



**House
Legislative
Analysis
Section**

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AIDS EDUCATION FOR SCHOOLTEACHERS

House Bill 5188 (Substitute H-3)
Second Analysis (5-26-88)

RECEIVED

Sponsor: Rep. Teola Hunter
First Committee: Education
Second Committee: Public Health

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THE APPARENT PROBLEM:

Public Act 185 of 1987 (Senate Bill 115) amended the School Code to specifically require the public schools to teach about the transmission and prevention of acquired immunodeficiency syndrome (AIDS). This was a refinement of the already existing requirement that all state public schools provide instruction on the principal modes by which dangerous communicable diseases are spread and the best methods of prevention. Public Act 185, however, did not specify who should teach children about AIDS or what training would be required of them.

THE CONTENT OF THE BILL:

The bill would amend the School Code to require that those who teach about AIDS to K-12 students have training in "acquired immunodeficiency syndrome education for young people." The State Board of Education, in cooperation with the Department of Public Health, would have to train the people who would provide the required teacher training and would have to develop and distribute to school districts material on teaching about AIDS to young people.

The code now says "the curricula to be used for acquired immunodeficiency syndrome (education) required to be taught shall be approved by the appropriate local board of education prior to its use in the school setting." The bill would provide that "the choice of curricula" must be approved.

MCL 380.1169

FISCAL IMPLICATIONS:

A Department of Education analysis (dated 5-10-88) reports that "The Department of Education and the Department of Public Health have incurred costs and will continue to do so in assuring that teachers are trained in AIDS education." The department notes that 130 people have already been trained to serve as teacher trainers in AIDS education and the plans are for 150 to 175 people in total to be trained at selected intermediate school districts and at 48 local health departments. Materials for middle school and high school children are already in the hands of local school districts, and materials for elementary school students will be available by the fall. The department says the materials will be in the form of a special supplement to the existing Michigan Comprehensive Health Model (a state-developed curriculum).

Staff to the House Education Committee has estimated the cost of the bill at the school district level at about \$240,000. (5-24-88) This is based on a cost of \$75-\$100 for each teacher receiving training and the expectation that two teachers per school in approximately 1,200 schools will receive the training. The estimate includes the cost of transportation and substitutes.

ARGUMENTS:

For:

The legislature decided last year that all public schools in the state must provide instruction to students about acquired immunodeficiency syndrome (AIDS), how it is spread and how its transmission can be prevented. This bill would ensure that the people providing the instruction are properly trained to carry out the task and are equipped with the proper materials. Because there is no vaccine or cure for this frightening fatal disease of the immune system, education is the best weapon to prevent its spread. Among the most common forms of transmission are intimate sexual contact and the sharing of hypodermic needles, and engaging in certain behaviors or lifestyles significantly increases the risk of infection. While public awareness of the existence of the disease is very high, there exists a great deal of misinformation and misunderstanding. Thus, it is essential that educational programs about AIDS be conducted by trained staff who know what they are talking about and know how to present the information effectively. Some school districts have already made sure of this. This bill would require that everyone who teaches about AIDS in the public schools have been trained to do so. The departments of Education and Public Health have already prepared a lot of people to conduct the necessary teacher training.

Against:

Several concerns have been raised about the bill.

- Can parents choose not to have their children taught about AIDS? Parents can withdraw children from sex education programs but not, apparently, from communicable disease education. AIDS education could be a component of either curriculum. (However, it is specifically cited as a communicable disease.)
- Does the bill prevent schools from having outside experts who have not had a specific, state-approved course teach students about AIDS (for example, local public health officials or medical specialists)?
- Is the state obligated to pay for the required teacher training because of the Headlee Amendment, which requires the state to pay the cost of mandated local programs? The Legislative Service Bureau has said the state is not obligated, but others disagree. In any case, is there state funding available for the training (perhaps through the AIDS education component of the Health Initiative Fund) or are school districts expected to bear the cost?
- Despite the importance of AIDS education, should the state impose curriculum requirements on local school districts? Some people believe it should not. The tradition of local control would demand that the need for this kind of education and the manner in which it is delivered is best left to the discretion of local communities. The

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seriousness of AIDS and the public concern over its spread makes it likely that school districts would provide meaningful AIDS education without a state mandate.

Response: Long before there was public concern about AIDS, the public schools were required to teach about the spread and prevention of communicable diseases and were obligated to keep its instructors up-to-date on the material and on effective teaching methods. When the legislature specifically cited the need to teach about AIDS it did so in the context of the communicable disease education requirement. So this was not a new state-imposed mandate, but an effort to emphasize the importance of teaching about AIDS. The School Code, moreover, says that the curriculum used in a school district to teach about AIDS must first be approved by the local board of education. It should also be noted that polls show that parents overwhelmingly endorse having the schools teach their children about AIDS.

POSITIONS:

The State Board of Education supports the bill. (5-9-88)

A representative of the Department of Education testified in support of the bill. (5-9-88)

A representative of the Department of Public Health testified in support of the bill. (5-9-88)

The Michigan Federation of Teachers AFL-CIO supports the bill. (5-6-88)

The Michigan Association of School Administrators supports the bill. (5-6-88)

Planned Parenthood Affiliates of Michigan supports the bill. (5-9-88)

The Michigan Education Association supports the bill, provided that no additional costs are imposed on schools for AIDS programs. (5-6-88)

The Michigan Association of Elementary School Principals has no position on the bill. (5-6-88)

The Michigan Organization for Human Rights has no position on the bill. (5-9-88)

The Michigan Association of Intermediate School Administrators does not support the bill unless additional funds are appropriated to finance it. (5-6-88)

The Michigan Association of School Boards is opposed to the substitute. (5-24-88)