



The Commonwealth of Massachusetts

MASSACHUSETTS SENATE
COMMITTEE ON WAYS AND MEANS

SENATOR MICHAEL J. RODRIGUES
First Bristol and Plymouth District

CHAIR
Committee on Ways and Means

MICHAEL.RODRIGUES@MASENATE.GOV
WWW.MASENATE.GOV

STATE HOUSE, ROOM 212
BOSTON, MA 02133-1053
TEL: (617) 722-1114
FAX: (617) 722-1498
WAYS & MEANS: (617) 722-1481

ONE GOVERNMENT CENTER
ROOM 235
FALL RIVER, MA 02722
TEL. (508) 646-0650
FAX. (508) 646-0656

SOMERSET TOWN HALL
140 WOOD STREET
SOMERSET, MA 02726
TEL. (508) 673-8408

MEMORANDUM

TO: Members of the Senate Committee on Ways and Means
FROM: Chair Michael J. Rodrigues
DATE: February 22, 2024
SUBJECT: Poll

Attached is a summary of the bill presently before the Senate Committee on Ways and Means. Committee members will be polled today from 9:30 am to 12:30 am on the question of reporting the bill favorably.

Please be advised that under Senate Rule 12, all recorded votes of the Senate Committee on Ways and Means will be posted on the website of the General Court immediately following the conclusion of the poll.

Do not hesitate to contact Aaron Carty in my office if you have any questions. Thank you for your participation.

SENATE 268:

AN ACT RELATIVE TO HEALTHY YOUTH

(summary reflects text as amended)

SPONSORS:

Senators DiDomenico, R. Kennedy, Rausch, Jehlen, Barrett, Lewis, Payano, Comerford, Eldridge, Keenan, Moore, Feeney, Friedman, Crighton, Edwards, Lovely, Miranda, Cyr, Oliveira, Moran, Mark, and Gomez and several members of the House of Representatives

LEGISLATIVE

HISTORY:

01/20/23	Petition filed
02/16/23	Referred to the Committee on Education; House concurred
10/11/23	Hearing held
02/08/24	Bill reported favorably by the Committee and referred to the Committee on Senate Ways and Means

EXISTING LAWS

AFFECTED:

M.G.L. c. 69; c. 71 §§ 32A, 32B

SUMMARY:

- Requires every city, town, regional school district, vocational school district or charter school implementing or maintaining a curriculum that primarily involves sexual health education to adopt a written policy ensuring parental or legal guardian notification of the comprehensive sexual health education provided by the school, the right of the parent or legal guardian to withdraw a student from all or part of the instruction, the notification process to the school for withdrawal and a process for parents and legal guardians to inspect the program instruction materials prior to the start of the course.
- Ensures that notification about the sexual health education curriculum is provided both in English and, to the extent possible, languages commonly spoken by parents and guardians.
- Clarifies that if a student withdraws from all or part of the sexual health education, the student shall not be subject to disciplinary action.
- Requires an alternative educational activity be made available for a student who has been withdrawn by a parent or legal guardian from sexual health instruction.
- Requires sexual health education to be medically accurate and age-appropriate, regardless of gender, race, disability status, sexual orientation or gender identity.

- Requires the curriculum for sexual health education to include the medically accurate and age-appropriate teaching of: (i) the changes of human development; (ii) human anatomy, reproduction, and sexual development; (iii) the benefits of abstinence and the effective use of contraceptives; (iv) ways to discuss safe sexual activity; (v) relationship and communication skills for healthy relationships; and (vi) gender identity and sexual orientation, including affirmative recognition that people have different sexual orientations, gender identities and gender expressions.
- Requires the Board of Elementary and Secondary Education to update the Massachusetts comprehensive health curriculum framework not less than every 10 years.
- Requires each city, town, regional school district, vocational school district or charter school to file a biennial report with the department regarding sexual health education in the city, town, district or charter school, including the number of students enrolled in and withdrew from the sexual health education program.
- Requires data collected from the biennial reports to be posted on the department's website within 30 days of the filing of biennial reports.

ESTIMATED

FISCAL

IMPACT:

This legislation has no cost to the Commonwealth.

(KHV)