

April 26, 2010

Recent legislation has resulted in extensive changes to Wisconsin Statute sec. 118.019, which are effective immediately. Most notably, school boards that provide an instructional program in human growth and development must:

- Use instructional methods and materials that do not promote bias against pupils of any race, gender, religion, sexual orientation, or ethnic or cultural background, or against sexually active pupils, or children with disabilities.
- Promote self-esteem and positive interpersonal skills, with an emphasis on healthy relationships, including friendships, marriage, and romantic and familial relationships.
- Identify counseling, medical, and legal resources for survivors of sexual abuse and assault, including resources for escaping violent relationships; and present medically accurate information to pupils.
- Present abstinence from sexual activity as the preferred choice of behavior in relationship to all sexual activity for unmarried pupils.
- Emphasize that abstinence from sexual activity before marriage is the most effective way to prevent pregnancy and sexually transmitted diseases, including human immunodeficiency virus and acquired immunodeficiency syndrome.
- Present medically-accurate information and, when age-appropriate, address:
 - The importance of communication about sexuality and decision making about sexual behavior between the pupil and the pupil's parents, guardians, or other family members.
 - Reproductive and sexual anatomy and physiology, including biological, psychosocial, and emotional changes that accompany maturation.
 - Puberty, pregnancy, parenting, body image, and gender stereotypes.
 - The skills needed to make responsible decisions about sexuality and sexual behavior throughout the pupil's life, including how to refrain from making inappropriate verbal, physical, and sexual advances, and how to recognize, rebuff, and report any unwanted or inappropriate verbal, physical, and sexual behaviors.
 - The benefits of and reasons for abstaining from sexual activity. Instruction under this subdivision shall stress the value of abstinence as the most reliable way to prevent pregnancy and sexually transmitted infections.
 - The health benefits, side effects, and proper use of contraceptives and barrier methods approved by the federal food and drug administration to prevent pregnancy, and barrier methods approved by the federal food and drug administration to prevent sexually transmitted infections.
 - Methods for developing healthy life skills, including setting goals, making responsible decisions, communicating, and managing stress.
 - How alcohol and drug use affect responsible decision making.
 - The impact of media and one's peers on thoughts, feelings, and behaviors related to sexuality.

- Marriage and parental responsibility.
- Criminal penalties for engaging in sexual activities involving a child.
- Sex offender registration requirements, including who is required to report, what information must be reported, who has access to the information reported, and the implications of being registered.

Finally, a school board that elects not to provide an instructional program in human growth and development must, by September 30 of each school year, send home to the parent or guardian of each pupil enrolled in the school district a notice that includes all of the following:

- A statement that the school board is encouraged by state statute to provide instruction in human growth and development in grades kindergarten to 12.
- The subjects of instruction required if the school board were to provide instruction in human growth and development.
- A statement that the school board is not providing any instruction in human growth and development to pupils enrolled in the school district.

Although the *School HIV/AIDS Policy Toolkit* provides only an overview of Wisconsin Statute 118.019, a complete copy of the updated statute has been enclosed for future reference. If you have any questions, please contact Emily Holder at (608) 267-9170 or by email at emily.holder@dpi.wi.gov.

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Enclosure