

**94TH GENERAL ASSEMBLY****State of Illinois****2005 and 2006****SB2267**

Introduced 1/12/2006, by Sen. Carol Ronen

SYNOPSIS AS INTRODUCED:

New Act

Creates the Age-appropriate Sex Education Grant Program Act. Subject to appropriation, requires the Department of Human Services to develop and administer a program of grants for programs of age-appropriate sex education. Provides that eligible grant applicants include (i) public school districts, (ii) State-certified local health departments, (iii) community based organizations, (iv) religious entities, and (v) consortiums or partnerships of school districts and community based organizations. Sets forth requirements for age-appropriate sex education programs and for applications to receive grants. Requires eligible applicants that have received grants under the Act to file an annual report with the Department and requires the Department to submit an annual report to the Governor and the General Assembly. Permits grants for curriculum development and innovative programming. Requires the Department to notify potential applicants at least 90 days prior to the application deadline. Requires the Department to promulgate rules reasonably necessary to implement and administer the Act. Effective immediately.

LRB094 16260 LJB 51506 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning health.

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

4 Section 1. Short title. This Act may be cited as the
5 Age-appropriate Sex Education Grant Program Act.

6 Section 5. Legislative intent. The General Assembly finds
7 and declares that Illinois' teen birth rate, numbering over
8 18,000 per year, ranks among the highest in the nation.
9 Further, the United States has the highest teen pregnancy rate
10 of all developed countries. Current research documents the fact
11 that those individuals who receive early, comprehensive,
12 age-appropriate, and scientifically accurate education in the
13 health and other benefits derived from sexual abstinence,
14 family planning, and birth control are more likely to delay
15 sexual activity and engage in such activity later and with a
16 higher degree of responsibility and safety. Comprehensive sex
17 education programs, which complement parental involvement and
18 respect the diversity and values of our State, provide our
19 at-risk youth with the foundation to make responsibly informed
20 choices. The earlier these programs are commenced on an
21 age-appropriate basis, the more responsibly our youth will make
22 decisions about sexual activity.

23 The General Assembly further finds and declares that
24 current statistics demonstrate that occurrences of sexually
25 transmitted diseases among adolescents have shown an increase
26 over the past several years. Concurrently, adolescents are the
27 fastest growing population of new HIV/AIDS cases. These
28 increases place greater demand on the State's health care
29 delivery system and require that we take immediate action and
30 embark on a dedicated mission to provide targeted at-risk
31 adolescents with a more concentrated sex education program with
32 a significant parental component, designed to inform and

1 instruct them on abstinence, protection, and pregnancy
2 prevention. Nearly half of all new sexually transmitted disease
3 cases occurred among Americans aged 15 to 24. In Illinois,
4 one-third of all Chlamydia cases and over one-quarter of all
5 Gonorrhea cases occur in teens ages 15 to 19. By age 24, at
6 least one in 3 sexually active persons are estimated to have
7 had a sexually transmitted disease.

8 It is the intent of the legislature that the
9 age-appropriate sex education grant program established in
10 this Act provide adolescents with the information, assistance,
11 skills, and support to enable them to make responsible
12 decisions, including abstaining from sexual intercourse, and,
13 for those who do become sexually active, the effective use of
14 contraceptives and barrier methods.

15 Section 10. Definitions. For the purposes of this Act, the
16 following terms shall have the following meanings:

17 "Age-appropriate sex education grant program" means a
18 comprehensive age-appropriate sex education program conducted
19 by an eligible applicant under Section 15 of this Act.

20 "Department" means the Illinois Department of Human
21 Services.

22 "Eligible applicant" means any of the following:

23 (1) A public school district.

24 (2) A State-certified local health department.

25 (3) A community based organization that may be a
26 for-profit corporation or entity or not-for-profit
27 corporation or organization.

28 (4) A religious corporation, church, or other
29 religious entity, provided that, either directly or
30 indirectly, the promotion or teaching of religious tenets
31 is not a component of a sex education program.

32 (5) A consortium or partnership formed by a public
33 school district and one or more community based
34 organizations that qualify for the award of an
35 age-appropriate sex education grant by the Department

1 under this Act.

2 "Grant program plan" means the plan submitted to the
3 Department by an eligible applicant under Section 15 of this
4 Act.

5 "Medically accurate" means verified or supported by
6 research conducted in compliance with scientific methods,
7 published in peer-reviewed journals, when appropriate, and
8 recognized as accurate and objective by professional
9 organizations and agencies with expertise in the relevant
10 field, such as the Centers for Disease Control and Prevention.

11 "State income standard" means the most recent federal
12 income official poverty line as defined annually and revised by
13 the federal Office of Management and Budget adjusted for family
14 size.

15 Section 15. Establishment of age-appropriate sex education
16 grant program; components of instruction; general standards.

17 (a) There is established within the Illinois Department of
18 Human Services an age-appropriate sex education grant program
19 subject to appropriation. The purpose of the program shall be
20 to provide grants to eligible applicants to support
21 age-appropriate sex education programs for young people that
22 provide them with components of instruction set forth in
23 subsection (b) of this Section.

24 (b) The age-appropriate sex education programs approved
25 under this grant program shall include the following components
26 of instruction:

27 (1) Teaches that abstinence is the only sure way to
28 avoid pregnancy or sexually transmitted diseases.

29 (2) Teaches skills to make responsible decisions about
30 sexuality, including how to avoid unwanted verbal,
31 physical, and sexual advances, and how not to make unwanted
32 verbal, physical, and sexual advances.

33 (3) Teaches how alcohol and drug use can affect
34 responsible decision making.

35 (4) Helps young people to gain knowledge about the

1 physical, biological, and hormonal changes of adolescence
2 and subsequent stages of human maturation.

3 (5) Provides information about the health benefits,
4 side effects, and proper use of all contraceptives and
5 barrier methods, including accurate information about
6 effectiveness, as a means to prevent pregnancy and as a
7 means to reduce the risk of contracting sexually
8 transmitted diseases, HIV/AIDS, and other diseases.

9 (6) Assists young people in gaining knowledge about the
10 specific involvement and responsibility of both males and
11 females in sexual decision making.

12 (7) Encourages young people to practice healthy life
13 skills, including goal setting, decision making,
14 negotiation, communication, and stress management.

15 (8) Promotes self-esteem and positive interpersonal
16 skills focusing on relationship skills, including
17 platonic, romantic, intimate, and family relationships and
18 interaction.

19 The Department may determine certain components of
20 instruction to be optional in grades kindergarten through 5 for
21 age-appropriate or other practical reasons as specified in the
22 application instructions made available by the Department for
23 the purposes of implementing this Act.

24 (c) Any eligible applicant may apply for and, upon approval
25 of the application by the Department, shall be awarded an
26 annual age-appropriate sex education grant if it demonstrates
27 in the grant program plan submitted to the Department that:

28 (1) The components of instruction shall adhere to the
29 following standards:

30 (A) Is age-appropriate.

31 (B) Is medically accurate.

32 (C) Does not teach or promote religion, provided
33 that this item shall not preclude discussion of moral,
34 ethical, or religious views related to sex or sexual
35 relationships.

36 (D) Stresses the value of abstinence while not

1 ignoring those adolescents who have had or who are
2 having sexual intercourse.

3 (E) Encourages family communication about
4 sexuality among parents, other adult household
5 members, and children.

6 (F) Develops the knowledge and skills necessary to
7 ensure and protect young people with respect to their
8 sexual and reproductive health.

9 (G) Develops healthy attitudes and values
10 concerning growth and development, body image, gender
11 roles, sexual orientation, and other subjects.

12 (2) The applicant is capable of providing young persons
13 with an effective sex education program that shall be
14 meaningful, shall substantially involve parents and other
15 adults as feasible and appropriate, and shall be conducted
16 in accordance with this Act and any rule under this Act.

17 (3) If the applicant is an organization outside of a
18 school-setting that provides sex education, including, but
19 not limited to, a community organization, religious
20 corporation, church, or other religious entity, it has a
21 demonstrated record of conducting comprehensive sex
22 education that conforms to the standards set forth in
23 paragraph (1) of this subsection, it will use instructional
24 strategies that are high quality and based on medically
25 accurate research, it is capable of providing an
26 age-appropriate sex education program to a broad based
27 segment of the youth population in the organization's
28 service area, and it will provide instruction consistent
29 with applicable federal, State, and local health, safety,
30 and civil rights laws. The Department may seek and shall
31 receive any pertinent information or may request and
32 receive recommendations as to interactions or prior
33 dealings the community based organization, religious
34 corporation, church, or other religious entity has had with
35 any other State or local governmental entity, including,
36 but not limited to, any public school district, in making

1 the determination required by this paragraph.

2 Section 20. Application for grants; age-appropriate sex
3 education grant program plan.

4 (a) The Department shall establish an application
5 procedure by which eligible applicants may apply for a grant
6 pursuant to this Act. The Department shall establish the manner
7 and method, including specified objective criteria consistent
8 with this Act, by which the Department shall determine the
9 eligibility of an applicant. Once an application is approved,
10 the Department shall not suspend a grant unless for good cause
11 shown. If an application is rejected by the Department, an
12 eligible applicant is not prohibited from resubmitting a new or
13 supplemental application with the Department for consideration
14 in future years.

15 (b) The eligible applicant shall submit with its
16 age-appropriate sex education grant application its grant
17 program plan to the Department, which shall include, but not be
18 limited to:

19 (1) The manner in which parents and other adults will
20 be included in the program.

21 (2) An outline for the curriculum to be covered in the
22 eligible applicant's program, including the instructional
23 materials, books, videos, or other instructional tools to
24 be used and the training that will be provided to teachers,
25 personnel, and volunteers who will conduct the program. The
26 curriculum shall include, but need not be limited to, a
27 comprehensive block of instruction that stresses the
28 components of instruction of an age-appropriate sex
29 education grant program as established in Section 15 of
30 this Act.

31 (3) Any special, unusual, or innovative services,
32 programs, or education methods to be used.

33 (4) The number and types of teachers or personnel to be
34 employed, or volunteers to be used, together with their
35 professional or academic credentials.

1 (5) The geographic area in which the proposed program
2 will be offered and a description of the categories and age
3 groupings of at-risk adolescents included in the program,
4 along with an estimate of the number of adolescents the
5 applicant estimates will participate in the program.

6 (6) A demonstration that the proposed program is
7 adequate in terms of course length and in terms of both
8 short-term and long-range goals.

9 (7) The program is appropriate within the overall goals
10 of school health.

11 (8) The need for the program in the proposed area to be
12 served. In determining the need the Department shall
13 specifically consider the following factors and give
14 special attention to programs servicing areas that have a
15 higher than average incidence in one or more of the
16 following life experiences:

17 (A) The number of reported adolescent pregnancies
18 by persons residing in the area over the previous 10
19 years and the number of adolescent parents, including
20 when feasible the number of single parents, who
21 currently reside in the area.

22 (B) The number of reported occurrences of sexually
23 transmitted diseases and HIV/AIDS among residents of
24 the area to be served, with particular emphasis on
25 HIV/AIDS.

26 (C) The number of persons residing in the area to
27 be served whose annual personal income is less than
28 150% of the established State income standard and any
29 other generally available statistical data that
30 indicate that the area to be served is economically or
31 otherwise disadvantaged.

32 (D) The high school drop out rate in the area.

33 (E) Any other generally available statistical data
34 that indicate that the area to be served is in need of
35 an age-appropriate sex education program.

36 (F) The success realized by an eligible applicant

1 in reducing unintended pregnancies and cases of
2 sexually transmitted diseases, as well as reducing
3 risky behavior, in programs previously or currently
4 conducted.

5 (G) Any other information as the Department may
6 request.

7 (c) In considering applications submitted by eligible
8 applicants, the Department shall give special attention and
9 priority to applications submitted by an eligible applicant
10 that is a public school district working in consortium or
11 partnership with one or more community based organizations,
12 especially when the community based organization or
13 organizations have a demonstrated record of success in the
14 conduct of sex education programs of a similar nature to the
15 sex education program provided for in this Act.

16 Section 25. Annual reports by grant recipients.

17 (a) Every eligible applicant that has been awarded a grant
18 under this Act shall file an annual report with the Department,
19 in a form and with the data as the Department prescribes,
20 detailing the expenditure of grant funds, together with an
21 analysis of the age-appropriate sex education grant program it
22 conducted, and a summary of its success or failures in altering
23 attitudes and the acquisition of knowledge regarding the merits
24 of sexual abstinence and methods of preventing unintended
25 pregnancies, sexually transmitted diseases, and HIV/AIDS.

26 (b) The Department shall, on or before February 1 of each
27 year, submit a report on the program to the Governor and the
28 General Assembly containing its findings and recommendations.

29 Section 30. Grants for curriculum development and
30 innovative programming. The Department may award grants to
31 eligible applicants for the development of age-appropriate,
32 comprehensive sex education curriculum and innovative
33 programming. The curriculum and programming developed under
34 these grants must include the components outlined in Section 15

1 of this Act.

2 Section 35. Notification to potential applicants. The
3 Department shall at least 90 days prior to the application
4 deadline send to every public school district and to every
5 requesting community based organization a copy of this Act and
6 general information relating to the age-appropriate sex
7 education grant program and the grant application process.

8 Section 40. Rules. The Department shall promulgate rules
9 reasonably necessary to implement and administer the
10 provisions of this Act.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.