

FAMILY ISSUE FACT SHEET

NO. 2021-08 (MAY 2021)

HB 2035 SEX EDUCATION INSTRUCTION; PARENTAL RIGHTS

EXECUTIVE SUMMARY

Following Gov. Ducey's veto of SB 1456 on parental rights in sex education instruction, lawmakers have worked with the Governor on a revised bill. The new proposal addresses concerns raised by the Governor in his veto letter and codifies his Executive Order.

HB 2035 is a commonsense, balanced approach to addressing concerns from parents about sex education in the public schools.

KEY PROVISIONS

As with the original SB 1456 and the Executive Order, HB 2035 requires district and charter schools to make the sex education curricula available for parents' review both online and in person. The schools must also notify parents where to find the sex ed curricula at least two weeks before any instruction is offered. Parents would have to provide written consent for their child to receive instruction regarding any sexuality-related instruction.

The district or charter's governing body must approve all sex education curricula revisions, but the process of approval must include:

1. Any meetings on sex education curricula be posted at least two weeks prior to the meeting and available for public comment
2. Making any proposed sex education course of study available and accessible for review and public comment for at least 60 days prior to approval
3. Holding at least two public hearings, including the submission of written comments, within the 60 days prior to approval

Further, HB 2035 expressly states the bill does not prohibit age and grade-appropriate classroom instruction regarding child assault awareness and abuse prevention. Gov. Ducey's veto letter expressed the concern that SB 1456 would not allow this instruction.

The bill ensures sex education may not be provided before fifth grade in Arizona's district and charter schools. A recent poll in Arizona found nearly 60% of likely voters would support legislation to end the teaching of sex education through sixth grade.¹

Children are already bombarded with sexually charged messages through TV, movies, social media, music, advertisement, and more. They do not need the same distorted messages at school. So-called "comprehensive sex education" curriculum exposes impressionable young minds to

graphic images and controversial topics related to human sexuality, often without parental knowledge.

TALKING POINTS

- 1. By not providing sex education prior to fifth grade, we protect younger children from material they are not ready for, and we protect parents' right to decide when and how to introduce sensitive material and teach their children about sex.**
- 2. Children are already bombarded with sexually charged messages through TV, movies, social media, music, and advertisement. It should be left to parents to decide the best way and the right time to teach their children about sex.**
- 3. Parents of young children should be confident that when they send their children to school, they will not be exposed to explicit content or sexuality-related instruction that contradicts the parents' beliefs or religion.**
- 4. Government should not interfere in a parent's right to teach his or her child human sexuality from a long-held and widespread position, especially if those convictions are tied to a religious belief.**
- 5. Parents should not have to worry about what schools are teaching their children about human sexuality. They should have easy access to related curricula and the authority to opt-in to sex education or any sexuality-related instruction.**
- 6. Age and grade appropriate classroom instruction regarding child sexual assault awareness and abuse prevention would not be prohibited by the provisions on sex education.**

CONCLUSION

HB 2035 requires sex education-related curricula to be easily accessible to parents, it ensures them the opportunity to provide input, and it prohibits sex education in younger grades. This bill is a reasonable step towards protecting parental rights and the innocence of the youngest children in Arizona schools.

ⁱ [Data Orbital 12/16-19 2020 600N](#)