



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0266

Introduced 2/17/2021, by Sen. Celina Villanueva

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.62	from Ch. 122, par. 2-3.62
105 ILCS 5/27-9.1	from Ch. 122, par. 27-9.1
105 ILCS 5/27-9.2	from Ch. 122, par. 27-9.2
105 ILCS 110/3	

Amends the School Code. Makes changes concerning sex education, including changing the name to sexual health and changing course requirements. Makes changes concerning family life course requirements. Amends the Critical Health Problems and Comprehensive Health Education Act to make changes concerning the educational areas a comprehensive health education program must include. Effective immediately.

LRB102 13676 CMG 19026 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections
5 2-3.62, 27-9.1, and 27-9.2 as follows:

6 (105 ILCS 5/2-3.62) (from Ch. 122, par. 2-3.62)

7 Sec. 2-3.62. Educational service centers.

8 (a) A regional network of educational service centers
9 shall be established by the State Board of Education to
10 coordinate and combine existing services in a manner which is
11 practical and efficient and to provide new services to schools
12 as provided in this Section. Services to be made available by
13 such centers shall include the planning, implementation and
14 evaluation of:

15 (1) (blank);

16 (2) computer technology education;

17 (3) mathematics, science and reading resources for
18 teachers including continuing education, inservice
19 training and staff development.

20 The centers may provide training, technical assistance,
21 coordination and planning in other program areas such as
22 school improvement, school accountability, financial planning,
23 consultation, and services, career guidance, early childhood

1 education, alcohol/drug education and prevention, family life
2 - sexual health ~~sex~~ education, electronic transmission of data
3 from school districts to the State, alternative education and
4 regional special education, and telecommunications systems
5 that provide distance learning. Such telecommunications
6 systems may be obtained through the Department of Central
7 Management Services pursuant to Section 405-270 of the
8 Department of Central Management Services Law (20 ILCS
9 405/405-270). The programs and services of educational service
10 centers may be offered to private school teachers and private
11 school students within each service center area provided
12 public schools have already been afforded adequate access to
13 such programs and services.

14 Upon the abolition of the office, removal from office,
15 disqualification for office, resignation from office, or
16 expiration of the current term of office of the regional
17 superintendent of schools, whichever is earlier, the chief
18 administrative officer of the centers serving that portion of
19 a Class II county school unit outside of a city of 500,000 or
20 more inhabitants shall have and exercise, in and with respect
21 to each educational service region having a population of
22 2,000,000 or more inhabitants and in and with respect to each
23 school district located in any such educational service
24 region, all of the rights, powers, duties, and
25 responsibilities theretofore vested by law in and exercised
26 and performed by the regional superintendent of schools for

1 that area under the provisions of this Code or any other laws
2 of this State.

3 The State Board of Education shall promulgate rules and
4 regulations necessary to implement this Section. The rules
5 shall include detailed standards which delineate the scope and
6 specific content of programs to be provided by each
7 Educational Service Center, as well as the specific planning,
8 implementation and evaluation services to be provided by each
9 Center relative to its programs. The Board shall also provide
10 the standards by which it will evaluate the programs provided
11 by each Center.

12 (b) Centers serving Class 1 county school units shall be
13 governed by an 11-member board, 3 members of which shall be
14 public school teachers nominated by the local bargaining
15 representatives to the appropriate regional superintendent for
16 appointment and no more than 3 members of which shall be from
17 each of the following categories, including but not limited to
18 superintendents, regional superintendents, school board
19 members and a representative of an institution of higher
20 education. The members of the board shall be appointed by the
21 regional superintendents whose school districts are served by
22 the educational service center. The composition of the board
23 will reflect the revisions of this amendatory Act of 1989 as
24 the terms of office of current members expire.

25 (c) The centers shall be of sufficient size and number to
26 assure delivery of services to all local school districts in

1 the State.

2 (d) From monies appropriated for this program the State
3 Board of Education shall provide grants paid from the Personal
4 Property Tax Replacement Fund to qualifying Educational
5 Service Centers applying for such grants in accordance with
6 rules and regulations promulgated by the State Board of
7 Education to implement this Section.

8 (e) The governing authority of each of the 18 regional
9 educational service centers shall appoint a family life -
10 sexual health ~~sex~~ education advisory board consisting of 2
11 parents, 2 teachers, 2 school administrators, 2 school board
12 members, 2 health care professionals, one library system
13 representative, and the director of the regional educational
14 service center who shall serve as chairperson of the advisory
15 board so appointed. Members of the family life - sexual health
16 ~~sex~~ education advisory boards shall serve without
17 compensation. Each of the advisory boards appointed pursuant
18 to this subsection shall develop a plan for regional
19 teacher-parent family life - sexual health ~~sex~~ education
20 training sessions and shall file a written report of such plan
21 with the governing board of their regional educational service
22 center. The directors of each of the regional educational
23 service centers shall thereupon meet, review each of the
24 reports submitted by the advisory boards and combine those
25 reports into a single written report which they shall file
26 with the Citizens Council on School Problems prior to the end

1 of the regular school term of the 1987-1988 school year.

2 (f) The 14 educational service centers serving Class I
3 county school units shall be disbanded on the first Monday of
4 August, 1995, and their statutory responsibilities and
5 programs shall be assumed by the regional offices of
6 education, subject to rules and regulations developed by the
7 State Board of Education. The regional superintendents of
8 schools elected by the voters residing in all Class I counties
9 shall serve as the chief administrators for these programs and
10 services.

11 (Source: P.A. 98-24, eff. 6-19-13; 98-647, eff. 6-13-14;
12 99-30, eff. 7-10-15.)

13 (105 ILCS 5/27-9.1) (from Ch. 122, par. 27-9.1)

14 Sec. 27-9.1. Sexual health ~~Sex~~ education.

15 (a) In this Section:

16 "Abstinence" means not engaging in oral, vaginal, or anal
17 intercourse or genital skin-to-skin contact.

18 "Adapt" means to modify an evidence-based or
19 evidence-informed program model for use with a particular
20 demographic, ethnic, linguistic, or cultural group.

21 "Age appropriate" means suitable to particular ages or age
22 groups of children and adolescents, based on the developing
23 cognitive, emotional, and behavioral capacity typical for the
24 age or age group.

25 "Anatomy and physiology" means that information that

1 provides a foundation for understanding basic human
2 functioning.

3 "Characteristics of effective programs" means the aspects
4 of evidence-based programs, including the development,
5 content, and implementation of such programs, that (i) have
6 been shown to be effective in terms of increasing knowledge,
7 clarifying values and attitudes, increasing skills, and
8 impacting behavior and (ii) are widely recognized by leading
9 medical and public health agencies to be effective in changing
10 sexual behaviors that lead to sexually transmitted infections,
11 including HIV, unintended pregnancy, and dating violence and
12 sexual assault among young people.

13 "Comprehensive" means essential information that includes,
14 but is not limited to, content related to anatomy and
15 physiology; healthy relationships; identity; personal safety;
16 pregnancy and reproduction; puberty, growth, and adolescent
17 development; and sexually transmitted infections, including
18 HIV.

19 "Consent" means an affirmative, knowing, conscious,
20 ongoing, and voluntary agreement to engage in interpersonal,
21 physical, or sexual activity, which can be revoked at any
22 point, including during the course of interpersonal, physical,
23 or sexual activity.

24 "Culturally appropriate" means affirming culturally
25 diverse individuals, families, and communities in an
26 inclusive, respectful, and effective manner, including

1 materials and instruction that are inclusive of race,
2 ethnicity, language, cultural background, religion, gender,
3 gender identity, gender expression, sexual orientation, sexual
4 behavior, and different abilities.

5 "Evidence-based program" means a program for which
6 systematic, empirical research or evaluation has provided
7 evidence of effectiveness.

8 "Evidence-informed program" means a program that uses the
9 best available research and practice knowledge to guide
10 program design and implementation.

11 "Healthy relationships" means that information that helps
12 pupils learn how to identify healthy and unhealthy
13 relationship behaviors and helps pupils develop the skills to
14 navigate changing relationships among family, peers, and
15 partners free from shame and stigma.

16 "Identity" means that information that addresses several
17 fundamental aspects of people's understanding of how they
18 identify their sexual orientation, gender, gender identity, or
19 gender expression without shame or stigma.

20 "Personal safety" means that information that helps pupils
21 develop an awareness about and the skills and confidence to
22 respond to bullying, harassment, including sexual harassment,
23 sexual abuse, sexual assault, intimate partner violence,
24 incest, rape, and sex trafficking and the role that schools
25 play in creating learning environments that promote personal
26 safety.

1 "Pre-exposure Prophylaxis (PrEP)" means medications
2 approved by the federal Food and Drug Administration and
3 recommended by the United States Public Health Service or the
4 federal Centers for Disease Control and Prevention for HIV
5 pre-exposure prophylaxis and related pre-exposure prophylaxis
6 services, including, but not limited to, HIV and sexually
7 transmitted infection screening, treatment for sexually
8 transmitted infections, medical monitoring, laboratory
9 services, and sexual health counseling, to reduce the
10 likelihood of HIV infection for individuals who are not living
11 with HIV but are vulnerable to HIV exposure.

12 "Pregnancy and reproduction" means that information that
13 addresses how pregnancy happens, decision-making to avoid
14 unintended pregnancy through abstinence and contraception,
15 prenatal practices and resources that support a healthy
16 pregnancy; and information that helps pupils understand
17 resources and laws related to pregnancy, adoption, abortion,
18 and parenting.

19 "Post-exposure Prophylaxis (PeP)" means the medications
20 that are recommended by the federal Centers for Disease
21 Control and Prevention and other public health authorities to
22 help prevent HIV infection after potential occupational or
23 non-occupational HIV exposure.

24 Puberty, growth, and adolescent development" means that
25 information that addresses a pivotal milestone for every
26 person that has an impact on cognitive, emotional, physical,

1 sexual and social development.

2 "Sexually transmitted infections, including HIV" means
3 that information that provides both content and skills for
4 understanding scientifically accepted methods of how to
5 prevent and avoid exposure to sexually transmitted infections
6 (STIs), including HIV, through abstinence, condoms,
7 vaccination, Pre-exposure Prophylaxis (PrEP), and
8 Post-exposure Prophylaxis (PEP), including how they are
9 transmitted, their signs, symptoms, and options for screening,
10 testing, and treatment, and other medical care.

11 "Medically accurate" means verified or supported by the
12 weight of research conducted in compliance with accepted
13 scientific methods and published in peer-reviewed journals, if
14 applicable, or comprising information recognized as accurate,
15 objective, and complete.

16 "Unintended pregnancy" means a pregnancy that is unplanned
17 or unwanted (that is, the pregnancy occurred when no children
18 or no more children were desired).

19 (a-5) No pupil shall be required to take or participate in
20 any class or course in comprehensive sexual health ~~sex~~
21 education if that pupil's ~~his~~ parent or guardian submits
22 written objection thereto, and refusal to take or participate
23 in such course or program shall not be reason for suspension or
24 expulsion of such pupil. ~~Each class or course in comprehensive~~
25 ~~sex education offered in any of grades 6 through 12 shall~~
26 ~~include instruction on both abstinence and contraception for~~

1 ~~the prevention of pregnancy and sexually transmitted diseases,~~
2 ~~including HIV/AIDS.~~ Nothing in this Section prohibits
3 instruction in sanitation, hygiene or traditional courses in
4 biology.

5 (b) (Blank). ~~All public school classes that teach sex~~
6 ~~education and discuss sexual intercourse in grades 6 through~~
7 ~~12 shall emphasize that abstinence from sexual intercourse is~~
8 ~~a responsible and positive decision and is the only protection~~
9 ~~that is 100% effective against unwanted teenage pregnancy,~~
10 ~~sexually transmitted diseases, and acquired immune deficiency~~
11 ~~syndrome (AIDS) when transmitted sexually.~~

12 (c) All classes that teach sexual health ~~sex~~ education and
13 discuss sexual intercourse in grades 6 through 12 shall
14 satisfy the following criteria:

15 (1) Course material and instruction shall be
16 culturally, developmentally, and age appropriate,
17 medically accurate, and comprehensive ~~complete~~.

18 (1.5) Course material and instruction shall replicate
19 evidence-based or evidence-informed programs or
20 substantially incorporate elements of evidence-based
21 programs or evidence-informed programs or characteristics
22 of effective programs.

23 (2) Course material and instruction shall include
24 information on the value of healthy, consenting, committed
25 relationships, including marriage and civil unions and how
26 to form and maintain healthy romantic, sexual, and

1 intimate partnerships that are based on mutual consent and
2 are free from violence, coercion, and intimidation. ~~teach~~
3 ~~honor and respect for monogamous heterosexual marriage.~~

4 (3) Course material and instruction shall include
5 information stating that continuous, consistent,
6 abstinence from sexual activity is the only protection
7 that is 100% effective against unintended pregnancy and
8 STIs, including HIV. Course material and instruction shall
9 also include information about scientifically accepted
10 methods that can be used to greatly reduce unintended
11 pregnancy and STIs, including HIV. These methods include,
12 but are not limited to, contraception, vaccination, PrEP
13 and PEP, regular testing and screening, and other medical
14 care. ~~place substantial emphasis on both abstinence,~~
15 ~~including abstinence until marriage, and contraception for~~
16 ~~the prevention of pregnancy and sexually transmitted~~
17 ~~diseases among youth and shall stress that abstinence is~~
18 ~~the ensured method of avoiding unintended pregnancy,~~
19 ~~sexually transmitted diseases, and HIV/AIDS.~~

20 (4) Course material and instruction related to
21 pregnancy shall include an objective discussion of
22 parenting, adoption, and abortion. ~~shall include a~~
23 ~~discussion of the possible emotional and psychological~~
24 ~~consequences of preadolescent and adolescent sexual~~
25 ~~intercourse and the consequences of unwanted adolescent~~
26 ~~pregnancy.~~

1 (5) Course material and instruction shall include
2 information, consistent with federal Centers for Disease
3 Control and Prevention (CDC) statistics, citing the
4 effectiveness and safety of all federal Food and Drug
5 Administration (FDA) approved methods in preventing or
6 reducing the likelihood of acquiring HIV and other STIs.
7 ~~stress that sexually transmitted diseases are serious~~
8 ~~possible hazards of sexual intercourse. Pupils shall be~~
9 ~~provided with statistics based on the latest medical~~
10 ~~information citing the failure and success rates of~~
11 ~~condoms in preventing AIDS and other sexually transmitted~~
12 ~~diseases.~~

13 (5.5) Course material and instruction shall provide
14 information, consistent with CDC statistics, citing the
15 effectiveness and safety of all FDA-approved contraceptive
16 methods in preventing unintended pregnancy, including, but
17 not limited to, emergency contraception.

18 (6) Course material and instruction shall include
19 information and skills development relating to parenting,
20 including financial and emotional responsibilities,
21 communication skills, problem solving, and caretaking.
22 Course material and instruction shall also include
23 information on laws pertaining to medical care and medical
24 decisions throughout pregnancy and birth, surrendering
25 physical custody of a child pursuant to the Abandoned
26 Newborn Infant Protection Act, and the rights of pregnant

1 pupils to stay in their own school or enroll in a school
2 designed just for pregnant pupils. ~~advise pupils of the~~
3 ~~laws pertaining to their financial responsibility to~~
4 ~~children born in and out of wedlock.~~

5 (7) Course material and instruction shall advise
6 pupils of the circumstances under which it is unlawful for
7 a person to have sexual relations with an individual who
8 is under the age of 17 and for a person who is in a
9 position of trust, authority, or supervision to have
10 sexual relations with an individual who is under the age
11 of 18 pursuant to Article 11 of the Criminal Code of 2012.

12 (8) Course material and instruction shall provide
13 pupils with the knowledge and skills for making and
14 implementing healthy decisions about sexuality, including
15 negotiation and refusal skills, to assist pupils in
16 overcoming peer pressure and using effective
17 decision-making skills to avoid high risk activities.

18 Course material and instruction shall also teach pupils to
19 not make unwanted physical and verbal sexual advances and
20 how to say no to unwanted sexual advances and how to give,
21 receive, and understand consent. Pupils shall be taught
22 that it is wrong to take advantage of or to exploit another
23 person. The material and instruction shall also encourage
24 pupils ~~youth~~ to resist negative peer pressure. The
25 material and instruction shall include discussion on what
26 may be considered sexual harassment or sexual assault.

1 (9) (Blank).

2 (10) Course material and instruction shall teach
3 pupils about the effect of drugs and alcohol on
4 responsible decision-making and consent, including the
5 dangers associated with drug and alcohol consumption
6 during pregnancy and when engaging in sexual activity.

7 (11) Course material and instruction must include an
8 age-appropriate discussion on the meaning of consent that
9 includes discussion on recognizing all of the following:

10 (A) That consent is a freely given agreement to
11 sexual activity.

12 (B) That consent to one particular sexual activity
13 does not constitute consent to other types of sexual
14 activities.

15 (C) That a person's lack of verbal or physical
16 resistance or submission resulting from the use or
17 threat of force does not constitute consent.

18 (D) That a person's manner of dress does not
19 constitute consent.

20 (E) That a person's consent to past sexual
21 activity does not constitute consent to future sexual
22 activity.

23 (F) That a person's consent to engage in sexual
24 activity with one person does not constitute consent
25 to engage in sexual activity with another person.

26 (G) That a person can withdraw consent at any

1 time.

2 (H) That a person cannot consent to sexual
3 activity if that person is unable to understand the
4 nature of the activity or give knowing consent due to
5 certain circumstances that include, but are not
6 limited to, (i) the person is incapacitated due to the
7 use or influence of alcohol or drugs, (ii) the person
8 is asleep or unconscious, (iii) the person is a minor,
9 or (iv) the person is incapacitated due to a mental
10 disability.

11 (12) Course material and instruction shall include
12 information about State laws that apply to minor
13 confidentiality and minor consent, including exceptions.
14 If available, material and instructions shall include
15 local resources that include, but are not limited to, how
16 and where to access local resources; pupils' legal rights
17 to access local resources for sexual and reproductive
18 health care; parenting resources; substance abuse
19 treatment; mental health treatment; emergency medical
20 treatment for sexual assault; and resources for assistance
21 with sexual assault, harassment, intimate partner
22 violence, stalking, sex trafficking and suicide
23 prevention. Local resources must be inclusive of gender
24 identity, gender expression, sexual orientation, and
25 sexual behavior.

26 (13) Course material and instruction shall encourage

1 pupils to communicate with their parents or guardians,
2 faith, health, and social service professionals, and other
3 trusted adults about sexuality and intimate relationships.

4 (14) Course material and instruction may not
5 deliberately withhold health-promoting or life-saving
6 information about sexuality-related topics, including
7 FDA-approved treatment and options.

8 (15) Course material and instruction may not be
9 medically inaccurate or include information that is
10 scientifically shown to be ineffective.

11 (16) Course material and instruction may not reflect
12 or promote bias against any person on the basis of the
13 person's race, ethnicity, language, cultural background,
14 religion, HIV status, gender, gender identity, gender
15 expression, sexual orientation, sexual behavior, or
16 ability.

17 (17) Course material and instruction may not be
18 insensitive and unresponsive to the needs of pupils based
19 on their status as pregnant or parenting, living with
20 STIs, including HIV, sexually active, asexual, or intersex
21 or based on their gender, gender identity, gender
22 expression, sexual orientation, sexual behavior, or
23 ability.

24 (18) Course material and instruction may not be
25 insensitive and unresponsive to the needs of survivors of
26 sexual abuse or assault.

1 (19) Course material and instruction may not be
2 inconsistent with the ethical imperatives of medicine and
3 public health.

4 (20) Pupils may not be denied access to sexual health
5 instruction on the basis of any disability or perceived
6 disability or English Learner status.

7 (21) Course material and instruction shall be
8 sensitive and responsive to the needs of pupils with an
9 intersex variation.

10 (c-5) All classes that teach sexual health education in
11 grades 5 and below shall use course material and provide
12 instruction that is medically accurate, evidence-based or
13 evidence-informed, and culturally, developmentally, and age
14 appropriate.

15 (d) An opportunity shall be afforded to individuals,
16 including parents or guardians, to review ~~examine~~ the scope
17 and sequence of instructional materials to be used in such
18 class or course electronically or in person.

19 (e) The State Board of Education shall make available
20 resource materials developed in consultation with
21 stakeholders, with the cooperation and input of experts that
22 provide comprehensive, culturally appropriate sexual health
23 education and organizations and entities that promote
24 comprehensive, culturally appropriate sexual health education
25 policy. ~~the agency that administers grant programs consistent~~
26 ~~with criteria (1) and (1.5) of subsection (c) of this Section,~~

1 ~~for educating children regarding sex education and may take~~
2 ~~into consideration the curriculum on this subject developed by~~
3 ~~other states, as well as any other curricular materials~~
4 ~~suggested by education experts and other groups that work on~~
5 ~~sex education issues.~~ Materials may include, without
6 limitation, model sexual health ~~sex~~ education curriculums and
7 sexual health education programs. The State Board of Education
8 shall make these resource materials available on its Internet
9 website, in a clearly identified and easily accessible place.
10 School districts that do not currently provide sexual health
11 ~~sex~~ education are not required to teach sexual health ~~sex~~
12 education. If a sexual health ~~sex~~ education class or course is
13 offered in any grade ~~of grades 6 through 12,~~ the school
14 district must teach the curriculum, adapted appropriately, to
15 all pupils in that grade, including pupils with disabilities
16 and non-English speaking pupils. Schools may choose and adapt
17 the culturally, developmentally, and age-appropriate,
18 medically accurate, evidence-based or evidence-informed, and,
19 in the case of grades 6 through 12, comprehensive sexual
20 health ~~complete sex~~ education curriculum that meets the
21 specific needs of its community.

22 (f) The State Board of Education shall, through existing
23 reporting mechanisms, direct each school district to identify
24 any curricula used to provide comprehensive sexual health
25 education, whether the instruction was provided by a teacher
26 in the school, a consultant, or a community group; the number

1 of pupils receiving instruction; the number of pupils excused
2 from instruction; and the duration of instruction and shall
3 report the results of this inquiry to the General Assembly
4 annually, beginning one year after the effective date of this
5 amendatory Act of the 102nd General Assembly.

6 (Source: P.A. 100-684, eff. 8-3-18; 101-579, eff. 1-1-20.)

7 (105 ILCS 5/27-9.2) (from Ch. 122, par. 27-9.2)

8 Sec. 27-9.2. Family Life. If any school district provides
9 courses of instruction designed to promote a ~~wholesome and~~
10 comprehensive understanding of the emotional, psychological,
11 physiological, hygienic and social responsibility aspects of
12 family life, then such courses of instruction shall include
13 the teaching of all pregnancy options ~~the alternatives to~~
14 ~~abortion~~, appropriate to the various grade levels; and
15 whenever such courses of instruction are provided in any of
16 grades 6 through 12, then such courses also shall include
17 instruction on the prevention, transmission, screening, and
18 treatment ~~spread~~ of HIV/AIDS ~~AIDS~~. However, no pupil shall be
19 required to take or participate in any family life class or
20 course on HIV/AIDS ~~AIDS~~ instruction if the pupil's ~~his~~ parent
21 or guardian submits written objection thereto, and refusal to
22 take or participate in such course or program shall not be
23 reason for suspension or expulsion of such pupil.

24 The State Superintendent of Education shall prepare and
25 make available to local school districts courses of

1 instruction designed to satisfy the requirements of this
2 Section.

3 The State Superintendent of Education shall develop a
4 procedure for evaluating and measuring the effectiveness of
5 the family life courses of instruction in each local school
6 district, including the setting of reasonable and equitable
7 goals for improved sexual health outcomes, such as reduced
8 instances and disparities of sexually transmitted infections
9 (STI), including HIV, increased instances of STI screening and
10 treatment, including for HIV, especially in community areas
11 with high STI, including HIV, diagnoses rates, and decreased
12 instances and disparities of sexual assault and unintended
13 pregnancy. ~~reduced sexual activity, sexually transmitted~~
14 ~~diseases and premarital pregnancy. The goals shall be set by~~
15 ~~the beginning of the 1991-92 school year.~~ The State
16 Superintendent shall distribute a copy of the procedure to
17 each local school district. Each local school district may
18 develop additional procedures or methods for measuring the
19 effectiveness of the family life courses of instruction within
20 the district. ~~Before the beginning of the 1993-94 school year,~~
21 ~~the State Superintendent shall collect and evaluate all~~
22 ~~relevant data to determine whether the goals are being~~
23 ~~achieved.~~

24 (Source: P.A. 86-941.)

25 Section 10. The Critical Health Problems and Comprehensive

1 Health Education Act is amended by changing Section 3 as
2 follows:

3 (105 ILCS 110/3)

4 Sec. 3. Comprehensive Health Education Program. The
5 program established under this Act shall include, but not be
6 limited to, the following major educational areas as a basis
7 for curricula in all elementary and secondary schools in this
8 State: human ecology and health, human growth and development,
9 the emotional, psychological, physiological, hygienic, and
10 social responsibilities of family life, culturally,
11 developmentally, linguistically, and age-appropriate,
12 medically accurate, and evidence-based or evidence-informed
13 information regarding ~~including sexual~~ abstinence ~~until~~
14 marriage, contraception, vaccination, Pre-exposure
15 Prophylaxis (PREP) and Post-exposure Prophylaxis (PEP), and
16 other medical care for the prevention ~~and control~~ of
17 unintended pregnancy and sexually transmitted infections
18 disease, including instruction in grades 6 through 12 on the
19 prevention, transmission, and treatment of HIV ~~spread of AIDS~~,
20 age-appropriate sexual abuse and assault awareness and
21 prevention education in grades pre-kindergarten through 12,
22 public and environmental health, consumer health, safety
23 education and disaster survival, mental health and illness,
24 personal health habits, alcohol and ~~7~~ drug use ~~7~~ and abuse,
25 including the medical and legal ramifications of alcohol,

1 drug, and tobacco use, abuse during pregnancy, ~~evidence-based~~
2 ~~and medically accurate information regarding sexual~~
3 ~~abstinence,~~ tobacco, nutrition, and dental health. The
4 instruction on mental health and illness must evaluate the
5 multiple dimensions of health by reviewing the relationship
6 between physical and mental health so as to enhance student
7 understanding, attitudes, and behaviors that promote health,
8 well-being, and human dignity. The program shall also provide
9 course material and instruction to advise pupils of the
10 Abandoned Newborn Infant Protection Act. The program shall
11 include medically accurate information about cancer,
12 including, without limitation, types of cancer, signs and
13 symptoms, risk factors, the importance of early prevention and
14 detection, and information on where to go for help.
15 Notwithstanding the above educational areas, the following
16 areas may also be included as a basis for curricula in all
17 elementary and secondary schools in this State: basic first
18 aid (including, but not limited to, cardiopulmonary
19 resuscitation and the Heimlich maneuver), heart disease,
20 diabetes, stroke, the prevention of child abuse, neglect, and
21 suicide, and teen dating violence in grades 7 through 12.
22 Beginning with the 2014-2015 school year, training on how to
23 properly administer cardiopulmonary resuscitation (which
24 training must be in accordance with standards of the American
25 Red Cross, the American Heart Association, or another
26 nationally recognized certifying organization) and how to use

1 an automated external defibrillator shall be included as a
2 basis for curricula in all secondary schools in this State.

3 The school board of each public elementary and secondary
4 school in the State shall encourage all teachers and other
5 school personnel to acquire, develop, and maintain the
6 knowledge and skills necessary to properly administer
7 life-saving techniques, including, without limitation, the
8 Heimlich maneuver and rescue breathing. The training shall be
9 in accordance with standards of the American Red Cross, the
10 American Heart Association, or another nationally recognized
11 certifying organization. A school board may use the services
12 of non-governmental entities whose personnel have expertise in
13 life-saving techniques to instruct teachers and other school
14 personnel in these techniques. Each school board is encouraged
15 to have in its employ, or on its volunteer staff, at least one
16 person who is certified, by the American Red Cross or by
17 another qualified certifying agency, as qualified to
18 administer first aid and cardiopulmonary resuscitation. In
19 addition, each school board is authorized to allocate
20 appropriate portions of its institute or inservice days to
21 conduct training programs for teachers and other school
22 personnel who have expressed an interest in becoming qualified
23 to administer emergency first aid or cardiopulmonary
24 resuscitation. School boards are urged to encourage their
25 teachers and other school personnel who coach school athletic
26 programs and other extracurricular school activities to

1 acquire, develop, and maintain the knowledge and skills
2 necessary to properly administer first aid and cardiopulmonary
3 resuscitation in accordance with standards and requirements
4 established by the American Red Cross or another qualified
5 certifying agency. Subject to appropriation, the State Board
6 of Education shall establish and administer a matching grant
7 program to pay for half of the cost that a school district
8 incurs in training those teachers and other school personnel
9 who express an interest in becoming qualified to administer
10 cardiopulmonary resuscitation (which training must be in
11 accordance with standards of the American Red Cross, the
12 American Heart Association, or another nationally recognized
13 certifying organization) or in learning how to use an
14 automated external defibrillator. A school district that
15 applies for a grant must demonstrate that it has funds to pay
16 half of the cost of the training for which matching grant money
17 is sought. The State Board of Education shall award the grants
18 on a first-come, first-serve basis.

19 No pupil shall be required to take or participate in any
20 class or course on HIV/AIDS ~~AIDS~~ or family life instruction or
21 to receive training on how to properly administer
22 cardiopulmonary resuscitation or how to use an automated
23 external defibrillator if the pupil's ~~his or her~~ parent or
24 guardian submits written objection thereto, and refusal to
25 take or participate in the course or program or the training
26 shall not be reason for suspension or expulsion of the pupil.

1 Curricula developed under programs established in
2 accordance with this Act in the major educational area of
3 alcohol and drug use and abuse shall include classroom
4 instruction in grades 5 through 12. The instruction, which
5 shall include matters relating to both the physical and legal
6 effects and ramifications of drug and substance abuse, shall
7 be integrated into existing curricula; and the State Board of
8 Education shall develop and make available to all elementary
9 and secondary schools in this State instructional materials
10 and guidelines which will assist the schools in incorporating
11 the instruction into their existing curricula. In addition,
12 school districts may offer, as part of existing curricula
13 during the school day or as part of an after school program,
14 support services and instruction for pupils or pupils whose
15 parent, parents, or guardians are chemically dependent.

16 (Source: P.A. 101-305, eff. 1-1-20; revised 8-21-20.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.