



SIECUS

Sexuality Information and Education
Council of the United States

2015 SEX ED STATE LEGISLATIVE ROUND-UP

OVERVIEW OF ACTIVITY ACROSS THE COUNTRY

The education students receive--or don't receive--regarding their sexuality and sexual health in elementary and secondary public schools across the country depends on many factors, including policy decisions made at different levels from the U.S. Capitol down to the individual school. State legislation is critical in shaping, and sometimes limiting, the quality of instruction and materials used in the classroom. As the majority of state legislative sessions are adjourned for the 2015 year, SIECUS has compiled this *2015 Sex Ed State Legislative Round-Up* that analyzes policy proposals related to advancing or restricting progress toward more comprehensive sexuality education (CSE.)

Too frequently, CSE is mistakenly understood as a program that teaches about abstinence plus information about condoms and contraception. Or, conflated with evidence-based teen pregnancy prevention and/or HIV and other sexually transmitted disease (STD) interventions because of the advent of federal funding for such programs. While an evidence-informed approach, abstinence, contraceptives, and other sexual health information are essential elements of CSE, they are just components. CSE also addresses the physical, mental, emotional, and social dimensions of human sexuality and topics such as human development, relationships, personal skills, society and culture, as well as sexual behaviors and sexual health. In addition, when taught by trained educators across a students' school years, CSE addresses the needs of all young people, including lesbian, gay, bisexual, transgender, queer/questioning, intersex, and asexual (LGBTQIA) youth, youth who are sexually active, pregnant and parenting students, and survivors of sexual violence.

The *2015 Sex Ed State Legislative Round-Up* highlights key takeaways, enacted legislation, and common provisions within legislative topic areas. SIECUS identified 163 bills that were introduced in 2015 within state legislatures that included provisions to advance school-based sexuality education and key components of CSE, restrict sexuality education and promote abstinence-only-until-marriage programs, policies that were neutral, or bills that included a mix of advancing or restrictive provisions.

Please contact us at info@siecus.org if you have any questions or have suggestions for future editions, or would like assistance on how utilize the *2015 Sex Ed State Legislative Round-Up* to support quality comprehensive sexuality education in your state or community.

SIECUS thanks Brittany Perrotte for her contributions to this report.

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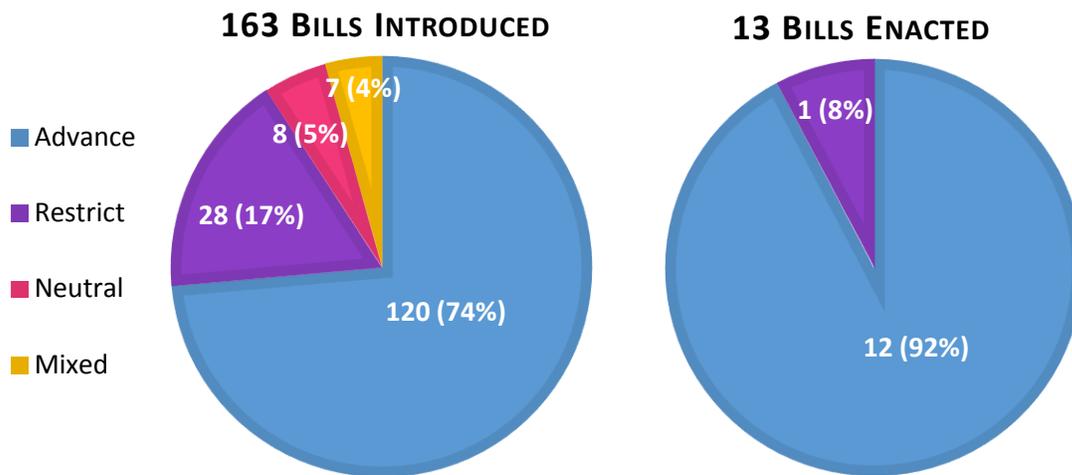
2015 Sex Ed State Legislative Round-up: Overview of Activity Across the Country, www.siecus.org/statelegroundup (New York: SIECUS, 2015).

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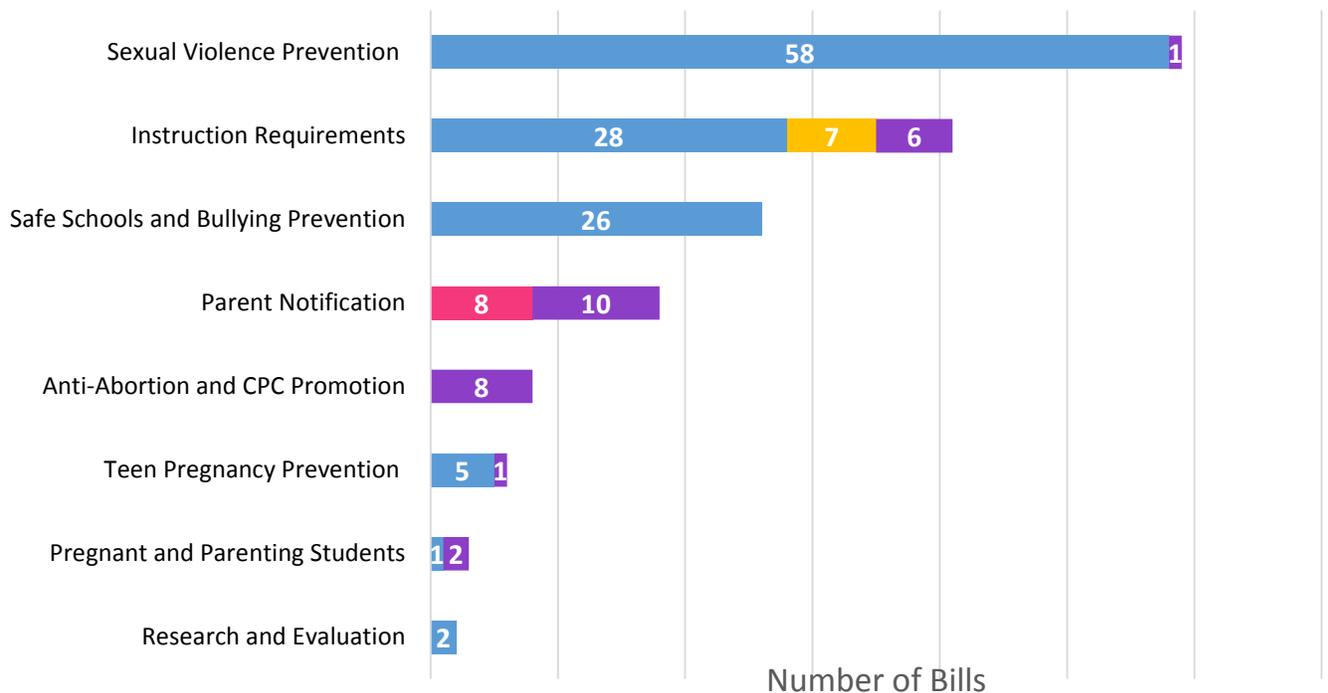
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2015 STATE LEGISLATIVE HIGHLIGHTS

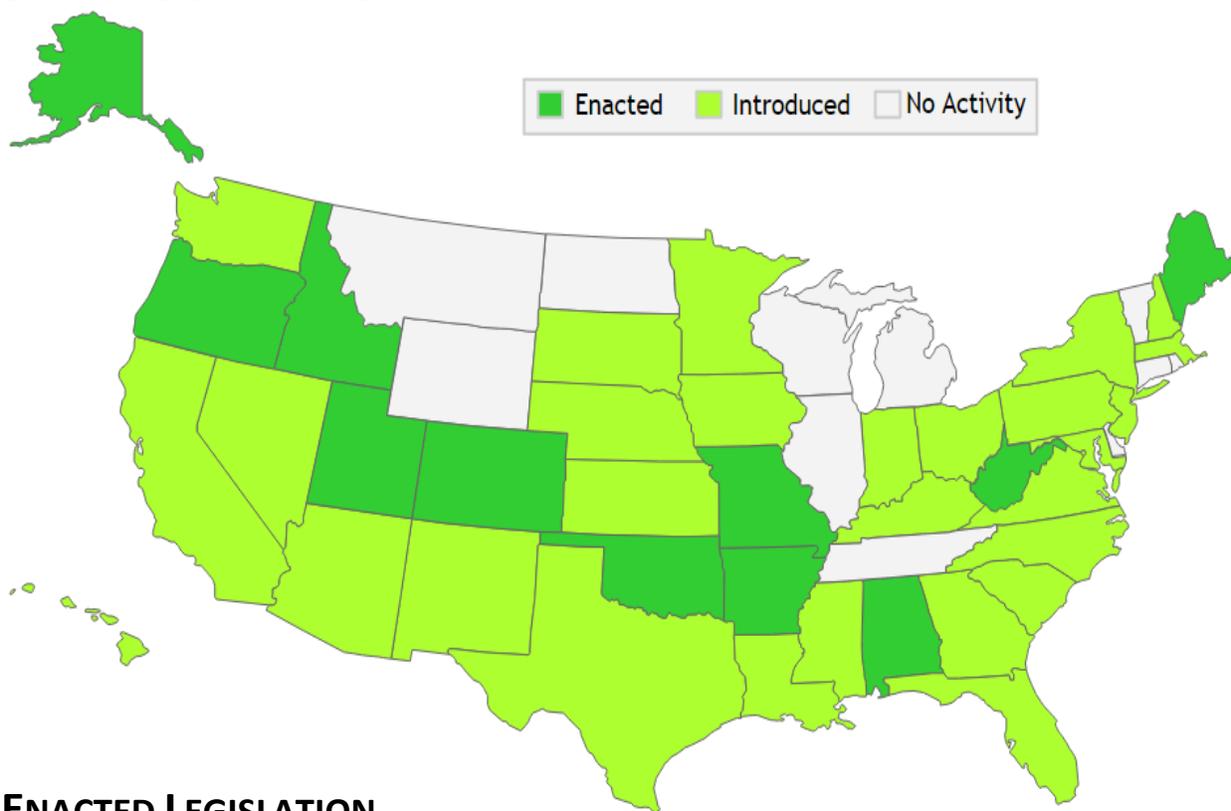
- ◆ 163 bills related to school-based sexuality education were introduced in 40 states.
- ◆ Sexual violence prevention, sexuality education instruction requirements, and safe schools/bullying prevention were the most common legislative topics introduced related to sexuality education.
- ◆ 11 states enacted 13 laws to advance or restrict sexuality education.
- ◆ The vast majority of introduced (74%) or enacted (92%) bills contained provisions to advance sexuality education in their respective states.



STATE SEX ED BILL TOPICS



STATE LEGISLATIVE ACTIVITY



ENACTED LEGISLATION



On June 11, 2015 **ALABAMA** enacted [HB 197](#), “Erin’s Law,” to create guidelines for K–12th grade sexual abuse prevention education that is age-appropriate, evidence-based, and incorporated into health education. Erin’s Law is intended to “educate children and empower them to recognize and report abuse.” The legislation was sponsored by Rep. Terri Collins (R-8).

On July 14, 2015 **ALASKA** enacted [HB 44](#), “The Alaska Safe Children’s Act,” a bill that would require sexual assault and sexual abuse awareness and prevention education for grades K–12, and dating violence and abuse awareness and prevention education for grades 7–12. Instruction must be age-appropriate and an opt-out option must be provided to parents or guardians. This bill was sponsored by House Majority Leader, Rep. Charisse Millett (R-30).



ARKANSAS enacted two laws to strengthen the state’s sexual violence prevention efforts. [HB 1369](#), passed on March 20, 2015 expands the scope of the Arkansas Legislative Task force for Child Abuse Prevention and instructs the State Department of Education to implement recommendations of the task force. HB 1369 was sponsored by Rep. Matthew Shepherd (R-6). The second enacted bill, [HB 1685](#), passed on April 2, 2015, requires that dating violence education be included in the 7–12th grade health curriculum. The legislation was sponsored by Rep. Charlotte V. Douglas (R-75).



On June 5, 2015, **COLORADO** enacted [SB 20](#), a bill sponsored by Sen. Linda Newell (D-26) that strengthens the state’s sexual violence prevention efforts by 1) requiring the Colorado School Safety Resources Center to hire a new staff member to provide curricula recommendations and training for school personnel, youth, and parents on child sexual abuse prevention; 2) encouraging school districts and charter schools to adopt a child sexual abuse prevention plan, which includes comprehensive age-and developmentally-appropriate K-12 curricula; and 3) encouraging school districts and charter schools to provide professional development opportunities for school personal in preventing, identifying, and responding to child sexual abuse and assault.



On April 6, 2015, **IDAHO** enacted [H 246](#), a bill that builds on the state’s existing law by making harassment, intimidation, and bullying an infraction — adding an element of prevention and training. Districts and charter schools “shall provide ongoing professional development” to help staff identify bullying and intervene on victims’ behalf. Districts are also required to write their own anti-bullying policies. H 246 was sponsored by Rep. Ilana Rubel (D-18).

On June 30, 2015 **MAINE** enacted [LD 1180](#), a bill that requires child sexual abuse education in public preschool programs and elementary schools (Kindergarten through grade 5.) This legislation requires that a model policy “based on nationally recognized best practices” for child sexual abuse prevention education and response be developed no later than July 1, 2016 “in consultation with the Department of Health and Human Services, organizations that have experience in child sexual abuse prevention education and organizations representing school boards, administrators, teachers and parents.” LD 1180 was sponsored by Rep. Joyce Maker (R-140).



On July 14, 2015, **MISSOURI** enacted [HB 501](#), sponsored by Rep. Genise Montecillo (D-92), which adds a requirement for instruction on the safe use of the Internet and technology in course materials relating to human sexuality. This instruction is to include the dangers of online sexual predators “when using electronic communication methods such as the internet, cellphones, text messages, chapter rooms, email, and instant messaging programs” as well as the personal and legal consequences of “inappropriate text messaging, even among friends.”

On May 4th, 2015 **OKLAHOMA** enacted [HB 1684](#), legislation that allows age-appropriate education on sexual abuse prevention and risk-reduction that is evidence based, culturally sensitive, and taught annually. Additionally, this bill requires teacher training to include abuse recognition, reporting, and resources. HB 1684 was sponsored by Rep. Lee Denney (R-33).





OREGON enacted two sexual violence prevention laws. [SB 790](#), sponsored by Sen. Bill Hansell (R-29) and enacted on June 15, 2015, requires the Department of Justice to encourage and support services, programs, and curricula that educate and inform students in grades 7–12 about domestic violence, effective January 1, 2016. [SB 856](#), sponsored by Sen. Tim Knopp (R-27), enacted on the same day, requires four or more years of sexual abuse prevention education in grades K–12 that is age-appropriate, culturally sensitive, evidence-based, and delivered by trained instructors.

On March 23, 2015, **UTAH** enacted [HB 447](#), a bill that requires written parental consent, or “opt-in,” for human sexuality instruction, which includes sexual abstinence, human sexuality, human reproduction, reproductive anatomy, physiology, pregnancy, marriage, childbirth, parenthood, contraception, HIV/AIDS or STDs but does not include child sexual abuse prevention. HB 447 was sponsored Rep. Brad Dee (R-11).



On June 11, 2015, **WEST VIRGINIA** enacted [HB 2527](#), “Erin Merry’s Law” creating the Task Force on the Prevention of Sexual Abuse of Children, specifying composition of the task force, and providing that task force members serve without expense reimbursement or compensation. The task force is responsible for creating goals and making recommendations on state education policy to prevent child sexual abuse. The lead sponsor of HB 2527 was Rep. Amanda Pasdon (R-51). The Senate companion bill, SB 387, was sponsored by Sen. Chris Walters (R-8).

STATE LEGISLATIVE ACTIVITY BY TOPIC

SIECUS completed an analysis to identify the common topics related to school-based sexuality education or abstinence-only-until-marriage programs that were included in policy provisions introduced in state legislatures across the country in 2015. Based on our analysis, the vast majority of proposals in 2015 would advance policies toward quality school-based sexuality education including critical components of CSE and ultimately help ensure the sexual health of young people throughout their lives.

Key: ◆ Advance ◆ Restrict ◆ Neutral ◆ Mixed

Sexual Violence Prevention

Fifty-nine bills were introduced in twenty-nine states related to some form of sexual violence prevention, dating violence, and/or domestic violence prevention in schools. Eight states enacted legislation.

59	<i>The most common new provisions among advancing, neutral, or restrictive proposals:</i>
Introduced in	◆ Age-appropriate instruction (44 bills)
29	◆ Teacher and/or school staff training requirements (32 bills)
States	◆ Including healthy relationships, communication, or consent instruction (23 bills)
10	◆ Incorporation into health education curriculum (21 bills)
Enacted in	◆ Instruction required for all grade levels (21 bills)
8	◆ Parent notification and opt-out (10 bills)
States	◆ Restricting discussion of “homosexual relationships” (1 bills)



Instruction Requirements

Forty-one bills were introduced in sixteen states related to sexuality education – categorized under various names – program or curriculum instruction and content. One state, MO, enacted legislation.

41 Introduced in 16 States 1 Enacted	<i>The most common new provisions among advancing, neutral, or restrictive proposals:</i>
	◆ Scientifically-, medically-accurate, age-, and/or culturally appropriate (34 bills)
	◆ Include healthy relationships instruction (22 bills)
	◆ Include both abstinence & contraception (21 bills)
	◆ Encourage parent-student communication (12 bills)
	◆ LGBTQIA nondiscrimination (12 bills)
	◆ Parent notification and opt-out (14 bills)
◆ Emphasis or stressing of abstinence-only or abstinence-only-until-marriage (9 bills)	
◆ Instruction on life beginning at conception and/or fetal development (2)	

Safe Schools and Bullying Prevention

Twenty-six bills were introduced in sixteen states related to ensuring safe schools, bullying prevention, or LGBTQIA nondiscrimination. One state, Idaho, enacted legislation.

26 Introduced in 16 States 1 Enacted	<i>The most common new provisions among advancing, neutral, or restrictive proposals:</i>
	◆ New school bullying prevention policies or procedures in place (16 bills)
	◆ Bullying prevention teacher/school staff training to ensure safe schools (14 bills)
	◆ Removal of “homosexual conduct” criminalization provisions (4 bills)
	◆ Removal of gender identity or expression or sexual orientation discriminatory language or inserting nondiscrimination provisions (3 bills)
◆ Research anti-bullying prevention (1 bill)	

Parent Notification

Eighteen bills were introduced in thirteen states related to parent/guardian notification of sexuality education content and active (opt-in) or passive (opt-out) consent for student participation. One state, Utah, enacted legislation.

18 Introduced in 13 States 1 Enacted	<i>The most common new provisions among advancing, neutral, or restrictive proposals:</i>
	◆ Providing for parent/guardian opt-in (10 bills)
	◆ Additional parent/guardian notification requirements (4 bills)
	◆ Providing for parent/guardian opt-out (4 bills)



Anti-Abortion and Crisis Pregnancy Center Promotion

Nine bills were introduced in four states related to prohibiting abortion providers from providing sexuality education instruction or materials or promoting crisis pregnancy centers. None were enacted.

- 9**
Introduced
in
4
States
None Enacted
- The most common new provisions among advancing, neutral, or restrictive proposals:*
- ◆ Prohibiting abortion providers and/or any abortion provider affiliates from partnering with schools, providing materials, and/or instruction (4 bills relating to sexuality education, 1 bill relating to schools overall)
 - ◆ Supporting or recognizing the importance of “pregnancy resource centers” (4 bills)

Teen Pregnancy Prevention

Six bills were introduced in four states to support unintended teen pregnancy prevention (TPP) efforts. None were enacted.

- 6**
Introduced
in
4
States
None Enacted
- The most common new provisions among advancing, neutral, or restrictive proposals:*
- ◆ Establish new TPP programs (3 bills)
 - ◆ Include “Safe Have” laws information into grades 9–12 health curriculum (2 bills)
 - ◆ Use of abstinence-only or abstinence-plus program to satisfy TPP instruction (1 bill)

Pregnant and Parenting Students

Three bills were introduced in two states related to pregnant and parenting students. None were enacted.

- 3**
Introduced
in
2
States
None Enacted
- The most common new provisions among advancing, neutral, or restrictive proposals:*
- ◆ Development of a model policy for implementing an evidence-based program to provide assistance to expecting and parenting teens (1 bill)
 - ◆ Requiring expecting and parenting teen recipients of Temporary Assistance for Needy Families (TANF) resources to participate in abstinence and marriage promotion programs (2 bills)

Research and Evaluation

Two bills were introduced in two states related to the research and evaluation of sexuality education. None were enacted.

- 2**
Introduced
in
2
States
None Enacted
- The most common new provisions among advancing, neutral, or restrictive proposals:*
- ◆ Requesting report on the effectiveness of “abstinence education” programs (1 bill)
 - ◆ Study the link between educational achievement and health risk behaviors (1 bill)



STATE LEGISLATIVE SEX ED ACTIVITY BY STATE

State	Sexual Violence Prevention	Instruction Requirements	Safe Schools and Bullying Prevention	Parent Notification	Anti-Abortion and CPC Promotion	Teen Pregnancy Prevention	Pregnant and Parenting Students	Research and Evaluation
AL	HB 197	◆	◆					
AK	HB 44			◆	◆			
AZ	◆	◆	◆	◆				
AR	HB 1369 & HB 1685			◆	◆			
CA	◆	◆	◆	◆				
CO	SB 20				◆			
CT								
DE								
FL				◆				
GA	◆		◆					
HI	◆	◆	◆	◆				
ID			H 246	◆				
IL								
IN		◆						
IA	◆							
KS	◆			◆				
KY		◆						
LA	◆	◆						◆
ME	LD 1180							
MD	◆					◆		
MA	◆	◆		◆		◆	◆	
MI								
MN	◆							
MS	◆	◆	◆			◆ ◆	◆	
MO	◆	HB 501 ◆						
MT			◆					
NE	◆		◆					◆



State	Sexual Violence Prevention	Instruction Requirements	Safe Schools and Bullying Prevention	Parent Notification	Anti-Abortion and CPC Promotion	Teen Pregnancy Prevention	Pregnant and Parenting Students	Research and Evaluation
NV			◆					
NH				◆				
NJ	◆		◆			◆		
NM			◆					
NY	◆	◆	◆					
NC		◆ ◆ ◆						
ND								
OH	◆	◆						
OK	HB 1684		◆					
OR	SB 790 & SB 856							
PA	◆		◆					
RI								
SC	◆ ◆	◆						
SD	◆			◆				
TN								
TX	◆	◆ ◆ ◆	◆	◆	◆			
UT				HB 447				
VT								
VA		◆						
WA	◆							
WV	HB 2527	◆						
WI								
WY								

Bill numbers indicate enacted legislation.

- ◆ Advance
- ◆ Restrict
- ◆ Neutral
- ◆ Mixed

