 3 to 12. It is important that children are given accurate, reliable and appropriate health information and skills in a supportive environment, and the home is one of the best places for this education to occur. However, support from the school environment is also important.

Teachers at Montcalm Area Intermediate School District are taking positive measures to help students understand all aspects of their health including their relationships and sexuality and how this relates to their lives now and in the future.

While the schools are responsible to provide sexuality education, we acknowledge that relationships and sexuality education is a shared responsibility between schools, parents/guardians and the community. It is important that school programs support young people in making informed choices about their sexual health. There is evidence supporting the importance and effectiveness of sexuality education in schools that complements the work of parents/caregivers. Evidence shows that:

1. Healthy relationships programs increase adolescents' confidence and ability to make informed decisions, delay the onset of sexual activity, decrease the frequency of sexual intercourse and promote safer sex practices.
2. There is a need to address the incidence of teenage pregnancy and increasing rates of sexually transmissible infections among young people.

Within the Montcalm Area Intermediate School District, the parents and teachers of students with special needs have recognized the need for an alternative reproductive health education curriculum. Students are expected to require ongoing support into adulthood. We recognize the need for an alternative curriculum to teach healthy, safe and socially appropriate behaviors related to sexuality.

Curriculum materials specifically designed for this population of students are needed for the following reasons:

1. Students have difficulty comprehending material that is too language based or abstract. They need concrete visual examples with simplified language concepts to ensure understanding.
2. Students often lack the discrimination skills necessary to benefit from the subtle social cues that non-impaired students use to modify behavior. Appropriate social behaviors must be directly taught and practiced.
3. Students tend to be socially complaint which makes them particularly vulnerable to sexual abuse. They need to learn how to avoid or escape potentially harmful situations.

Students within MAISD programs will participate in identified sexual health curriculum based on areas of programing.

<b>Programs for Students with Emotional Impairments 4<sup>th</sup> &amp; 5<sup>th</sup> Grade</b>	<b>Programs for students with ASD, SCI &amp; MOCI 4<sup>th</sup> &amp; 5<sup>th</sup> Grade</b>	<b>All Programs 6<sup>th</sup>-12<sup>th</sup> Grade</b>
Adoption of Central Montcalm Public Schools Reproductive Health Curriculum	FLASH: Special Education Edition Published by County of King	Make a Difference! Edition 5

## Reproductive Health Advisory Board

The members of the Montcalm Area Intermediate School District reproductive health committee for students expected to achieve supported independence recommends approval of the reproductive health curriculum and materials as presented to the Montcalm Area Intermediate School District Board of Education on \_\_\_\_\_

Rachel Tabron, Co-Chair

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Heather Keur, Teacher

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Kristen Larsen, Teacher

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Brenda Bartula, Nurse

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Charlie Bellinger, Clergy

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Bev Wyckoff, Co-Chair

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Parent

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Parent

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Parent

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## Appendices



## Appendix A



## MONTCALM AREA INTERMEDIATE SCHOOL DISTRICT

621 NEW ST. ♦ P.O. BOX 367 ♦ STANTON, MICHIGAN 48888-0367

TELEPHONE: 989.831.5261. ♦ TDD: 800.649.3777. ♦ FAX: 989.831.8727 ♦ WWW.MAISD.COM

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Dear Parents and Guardians:

The Montcalm Area Intermediate School District has established a program of instruction in human growth and reproduction. As a component of this program, reproductive health and safety is offered for our special education students grades 3-12.

Your child is eligible to participate in this course. By Law (PA 226), you have the right to excuse your child from participation in class during the reproductive health instruction. If you choose to exercise your right to excuse your child, without penalty, from instruction in reproductive health, please complete the attached form and return to your child's teacher or mail your request to the Montcalm Area Intermediate School District at the address listed above.

All students will be taught age appropriate aspects of reproductive health and safety. The Reproductive Health Unit will be taught by a teacher who is certified by the State of Michigan in this area. Communicable diseases will be addressed also, as required by Law (PA 139/335).

The boys and girls will be studying the units in separate groups. You have the right to review the materials that will be used in the course. Please contact Rachel Tabron at 616-225-4724 if you would like to schedule a time to review it.

-----  
 Yes, my child may participate in the reproductive health and safety course.

No, I prefer my child does not participate in the reproductive health and safety course.

\_\_\_\_\_  
Student Name

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

Serving the districts of Carson City - Crystal ♦ Central Montcalm ♦ Greenville ♦ Lakeview ♦ Montabella ♦ Tri County ♦ Vestaburg

It is the policy of Montcalm Area Intermediate School District that no person on the basis of race, color, religion, national origin or ancestry, age, gender, height, weight, marital status, or disability shall be subjected to discrimination in any program, service, activity, or in employment for which it is responsible. Inquiries related to discrimination should be directed to the MAISD Superintendent at 621 New Street, PO Box 367, Stanton MI 48888 or phone at 989-831-5261.

## Appendix B

Montcalm Area ISD Sexual Education Curriculum  
**3rd-5th Grade**

<b>Females</b>	
<b>Mildly Impaired Program EI</b>	<b>Moderately &amp; Severely Impaired Programs MOCI, ASD, SCI</b>
Central Montcalm Reproductive Health Curriculum	FLASH: Special Education Edition Published by County of King
Female reproductive anatomy	Lesson 16: Understanding the Body, Day 1: Anatomy
Male reproductive anatomy	
Changes at puberty	Lesson 17: Understanding the Body, Day 2: Puberty
Proper hygiene	Lesson 18: Understanding the Body, Day 3: Sexual Health & Hygiene <i>*female specific information</i>
Ovulation & Menstruation- What is it?	
Menstruation- How do I deal with it?	

<b>Males</b>	
<b>Mildly Impaired Program EI</b>	<b>Moderately &amp; Severely Impaired Programs MOCI, ASD, SCI</b>
Central Montcalm Reproductive Health Curriculum	FLASH: Special Education Edition Published by County of King
Male reproductive anatomy	Lesson 16: Understanding the Body, Day 1: Anatomy
Female reproductive anatomy	
Changes at puberty	Lesson 17: Understanding the Body, Day 2: Puberty
Proper hygiene	Lesson 18: Understanding the Body, Day 3: Sexual Health & Hygiene <i>*female specific information</i>
Ovulation & Menstruation- What is it?	Covered in Lesson 19

<b>Mildly Impaired Program EI</b>	<b>Moderately &amp; Severely Impaired Programs MOCI, ASD, SCI</b>
Central Montcalm Reproductive Health Curriculum	FLASH: Special Education Edition Published by County of King
	Lesson 1: Introductory Class
Concept of Fertilization	Lesson 19: Reproduction, Day 1
Pregnancy, labor and birth	Lesson 20: Reproduction Day 2: Pregnancy

Understanding the responsibilities of parenting	Lesson 21: Reproduction, Day 3: Parenthood
Growth and care of developing baby	
Facts about AIDS	Lesson 24: HIV/AIDS & Other STDs, Day 1: Germs and Risk Lesson 25: HIV/AIDS & Other STDs, Day 2: Sexually Transmitted Diseases Lesson 26: HIV/AIDS & Other STDs, Day 3: HIV/AIDS

## Appendix C

Montcalm Area ISD Sexual Education Curriculum  
6th-12th Grade

<b>All Programs</b>
Central Montcalm Reproductive Health Curriculum
Module 1: Getting to know you and Steps to Making Your Dreams Come True
Module 2: Understanding Adolescent Sexuality
Module 3: Understanding Abstinence
Module 4: The Consequences of Sex: HIV Infection
Module 6: Attitudes About Abstinence and Using Problem Solving to Stay Abstinent
Module 7: The Consequences of Sex: STDs
Module 8: The Consequence of Sex: Pregnancy Part 1
Module 9: The Consequence of Sex: Pregnancy Part 2
Module 10: Responding to Peer Pressure and Partner Pressure Part 1
Module 11: Responding to Peer Pressure and Partner Pressure Part 2
Module 12: Role-Plays: Refusal and Negotiation Skills Part 1
Module 13: Role-Plays: Refusal and Negotiation Skills Part 2

## Appendix D



## Curriculum Requirements

(1) Abstinence from sex is a positive lifestyle for unmarried young people because abstinence is the only protection that is 100% effective against unplanned pregnancy, sexually transmitted disease, and sexually transmitted human immunodeficiency virus infection and acquired immunodeficiency syndrome.	
<b>All Programs 6<sup>th</sup>- 12<sup>th</sup> Grade EI</b>	<b>Moderately &amp; Severely Impaired Programs 4<sup>th</sup> &amp; 5<sup>th</sup> Grade MOCI, ASD, SCI</b>
Making a Difference! Edition 5	FLASH: Special Education Edition Published by County of King
Module 7: The Consequences of Sex: STDs	Lesson 24: HIV/AIDS & Other STDs, Day 1: Germs and Risk Lesson 25: HIV/AIDS & Other STDs, Day 2: Sexually Transmitted Diseases Lesson 26: HIV/AIDS & Other STDs, Day 3: HIV/AIDS

(2) Material and instruction in the sex education curriculum under section 1507 that discusses sex shall be age-appropriate, shall not be medically inaccurate, and shall do at least all of the following:			
	<b>All Programs 6<sup>th</sup>-12<sup>th</sup> EI, MOCI, ASD, SCI</b>	<b>Mildly Impaired Program 4<sup>th</sup> &amp; 5<sup>th</sup> Grade EI</b>	<b>Moderately &amp; Severely Impaired Programs 4<sup>th</sup> &amp; 5<sup>th</sup> Grade MOCI, ASD, SCI</b>
	Making a Difference	Central Montcalm Reproductive Health Curriculum	FLASH: Special Education Edition Published by County of King
(a) Discuss the benefits of abstaining from sex until marriage and the benefits of ceasing sex if a pupil is sexually active	<b>X</b>	<b>X</b>	<b>X</b>
(b) Include a discussion of possible emotional, economic, and legal consequences of sex	<b>X</b>	<b>X</b>	<b>X</b>
(c) Stress that unplanned pregnancy and STDs are serious possibilities of sex that are not fully preventable except by abstinence	<b>X</b>	<b>X</b>	<b>X</b>
(d) Advise pupils of the laws pertaining to their responsibility as parents to children born in and out of wedlock	<b>X</b>	<b>X</b>	<b>X</b>
(e) Ensure that pupils are not taught in a way that condones the violation of the laws of this state pertaining to sexual activity	<b>X</b>	<b>X</b>	<b>X</b>
(f) Teach pupils how to say “no” to sexual advances and that it is	<b>X</b>	<b>X</b>	<b>X</b>

wrong to take advantage of, harass, or exploit another person sexually			
(g) Teach refusal skills and encourage pupils to resist pressure to engage in risky behavior	X	X	X
(h) Teach that the pupil has the power to control personal behavior. Pupils shall be taught to base their actions on reasoning, self-discipline, a sense of responsibility, self-control, and ethical considerations such as respect for self and others	X	X	X
(i) Provide instruction on healthy dating relationships and how to set limits and recognize a dangerous environment	X	X	X
(j) Provide information for pupils about how young parents can learn more about adoption services and about the provisions of the safe delivery of newborns law	X	X	X
(k) Include information clearly informing pupils that having sex or sexual contact with an individual under the age of 16 is a crime punishable by imprisonment and that 1 of the other results of being convicted of this crime is to be listed on the sex offender registry on the internet for up to 25 years.	X	X	X

## Appendix E

Summary of Legal Obligations and Best Practices HIV/STI and Sex Education in Michigan Public Schools

[https://www.michigan.gov/documents/mde/HIV\\_and\\_Sex\\_Ed\\_Laws\\_Chart\\_Rev\\_4\\_2010\\_345047\\_7.pdf](https://www.michigan.gov/documents/mde/HIV_and_Sex_Ed_Laws_Chart_Rev_4_2010_345047_7.pdf)

## Appendix G

## Provisions Regarding the Teaching of HIV/AIDS, Sex Education, Health Education, and Physical Education in Michigan Schools

*380.1169 Dangerous communicable diseases; human immunodeficiency virus infection and acquired immunodeficiency virus infection; teacher training; teaching materials; curricula; teaching of abstinence from sex.*

**Sec. 1169.** (1) The principal modes by which dangerous communicable diseases, including, but not limited to, human immunodeficiency virus infection and acquired immunodeficiency syndrome, are spread and the best methods for the restriction and prevention of these diseases shall be taught in every public school in this state. Subject to subsection (3) and section 1507b, the teaching under this section shall stress that abstinence from sex is a responsible and effective method for restriction and prevention of these diseases and is a positive lifestyle for unmarried young people.

(2) Except for licensed health care professionals who have received training on human immunodeficiency virus infection and acquired immunodeficiency syndrome, each person who teaches K to 12 pupils about human immunodeficiency virus infection and acquired immunodeficiency syndrome pursuant to subsection (1) shall have training in human immunodeficiency virus infection and acquired immunodeficiency syndrome education for young people. The superintendent of public instruction, in cooperation with the department of public health, shall train trainers to provide the teacher training required by this subsection and shall provide for the development and distribution to school districts of medically accurate material on the teaching of human immunodeficiency virus infection and acquired immunodeficiency syndrome to young people.

(3) The choice of curricula to be used for human immunodeficiency virus infection and acquired immunodeficiency syndrome education required to be taught under subsection (1) shall be approved by the appropriate school board and implemented in the school setting not later than October 1, 1990. Before adopting any revisions to the curriculum implemented under this section, including, but not limited to, revisions to provide for the teaching of abstinence from sex as a responsible method for restriction and prevention of disease, a school board shall hold at least 2 public hearings on the proposed revisions. The hearings shall be held at least 1 week apart and public notice of the hearings shall be given in the manner required under section 1201 for board meetings. A public hearing held pursuant to this section may be held in conjunction with a public hearing held pursuant to section 1507.

*380.1170 Physiology and hygiene; instruction; development of comprehensive health education programs; conflict with religious beliefs.*

**Sec. 1170.** (1) Instruction shall be given in physiology and hygiene, with special reference to substance abuse, including the abusive use of tobacco, alcohol, and drugs, and their effect upon the human system.

(2) Comprehensive health education programs shall be developed as prescribed by Act No. 226 of the Public Acts of 1969, being sections 388.381 to 388.385 of the Michigan Compiled Laws.

(3) A child upon the written statement of parent or guardian that instruction in the characteristics or symptoms of disease is in conflict with his or her sincerely held religious beliefs shall be excused from attending classes where such instruction is being given and no penalties as to credit or graduation shall result therefrom.

*380.1502 Health and physical education; establishment; course in physical education required; extracurricular athletics as meeting requirement.*

**Sec. 1502.** (1) Health and physical education for pupils of both sexes shall be established and provided in all public schools of this state. Subject to subsection (2), each pupil attending public school in this state who is physically fit and capable of doing so shall take the course in physical education.

(2) A school district may credit a pupil's participation in extracurricular athletics or other extracurricular activities involving physical activity as meeting the physical education requirement for the pupil under subsection (1).

*380.1506 Program of instruction in reproductive health; supervision; request to excuse pupil from attendance; "reproductive health" defined.*

**Sec. 1506.** (1) A program of instruction in reproductive health shall be supervised by a registered physician, a registered nurse, or other person certified by the state board as qualified. Upon the written request of a pupil or the pupil's parent or guardian, a pupil shall be excused, without penalty or loss of academic credit, from attending classes in which the subject of reproductive health is under discussion.

(2) As used in subsection (1) and sections 1507 and 1508, “reproductive health” means that state of an individual's well-being which involves the reproductive system and its physiological, psychological, and endocrinological functions.

*380.1507 Instruction in sex education; instructors, facilities, and equipment; stressing abstinence from sex; elective class; notice to parent or guardian; request to excuse pupil from attendance; qualifications of teacher; sex education advisory board; public hearing; distribution of family planning drug or device prohibited; “family planning,” “class,” and “course” defined.*

**Sec 1507.** (1) The board of a school district may engage qualified instructors and provide facilities and equipment for instruction in sex education, including family planning, human sexuality, and the emotional, physical, psychological, hygienic, economic, and social aspects of family life. Instruction may also include the subjects of reproductive health and the recognition, prevention, and treatment of sexually transmitted disease. Subject to subsection (7) and section 1507b, the instruction described in this subsection shall stress that abstinence from sex is a responsible and effective method of preventing unplanned or out-of-wedlock pregnancy and sexually transmitted disease and is a positive lifestyle for unmarried young people.

(2) The class described in subsection (1) shall be elective and not a requirement for graduation.

(3) A pupil shall not be enrolled in a class in which the subjects of family planning or reproductive health are discussed unless the pupil's parent or guardian is notified in advance of the course and the content of the course, is given a prior opportunity to review the materials to be used in the course and is notified in advance of his or her right to have the pupil excused from the class. The state board shall determine the form and content of the notice required in this subsection.

(4) Upon the written request of a pupil or the pupil's parent or legal guardian, a pupil shall be excused, without penalty or loss of academic credit, from attending a class described in subsection (1).

(5) A school district that provides a class as permitted by subsection (1) shall offer the instruction by teachers qualified to teach health education. A school district shall not offer this instruction unless a sex education advisory board is established by the board of the school district. The board of a school district shall determine terms of service for the sex education advisory board, the number of members to serve on the advisory board, and a membership selection process that reasonably reflects the school district population, and shall appoint 2 co-chairs for the advisory board, at least 1 of whom is a parent of a child attending a school operated by the school district. At least 1/2 of the members of the sex education advisory board shall be parents who have a child attending a school operated by the school district, and a majority of these parent members shall be individuals who are not employed by a school



district. The board of a school district shall include pupils of the school district, educators, local clergy, and community health professionals on the sex education advisory board.

Written or electronic notice of a sex education advisory board meeting shall be sent to each member at least 2 weeks before the date of the meeting. The advisory board shall do all of the following:

- (a) Establish program goals and objectives for pupil knowledge and skills that are likely to reduce the rates of sex, pregnancy, and sexually transmitted diseases. This subdivision does not prohibit a school district from establishing additional program goals and objectives that are not contrary to this section, section 1169, or section 1507b.
  
- (b) Review the materials and methods of instruction used and make recommendations to the board of the school district for implementation. The advisory board shall take into consideration the school district's needs, demographics, and trends, including, but not limited to, teenage pregnancy rates, sexually transmitted disease rates, and incidents of student sexual violence and harassment.
  
- (c) At least once every 2 years, evaluate, measure, and report the attainment of program goals and objectives established under subdivision (a). The board of a school district shall make the resulting report available to parents in the school district.
  
- (6) Before adopting any revisions in the materials or methods used in instruction under this section, including, but not limited to, revisions to provide for the teaching of abstinence from sex as a method of preventing unplanned or out-of-wedlock pregnancy and sexually transmitted disease, the board of a school district shall hold at least 2 public hearings on the proposed revisions. The hearings shall be held at least 1 week apart and public notice of the hearings shall be given in the manner required under section 1201 for board meetings. A public hearing held pursuant to this section may be held in conjunction with a public hearing held pursuant to section 1169.
  
- (7) A person shall not dispense or otherwise distribute in a public school or on public school property a family planning drug or device.
  
- (8) As used in this section, "family planning" means the use of a range of methods of fertility regulation to help individuals or couples avoid unplanned pregnancies; bring about wanted births; regulate the intervals between pregnancies; and plan the time at which births occur in relation to the age of parents. It may include the study of fetology. It may include marital and genetic information. Clinical abortion shall not be considered a method of family planning, nor shall abortion be taught as a method of reproductive health.
  
- (9) As used in this section and sections 1506 and 1507a:

(a) "Class" means an instructional period of limited duration within a course of instruction and includes an assembly or small group presentation.

(b) "Course" means a series of classes linked by a common subject matter.

*380.1507a Notice of excuse from class; enrollment.*

**Sec. 1507a.** If a parent or legal guardian of a pupil files with the public school in which the pupil is enrolled a continuing written notice that the pupil is to be excused from a class described in section 1507, the pupil shall not be enrolled in a class described in section 1507 unless the parent or legal guardian submits a written authorization for that enrollment.

*380.1507b Sex education and instruction; curriculum requirements.*

**Sec. 1507b.** (1) Instruction under section 1507 in sex education and instruction under section 1169 on human immunodeficiency virus infection and acquired immunodeficiency syndrome shall emphasize that abstinence from sex is a positive lifestyle for unmarried young people because abstinence is the only protection that is 100% effective against unplanned pregnancy, sexually transmitted disease, and sexually transmitted human immunodeficiency virus infection and acquired immunodeficiency syndrome.

(2) Material and instruction in the sex education curriculum under section 1507 that discusses sex shall be age-appropriate, shall not be medically inaccurate, and shall do at least all of the following:

(a) Discuss the benefits of abstaining from sex until marriage and the benefits of ceasing sex if a pupil is sexually active.

(b) Include a discussion of the possible emotional, economic, and legal consequences of sex.

(c) Stress that unplanned pregnancy and sexually transmitted diseases are serious possibilities of sex that are not fully preventable except by abstinence.

(d) Advise pupils of the laws pertaining to their responsibility as parents to children born in and out of wedlock.

(e) Ensure that pupils are not taught in a way that condones the violation of the laws of this state pertaining to sexual activity, including, but not limited to, sections 158, 335a, 338, 338a,

338b, and 520b to 520e of the Michigan penal code, 1931 PA 328, MCL 750.158, 750.335a, 750.338, 750.338a, 750.338b, and 750.520b to 750.520e.

- (f) Teach pupils how to say "no" to sexual advances and that it is wrong to take advantage of, harass, or exploit another person sexually.
  - (g) Teach refusal skills and encourage pupils to resist pressure to engage in risky behavior.
  - (h) Teach that the pupil has the power to control personal behavior. Pupils shall be taught to base their actions on reasoning, self-discipline, a sense of responsibility, self-control, and ethical considerations such as respect for self and others.
  - (i) Provide instruction on healthy dating relationships and on how to set limits and recognize a dangerous environment.
  - (j) Provide information for pupils about how young parents can learn more about adoption services and about the provisions of the safe delivery of newborns law, chapter XII of the probate code of 1939, 1939 PA 288, MCL 712.1 to 712.20.
  - (k) Include information clearly informing pupils that having sex or sexual contact with an individual under the age of 16 is a crime punishable by imprisonment and that 1 of the other results of being convicted of this crime is to be listed on the sex offender registry on the internet for up to 25 years.
- (3) This section does not prohibit a public school from offering sex education with behavioral risk reduction strategies, as defined by law, that are not 100% effective against unplanned pregnancy, sexually transmitted disease, and sexually transmitted human immunodeficiency virus infection and acquired immunodeficiency syndrome.

*388.1766 Dispensing or distributing family planning or drug or device, dispensing prescriptions for family planning drug, or making referrals for abortion; forfeiture.*

**Sec. 166.** A district in which a school official, member of a board, or other person dispenses or otherwise distributes a family planning drug or device in a public school in violation of section 1507 of the revised school code, being section 380.1507 of the Michigan Compiled Laws, dispenses prescriptions for any family planning drug, or makes referrals for abortions shall forfeit 5% of its total state aid appropriation.

*388.1766a Instruction in reproductive health or other sex education; complaint process.*

**Sec. 166a.**

(1) In order to avoid forfeiture of state aid under subsection (2), the board of a district or intermediate district providing reproductive health or other sex education instruction under section 1169, 1506, or 1507 of the revised school code, MCL 380.1169, 380.1506, and 380.1507, or under any other provision of law, shall ensure that all of the following are met:

(a) That the district or intermediate district does not provide any of the instruction to a pupil who is less than 18 years of age unless the district or intermediate district notifies the pupil's parent or legal guardian in advance of the instruction and the content of the instruction, gives the pupil's parent or legal guardian a prior opportunity to review the materials to be used in the instruction, allows the pupil's parent or legal guardian to observe the instruction, and notifies the pupil's parent or legal guardian in advance of his or her rights to observe the instruction and to have the pupil excused from the instruction.

(b) That, upon the written request of a pupil's parent or legal guardian or of a pupil if the pupil is at least age 18, the pupil shall be excused, without penalty or loss of academic credit, from attending class sessions in which the instruction is provided.

(c) That the sex education instruction includes age-appropriate information clearly informing pupils at 1 or more age-appropriate grade levels that having sex or sexual contact with an individual under the age of 16 is a crime punishable by imprisonment, and that 1 of the other results of being convicted of this crime is to be listed on the sex offender registry on the internet for up to 25 years.

(2) If a parent or legal guardian of a pupil enrolled in a district or intermediate district believes that the district or intermediate district has violated this section or section 1169, 1506, or 1507 of the revised school code, MCL 380.1169, 380.1506, and 380.1507, he or she may file a complaint with the superintendent or chief administrator of the district or intermediate district in which the pupil is enrolled. Upon receipt of the complaint, the superintendent or chief administrator of the district or intermediate district shall investigate the complaint and, within 30 days after the date of the complaint, provide a written report of his or her findings to the parent or legal guardian who filed the complaint and to the superintendent of public instruction. If the investigation reveals that 1 or more violations have occurred, the written report shall contain a description of each violation and of corrective action the district or intermediate district will take to correct the situation to ensure that there is no further violation. The district or intermediate district shall take the corrective action described in the written report within 30 days after the date of the written report.

(3) If a parent who has filed a complaint with a district under subsection (2) believes that the district is still not in compliance with law based on the findings made by the superintendent or chief administrator of the district, the parent may appeal the findings to the intermediate district in which the district is located. If there is an appeal to an intermediate district under this subsection, the intermediate superintendent of the intermediate district shall investigate the complaint and, within 30 days after the date of the appeal, provide a written report of his or her findings to the parent or legal guardian who filed the appeal and to the superintendent of public instruction. If the investigation by the intermediate superintendent reveals that 1 or more violations have occurred, the intermediate superintendent in consultation with the local district

shall develop a plan for corrective action for the district to take to correct the situation to ensure that there is no further violation, and shall include this plan for corrective action with the written report provided to the parent or legal guardian and the superintendent of public instruction. The district shall take the corrective action described in the plan within 30 days after the date of the written report.

(4) If a parent who has filed a complaint with an intermediate district under subsection (2) or a parent who has filed an appeal with an intermediate district under subsection (3) believes that the district or intermediate district is still not in compliance with law based on the findings made by the intermediate superintendent of the intermediate district, the parent may appeal the findings to the department. If there is an appeal to the department under this subsection, the department shall investigate the complaint and, within 90 days after the date of the appeal, provide a written report of its findings to the parent or legal guardian who filed the appeal, to the superintendent of public instruction, and to the district and intermediate district. If the department finds 1 or more violations as a result of its investigation, then all of the following apply:

(a) The department shall develop a plan for corrective action for the district or intermediate district to take to correct the situation to ensure that there is no further violation, and shall include this plan for corrective action with the written report provided to the parent or legal guardian, the superintendent of public instruction, and the district or intermediate district. The district or intermediate district shall take the corrective action described in the plan within 30 days after the date of the written report.

(b) In addition to withholding the percentage of state school aid forfeited by the district or intermediate district under subsection (5), the department may assess a fee to the district or intermediate district that committed the violation in an amount not to exceed the actual cost to the department of conducting the investigation and making the reports required under this subsection.

(5) If an investigation conducted by the department under subsection (4) reveals that a district or intermediate district has committed 1 or more violations of this section or section 1169, 1506, or 1507 of the revised school code, MCL 380.1169, 380.1506, and 380.1507, the district or intermediate district shall forfeit an amount equal to 1% of its total state school aid allocation under this act.

(6) The department, with the approval of the superintendent of public instruction, shall establish a reasonable process for a complainant to appeal to the department under subsection (4). The process shall not place an undue burden on the complainant, the district or intermediate district, or the department.

(7) The department shall track the number of complaints and appeals it receives under this section for the 20042005 school year and, not later than the end of that school year, shall submit

a report to the standing committees and appropriations subcommittees of the legislature having jurisdiction over education legislation and state school aid that details the number and nature of those complaints and appeals and the cost to the department of handling them.

This compilation of laws has been updated to reflect Public Acts 165 and 166, effective June 24, 2004. Questions can be directed to the Michigan Department of Education, Coordinated School Health and Safety Programs Unit, at 517-241-4284 or visit [www.michigan.gov/mde](http://www.michigan.gov/mde).