

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 19-0032.03 Shelby Ross x4510

**HOUSE BILL 19-1032**

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**A BILL FOR AN ACT**

101 **CONCERNING COMPREHENSIVE HUMAN SEXUALITY EDUCATION, AND,**  
102 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill moves provisions of the statutory legislative declaration to a nonstatutory legislative declaration.

The bill clarifies content requirements for public schools that offer comprehensive human sexuality education and prohibits instruction from explicitly or implicitly teaching or endorsing religious ideology or sectarian tenets or doctrines, using shame-based or stigmatizing language

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

HOUSE  
3rd Reading Unamended  
February 19, 2019

HOUSE  
Amended 2nd Reading  
February 15, 2019

or instructional tools, employing gender norms or gender stereotypes, or excluding the relational or sexual experiences of lesbian, gay, bisexual, or transgender individuals.

Current law provides for a comprehensive human sexuality education grant program. The bill amends certain provisions of the grant program to:

- ! Require the department of public health and environment to submit an annual report concerning the outcomes of the grant program indefinitely;
- ! Add 8 representatives to the oversight entity and require membership of the oversight entity to be comprised of at least 7 members who are members of groups of people who have been or might be discriminated against;
- ! Require grant applicants to demonstrate a need for money to implement comprehensive human sexuality education; and
- ! Require that rural public schools or public schools that do not currently offer comprehensive human sexuality education receive priority when selecting grant applicants.

The bill provides a general appropriation of at least \$1 million annually for the grant program.

The bill prohibits the state board of education from waiving the content requirements for any public school that provides comprehensive human sexuality education.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4           (a) The decisions an individual makes regarding the individual's  
5 sexual health impacts the public health and welfare of the community in  
6 which the individual lives;

7           (b) The liberty of parents and legal guardians to direct the  
8 upbringing, education, and care of their children is a fundamental right,  
9 and a parent's or legal guardian's interest and effort to guide his or her  
10 children in healthy and appropriate cultural and sexual relationships is a  
11 fundamental part of parenting;

1           (c) Sexual assault, interpersonal violence, and bullying are  
2 pervasive and serious public health concerns, placing impacted youth at  
3 increased risk for unintended pregnancy, sexually transmitted infections,  
4 low academic performance, truancy, dropout, self-harm, and other  
5 harmful behaviors. According to the 2017 Healthy Kids Colorado Survey,  
6 9.6% of youth who identify as female, 3% of youth who identify as male,  
7 and 18.5% of youth who identify as lesbian, gay, or bisexual (LGB)  
8 reported being physically forced to have sexual intercourse against their  
9 will. Approximately 11.1% of youth who identify as female, 7.1% of  
10 youth who identify as male, and 18.2% of youth who identify as LGB  
11 reported being physically hurt on purpose by someone they were dating.  
12 Over 28% of youth who identify as LGB reported being bullied or  
13 name-called because of their sexual orientation, and 18.6% of all youth  
14 reported being bullied on school property during the last year. These  
15 statistics reflect a dire need for all Colorado youth to have access to  
16 comprehensive human sexuality education that teaches consent, hallmarks  
17 of safe and healthy relationships, self-acceptance, and respect for others.

18           (d) According to the centers for disease control and prevention  
19 and the Colorado department of public health and environment, Colorado  
20 has a lower rate of teen births and certain sexually transmitted infections  
21 compared to the national average. In spite of this data, Colorado youth  
22 still face barriers to obtaining the medically accurate information and  
23 resources they need to make informed and responsible decisions  
24 concerning their sexual health.

25           (e) When accounting for all fifty states and the District of  
26 Columbia, Colorado is the only state that does not have a health  
27 graduation requirement. Twenty-four states and the District of Columbia

1 mandate sexual health education as a graduation requirement, and  
2 thirty-four states and the District of Columbia mandate human  
3 immunodeficiency virus (HIV) education as a graduation requirement.  
4 Colorado does not mandate sexual health education or HIV education.

5 (f) The Colorado general assembly and Colorado state board of  
6 education have long recognized the value of comprehensive health  
7 education, including comprehensive human sexuality education, by taking  
8 the following actions:

9 (I) The Colorado general assembly passed House Bill 07-1292,  
10 enacted in 2007, to establish content standards for the provision of human  
11 sexuality courses taught in public schools throughout the state;

12 (II) The Colorado general assembly passed Senate Bill 08-194,  
13 enacted in 2008, commonly known as the "Public Health Reauthorization  
14 Act", to create a statewide public health improvement plan to eliminate  
15 geographic-based and other disparities in the accessibility and availability  
16 of services through the state's public health agencies;

17 (III) The Colorado general assembly passed the "Preschool to  
18 Postsecondary Education Alignment Act", Senate Bill 08-212, enacted in  
19 2008, which states that all school district standards must meet or exceed  
20 established state standards, and that school districts must adopt  
21 curriculum and assessments that are consistent with these standards;

22 (IV) The Colorado general assembly passed House Bill 13-1081,  
23 enacted in 2013, which states that all Colorado youth have a right to  
24 access comprehensive human sexuality education, and requires school  
25 districts, boards of cooperative services, district charter schools, and  
26 institute charter schools that provide human sexuality instruction to  
27 ensure the instruction is comprehensive;

1 (V) In 2009, the Colorado state board of education adopted  
2 academic content standards for comprehensive health education that  
3 support youth in making informed and responsible decisions about their  
4 health and in having access to the tools they need to lead healthy lives;  
5 and

6 (VI) In 2018, the Colorado state board of education adopted  
7 academic content standards for comprehensive health education,  
8 including physical and personal wellness, social and emotional wellness,  
9 and prevention and risk management; and

10 (g) Short of mandating comprehensive human sexuality education  
11 as a graduation requirement, state law requires all human sexuality  
12 instruction provided in public schools to be comprehensive, pursuant to  
13 section 22-1-128, Colorado Revised Statutes. If the instruction is not  
14 comprehensive, it is a violation of state law.

15 **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**  
16 **with amendments,** 22-1-128 as follows:

17 **22-1-128. Comprehensive human sexuality education -**  
18 **guidelines and content standards - short title - legislative declaration**  
19 **- definitions.** (1) **Short title.** THE SHORT TITLE OF THIS SECTION IS THE  
20 "COLORADO YOUTH WELLNESS ACT".

21 (2) **Legislative declaration.** THE GENERAL ASSEMBLY FINDS AND  
22 DECLARES THAT:

23 (a) ALL COLORADO YOUTH HAVE A RIGHT TO RECEIVE MEDICALLY  
24 ACCURATE INFORMATION ABOUT THEIR SEXUAL HEALTH IN ORDER TO  
25 EMPOWER THEM TO MAKE INFORMED DECISIONS THAT PROMOTE THEIR  
26 PHYSICAL, MENTAL, AND SOCIAL-EMOTIONAL WELL-BEING;

27 (b) THIS RIGHT APPLIES TO ALL YOUTH, REGARDLESS OF

1 GEOGRAPHIC LOCATION, ETHNIC OR RACIAL BACKGROUND, IMMIGRATION  
2 STATUS, FAMILY INCOME, PHYSICAL OR INTELLECTUAL ABILITY, SEXUAL  
3 ORIENTATION, SEX, GENDER, OR GENDER EXPRESSION;

4 (c) PARENTS, CAREGIVERS, AND OTHER TRUSTED ADULTS SERVE AS  
5 AN ESSENTIAL PART OF THE EDUCATION PROCESS AND MAY RELY ON  
6 HEALTH AND EDUCATION PROFESSIONALS AND BROAD COMMUNITY-BASED  
7 PARTNERSHIPS TO PROVIDE MEDICALLY ACCURATE INFORMATION THAT  
8 EMPOWERS YOUTH TO MAKE DECISIONS THAT ARE CONSISTENT WITH THEIR  
9 INDIVIDUAL NEEDS, VALUES, AND LIFE GOALS;

10 (d) THE INFORMATION, EDUCATION, AND SKILLS THAT COLORADO  
11 YOUTH RECEIVE DURING THEIR FORMATIVE YEARS PROVIDE THE  
12 FOUNDATION FOR RESPONSIBLE DECISION-MAKING ABOUT PERSONAL  
13 BEHAVIORS AND IMPORTANT LIFE DECISIONS THROUGHOUT THE REST OF  
14 THEIR LIVES;

15 (e) IT IS IMPORTANT FOR YOUTH TO UNDERSTAND THE POSSIBLE  
16 OUTCOMES OF THE INCONSISTENT OR IMPROPER USE OF SEXUAL  
17 ABSTINENCE, CONTRACEPTION, OR CONDOMS. COMPREHENSIVE HUMAN  
18 SEXUALITY EDUCATION STRESSES THE IMPORTANCE OF THE CORRECT AND  
19 CONSISTENT USE OF SEXUAL ABSTINENCE, CONTRACEPTION, AND CONDOMS  
20 TO PREVENT PREGNANCY AND SEXUALLY TRANSMITTED INFECTIONS.

21 (f) IT IS IMPORTANT FOR YOUTH TO LEARN ABOUT SEX AND  
22 SEXUALITY IN THE CONTEXT OF HEALTHY RELATIONSHIPS.  
23 COMPREHENSIVE HUMAN SEXUALITY EDUCATION TEACHES YOUTH ABOUT  
24 CONSENT, SEXUAL ASSAULT, SEXUAL HARASSMENT, SEX TRAFFICKING,  
25 AND THE HALLMARKS OF SAFE AND HEALTHY RELATIONSHIPS. IT ALSO  
26 TEACHES YOUTH ABOUT THE DIFFERENT RELATIONSHIP MODELS THEY AND  
27 THEIR PEERS MAY ENGAGE IN, INCLUDING LESBIAN, GAY, BISEXUAL, AND

1 TRANSGENDER PEERS, AND HOW TO BE A SAFE AND HEALTHY PARTNER IN  
2 A RELATIONSHIP.

3 (g) COMPREHENSIVE HUMAN SEXUALITY EDUCATION FOSTERS  
4 YOUTH SOCIAL-EMOTIONAL HEALTH AND WELL-BEING BY TEACHING  
5 SELF-ACCEPTANCE AND RESPECT FOR THOSE WHOSE SEXUALITY, GENDER,  
6 GENDER EXPRESSION, OR LIVED EXPERIENCE DIFFER FROM THEIR OWN.  
7 COMPREHENSIVE HUMAN SEXUALITY EDUCATION REJECTS THE USE OF  
8 SHAME, STIGMA, FEAR, AND   GENDER STEREOTYPES AS INSTRUCTIONAL  
9 TOOLS AND RECOGNIZES THAT SUCH TACTICS ARE COUNTERPRODUCTIVE  
10 TO YOUTH EMPOWERMENT AND PARTICULARLY HARMFUL TO VULNERABLE  
11 AND QUESTIONING YOUTH.

12 (h) THERE IS A NEED TO CONTINUE AND EXPAND EFFORTS TO  
13 ENSURE THAT ALL COLORADO YOUTH HAVE ACCESS TO MEDICALLY  
14 ACCURATE, CULTURALLY SENSITIVE, AND AGE-APPROPRIATE INFORMATION  
15 AND RESOURCES CONVEYED BY COMPREHENSIVE HUMAN SEXUALITY  
16 EDUCATION; AND

17 (i) THE STATE OF COLORADO AND ELIGIBLE STATE AGENCIES AND  
18 OTHER ORGANIZATIONS MUST PURSUE FUNDING AND OTHER FEDERAL  
19 SUPPORT TO IMPLEMENT COMPREHENSIVE HUMAN SEXUALITY EDUCATION  
20 PROGRAMS. HOWEVER, COMPLIANCE WITH THIS SECTION IS NOT  
21 CONTINGENT ON RECEIPT OF STATE FUNDS, FEDERAL FUNDS, OR PUBLIC OR  
22 PRIVATE GIFTS, GRANTS, OR DONATIONS.

23 (3) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT  
24 OTHERWISE REQUIRES:

25 (a) "AGE-APPROPRIATE" MEANS TOPICS, MESSAGES, AND TEACHING  
26 METHODS SUITABLE TO A PARTICULAR AGE OR AGE GROUP, BASED ON  
27 DEVELOPING COGNITIVE, EMOTIONAL, AND BEHAVIORAL CAPACITY

1 TYPICAL FOR THE AGE OR AGE GROUP.

2 (b) "COMPREHENSIVE HUMAN SEXUALITY EDUCATION" MEANS  
3 HUMAN SEXUALITY INSTRUCTION THAT IS MEDICALLY ACCURATE,  
4 AGE-APPROPRIATE, CULTURALLY SENSITIVE, AND INCLUSIVE OF A POSITIVE  
5 YOUTH DEVELOPMENT FRAMEWORK. COMPREHENSIVE HUMAN SEXUALITY  
6 EDUCATION TEACHES YOUTH PREVENTIVE METHODS FOR AVOIDING  
7 UNINTENDED PREGNANCY AND SEXUALLY TRANSMITTED INFECTIONS.  
8 PREVENTIVE METHODS TAUGHT MUST INCLUDE INFORMATION ABOUT THE  
9 CORRECT AND CONSISTENT USE OF SEXUAL ABSTINENCE, CONTRACEPTION,  
10 INCLUDING ALL FEDERAL FOOD AND DRUG ADMINISTRATION-APPROVED  
11 FORMS OF CONTRACEPTION, EMERGENCY CONTRACEPTION, CONDOMS,  
12 OTHER BARRIER METHODS, AND OTHER PREVENTIVE METHODS.

13 (c) "CONSENT" MEANS THE AFFIRMATIVE, UNAMBIGUOUS,  
14 VOLUNTARY, CONTINUOUS, KNOWING AGREEMENT BETWEEN ALL  
15 PARTICIPANTS IN EACH PHYSICAL ACT WITHIN THE COURSE OF A SEXUAL  
16 ENCOUNTER OR INTERPERSONAL RELATIONSHIP.

17 (d) "CULTURALLY SENSITIVE" MEANS THE INTEGRATION OF  
18 KNOWLEDGE ABOUT INDIVIDUALS AND GROUPS OF PEOPLE INTO SPECIFIC  
19 STANDARDS, REQUIREMENTS, POLICIES, PRACTICES, AND ATTITUDES USED  
20 TO INCREASE THE QUALITY OF SERVICES. "CULTURALLY SENSITIVE"  
21 INCLUDES RESOURCES, REFERENCES, AND INFORMATION THAT IS  
22 MEANINGFUL TO THE EXPERIENCES AND NEEDS OF COMMUNITIES OF  
23 COLOR; IMMIGRANT COMMUNITIES; LESBIAN, GAY, BISEXUAL, AND  
24 TRANSGENDER COMMUNITIES; PEOPLE WITH PHYSICAL OR INTELLECTUAL  
25 AND DEVELOPMENTAL DISABILITIES; PEOPLE WHO HAVE EXPERIENCED  
26 SEXUAL VICTIMIZATION; AND OTHERS WHOSE EXPERIENCES HAVE  
27 TRADITIONALLY BEEN LEFT OUT OF SEXUAL HEALTH EDUCATION,



1 PROGRAMS, AND POLICIES.

2 (e) "GENDER STEREOTYPE" MEANS A GENERALIZED VIEW OR  
3 PRECONCEPTION ABOUT WHAT ATTRIBUTES, CHARACTERISTICS, OR ROLES  
4 ARE, OR OUGHT TO BE TAUGHT, POSSESSED BY OR PERFORMED BY WOMEN  
5 AND MEN.

6 (f) "HEALTHY RELATIONSHIP" MEANS AN INTERPERSONAL  
7 RELATIONSHIP THAT IS FREE OF PHYSICAL, SEXUAL, AND EMOTIONAL  
8 ABUSE, COERCION, AND VIOLENCE.

9 (g) "HUMAN SEXUALITY INSTRUCTION" OR "INSTRUCTION" MEANS  
10 AN ORAL, WRITTEN, OR DIGITAL LESSON, LECTURE, OR PRESENTATION,  
11 GIVEN BY SCHOOL STAFF OR NONSCHOOL STAFF, THAT TEACHES ABOUT  
12 ABSTINENCE OR SEXUAL ACTIVITY IN THE CONTEXT OF STUDENT HEALTH  
13 OR HEALTHY RELATIONSHIPS. INSTRUCTION DOES NOT INCLUDE STUDENT  
14 SPEECH.

15 (h) "MEDICALLY ACCURATE" MEANS VERIFIED OR SUPPORTED BY  
16 RESEARCH CONDUCTED IN COMPLIANCE WITH SCIENTIFIC METHODS AND  
17 PUBLISHED IN PEER-REVIEWED JOURNALS, WHERE APPROPRIATE, AND  
18 RECOGNIZED AS ACCURATE, OBJECTIVE, AND UNBIASED BY THE AMERICAN  
19 PUBLIC HEALTH ASSOCIATION, THE AMERICAN ACADEMY OF PEDIATRICS,  
20 OR THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS.

21 (i) "POSITIVE YOUTH DEVELOPMENT" MEANS AN APPROACH THAT  
22 EMPHASIZES THE MANY POSITIVE ATTRIBUTES OF YOUTH AND FOCUSES ON  
23 DEVELOPING INHERENT STRENGTHS AND ASSETS TO PROMOTE HEALTH.  
24 POSITIVE YOUTH DEVELOPMENT IS CULTURALLY SENSITIVE, INCLUSIVE OF  
25 ALL YOUTH, COLLABORATIVE, AND STRENGTH-BASED.

26 (j) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT, A  
27 DISTRICT CHARTER SCHOOL, AN INSTITUTE CHARTER SCHOOL, A FACILITY

1 SCHOOL, OR A SCHOOL OPERATED BY A BOARD OF COOPERATIVE SERVICES.

2 (k) "SEXUAL ABSTINENCE" MEANS NOT ENGAGING IN ORAL,  
3 VAGINAL, OR ANAL INTERCOURSE OR GENITAL SKIN-TO-SKIN CONTACT.

4 (4) **Comprehensive human sexuality education content**  
5 **requirements.** A PUBLIC SCHOOL THAT OFFERS HUMAN SEXUALITY  
6 INSTRUCTION MUST ENSURE THE INSTRUCTION MEETS COMPREHENSIVE  
7 HUMAN SEXUALITY EDUCATION CONTENT REQUIREMENTS. THESE  
8 REQUIREMENTS MUST:

9 (a) PROMOTE YOUTH UNDERSTANDING OF SEXUAL ACTIVITY,  
10 SEXUALITY, AND SEXUAL ORIENTATION AS A NORMAL PART OF HUMAN  
11 DEVELOPMENT AND ENCOURAGE YOUTH COMMUNICATION WITH PARENTS,  
12 FAMILY, AND OTHER TRUSTED ADULTS ABOUT GENDER, GENDER  
13 EXPRESSION, SEXUAL ACTIVITY, SEXUALITY, AND SEXUAL ORIENTATION;

14 (b) INCLUDE MEDICALLY ACCURATE INFORMATION ABOUT ALL  
15 PREVENTIVE METHODS TO AVOID UNINTENDED PREGNANCY AND  
16 SEXUALLY TRANSMITTED INFECTIONS, INCLUDING HIV/AIDS.  
17 PREVENTIVE METHODS TAUGHT MUST:

18 (I) INCLUDE INFORMATION ABOUT THE CORRECT AND CONSISTENT  
19 USE OF SEXUAL ABSTINENCE, CONTRACEPTION, INCLUDING ALL FEDERAL  
20 FOOD AND DRUG ADMINISTRATION-APPROVED FORMS OF CONTRACEPTION,  
21 EMERGENCY CONTRACEPTION, CONDOMS, AND OTHER BARRIER METHODS;

22 (II) BE TAUGHT IN A COHESIVE, INTEGRATED, OBJECTIVE MANNER  
23 SO THAT YOUTH LEARN THE FULL SCOPE OF PREVENTIVE METHODS  
24 AVAILABLE TO THEM AND ARE EMPOWERED TO DECIDE FOR THEMSELVES  
25 WHICH PREVENTIVE METHODS ARE BEST SUITED FOR THEIR INDIVIDUAL  
26 NEEDS, BELIEFS, AND VALUES; AND

27 (III) NOT EMPHASIZE SEXUAL ABSTINENCE AS THE PRIMARY OR

1 SOLE ACCEPTABLE PREVENTIVE METHOD AVAILABLE TO STUDENTS. A  
2 PUBLIC SCHOOL SHALL NOT ENGAGE THE INSTRUCTIONAL SERVICES OF AN  
3 ORGANIZATION OR INDIVIDUAL THAT IS A DIRECT OR INDIRECT RECIPIENT  
4 OF MONEY FROM THE FEDERAL GOVERNMENT PURSUANT TO 42 U.S.C. SEC.  
5 710, AS AMENDED, BECAUSE THE GUIDELINES SET FORTH IN 42 U.S.C. SEC.  
6 710 ARE INCONSISTENT WITH THE PROVISIONS OF THIS SECTION. \_\_\_

7 (c) PROMOTE THE DEVELOPMENT OF SAFE AND HEALTHY  
8 RELATIONSHIPS BY PROVIDING HUMAN SEXUALITY INSTRUCTION ON:

9 (I) HOW TO COMMUNICATE CONSENT, RECOGNIZE  
10 COMMUNICATION OF CONSENT, AND RECOGNIZE WITHDRAWAL OF  
11 CONSENT;

12 (II) HOW TO AVOID MAKING UNWANTED VERBAL, PHYSICAL, AND  
13 SEXUAL ADVANCES;

14 (III) HOW TO AVOID MAKING ASSUMPTIONS ABOUT A PERSON'S  
15 SUPPOSED SEXUAL INTENTIONS BASED ON THAT PERSON'S APPEARANCE OR  
16 SEXUAL HISTORY;

17 (IV) HOW TO AVOID PURSUING A SEXUAL ENCOUNTER WITH A  
18 PERSON OR PERSUADING A PERSON TO PARTICIPATE IN A SEXUAL  
19 ENCOUNTER WHEN THAT PERSON HAS NOT PROVIDED CONSENT OR HAS  
20 WITHDRAWN CONSENT; AND

21 (V) HOW TO RECOGNIZE AND RESPOND SAFELY AND EFFECTIVELY  
22 IN SITUATIONS WHERE PHYSICAL, SEXUAL, OR EMOTIONAL ABUSE OR  
23 VIOLENCE MAY BE OCCURRING OR WHERE THERE MAY BE A RISK FOR THESE  
24 BEHAVIORS TO OCCUR;

25 (d) TEACH HOW ALCOHOL AND DRUG USE CAN AFFECT  
26 DECISION-MAKING, IMPACT SEXUAL HEALTH, AND FACILITATE INCIDENCES  
27 OF GENDER-BASED VIOLENCE, INCLUDING THE DELIBERATE USE OF

1 ALCOHOL AND DRUGS TO PERPETRATE SEXUAL VIOLENCE;

2 (e) TEACH THAT SEXUAL HEALTH IS AN INTEGRAL PART OF ONE'S  
3 OVERALL HEALTH AND WELLNESS; AND

4 (f) FOR SCHOOL DISTRICTS THAT HAVE ESTABLISHED A CHARACTER  
5 EDUCATION PROGRAM PURSUANT TO SECTION 22-29-103, PROMOTE THE  
6 GUIDELINES OF BEHAVIOR ESTABLISHED IN THE CHARACTER EDUCATION  
7 PROGRAM.

8 (5) COMPREHENSIVE HUMAN SEXUALITY EDUCATION DOES NOT  
9 REQUIRE INSTRUCTION ON PREGNANCY OUTCOME OPTIONS. HOWEVER, IF  
10 A PUBLIC SCHOOL OPTS TO PROVIDE INSTRUCTION ON PREGNANCY  
11 OUTCOME OPTIONS, THE INSTRUCTION MUST COVER ALL PREGNANCY  
12 OUTCOME OPTIONS, INCLUDING BUT NOT LIMITED TO ADOPTION,  
13 ABORTION, PARENTING, AND INFORMATION CONCERNING SECTIONS  
14 18-6-401 (9) AND 19-3-304.5, OR ANY SUCCESSOR LAWS, REFERRED TO  
15 GENERALLY AS "SAFE HAVEN LAWS." INSTRUCTION ON PREGNANCY  
16 OUTCOME OPTIONS MUST BE PROVIDED IN AN OBJECTIVE, UNBIASED  
17 MANNER AND MUST NOT ENDORSE OR FAVOR ONE OR MORE PREGNANCY  
18 OUTCOME OPTIONS.

19 (6) (a) NOTHING IN SUBSECTION (4) OR (5) OF THIS SECTION SHALL  
20 BE INTERPRETED TO PROHIBIT STUDENTS FROM DISCUSSING THEIR  
21 INDIVIDUAL MORAL, ETHICAL, OR RELIGIOUS VALUES IN THE CONTEXT OF  
22 HUMAN SEXUALITY INSTRUCTION. SUCH DISCUSSION IS ENCOURAGED.

23 (b) HOWEVER, HUMAN SEXUALITY INSTRUCTION MUST NOT  
24 EXPLICITLY OR IMPLICITLY:

25

26 (I) USE SHAME-BASED OR STIGMATIZING LANGUAGE OR  
27 INSTRUCTIONAL TOOLS;

1           (II) EMPLOY     GENDER STEREOTYPES; OR

2           (III) EXCLUDE THE HEALTH NEEDS OF LESBIAN, GAY, BISEXUAL, OR  
3 TRANSGENDER INDIVIDUALS.

4                  

5           (7) PUBLIC SCHOOLS, SCHOOL DISTRICTS, AND BOARDS OF  
6 COOPERATIVE SERVICES ARE ENCOURAGED TO INVOLVE TEACHERS,  
7 SCHOOL NURSES, PARENTS, YOUTH, SEXUAL HEALTH ADVOCATES, AND  
8 COMMUNITY PARTNERS IN THE DEVELOPMENT OF HUMAN SEXUALITY  
9 INSTRUCTION THAT MEETS THE CONTENT REQUIREMENTS SET FORTH IN  
10 SUBSECTION (4) OF THIS SECTION AND TO INTEGRATE AVAILABLE  
11 COMMUNITY RESOURCES INTO PROGRAMS RELATED TO COMPREHENSIVE  
12 HUMAN SEXUALITY EDUCATION.

13           (8) **Written notification required.**     EXCEPT AS OTHERWISE  
14 PROVIDED IN SUBSECTION (4) OF THIS SECTION, A PUBLIC SCHOOL THAT  
15 OFFERS HUMAN SEXUALITY INSTRUCTION SHALL PROVIDE TO THE PARENT  
16 OR GUARDIAN OF EACH STUDENT, PRIOR TO COMMENCING THE  
17 INSTRUCTION:

18           (I) WRITTEN NOTIFICATION OF THE ABILITY TO EXCUSE A STUDENT,  
19 WITHOUT PENALTY OR ADDITIONAL ASSIGNMENT, UPON THE WRITTEN  
20 REQUEST OF THE STUDENT'S PARENT OR GUARDIAN; AND

21           (II) A DETAILED, SUBSTANTIVE OUTLINE OF THE TOPICS AND  
22 MATERIALS TO BE PRESENTED DURING THE HUMAN SEXUALITY  
23 INSTRUCTION.

24              

25           (9) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE  
26 AN ACT OR PROCEDURE IN ADDITION TO THE SIGNATURE OF THE PARENT OR  
27 GUARDIAN REQUIRED IN SUBSECTION (8) OF THIS SECTION TO EXCUSE A

1 STUDENT FROM COMPREHENSIVE HUMAN SEXUALITY EDUCATION.

2 (10) EACH SCHOOL DISTRICT BOARD OF EDUCATION, BOARD OF  
3 COOPERATIVE SERVICES, GOVERNING BOARD OF A DISTRICT CHARTER  
4 SCHOOL, OR THE STATE CHARTER SCHOOL INSTITUTE IS ENCOURAGED TO  
5 DISSEMINATE POLICIES OR GUIDELINES TO ITS PUBLIC SCHOOLS TO ENSURE  
6 THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION IN A MANNER  
7 THAT WILL NOT DRAW UNDUE ATTENTION TO, NOR CAUSE UNDUE  
8 EMBARRASSMENT FOR, STUDENTS EXCUSED FROM THE HUMAN SEXUALITY  
9 INSTRUCTION PURSUANT TO SUBSECTION (8)(a)(I) OF THIS SECTION.

10 (11)        ON AND AFTER JULY 1, 2013, A PUBLIC SCHOOL  
11 SHALL NOT APPLY FOR OR ACCEPT A GRANT FROM THE FEDERAL  
12 GOVERNMENT FOR THE PROVISION OF AN ABSTINENCE OR SEXUAL RISK  
13 AVOIDANCE EDUCATION PROGRAM THAT IS INCONSISTENT WITH THE  
14 PROVISIONS OF THIS SECTION.       

15 (12) NOTHING IN THIS SECTION REQUIRES AMENDING ANY  
16 CONTENT STANDARDS RELATED TO COMPREHENSIVE HUMAN SEXUALITY  
17 EDUCATION DEVELOPED BY THE DEPARTMENT OF EDUCATION AND  
18 ADOPTED BY THE STATE BOARD OF EDUCATION PRIOR TO JULY 1, 2018.

19 (13) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO PUBLIC  
20 SCHOOL STUDENTS IN PRESCHOOL THROUGH THIRD GRADE.       

21 (14) A PUBLIC SCHOOL MAY SEEK GRANT MONEY PURSUANT TO  
22 ARTICLE 44 OF TITLE 25 TO IMPLEMENT THE COMPREHENSIVE HUMAN  
23 SEXUALITY EDUCATION CONTENT REQUIREMENTS SET FORTH IN THIS  
24 SECTION. HOWEVER, COMPLIANCE WITH THIS SECTION IS NOT CONTINGENT  
25 UPON RECEIPT OF GRANT MONEY PURSUANT TO ARTICLE 44 OF TITLE 25,  
26 NOR IS IT CONTINGENT ON RECEIPT OF ANY OTHER STATE OR FEDERAL  
27 FUNDS, OR PUBLIC OR PRIVATE GIFTS, GRANTS, OR DONATIONS.

1           **SECTION 3.** In Colorado Revised Statutes, 25-44-101, **amend**  
2 the introductory portion, (3), (6), (8), and (10); **repeal** (2); and **add** (10.5)  
3 as follows:

4           **25-44-101. Definitions.** As used in this ~~article~~ ARTICLE 44, unless  
5 the context otherwise requires:

6           (2) ~~"Cash fund" means the comprehensive human sexuality~~  
7 ~~education grant program cash fund created in section 25-44-104.~~

8           (3) "Comprehensive human sexuality education" means HUMAN  
9 SEXUALITY INSTRUCTION THAT IS medically accurate, ~~information about~~  
10 ~~all methods to prevent unintended pregnancy and sexually transmitted~~  
11 ~~infections, including HIV, the link between human papillomavirus and~~  
12 ~~cancer, and other types of cancer involving the human reproductive~~  
13 ~~systems, including prostate, testicular, ovarian, and uterine cancer.~~

14 ~~Methods~~ AGE-APPROPRIATE, CULTURALLY SENSITIVE, AND INCLUSIVE OF  
15 A POSITIVE YOUTH DEVELOPMENT FRAMEWORK. COMPREHENSIVE HUMAN  
16 SEXUALITY EDUCATION TEACHES YOUTH PREVENTIVE METHODS FOR  
17 AVOIDING UNINTENDED PREGNANCY AND SEXUALLY TRANSMITTED  
18 INFECTIONS. PREVENTIVE METHODS TAUGHT must include information  
19 about the correct and consistent use of SEXUAL abstinence,  
20 CONTRACEPTION, INCLUDING ALL FEDERAL FOOD AND DRUG  
21 ADMINISTRATION-APPROVED FORMS OF contraception, EMERGENCY  
22 CONTRACEPTION, condoms, other barrier methods, and other ~~prevention~~  
23 ~~measures. Additional contents of comprehensive human sexuality~~  
24 ~~education must include:~~

25           (a) ~~Encouraging family communication about sexuality;~~

26           (b) ~~Teaching young people to avoid making unwanted verbal,~~  
27 ~~physical, and sexual advances;~~

1 (c) Discussions and information on how to recognize and respond  
2 safely and effectively in situations where sexual or physical violence may  
3 be occurring or where there may be a risk for these behaviors to occur;

4 (d) Focusing on the development of safe relationships, including  
5 the prevention of sexual violence in dating; and

6 (e) Teaching young people how alcohol and drug use can affect  
7 responsible decision-making

8 PREVENTIVE METHODS. HUMAN SEXUALITY  
9 INSTRUCTION MUST COMPLY WITH THE CONTENT REQUIREMENTS SET  
10 FORTH IN SECTION 22-1-128.

11 (6) "Evidence-based program" means a program that:

12 (a) Was evaluated using a rigorous research design, including:

13 (I) Measuring knowledge, attitude, and behavior;

14 (II) Having an adequate sample size;

15 (III) Using sound research methods and processes;

16 (IV) Replicating in different locations and finding similar  
17 evaluation results; and

18 (V) Publishing results in a peer-reviewed journal;

19 (b) Research has shown to be effective in changing at least one of  
20 the following behaviors that contribute to early pregnancy, sexually  
21 transmitted infections and disease, and HIV infection:

22 (I) Delaying sexual initiation;

23 (II) Reducing the frequency of sexual intercourse;

24 (III) Reducing the number of sexual partners; or

25 (IV) Increasing the use of condoms and other contraceptives

26 "MEDICALLY ACCURATE" HAS THE SAME MEANING AS DEFINED IN SECTION  
27 22-1-128.

(8) "Positive youth development" means an approach that



1 emphasizes the many positive attributes of ~~young people~~ YOUTH and  
2 focuses on developing inherent strengths and assets to promote health.  
3 Positive youth development is culturally sensitive, ~~age-appropriate~~,  
4 inclusive of all youth, collaborative, and strength-based.

5 (10) "Public school" means a school of a school district, a district  
6 charter school, an institute charter school, a facility school, or a SCHOOL  
7 OPERATED BY A board of cooperative services. ~~as defined in section~~  
8 ~~22-5-103.~~

9 (10.5) "SEXUAL ABSTINENCE" HAS THE SAME MEANING AS DEFINED  
10 IN SECTION 22-1-128.

11 **SECTION 4.** In Colorado Revised Statutes, **amend** 25-44-102 as  
12 follows:

13 **25-44-102. Comprehensive human sexuality education grant**  
14 **program - creation - notification to schools - report - rules.** (1) There  
15 is ~~hereby~~ created in the department the comprehensive human sexuality  
16 education grant program. The purpose of the program is to provide  
17 ~~moneys~~ MONEY to public schools and school districts for use in the  
18 creation and implementation of comprehensive human sexuality  
19 education ~~programs in their curriculum~~ PURSUANT TO SECTION 22-1-128.

20 (2) Upon receipt of federal ~~moneys~~ MONEY or other  
21 appropriations, ~~to the cash fund~~, the department, in conjunction with the  
22 oversight entity, shall notify the school districts, the state charter school  
23 institute, and boards of cooperative services throughout the state of grants  
24 available through the program.

25 (3) Based on the recommendations of the oversight entity, the  
26 department shall award grants to public schools and school districts for  
27 periods of one to three years.

1           (4) ~~Moneys~~ MONEY distributed to public schools and school  
2 districts through the program must only be used for the provision of  
3 ~~comprehensive human sexuality education programs~~ INSTRUCTION that  
4 ~~comply~~ COMPLIES with the provisions of and meet or exceed the CONTENT  
5 requirements for comprehensive human sexuality ~~curriculum~~ EDUCATION  
6 set forth in section 22-1-128 ~~C.R.S.~~, and developed pursuant to section  
7 22-25-104 (3). ~~C.R.S.~~

8           (5) On or before ~~December 1, 2013~~ DECEMBER 1, 2019, or not  
9 more than ninety days after the department receives sufficient ~~moneys~~  
10 MONEY to implement the program, whichever is later, the state board shall  
11 promulgate rules, IF NECESSARY, for the administration of this ~~article~~  
12 ARTICLE 44, using the recommendations developed by the oversight entity  
13 pursuant to section 25-44-103 (2)(b).

14           (6) (a) On or before ~~January 30, 2017~~ JANUARY 30, 2021, and  
15 every year thereafter in which grants have been awarded pursuant to this  
16 ~~article~~ ARTICLE 44, the department shall submit a report concerning the  
17 outcomes of the program to the state board of education, the department  
18 of education, and the education committees of the senate and house of  
19 representatives, the health and human services committee of the senate,  
20 and the public health care and human services committee of the house of  
21 representatives, or any successor committees. The report must include, at  
22 a minimum:

23           (I) The number of public schools and school districts that received  
24 a grant under the program;

25           (II) The number of students reached and the ~~curriculum~~  
26 INSTRUCTION utilized;

27           (III) The amount of each grant awarded;

1 (IV) The average amount of all grants awarded; and

2 (V) ~~The source and amount of each gift, grant, or donation~~  
3 ~~received by the department for the implementation of this article~~ AN  
4 ANALYSIS BY THE DEPARTMENT OF THE IMPACT OF FUNDING.

5 (b) ~~Pursuant to~~ NOTWITHSTANDING THE PROVISIONS OF section  
6 24-1-136 (11)(a)(I), THE REPORT REQUIRED IN this subsection (6) ~~is~~  
7 ~~repealed, effective July 2, 2020~~ CONTINUES INDEFINITELY.

8 (7) Notwithstanding any other provision of this ~~article~~ ARTICLE 44,  
9 the department ~~shall~~ IS not ~~be~~ required to implement the provisions of this  
10 ~~article~~ ARTICLE 44 until sufficient ~~moneys have~~ MONEY HAS been received  
11 ~~and transferred or appropriated. to the cash fund.~~

12 (8) ~~The provisions of this article shall not apply to students in~~  
13 ~~kindergarten through third grade unless the content of the instruction~~  
14 ~~relates to personal hygiene, healthy habits, respecting personal space and~~  
15 ~~boundaries, interpersonal communication skills, and personal safety, as~~  
16 ~~identified in the content standards developed by the department of~~  
17 ~~education and adopted by the state board of education.~~

18 **SECTION 5.** In Colorado Revised Statutes, **amend** 25-44-103 as  
19 follows:

20 **25-44-103. Comprehensive human sexuality education grant**  
21 **program - oversight entity - duties - application process.** (1) On or  
22 before ~~July 1, 2013~~ JULY 1, 2019, the department shall convene the  
23 interagency youth sexual health team, referred to in this ~~article~~ ARTICLE  
24 44 as the "oversight entity". Membership of the oversight entity must  
25 include:

26 (a) The executive director of the department of public health and  
27 environment, ~~or his or her~~ THE EXECUTIVE DIRECTOR'S designee;

- 1 (b) The executive director of the department of health care policy  
2 and financing, or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee;
- 3 (c) The commissioner of education, or ~~his or her~~ THE  
4 COMMISSIONER'S designee;
- 5 (d) The executive director of the department of human services,  
6 or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee; and
- 7 (e) A parent representative; ~~appointed by the department of health.~~
- 8 (f) A YOUTH REPRESENTATIVE;
- 9 (g) A REPRESENTATIVE OF KINDERGARTEN THROUGH  
10 TWELFTH-GRADE EDUCATORS;
- 11 (h) A REPRESENTATIVE OF SCHOOL-BASED HEALTH CENTERS OR A  
12 SCHOOL NURSE;
- 13 (i) A REPRESENTATIVE OF A STATEWIDE COALITION FOR SURVIVORS  
14 OF SEXUAL ASSAULT;
- 15 (j) A REPRESENTATIVE OF AN ORGANIZATION SERVING THE NEEDS  
16 OF YOUTH OF COLOR;
- 17 (k) A REPRESENTATIVE OF AN ORGANIZATION SERVING THE NEEDS  
18 OF IMMIGRANTS;
- 19 (l) A REPRESENTATIVE OF AN ORGANIZATION SERVING THE NEEDS  
20 OF LESBIAN, GAY, BISEXUAL, AND TRANSGENDER YOUTH; AND
- 21 (m) A REPRESENTATIVE FROM AN INTERFAITH ORGANIZATION.

22 (1.5) THE MEMBERS SPECIFIED IN SUBSECTIONS (1)(e) TO (1)(m)  
23 OF THIS SECTION SHALL BE APPOINTED BY THE DEPARTMENT. THE  
24 MEMBERSHIP OF THE OVERSIGHT ENTITY SHALL AT ALL TIMES REPRESENT  
25 DIVERSE COMMUNITY PERSPECTIVE AND MAKE AN EFFORT TO INCLUDE  
26 COMMITTEE MEMBERS WHO ARE DIVERSE WITH REGARDS TO DISABILITY,  
27 RACE, CREED, COLOR, GENDER, GENDER EXPRESSION, IMMIGRATION

1 STATUS, SEXUAL ORIENTATION, NATIONAL ORIGIN, ANCESTRY, MARITAL  
2 STATUS, RELIGION, AGE, ENGLISH PROFICIENCY, INCOME, AND  
3 GEOGRAPHIC REGION OF THE STATE, INCLUDING BOTH URBAN AND RURAL  
4 AREAS.

5 (1.7) THE PARENT REPRESENTATIVE AND YOUTH REPRESENTATIVE  
6 DESCRIBED IN SUBSECTIONS (1)(e) AND (1)(f) OF THIS SECTION ARE  
7 ENTITLED TO RECEIVE REIMBURSEMENT FOR NECESSARY EXPENSES  
8 INCURRED IN THE PERFORMANCE OF THE MEMBER'S DUTIES, INCLUDING  
9 DEPENDENT OR ATTENDANT CARE.

10 (2) The oversight entity has the following duties:

11 (a) During the ~~2013-14~~ 2019-20 academic year and every  
12 academic year thereafter, to assess opportunities for available federal and  
13 state ~~moneys to fund~~ MONEY FOR the program; except that the oversight  
14 entity shall not recommend applying for any federal or state ~~moneys~~  
15 MONEY that ~~promote~~ PROMOTES SEXUAL abstinence as the sole ~~behavioral~~  
16 ACCEPTABLE PREVENTIVE method for youth or ~~funding~~ MONEY requiring  
17 adherence to the ~~A-H~~ guidelines of section 510 ~~(b)~~ of title V of the  
18 federal "Social Security Act", ~~Pub. L. 104-193~~ 42 U.S.C. SEC. 710, AS  
19 AMENDED, which are inconsistent with the provisions of section 22-1-128.  
20 ~~C.R.S.~~ The oversight entity ~~will~~ SHALL provide information to the  
21 appropriate state departments concerning available federal and state  
22 ~~moneys~~ MONEY related to comprehensive human sexuality education  
23 ~~funds~~ for which a given department is eligible to apply.

24 (b) To develop policies and procedures for the implementation of  
25 the program and recommend such policies and procedures to the state  
26 board for adoption by rule pursuant to section 25-44-102. The policies  
27 and procedures must include but are not limited to:

1 (I) A process by which public schools and school districts ~~will be~~  
2 ARE notified of available program ~~funds~~ MONEY for comprehensive  
3 human sexuality education;

4 (II) The procedures by which public schools and school districts  
5 may apply for grants pursuant to this ~~article~~ ARTICLE 44. Each grant  
6 application must, at a minimum, describe:

7 (A) How the applicant public school or school district ~~will~~ MUST  
8 use any awarded grant ~~moneys~~ MONEY to provide comprehensive human  
9 sexuality education to its student population;

10 (B) How the proposed comprehensive human sexuality education  
11 program complies with THE CONTENT REQUIREMENTS OF section 22-1-128  
12 ~~C.R.S.~~, and article 25 of title 22 ~~C.R.S.~~, and is ~~evidence-based~~  
13 MEDICALLY ACCURATE, culturally sensitive, and represents positive youth  
14 development principles;

15 (C) How many students the public school or school district  
16 expects to reach through the comprehensive human sexuality education  
17 program; ~~and~~

18 (D) The length of time for which the applicant is requesting grant  
19 ~~moneys~~ MONEY; AND

20 (E) DEMONSTRATED EVIDENCE OF THE NEED FOR MONEY NEEDED  
21 FOR AN APPLICANT SCHOOL DISTRICT OR PUBLIC SCHOOL TO IMPLEMENT  
22 COMPREHENSIVE HUMAN SEXUALITY EDUCATION PURSUANT TO SECTION  
23 22-1-128;

24 (III) Criteria for the oversight entity to apply in selecting public  
25 schools and school districts that may receive grants and how to determine  
26 the amount of grant ~~moneys~~ MONEY to be awarded to each grant recipient.  
27 The criteria must include a requirement that the proposed comprehensive

1 human sexuality education program complies with sections 22-1-128 and  
2 22-25-104 C.R.S., and is ~~evidence-based~~ MEDICALLY ACCURATE,  
3 culturally sensitive, and represents positive youth development principles.  
4 THE CRITERIA MUST ALSO INCLUDE A REQUIREMENT THAT RURAL PUBLIC  
5 SCHOOLS OR PUBLIC SCHOOLS THAT DO NOT CURRENTLY OFFER  
6 COMPREHENSIVE HUMAN SEXUALITY EDUCATION RECEIVE PRIORITY WHEN  
7 SELECTING GRANT RECIPIENTS.

8 (c) In conjunction with the department, to solicit grant  
9 applications from public schools and school districts; AND

10 (d) To review grant applications and, based on the criteria  
11 developed pursuant to ~~paragraph (b)~~ SUBSECTION (2)(b) of this ~~subsection~~  
12 SECTION, make recommendations to the department concerning which  
13 public schools or school districts should receive grants and in what  
14 amount.

15 **SECTION 6.** In Colorado Revised Statutes, **repeal and reenact,**  
16 **with amendments,** 25-44-104 as follows:

17 **25-44-104. Appropriation - gifts, grants, and donations - uses.**

18 (1) BEGINNING IN THE 2019-20 BUDGET YEAR AND EACH BUDGET YEAR  
19 THEREAFTER, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE AT  
20 LEAST ONE MILLION DOLLARS TO THE DEPARTMENT FOR THE  
21 COMPREHENSIVE HUMAN SEXUALITY EDUCATION GRANT PROGRAM.

22 (2) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND PUBLIC OR  
23 PRIVATE GIFTS, GRANTS, AND DONATIONS FROM PUBLIC AND PRIVATE  
24 SOURCES TO IMPLEMENT THIS ARTICLE 44; EXCEPT THAT THE DEPARTMENT  
25 SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO  
26 CONDITIONS THAT ARE INCONSISTENT WITH THE PROVISIONS OF SECTION  
27 25-44-102 (2) OR ANY OTHER STATE LAW. THE DEPARTMENT IS

1 AUTHORIZED TO EXPEND A REASONABLE AMOUNT OF THE MONEY  
2 APPROPRIATED OR RECEIVED FOR THE PROGRAM FOR THE DIRECT AND  
3 INDIRECT COSTS ASSOCIATED WITH ADMINISTERING THE PROGRAM, UNLESS  
4 OTHERWISE PROVIDED BY ANY PROVISION RELATED TO THE DEPARTMENT'S  
5 RECEIPT OF FEDERAL MONEY THAT IS APPLIED TO THE PROGRAM.

6 **SECTION 7.** In Colorado Revised Statutes, 22-2-117, **amend**  
7 (1)(b)(VI) and (1)(b)(VII); and **add** (1)(b)(VIII) as follows:

8 **22-2-117. Additional power - state board - waiver of**  
9 **requirements - rules.** (1) (b) The state board shall not waive any of the  
10 requirements specified in any of the following statutory provisions:

11 (VI) The requirement to post on the internet the statutes for which  
12 waivers are granted as provided in section 22-44-305; ~~or~~

13 (VII) Any provisions of section 22-1-130, relating to notification  
14 to parents of alleged criminal conduct by school district employees; OR

15 (VIII) ANY PROVISIONS OF SECTION 22-1-128, RELATING TO  
16 COMPREHENSIVE HUMAN SEXUALITY EDUCATION CONTENT  
17 REQUIREMENTS.

18 **SECTION 8.** In Colorado Revised Statutes, 22-25-110, **amend**  
19 (2) introductory portion; and **repeal** (2)(c) as follows:

20 **22-25-110. Funding of existing programs - operation of other**  
21 **health education programs.** (2) Nothing in this ~~article shall be~~  
22 ~~interpreted to require~~ ARTICLE 25 REQUIRES a school district or board of  
23 cooperative services to establish a local comprehensive health education  
24 program nor shall it be interpreted to prevent a school district or board of  
25 cooperative services from offering a health education program ~~which~~  
26 THAT is not operated under the requirements of this ~~article~~ ARTICLE 25;  
27 except that any school district or board of cooperative services offering



1 such a health education program shall:

2 (c) ~~Unless the school district or board of cooperative services is~~  
3 ~~receiving direct or indirect funding from the federal government for the~~  
4 ~~provision of an abstinence education program pursuant to 42 U.S.C. sec.~~  
5 ~~710 as described in section 22-1-128 (9), comply with the requirements~~  
6 ~~specified in section 22-1-128 (6) regarding the adoption of science-based~~  
7 ~~content standards for instruction regarding human sexuality.~~

8 **SECTION 9.** In Colorado Revised Statutes, 22-30.5-104, **amend**  
9 (6)(c)(VI) and (6)(c)(VII); and **add** (6)(c)(VIII) as follows:

10 **22-30.5-104. Charter school - requirements - authority - rules.**

11 (6) (c) A school district, on behalf of a charter school, may apply to the  
12 state board for a waiver of a state statute or state rule that is not an  
13 automatic waiver. Notwithstanding any provision of this subsection (6)  
14 to the contrary, the state board may not waive any statute or rule relating  
15 to:

16 (VI) The requirement to post on the internet the statutes for which  
17 waivers are granted as provided in section 22-44-305; ~~or~~

18 (VII) Any provisions of section 22-1-130, relating to notification  
19 to parents of alleged criminal conduct by charter school employees; OR

20 (VIII) ANY PROVISIONS OF SECTION 22-1-128, RELATING TO  
21 COMPREHENSIVE HUMAN SEXUALITY EDUCATION CONTENT  
22 REQUIREMENTS.

23 **SECTION 10.** In Colorado Revised Statutes, 22-30.5-507,  
24 **amend** (7)(b)(VI) and (7)(b)(VII); and **add** (7)(b)(VIII) as follows:

25 **22-30.5-507. Institute charter school - requirements -**  
26 **authority - rules.** (7) (b) An institute charter school may apply to the  
27 state board, through the institute, for a waiver of state statutes and state

1 rules that are not automatic waivers. The state board may waive state  
2 statutory requirements or rules promulgated by the state board; except that  
3 the state board may not waive any statute or rule relating to:

4 (VI) The requirement to post on the internet the statutes for which  
5 waivers are granted as provided in section 22-44-305; ~~or~~

6 (VII) Any provisions of section 22-1-130, relating to notification  
7 to parents of alleged criminal conduct by institute charter school  
8 employees; OR

9 (VIII) ANY PROVISIONS OF SECTION 22-1-128, RELATING TO THE  
10 COMPREHENSIVE HUMAN SEXUALITY EDUCATION CONTENT  
11 REQUIREMENTS.

12 **SECTION 11. Appropriation.** (1) For the 2019-20 state fiscal  
13 year, \$12,405 is appropriated to the department of public health and  
14 environment. This appropriation is from the general fund. To implement  
15 this act, the department may use this appropriation as follows:

16 (a) \$11,274 for personal services related to administration and  
17 support, which amount is based on an assumption that the department will  
18 require an additional 0.2 FTE; and

19 (b) \$1,131 for operating expenses related to administration and  
20 support.

21 (2) For the 2019-20 state fiscal year, \$987,595 is appropriated to  
22 the department of public health and environment for use by the prevention  
23 services division. This appropriation is from the general fund, and is  
24 based on an assumption that the division will require an additional 1.3  
25 FTE. To implement this act, the division may use this appropriation for  
26 sexual health education.

27 **SECTION 12. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.