

SB 5395

Comprehensive Sexual Health Education Legislation Report

Wenatchee School Board Presentation

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What topics are required per legislation?

- **Intrapersonal and interpersonal skill development** to communicate, respectfully and effectively, to reduce health risks and choose healthy behaviors and relationships based on mutual respect and affection, and free from violence, coercion, and intimidation (K-12);
- Mandatory **social emotional learning** (K-3);
- **Human growth and development** (Gr 5-8);
- **Health care and prevention resources** (Gr 9-12);
- **Abstinence and sexually transmitted diseases** (starting in Grade 5), and other methods of preventing unintended pregnancy (Gr 6-12);
- **Meaningful relationship development** and avoidance of exploitative relationships;
- Understanding the influences of family, peers, community and the media through life on healthy sexual relationships (Gr 6-12);
- **Affirmative consent** and recognizing and responding safely and effectively when violence or a risk of violence is or may be present, with strategies that include **bystander training** (Gr 5-12 in age-appropriate ways).

Learning Progression for Grade Bands

Focus on helping students understand and respect personal boundaries, develop healthy friendships and dating relationships, gain a deeper understanding of human growth and development, and develop skills to support choosing healthy behaviors and reduce health risks, including how to access valid health care and prevention resources and understanding the influence of family and society on healthy sexual relationships.

Key: Orange: K-4, Purple: Grade 5, Blue: Grades 6-8, Green: Grades 9-12

Current practice

- K-4: Social Emotional Learning
 - Grade 5: HIV/Puberty instruction
 - Middle School: Sexual Health (1x)
 - High School: Sexual Health (1x)
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Needed adjustments starting Fall 2021

- **4-12: Affirmative Consent & Bystander Training**
- Middle School: Sexual Health Ed (2x)
- High School: Sexual Health Ed (2x)

What is “affirmative consent” and “bystander training”?

Affirmative consent is an approach to giving and receiving consent for any activity that includes clear, voluntary, enthusiastic permission. It is not just the absence of “no.” In earlier grades it might focus on hugs or horseplay, and in older grades on hugs, exchanging photos, or romantic or sexual contact.

Bystander training teaches students how to safely intervene when they see bullying, sexual harassment, or unwanted sexual activity.

Will OSPI need to approve districts' curriculum choices?

Are we allowed to ONLY adopt curriculum on the OSPI list?

No.

- The new legislation maintains OSPI's role in reviewing curricula for consistency with state requirements and making a list available for districts as a resource (38 on website.)
- The authority to approve curricula for use in schools currently rests and will continue to rest with school districts.
- Districts will need to provide the name of the curriculum they are using and describe how it meets state requirements, but OSPI does not have the authority to approve or deny districts' choices.

Does the new legislation take away local flexibility?

No.

School districts that don't already have a curriculum in place will work with staff, parents, and the community to select or create a curriculum that best meets the needs of their students and communities.

Can parents opt their child out of sexual health instruction?

YES.

- This has always been an option, and will continue to be.
- Parents and guardians will be notified 30 days before planned instruction on what materials will be used, and allowed to review the curriculum at any time.

Claim: The legislation mandates the teaching of sexual education for “all students, even Kindergartners.”

Truthfulness: False.

Analysis: Sexual health education does not begin until fourth or fifth grades, depending on the district.

Grades K-3 receive social emotional learning, which teaches skills to cope with feelings, set goals and get along with others.

There is no sexuality content required for kindergarten through third grade, according to the OSPI website.

<https://www.spokesman.com/stories/2020/aug/01/truth-tester-no-sex-ed-will-not-be-taught-to-kinde/>

Claim: The legislation “mandates graphic sex education starting in elementary school.”

Truthfulness: Mostly false

Analysis: While “graphic” is subjective, the new sex education rules require all schools to provide comprehensive sexual health education that is medically and scientifically accurate, age-appropriate and inclusive of all students. What is taught in each grade is different, and each school district can choose what curriculum they want to use out of an OSPI-reviewed list.

Claim: The legislation “allows school districts to ‘comprehensively’ include sex-ed in all curriculum – including math, social studies, science, business and computer classes.”

Truthfulness: False.

Analysis: Sexual health education is only taught a few times over the course of a student’s career: once to students in fourth and fifth grades, twice to students in sixth through eighth grades, and twice to students in ninth through 12th grades.

[According to the bill](#), no sexual health education is required to “be integrated into curriculum, materials, or instruction in unrelated subject matters or courses.”

Claim: The legislation “denies parents and local school boards the power to decide what shall be taught.”

Truthfulness: Mostly false.

Analysis: While school districts choose materials reviewed by OSPI, they do have flexibility.

Each local school district decides which curricula they want to use out of a list of materials reviewed by OSPI and the state Department of Health.

The state does not approve or develop curriculum, [according to the OSPI website](#).

OSPI encourages districts to conduct their own review to ensure materials fit their community.

School districts may also choose or develop any other curriculum as long as it complies with the requirements of the legislation.

Parents can review all materials before they are taught and may opt their children out of instruction.

<https://www.spokesman.com/stories/2020/aug/01/truth-tester-no-sex-ed-will-not-be-taught-to-kinde/>

WSD Next Steps

- Community communication
- Staff review of law and current instructional materials
- Adoption committee convened if necessary
- Curriculum available for review

WSD Current Instructional Materials for Sexual Health

- Gr K-4: SEL instruction (insert links here to SEL Curriculum)
- [Grade 5 Puberty Parent presentation](#) and [Grade 5 Puberty Video links](#)
- [Grade 5 & 6 KNOW HIV Prevention Curriculum in Eng](#)
- [Grade 5 & 6 KNOW HIV Prevention Curriculum in Span](#)
- [Grade 6 Sex Ed unit](#)
- [Grade 7 Sex Ed unit](#)
- [Grade 8 Sex Ed unit](#)
- [High School Sex Ed](#)

[Sex Ed review flowchart](#)