

## IHAM - HEALTH EDUCATION & EXEMPTION FROM INSTRUCTION

**Category:** *Priority/Required by Law*

**Related Policy:** *IGE*

**Related Form:** *IHAM-R*

Consistent with state law and Department of Education requirements, health and physical education, including, instruction about parts of the body, reproduction, **sexuality education, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS)** and related topics, will be included in the instructional program. **Sexuality education shall include instruction relative to abstinence and sexually transmitted infections and related topics.**

Instruction must be appropriate to grade level, course of study, and development of students and must occur in a systematic manner. The Superintendent will require that faculty members who present this instruction receive continuing in-service training, which includes appropriate teaching strategies and techniques.

**Parents and legal guardians shall be notified by e-mail, other written means, or phone call, not less than two (2) weeks in advance of use of the curriculum course material to be used for instruction of human sexuality or sexual education.** ~~Parents/guardians will have the right to inspect and review health and physical instruction materials which will be made reasonably accessible to parents/guardians and others to the extent practicable.~~

**Accordingly, the notice will identify and provide contact information for the Principal or other staff member a parent or guardian should contact to arrange an opportunity to review the curriculum course material.** ~~Parents/guardians who wish to review or inspect health and physical education materials may arrange a meeting with the Principal to review the materials.~~

### ***Opt-Out Procedure and Form***

Parents/guardians, or students over eighteen years of age, who do not want their child to participate in a particular unit of health or sex education instruction for ~~religious reasons or~~ religious **or other objections** are allowed to have their child opt-out of such instruction. **(Note: Per RSA 186:11, IX-c, Parents/guardians have additional opt-out rights under Board policy IGE.)**

Parents/guardians who do not want their child to participate in a particular unit of health or for religious reasons must complete a Health and Sex Education Exemption: Opt-Out Form, **see Board policy IHAM-R**. Opt-Out Forms are available from either the health education teacher or the Principal. Opt-out requests must be submitted annually and are valid only for the school year in which they are submitted.

~~Parents/guardians who wish to have their child opt out of such instruction are required to complete the district opt-out form and state the particular unit of curriculum in which the student is not to participate.~~

Any student who is exempted by request of the parent/guardian under this policy may be given an alternative assignment sufficient to meet state requirements for health education. The

alternative assignment will be provided by the health or physical education teacher in conjunction with the Principal and approval by parent/guardian.

In accordance with the federal Protection of Pupil Rights Amendment, as a School District that receives federal Department of Education funds, the Superintendent shall develop procedures to allow the parent/guardian of a student to review any instructional material used as part of the educational curriculum for the student. The procedures will provide reasonable access to instructional material within a reasonable period of time after the request is received.

**Legal References:**

*20 U.S.C §1232h, (c)(1)(C), Protection of Pupil Rights*

*RSA 186:11, IX, Instruction as to Intoxicants and Sexually Transmitted Diseases*

*RSA 186:11, IX-b, Health and Sex Education*

*RSA 186:11, IX-c, Objectionable Course Material*

*RSA 186:11, IX-e Notice to Parents/Guardian Required*

*NH Code of Administrative Rules, Section Ed 306.40, Health Education Program*

*NH Code of Administrative Rules, Section Ed 306.41, Physical Education Program*

**Legal References Disclaimer:** *These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy*

**First Reading:** May 11, 2010

**Second Reading:** June 2, 2010

**Final Adoption:** June 2, 2010

**Revised:**