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HOUSE BILL NO. 1221

Offered January 10, 2024

Prefiled January 10, 2024

A BILL to amend and reenact §§ 22.1-207 and 22.1-207.1:1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-207.1:2, relating to Board of Education; Standards of Learning; family life education; health education; menstrual education curriculum guidelines and instruction.

Patrons—Seibold, Laufer, Clark, Henson and Keys-Gamarra

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-207 and 22.1-207.1:1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section number 22.1-207.1:2 as follows:

§ 22.1-207. Physical and health education.

Physical and health education shall be emphasized throughout the public school curriculum by lessons, drills, and physical exercises, and all pupils in the public elementary, middle, and high schools shall receive as part of the educational program such health instruction and physical training as shall be prescribed by the Board of Education and approved by the State Board of Health. Such health instruction shall incorporate standards that recognize the multiple dimensions of health by including mental health and the relationship of physical and mental health so as to enhance student understanding, attitudes, and behavior that promote health, well-being, and human dignity. Such health instruction may include an age-appropriate program of instruction on the safe use of and risks of abuse of prescription drugs that is consistent with curriculum guidelines developed by the Board and approved by the State Board of Health. *Any such health instruction offered to students in grades four through eight may incorporate a program of instruction on menstrual education pursuant to the provisions of § 22.1-207.1:2.*

§ 22.1-207.1:1. Family life education; certain curricula and Standards of Learning.

A. Any family life education curriculum offered by a local school division shall require the Standards of Learning objectives related to dating violence and the characteristics of abusive relationships to be taught at least once in middle school and at least twice in high school, as described in the Board's family life education guidelines.

B. Any high school family life education curriculum offered by a local school division shall incorporate age-appropriate elements of effective and evidence-based programs on (i) the prevention of dating violence, domestic abuse, sexual harassment, including sexual harassment using electronic means, sexual violence, and human trafficking and (ii) the law and meaning of consent. Such age-appropriate elements of effective and evidence-based programs on the prevention of sexual violence may include instruction that increases student awareness of the fact that consent is required before sexual activity.

C. Any family life education curriculum offered in any elementary school, middle school, or high school shall incorporate age-appropriate elements of effective and evidence-based programs on the importance of the personal privacy and personal boundaries of other individuals and tools for a student to use to ensure that he respects the personal privacy and personal boundaries of other individuals.

D. Any family life education curriculum offered by a local school division shall incorporate age-appropriate elements of effective and evidence-based programs on the harmful physical and emotional effects of female genital mutilation; associated criminal penalties; and the rights of the victim, including any civil action pursuant to § 8.01-42.5.

E. Any family life education curriculum offered by a local school division may incorporate age-appropriate elements of effective and evidence-based programs on the prevention, recognition, and awareness of child abduction, child abuse, child sexual exploitation, child sexual abuse, and, in any such curriculum offered in high school, human trafficking of children.

F. Any family life education curriculum offered to students in grades four through eight may incorporate a program of instruction on menstrual education pursuant to the provisions of § 22.1-207.1:2.

§ 22.1-207.1:2. Instruction on menstrual education.

A. *The Board shall develop Standards of Learning objectives and accompanying curriculum guidelines for instruction on menstrual education to be provided at grade levels four through eight, that shall be required of every student, regardless of gender. Such Standards of Learning objectives and accompanying curriculum guidelines shall include, at such grade levels as the Board deems appropriate,*

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59 instruction on:

60 1. The biological processes and functions of the menstrual cycle, including the menstrual cycle at
61 different stages of human development, from puberty to menopause;

62 2. Information on symptoms and side effects of the menstrual cycle, including premenstrual
63 syndrome, menstrual cramps and safe pain management, menstrual cycle management, menstrual
64 disorders, and menstrual irregularities;

65 3. Societal and cultural attitudes toward the menstrual cycle, including awareness of the impacts of
66 stigmas surrounding the menstrual cycle on health and the behavior of individuals and the importance
67 of destigmatizing the menstrual cycle; and

68 4. Other topics relating to the menstrual cycle.

69 B. Each school board shall offer at grade levels four through eight instruction on menstrual
70 education, consistent with the Standards of Learning objectives and accompanying curriculum guidelines
71 developed by the Board pursuant to subsection A. Each school board may provide such instruction on
72 menstrual education as a part of an existing family life education program of instruction, pursuant to
73 subsection F of § 22.1-207.1:1, or as a part of an existing health education program, pursuant to
74 § 22.1-207, provided that any such instruction on menstrual education shall be provided to each student
75 at each grade level, four through eight, regardless of gender.