

By: Representative Clarke

To: Education; Public Health
and Human Services

HOUSE BILL NO. 213

1 AN ACT TO AMEND SECTION 37-13-151, MISSISSIPPI CODE OF 1972,
 2 TO REQUIRE ALL LOCAL SCHOOL DISTRICTS TO PROVIDE PROGRAMS OF
 3 EDUCATION IN HOME ECONOMICS/FAMILY DYNAMICS TO STUDENTS IN GRADES
 4 7 THROUGH 9; TO REQUIRE COURSE WORK TO INCLUDE INSTRUCTION IN
 5 BIRTH TO AGE THREE DEVELOPMENT, FINANCIAL MANAGEMENT AND HOUSEHOLD
 6 FINANCES, AND TEEN PREGNANCY PREVENTION; TO REQUIRE THAT THE
 7 CURRICULUM AND COURSEWORK FOCUS ON THE ROLE OF THE FAMILY BY
 8 ADDRESSING CONCERNS OF THE COMMUNITY AND GLOBAL SOCIETY BY
 9 COORDINATING WITH NATIONAL FAMILY CAREER AND COMMUNITY LEADERS OF
 10 AMERICA (FCCLA) PROGRAMS; TO AMEND SECTION 37-13-153, MISSISSIPPI
 11 CODE OF 1972, TO REQUIRE THAT STATE FUNDING FOR HOME
 12 ECONOMICS/FAMILY DYNAMICS BE INCLUDED IN THE ADEQUATE EDUCATION
 13 APPROPRIATION FOR EACH APPROPRIATE YEAR; TO AMEND SECTION
 14 37-13-171, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COMPONENTS OF
 15 ABSTINENCE-ONLY EDUCATION OR ABSTINENCE-PLUS EDUCATION CURRICULUM
 16 MAY BE USED BY INSTRUCTORS OF HOME ECONOMICS/FAMILY DYNAMICS TO
 17 SATISFY THE COURSE REQUIREMENTS FOR INSTRUCTION ON TEEN PREGNANCY
 18 PREVENTION; TO BRING FORWARD SECTION 37-1-3, MISSISSIPPI CODE OF
 19 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED
 20 PURPOSES.

21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

22 **SECTION 1.** Section 37-13-151, Mississippi Code of 1972, is
 23 amended as follows:

24 37-13-151. (1) Before * * * September 1, 2019, all local
 25 school districts shall provide programs of education in home
 26 economics, to be known as family dynamics, in Grade * * * 7, 8 or
 27 9, which include course work in responsible parenting, birth to



28 age three (3) development, financial management and household
29 financing, teen pregnancy prevention and family living skills.
30 These programs shall contain instruction to prepare students to
31 understand children's physical, mental, emotional and social
32 growth and development as well as to assume responsibility for
33 their care and guidance, with emphasis on nutrition, emotional
34 health and physical health. * * *

35 (2) The curriculum and coursework for home economics/family
36 dynamics shall focus on the role of the family in assisting
37 individuals in attaining the highest potential by addressing
38 concerns of the community and global society by coordinating with
39 national Family Career and Community Leaders of America (FCCLA)
40 programs. Emphasis shall be given to dynamics of family life,
41 individual development, life relationships, responsible parenting,
42 crisis management, resource management, civic responsibility,
43 healthy living, housing decisions, career planning and trends
44 affecting families.

45 **SECTION 2.** Section 37-13-153, Mississippi Code of 1972, is
46 amended as follows:

47 37-13-153. Beginning with the 2019-2020 academic school
48 year, and each year thereafter, state funding for the home
49 economics/family dynamics programs required in Section 37-13-151
50 shall be * * * included in the * * * adequate education program
51 and vocational education appropriation bills for each fiscal
52 year * * * beginning with the 2019-2020 fiscal year. There shall



53 be a line item specifying the amount that is to be expended to
54 employ no less than one (1) instructor in * * * each school
55 district in the state. Any funds so appropriated by line item
56 which are not expended for this purpose in the vocational
57 education appropriation may be expended for other related home
58 economics vocational purposes during the fiscal year for which
59 those funds were appropriated. * * *

60 **SECTION 3.** Section 37-13-171, Mississippi Code of 1972, is
61 amended as follows:

62 37-13-171. (1) The local school board of every public
63 school district shall adopt a policy to implement abstinence-only
64 or abstinence-plus education into its curriculum by June 30, 2012,
65 which instruction in those subjects shall be implemented not later
66 than the start of the 2012-2013 school year or the local school
67 board shall adopt the program which has been developed by the
68 Mississippi Department of Human Services and the Mississippi
69 Department of Health. The State Department of Education shall
70 approve each district's curriculum for sex-related education and
71 shall establish a protocol to be used by districts to provide
72 continuity in teaching the approved curriculum in a manner that is
73 age, grade and developmentally appropriate.

74 (2) Abstinence-only education shall remain the state
75 standard for any sex-related education taught in the public
76 schools. For purposes of this section, abstinence-only education



77 includes any type of instruction or program which, at an
78 appropriate age and grade:

79 (a) Teaches the social, psychological and health gains
80 to be realized by abstaining from sexual activity, and the likely
81 negative psychological and physical effects of not abstaining;

82 (b) Teaches the harmful consequences to the child, the
83 child's parents and society that bearing children out of wedlock
84 is likely to produce, including the health, educational, financial
85 and other difficulties the child and his or her parents are likely
86 to face, as well as the inappropriateness of the social and
87 economic burden placed on others;

88 (c) Teaches that unwanted sexual advances are
89 irresponsible and teaches how to reject sexual advances and how
90 alcohol and drug use increases vulnerability to sexual advances;

91 (d) Teaches that abstinence from sexual activity before
92 marriage, and fidelity within marriage, is the only certain way to
93 avoid out-of-wedlock pregnancy, sexually transmitted diseases and
94 related health problems. The instruction or program may include a
95 discussion on condoms or contraceptives, but only if that
96 discussion includes a factual presentation of the risks and
97 failure rates of those contraceptives. In no case shall the
98 instruction or program include any demonstration of how condoms or
99 other contraceptives are applied;



100 (e) Teaches the current state law related to sexual
101 conduct, including forcible rape, statutory rape, paternity
102 establishment, child support and homosexual activity; and

103 (f) Teaches that a mutually faithful, monogamous
104 relationship in the context of marriage is the only appropriate
105 setting for sexual intercourse.

106 (3) A program or instruction on sex-related education need
107 not include every component listed in subsection (2) of this
108 section for abstinence-only education. However, no program or
109 instruction under an abstinence-only curriculum may include
110 anything that contradicts the excluded components. For purposes
111 of this section, abstinence-plus education includes every
112 component listed under subsection (2) of this section that is age
113 and grade appropriate, in addition to any other programmatic or
114 instructional component approved by the department, which shall
115 not include instruction and demonstrations on the application and
116 use of condoms. Abstinence-plus education may discuss other
117 contraceptives, the nature, causes and effects of sexually
118 transmitted diseases, or the prevention of sexually transmitted
119 diseases, including HIV/AIDS, along with a factual presentation of
120 the risks and failure rates.

121 (4) Any course containing sex-related education offered in
122 the public schools shall include instruction in either
123 abstinence-only or abstinence-plus education.



124 (5) Local school districts, in their discretion, may host
125 programs designed to teach parents how to discuss abstinence with
126 their children.

127 (6) There shall be no effort in either an abstinence-only or
128 an abstinence-plus curriculum to teach that abortion can be used
129 to prevent the birth of a baby.

130 (7) At all times when sex-related education is discussed or
131 taught, boys and girls shall be separated according to gender into
132 different classrooms, sex-related education instruction may not be
133 conducted when boys and girls are in the company of any students
134 of the opposite gender.

135 (8) The components of abstinence-only education or an
136 abstinence-plus education curriculum prescribed in this section
137 may be used by any instructor employed by a school district to
138 teach home economics/family dynamics to satisfy the course
139 requirements for instruction on teen pregnancy prevention.

140 (* * *9) This section shall stand repealed on July 1, 2021.

141 **SECTION 4.** Section 37-1-3, Mississippi Code of 1972, is
142 brought forward as follows:

143 37-1-3. (1) The State Board of Education shall adopt rules
144 and regulations and set standards and policies for the
145 organization, operation, management, planning, budgeting and
146 programs of the State Department of Education.

147 (a) The board is directed to identify all functions of
148 the department that contribute to or comprise a part of the state



149 system of educational accountability and to establish and maintain
150 within the department the necessary organizational structure,
151 policies and procedures for effectively coordinating such
152 functions. Such policies and procedures shall clearly fix and
153 delineate responsibilities for various aspects of the system and
154 for overall coordination of the total system and its effective
155 management.

156 (b) The board shall establish and maintain a
157 system-wide plan of performance, policy and directions of public
158 education not otherwise provided for.

159 (c) The board shall effectively use the personnel and
160 resources of the department to enhance technical assistance to
161 school districts in instruction and management therein.

162 (d) The board shall establish and maintain a central
163 budget policy.

164 (e) The board shall establish and maintain within the
165 State Department of Education a central management capacity under
166 the direction of the State Superintendent of Public Education.

167 (f) The board, with recommendations from the
168 superintendent, shall design and maintain a five-year plan and
169 program for educational improvement that shall set forth
170 objectives for system performance and development and be the basis
171 for budget requests and legislative initiatives.

172 (2) (a) The State Board of Education shall adopt and
173 maintain a curriculum and a course of study to be used in the



174 public school districts that is designed to prepare the state's
175 children and youth to be productive, informed, creative citizens,
176 workers and leaders, and it shall regulate all matters arising in
177 the practical administration of the school system not otherwise
178 provided for.

179 (b) Before the 1999-2000 school year, the State Board
180 of Education shall develop personal living and finances objectives
181 that focus on money management skills for individuals and families
182 for appropriate, existing courses at the secondary level. The
183 objectives must require the teaching of those skills necessary to
184 handle personal business and finances and must include instruction
185 in the following:

- 186 (i) Opening a bank account and assessing the
187 quality of a bank's services;
- 188 (ii) Balancing a checkbook;
- 189 (iii) Managing debt, including retail and credit
190 card debt;
- 191 (iv) Completing a loan application;
- 192 (v) The implications of an inheritance;
- 193 (vi) The basics of personal insurance policies;
- 194 (vii) Consumer rights and responsibilities;
- 195 (viii) Dealing with salesmen and merchants;
- 196 (ix) Computing state and federal income taxes;
- 197 (x) Local tax assessments;



- 198 (xi) Computing interest rates by various
199 mechanisms;
200 (xii) Understanding simple contracts; and
201 (xiii) Contesting an incorrect billing statement.

202 (3) The State Board of Education shall have authority to
203 expend any available federal funds, or any other funds expressly
204 designated, to pay training, educational expenses, salary
205 incentives and salary supplements to licensed teachers employed in
206 local school districts or schools administered by the State Board
207 of Education. Such incentive payments shall not be considered
208 part of a school district's local supplement as defined in Section
209 37-151-5(o), nor shall the incentives be considered part of the
210 local supplement paid to an individual teacher for the purposes of
211 Section 37-19-7(1). MAEP funds or any other state funds shall not
212 be used to provide such incentives unless specifically authorized
213 by law.

214 (4) The State Board of Education shall through its actions
215 seek to implement the policies set forth in Section 37-1-2.

216 **SECTION 5.** This act shall take effect and be in force from
217 and after July 1, 2018.

