March 13, 2012

To Whom it May Concern:

This is a citizen submitted referendum against HB363 and we do not intend to pay people to obtain signatures.

Thank you.

Received

MAR 13 2012

Greg Bell
Lieutenant Governor

Name of Organization

Application for an Initiative or Referendum

Utah Code 20A-7-202

Sponsor Statement

I, Sandra Krueger affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

Name of Sponsor (please type or print)

1021 East 5650 South — Residence Address

Sandra Krueger — Sponsor's Signature

Murray Utah — City, State, Zip

801-262-9483 — Phone Number

805-502-3445

Subscribed and affirmed before me this 13 day of March 20 12

Notary Public

My commission expires 3/11/15

Notary Seal
NOTARY PUBLIC
MICHAEL POULSON
607365
My Commission Expires
March 11, 2015
STATE OF UTAH

Sponsor Statement

I, Andrew Walkingshaw affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

Name of Sponsor (please type or print)

6104 So. Karos Circle — Residence Address

Andrew Walkingshaw — Sponsor's Signature

Taylorsville UT, 84123 — City, State, Zip

801-268-6974 — Phone Number

Subscribed and affirmed before me this 13 day of March 20 12

Notary Public

My commission expires 3/11/15

Notary Seal
NOTARY PUBLIC
MICHAEL POULSON
607365
My Commission Expires
March 11, 2015
STATE OF UTAH

Sponsor Statement

I, Katie Eardley affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

Name of Sponsor (please type or print)

9425 Riverside Dr. #1433 — Residence Address

Katie Eardley — Sponsor's Signature

Sandy, UT, 84070 — City, State, Zip

801-289-0724 — Phone Number

Subscribed and affirmed before me this 13 day of March 20 12

Notary Public

My commission expires 3/11/15

Notary Seal
NOTARY PUBLIC
MICHAEL POULSON
607365
My Commission Expires
March 11, 2015
STATE OF UTAH

Received
MAR 13 2012

Greg Bell
Lieutenant Governor

Application for an Initiative or Referendum

Utah Code 20A-7-202

PLEASE NOTE: A copy of the proposed law must be attached to this application along with a statement indicating whether or not signature gatherers will be paid for their services.

Please type or print

Application must be completed by five sponsors

Sponsor Statement

I, Maryann Martindale (Name of Sponsor (please type or print)) affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

2218 Texas Street (Residence Address)

(Sponsor's Signature)

Salt Lake City, UT 84109 (City, State, Zip) 801-557-1532 (Phone Number)

Subscribed and affirmed before me this 13 day of March 2012

Notary Seal

MARNIE LYNN LAUNDREE
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 08/10/2013
Commission # 579656

(Notary Public)

My commission expires 08/10/13

Sponsor Statement

I, Stacy Young (Name of Sponsor (please type or print)) affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

2218 Texas Street (Residence Address)

(Sponsor's Signature)

Salt Lake City, UT 84109 (City, State, Zip) 801-930-6087 (Phone Number)

Subscribed and affirmed before me this 13th day of March 2012

Notary Seal

MARNIE LYNN LAUNDREE
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 08/10/2013
Commission # 579656

(Notary Public)

My commission expires 08/10/13

To File this Form
Mail or deliver to
Lieutenant Governor's Office
Utah State Capitol
Suite 220
Salt Lake City, UT 84114-2325
Fax (801) 538-1133
For More Information call
(801) 538-1041
1-800-995-VOTE (8683)
elections@utah.gov

For Office Use Only

- ☐ Entered _____
- ☐ Copied

Received

MAR 13 2012

Greg Bell
Lieutenant Governor

Date Received

Application for an Initiative or Referendum

Utah Code 20A-7-202

PLEASE NOTE: A copy of the proposed law must be attached to this application along with a statement indicating whether or not signature gatherers will be paid for their services.

Please type or print

Application must be completed by five sponsors

Sponsor Statement

I, Heather Stringfellow affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

Name of Sponsor (please type or print)

1548 Harvard Ave

Residence Address

Sponsor's Signature

SLC, Utah 84105

City, State, Zip

801-518-5593

Phone Number

Subscribed and affirmed before me this 13TH day of March 2012

Notary Public

My commission expires _____

Notary Seal

KEVIN BARLAND
Notary Public
State of Utah
Comm. No. 651461
My Comm. Expires Feb 6, 2016

Sponsor Statement

I, _____ affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

Name of Sponsor (please type or print)

_____

Residence Address

_____

Sponsor's Signature

_____

City, State, Zip

_____

Phone Number

Notary Seal

Subscribed and affirmed before me this _____ day of _____ 20_____

_____

Notary Public

My commission expires _____

To File this Form
Mail or deliver to
Lieutenant Governor's Office
Utah State Capitol
Suite 220
Salt Lake City, UT 84114-2325
Fax (801) 538-1133
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- ☐ Entered _____
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Received

MAR 13 2012

Greg Bell
Lieutenant Governor

Date Received

Application for an Initiative or Referendum

Utah Code 20A-7-202

Name of Organization

Sponsor Statement

I, QUANG T. DANG affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

Name of Sponsor (please type or print)

4023 RALPH ST

Residence Address

Sponsor's Signature

SLC UT 84124

City, State, Zip

801-243-3180

Phone Number

Notary Seal

NOTARY PUBLIC
PAM GYGI
Commission # 575269
My Commission Expires
August 7, 2012
STATE OF UTAH

Subscribed and affirmed before me this 13 day of Mar 2012

Pam Gygi

Notary Public

My commission expires 8-7-2012

Sponsor Statement

I, _____ affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

Name of Sponsor (please type or print)

_____

Residence Address

_____

Sponsor's Signature

_____

City, State, Zip

_____

Phone Number

Notary Seal

Subscribed and affirmed before me this _____ day of _____ 20____

_____

Notary Public

My commission expires _____

Sponsor Statement

I, _____ affirm that I am a resident of Utah and I have voted in a regular general election in Utah within the last three years.

Name of Sponsor (please type or print)

_____

Residence Address

_____

Sponsor's Signature

_____

City, State, Zip

_____

Phone Number

Received

Notary Seal

MAR 13 2012

Subscribed and affirmed before me this _____ day of _____ 20____

_____

Notary Public

My commission expires _____

Greg Bell
Lieutenant Governor

HEALTH EDUCATION AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Bill Wright

Senate Sponsor: Margaret Dayton

LONG TITLE

General Description:

This bill modifies requirements for health instruction, including human sexuality instruction.

Highlighted Provisions:

This bill:

- permits a local school board or charter school governing board to provide human sexuality instruction or instructional programs in accordance with state law and State Board of Education rules;
- requires human sexuality instruction or instructional programs to teach and stress:
  - the importance of abstinence from all sexual activity before marriage and fidelity after marriage as the only sure methods for preventing certain communicable diseases; and
  - personal skills that encourage individual choice of abstinence and fidelity;
- imposes certain restrictions for human sexuality instructional programs;
- permits a local school board or charter school governing board to adopt abstinence only instructional materials recommended by:
  - the State Board of Education; or
  - the school district's or charter school's curriculum materials review committee; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-13-101, as last amended by Laws of Utah 2004, Chapter 196

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-13-101** is amended to read:

53A-13-101. Instruction in health -- Human sexuality instruction -- Parental consent requirements -- Conduct and speech of school employees and volunteers -- Political and religious doctrine prohibited.

(1) As used in this section:

(a) "Abstinence only instructional materials" means instructional materials that teach and stress:

(i) the importance of abstinence from all sexual activity before marriage and fidelity after marriage as the only sure methods for preventing certain communicable diseases; and

(ii) personal skills that encourage individual choice of abstinence and fidelity.

(b) "Human sexuality instruction or instructional program" means any course, unit, class, activity, or presentation that provides instruction or information to students about sexual abstinence, human reproduction, reproductive anatomy, reproductive physiology, marriage, childbirth, or parenthood.

[~~(1) (a)~~] (2) The State Board of Education shall establish health curriculum requirements under Section 53A-1-402, that include instruction in:

[~~(i)~~] (a) community and personal health;

[~~(ii)~~] (b) physiology;

[~~(iii)~~] (c) personal hygiene; and

[~~(iv)~~] (d) prevention of communicable disease.

(3) (a) (i) A local school board or charter school governing board may, but is not

required to, provide human sexuality instruction or instructional programs.

(ii) If a local school board or a charter school governing board decides to provide human sexuality instruction or instructional programs, the human sexuality instruction or instructional programs shall be provided in accordance with this section and supporting State Board of Education rules adopted under this section and consistent with this section.

(b) [~~(i) That instruction~~] Human sexuality instruction or instructional programs shall teach and stress:

[~~(A)~~] (i) the importance of abstinence from all sexual activity before marriage and fidelity after marriage as the only sure methods for preventing certain communicable diseases; and

[~~(B)~~] (ii) personal skills that encourage individual choice of abstinence and fidelity.

(c) Human sexuality instruction or instructional programs may not include instruction in, or the advocacy of:

(i) the intricacies of intercourse, sexual stimulation, or erotic behavior;

(ii) homosexuality;

(iii) the use of contraceptive methods or devices; or

(iv) sexual activity outside of marriage.

[~~(ii) (A)~~] (d) (i) At no time may instruction be provided, including responses to spontaneous questions raised by students, regarding any means or methods that facilitate or encourage the violation of any state or federal criminal law by a minor or an adult.

[~~(B) Subsection (1)(b)(ii)(A) does not preclude an~~]

(ii) An instructor [~~from responding~~] may respond to a spontaneous question as long as the response is consistent with the provisions of this section.

[~~(c) (i)~~] (e) (i) (A) The board, in consultation with parents, shall recommend abstinence only instructional materials for use in [~~the curricula required under Subsection (1)(a) after considering evaluations of instructional materials by the State Instructional Materials Commission~~] human sexuality instruction or instructional programs.

(B) Abstinence only instructional materials recommended under Subsection

(3)(e)(i)(A) may include abstinence only instructional materials developed by the State Board of Education in consultation with parents or abstinence only instructional materials evaluated by the State Instructional Materials Commission.

(C) Instructional materials recommended under Subsection (3)(e)(i)(A) shall include a parent education component in which instruction or instructional materials are made available to parents to assist parents in providing human sexuality instruction to their children.

(D) The board may not recommend instructional materials other than abstinence only instructional materials for use in human sexuality instruction or instructional programs.

(ii) A local school board or charter school governing board may choose to adopt:

(A) the abstinence only instructional materials recommended under Subsection [~~(1)(c)~~] (3)(e)(i); or

(B) other abstinence only instructional materials as provided in state board rule.

(iii) The state board rule made under Subsection [~~(1)(c)~~] (3)(e)(ii)(B) shall include, at a minimum:

(A) that the abstinence only instructional materials adopted by a local school board or charter school governing board under Subsection [~~(1)(c)~~] (3)(e)(ii)(B) shall be based upon recommendations of the school district's or charter school's curriculum materials review committee that comply with [~~state law and state board rules emphasizing abstinence before marriage and fidelity after marriage, and prohibiting instruction in:~~] the requirements and restrictions applicable to human sexuality instruction or instructional programs specified in Subsections (3)(b) and (c);

[~~(I) the intricacies of intercourse, sexual stimulation, or erotic behavior;~~]

[~~(II) the advocacy of homosexuality;~~]

[~~(III) the advocacy or encouragement of the use of contraceptive methods or devices; or~~]

[~~(IV) the advocacy of sexual activity outside of marriage;~~]

(B) that parents or guardians of children enrolled in the school district or charter school shall be the majority of members of a curriculum materials review committee;

(C) that a school district or charter school, in consultation with parents, may develop abstinence only curriculum materials;

(D) that abstinence only instructional materials adopted under Subsection (3)(e)(ii)(B) shall include a parent education component in which instruction or instructional materials are made available to parents to assist parents in providing human sexuality instruction to their children.

[~~(B)~~] (E) that the adoption of abstinence only instructional materials shall take place in an open and regular meeting of the local school board or charter school governing board for which prior notice is given to parents and guardians of students attending schools in the district and an opportunity for them to express their views and opinions on the materials at the meeting;

[~~(C)~~] (F) provision for an appeal and review process of the local school board's or charter school governing board's decision; and

[~~(D)~~] (G) provision for a report by the local school board or charter school governing board to the State Board of Education of the action taken and the abstinence only instructional materials adopted by the local school board or charter school governing board under Subsections [~~(1)(c)~~] (3)(e)(ii)(B) and [~~(1)(c)~~] (3)(e)(iii).

[~~(2)~~] (4) (a) Instruction in the courses described in Subsection [~~(1)~~] (2) shall be consistent and systematic in grades eight through 12.

(b) At the request of the [~~board~~] State Board of Education, the Department of Health shall cooperate with the board in developing programs to provide instruction in those areas.

[~~(3)~~] (5) (a) The [~~board~~] State Board of Education shall adopt rules that:

(i) provide that the parental consent requirements of Sections 76-7-322 and 76-7-323 are complied with; and

(ii) require a student's parent or legal guardian to be notified in advance and have an opportunity to review the information for which parental consent is required under Sections 76-7-322 and 76-7-323.

(b) The [~~board~~] State Board of Education shall also provide procedures for disciplinary

action for violation of Section 76-7-322 or 76-7-323.

[~~(4)~~] (6) (a) In keeping with the requirements of Section 53A-13-109, and because school employees and volunteers serve as examples to their students, school employees or volunteers acting in their official capacities may not support or encourage criminal conduct by students, teachers, or volunteers.

(b) To ensure the effective performance of school personnel, the limitations described in Subsection [~~(4)~~] (6)(a) also apply to school employees or volunteers acting outside of their official capacities if:

(i) they knew or should have known that their action could result in a material and substantial interference or disruption in the normal activities of the school; and

(ii) that action does result in a material and substantial interference or disruption in the normal activities of the school.

(c) Neither the State Office of Education [~~nor~~], local school districts, nor charter schools may provide training of school employees or volunteers that supports or encourages criminal conduct.

(d) The State Board of Education shall adopt rules implementing this section.

(e) Nothing in this section limits the ability or authority of the State Board of Education [~~and~~], local school boards, or charter school governing boards to enact and enforce rules or take actions that are otherwise lawful, regarding educators', employees', or volunteers' qualifications or behavior evidencing unfitness for duty.

[~~(5)~~] (7) Except as provided in Section 53A-13-101.1, political, atheistic, sectarian, religious, or denominational doctrine may not be taught in the public schools.

[~~(6)~~] (8) (a) Local school boards, charter school governing boards, and their employees shall cooperate and share responsibility in carrying out the purposes of this chapter.

(b) Each school district and charter school shall provide appropriate inservice training for its teachers, counselors, and school administrators to enable them to understand, protect, and properly instruct students in the values and character traits referred to in this section and Sections 53A-13-101.1, 53A-13-101.2, 53A-13-101.3, 53A-13-109, 53A-13-301, and

53A-13-302 and distribute appropriate written materials on the values, character traits, and conduct to each individual receiving the inservice training.

(c) The written materials shall also be made available to classified employees, students, and parents and guardians of students.

(d) In order to assist school districts in providing the inservice training required under Subsection [~~(6)~~] (8)(b), the State Board of Education [~~shall~~] may as appropriate, contract with a qualified individual or entity possessing expertise in the areas referred to in Subsection [~~(6)~~] (8)(b) to develop and disseminate model teacher inservice programs which districts may use to train the individuals referred to in Subsection [~~(6)~~] (8)(b) to effectively teach the values and qualities of character referenced in that subsection.

(e) In accordance with the provisions of Subsection [~~(4)~~] (6)(c), inservice training may not support or encourage criminal conduct.

[~~(7)~~] (9) If any one or more provision, subsection, sentence, clause, phrase, or word of this section, or the application thereof to any person or circumstance, is found to be unconstitutional, the balance of this section shall be given effect without the invalid provision, subsection, sentence, clause, phrase, or word.