

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 185

Short Title: Clarifying Sex Ed Time Frame. (Public)

Sponsors: Representatives Torbett, Blackwell, Zenger, and Wheatley (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - K-12, if favorable, Health, if favorable, Rules, Calendar, and
Operations of the House

February 27, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY REPRODUCTIVE HEALTH AND SAFETY EDUCATION
3 REQUIREMENTS IN PUBLIC SCHOOL UNITS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-81.30 reads as rewritten:

6 "**§ 115C-81.30. Reproductive health and safety education provided by local school**
7 **administrative units.**

8 (a) Each local school administrative unit shall provide a reproductive health and safety
9 education program commencing in the seventh ~~grade~~ grade and not before. Materials used in
10 this instruction shall be age-appropriate for use with students. Law enforcement agencies,
11 criminal justice agencies, and nongovernmental organizations with experience in sex-trafficking
12 prevention and awareness may provide materials and information. Information conveyed during
13 the instruction shall be objective and based upon scientific research that is peer reviewed and
14 accepted by professionals and credentialed experts in any of the following fields: sexual health
15 education, adolescent psychology, behavioral counseling, medicine, human anatomy, biology,
16 ethics, or health education. Reproductive health and safety instruction provided by the local
17 school administrative units shall do the following:

18"

19 **SECTION 2.** G.S. 115C-81.30(c) reads as rewritten:

20 "(c) Parental Review and Consent. – Each school year, before students may participate in
21 any portion of (i) a program that pertains to or is intended to impart information or promote
22 discussion or understanding in regard to the prevention of sexually transmitted diseases,
23 including HIV/AIDS, or to the avoidance of out-of-wedlock pregnancy or (ii) a reproductive
24 health and safety education program, whether developed by the State or by the local board of
25 education, the parents and legal guardians of those students shall be given an opportunity to
26 review the objectives and materials as provided in G.S. 115C-81.25(d). Local boards of education
27 shall adopt policies to ~~provide opportunities either for~~ require parents and legal guardians to
28 consent ~~or for parents and legal guardians to withhold their consent~~ to the students' participation
29 in any or all of these ~~programs~~ programs before the student is allowed to participate in the
30 programs."

31 **SECTION 3.** G.S. 115C-218.85(a) is amended by adding a new subdivision to read:

32 "(6) The school shall not provide instruction on any reproductive health and safety
33 education covered under G.S. 115C-81.30 prior to the start of the seventh
34 grade."



1 **SECTION 4.** G.S. 115C-238.66(1) is amended by adding a new sub-subdivision to
2 read:
3 "f. The board of directors shall ensure that no material covering
4 reproductive health and safety education described under
5 G.S. 115C-81.30 commences prior to the start of the seventh grade."
6 **SECTION 5.** G.S. 116-239.8(b)(2) is amended by adding a new sub-subdivision to
7 read:
8 "e. The chancellor shall ensure that no material covering reproductive
9 health and safety education described under G.S. 115C-81.30
10 commences prior to the start of the seventh grade."
11 **SECTION 6.** This act is effective when it becomes law.