

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: House Bill 834

SHORT TITLE: Teach Abstinence Until Marriage

SPONSOR(S): Committee Substitute

FISCAL IMPACT: **Expenditures:** **Increase (X)** **Decrease ()**
 Revenues: **Increase ()** **Decrease ()**
 No Impact ()
 No Estimate Available ()

FUND AFFECTED: **General Fund (X)** **Highway Fund ()** **Local Fund ()**
 Other Funds ()

BILL SUMMARY: Section 1 amends G.S. 115C-81(a2), which requires instruction in the public schools relating to AIDS and communicable diseases, to include the following guidelines:

1. Requires the State Board of Education to make available to local school units for review by parents and guardians the curriculum and learning materials that pertain to sexually transmitted diseases, including AIDS, or avoiding out-of-wedlock pregnancy. The review period shall last for at least 60 days.
2. Allows local boards to reject any portion of this curriculum, but then requires them to adopt their own program, subject to the guidelines in the subsection.
3. Each year, requires the outline of the program to be received by the parents and guardians of students before they participate in the program; also requires parents and guardians, each year, to give written consent before their children may participate in the program.
4. Requires programs to use a directive method of instruction and requires that certain specifics are taught.
5. Prohibits the demonstration or distribution of contraceptives on school property, and prohibits their availability on school property.
6. Requires any revisions to the curriculum or to the learning materials to be subject to the subsection.

7. Without parental consent students shall not receive any instruction as to the availability of health services that offer contraceptive or abortion referral services.

Section 2 amends G.S. 115C-81(e) to redefine "Comprehensive school health" to include information regarding AIDS or avoiding out-of-wedlock pregnancy, subject to G.S. 115C-81(a2) (in Section 1 of the bill), and abstinence until marriage education, subject to G.S. 115C-81(h) (in Section 3 of the bill), and to exclude comprehensive sex education and information related to sexual feelings.

A new subdivision (4a) is added to G.S. 115C-81(e) to allow local boards of education to develop and implement a comprehensive sex education program, after a public hearing and 60-days review period and after one parent or guardian of a majority of students in the grades in which the program is to be taught sign a petition requesting that the program be offered. This program is subject to the guidelines in G.S. 115C-81(a2) in relation to any information concerning the prevention of sexually transmitted diseases.

A new subdivision (4b) is added to this subsection to provide that teachers or administrators who use or authorize curricula in violation of this act are subject to discipline under Article 22 of 115C (i.e., dismissal and demotion).

Subdivision (6) of this subsection is amended to provide that four (rather than ten) members of the State School Health Advisory Committee be appointed by the Governor, four (rather than one) by the Speaker, four (rather than one) by the President Pro Tempore. It also establishes new requirements and terms of the new appointments of the Governor (family physician, dentist, registered nurse and public health official), State Board of Education (representative of NCAPEHRD and a representative of the College Conference on Health and Physical Education), Speaker (pediatrician, local health education coordinator, local school board member, and one member at large) and the President Pro Tempore (representative of the NCHSAA and two members at large and one member of a local school unit parent and teacher organization).

Section 3 amends G.S. 115C-81 by adding new subsection (h) providing for the development and administration of an abstinence until marriage program. This new subsection directs the State Board of Education to evaluate abstinence until marriage curricula and to maintain a list of one or more approved abstinence until marriage curricula that meet the criteria established by the act. It also allows the State Board to develop a curriculum that meets the criteria in the act to be included on the list. All programs on the recommended list must include the positive benefits of abstinence until marriage and the risks of premarital sex as the primary focus. It provides for homework assignments to allow for interaction between parent and the student. It

directs the State Board to make available to local school units for review by parents the curriculum on the recommended list that the local school unit requests to review. The review period shall extend for at least 60 days before use. Local boards of education must offer a program from the recommended list adopted by the State Board or a program that complies with the criteria established by the act and that has been reviewed by parents. Each school year, before students can participate in the program, written consent of one parent or legal guardian must be received.

Section 4 directs the State Board of Education and the Board of Governors of the University of North Carolina to establish a joint committee, or to direct an existing joint committee, to evaluate the effectiveness of all the programs subject to the act and to determine whether local boards of education are complying with the statutory requirements and guidelines adopted by the State Board of Education. The joint committee shall appoint at least one qualified evaluator from a medical school at a university located in this State to participate in the evaluation. The joint committee is directed to report annually by March 30 to the State School Health Advisory Committee and to the Joint Legislative Education Oversight Committee on the findings and results of the evaluation. Subsection (b) provides that the evaluation shall include student questionnaires to elicit information to determine the number of students enrolled in each type of program, rates of repeated sexual activity and well-being of students in each group. The questionnaire shall be approved by the State School Health Advisory Committee before its administration.

EFFECTIVE DATE:

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED:

	FISCAL IMPACT				
	(\$ In Millions)				
	FY 95-96	FY 96-97	FY 97-98	FY 98-99	FY 99-00
EXPENDITURES					
TOTAL EXPENDITURES					
STATE FUNDS					
Department of					
Public					
Instruction	.5M	.27M	.27M	.27M	.27M
Student Survey	--	.2-1.2M	.2-2.5M	.2-3.76M	.2-3.76M
Total	.5M	.47-1.51M	.47-2.7M	.47-4.M	.47-4.M
FEDERAL FUNDS					
LOCAL FUNDS No Estimate Available					
OTHER FUNDS					
RECEIPTS/FEES					
POSITIONS: Unable to determine					

ASSUMPTIONS AND METHODOLOGY:

1. Modifications would need to be made in the current health curriculum immediately if the bill is enacted.
2. Curriculum modification would result in some additional costs in the Department of Public Instruction for development state level curriculum, review of local curriculum, and teacher training.
3. Department of Public Instruction costs are estimated at \$.572 million in FY 1995-96 and \$.272 million in FY 1996-97 and subsequent years.
3. Local school systems would uniformly enforce the parental notification and consent requirements established by the bill.
4. While some school systems are following parental consent and notification procedures similar to those prescribed by the bill, others would need to adopt these procedures. While those systems will incur administrative costs, the costs cannot be determined.
5. The bill requires that a joint committee appointed by the State Board of Education and the Board of Governor's evaluate the three types of programs adopted by the State Board of Education or local schools boards both for compliance and student outcomes.
6. The evaluation section of the bill could be interpreted as requiring either a weighted sample of students in the various programs, or 100% of the students in the follow-up survey. The bill also can be interpreted to require that the follow-up occur over an extended time period either with the weighted sample or 100% of all the students. The cost projection was based on both a sample and a 100% follow-up.
7. The evaluation program will not begin until 1996-97.
8. Projected total number of students by grade level for 1996-97 and four subsequent fiscal years.

Year	ADM/Grades 6-12	Cumulative ADM By Year
FY 1996-97	495,790	495,790
FY 1996-97	502,806	998,596
FY 1997-98	508,257	1,506,853
FY 1998-99	514,424	2,021,277
FY 1999-00	523,513	2,544,790

9. For a weighted sample, assume a sample size of approximately 1,500 students for a statewide sample, with a larger sample needed to make comparisons between school districts..
10. Follow-up on 100% of the students taking the classes until they completed high school would involve a universe of 973,000 to 2.5 million students depending on whether the curriculum was offered in all grades following the sixth grade.
11. Cost per student survey will range between \$2-\$5 per student. This cost varies with the length and complexity of the survey. The cost would include sample construction, administration, collection, and data processing costs. This assumes a self-administered survey.
12. Additional administrative cost would be incurred by the joint committee and the evaluator to oversee the research project.

SOURCES OF DATA: Department of Public Instruction, General Research Division, N.C. General Assembly.

SOURCES OF DATA:

TECHNICAL CONSIDERATIONS: Staffing requirements to implement the survey are not clear from the bill.

FISCAL RESEARCH DIVISION

733-4910

PREPARED BY: James D. Johnson

APPROVED BY: Thomas L. Covington **TomC**

DATE: May 2, 1995

UPDATED VERSION - JUNE 15, 1995

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NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: House Bill 834 (SCS)

SHORT TITLE: Teach/Abstinence Until Marriage

SPONSOR(S): Senate Committee Substitute

FISCAL IMPACT:	Expenditures:	Increase (X)	Decrease ()
	Revenues:	Increase ()	Decrease ()
	No Impact ()		

No Estimate Available ()

FUND AFFECTED: General Fund (X) Highway Fund () Local Fund ()
Other Funds ()

BILL SUMMARY:

- (1) Requires public schools to offer an abstinence until marriage program.
- (2) To authorize local school boards to offer comprehensive sex education when certain requirements concerning review and local approval are satisfied; and,
- (3) To provide for parental review and approval of, and to place certain restrictions on, any instruction on sexually transmitted diseases, out-of-wedlock pregnancy, abstinence until marriage, and comprehensive sex education, whether developed by the state or a local board of education. Repeals G.S. 115C-81(a2) and (e) and reorganizes 3d edition of bill and makes following substantive changes. Requires State Board of Education to make available to local school units for review by parents all materials for education on sexually transmitted diseases (STD's), AIDS, avoidance of out-of wedlock pregnancies, and abstinence until marriage for at least 60 days before use. Requires local school units to hold a public hearing before adopting a comprehensive health education program, and materials proposed for use must be available for examination for at least 30 days before the hearing. Parents and guardians must consent to the participation of students in education programs that pertain to stds, aids, avoidance of out-of-wedlock pregnancies, abstinence until marriage, and/or comprehensive sex education programs.

EFFECTIVE DATE: Effective upon ratification. Local boards are authorized to implement the curriculum as soon as feasible, and are required to do so by the beginning of the 1996-97 school year.

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED: State Board of Education and local school systems.

FISCAL IMPACT

<u>FY95-96</u>	<u>FY96-97</u>	<u>FY97-98</u>	<u>FY98-99</u>
<u>FY99-00</u>			

EXPENDITURES

TOTAL EXPENDITURES

STATE FUNDS 10,000 (NR)
 100,000 (R) 100,000(R)

FEDERAL FUNDS
LOCAL FUNDS
OTHER FUNDS
RECEIPTS/FEES

POSITIONS:

ASSUMPTIONS AND METHODOLOGY:

1. \$10,000 in nonrecurring funds for development, review, and distribution of materials to local school systems by the State Board of Education.
2. Teacher training for two years, estimated cost \$100,000 per year on a contractual basis. Assumes that due to downsizing the Department of Public Instruction will not be able to provide the training from internal resources.

SOURCES OF DATA: Department of Public Instruction

TECHNICAL CONSIDERATIONS:

FISCAL RESEARCH DIVISION
733-4910

PREPARED BY: James D. Johnson
APPROVED BY: Thomas L. Covington TomC
DATE: June 14, 1995



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