

2018 Regular Session

SENATE BILL NO. 297

BY SENATOR CLAITOR

STUDENTS. Authorizes the state Dept. of Education and the Dept. of Health to survey students regarding certain risk behavior associated with chronic health conditions. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 17:281(A)(2), relative to student health; to authorize the state  
3 Department of Education and the Department of Health to survey students about risk  
4 behavior associated with chronic health conditions; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:281(A)(2) is hereby amended and reenacted to read as follows:

8 §281. Instruction in sex education

9 A. \* \* \*

10 (2)(a) It is the intent of the legislature that, for the purposes of this Section,  
11 "sex education" shall mean the dissemination of factual biological or pathological  
12 information that is related to the human reproduction system and may include the  
13 study of sexually transmitted disease, pregnancy, childbirth, puberty, menstruation,  
14 and menopause, as well as the dissemination of factual information about parental  
15 responsibilities under the child support laws of the state. It is the intent of the  
16 legislature that "sex education" shall not include religious beliefs, practices in human  
17 sexuality, nor the subjective moral and ethical judgments of the instructor or other

1 persons. Students shall not be tested, quizzed, or surveyed about their personal or  
 2 family beliefs or practices ~~in~~ **about** sex, morality, or religion.

3 **(b) Notwithstanding the provisions of Subparagraph (a) of this**  
 4 **Paragraph, the following may survey high school students anonymously about**  
 5 **their risk behavior associated with chronic health conditions, including those**  
 6 **related to sexual health:**

7 **(i) The state Department of Education.**

8 **(ii) The Department of Health.**

9 **(c) Prior to the administration of any survey authorized by the provisions**  
 10 **of Subparagraph (b) of this Paragraph, a student's parent or legal guardian**  
 11 **shall be provided the opportunity to request that the student be excused from**  
 12 **completing the survey. Upon such request, the student shall neither be given nor**  
 13 **be required to complete the survey.**

14 \* \* \*

---

The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by LG Sullivan.

---

DIGEST

SB 297 Engrossed

2018 Regular Session

Claitor

Present law authorizes public schools to offer instruction in sex education if such instruction is integrated into an existing course of study such as biology, science, physical hygiene, or physical education. Prohibits testing, quizzing, or surveying students about their personal beliefs or practices in sex, morality, or religion.

Proposed law adds an exception to present law by authorizing the state Dept. of Education and the Dept. of Health to survey high school students anonymously about their risk behavior associated with chronic health conditions, including those related to sexual health. Provides that prior to survey administration, a student's parent or legal guardian shall be provided the opportunity to request that he be excused from completing the survey and that upon such request, the student shall neither be given nor be required to complete the survey. Otherwise retains present law.

Effective August 1, 2018.

(Amends R.S. 17:281(A)(2))