

SIECUS PUBLIC POLICY OFFICE

STATE PROFILE

MASSACHUSETTS

Massachusetts received \$2,010,501 in federal funds for abstinence-only-until-marriage programs in Fiscal Year 2006.

Massachusetts Sexuality Education Law and Policy

Massachusetts does not require sexuality education and instead allows local school boards to make such decisions. In 1990, the Massachusetts Board of Education approved a policy that:

[U]rges local school districts to create programs which make instruction about AIDS/HIV available to every Massachusetts student at every grade level. These programs should be developed in a manner which respects local control over education and involves parents and representatives of the community. The Board believes that AIDS/HIV prevention education is most effective when integrated into a comprehensive health education and human services program.

In addition, the Massachusetts Comprehensive Health Framework suggests curricula for schools.

If a community decides to implement sexuality education, it must develop standards with the guidance of community stakeholders, including parents, students, teachers, counseling professionals, health professionals, representatives of local religious groups, and representatives of local social service and health agencies. In addition, the program must be taught in kindergarten through twelfth grade; must discuss HIV/AIDS, teen pregnancy, family violence, sound health practices; and must "define sexual orientation using the correct terminology (such as heterosexual and gay and lesbian)."

The school district must also ensure that parents and/or guardians receive notification about the sexuality education policy. Parents may remove their children from any or all of this instruction. This is referred to as an "opt-out" policy.

See General Laws of Massachusetts, Title XII, Chapter 69 Section 1L, Chapter 71, Section 1, Section 32A, and Section 38O; and *Massachusetts Comprehensive Health Framework*.

Recent Legislation

Legislation Bans Funding for Abstinence Programs

House Bill 1172, introduced in January 2007, would ban any state agency or political subdivision of Massachusetts from applying for Title V or any other federal grant for abstinence-only education programs. The bill was recently discharged from the Joint Committee on Higher Education and was sent to the Joint Committee on Public Health on March 12, 2007.

Events of Note

6th Grade Book Stirs Rethought November 2006; Dover, MA

The Dover Sherborn Regional School Committee is considering banning *So Far from the Bamboo Grove* from schools after parents complained that the book's content was sexually explicit, racist, and inappropriate for the sixth grade classroom.

A Korean-American parent felt that the explicit racist content of the book against Koreans resulted in her son's classmates teasing her son. Another parent thought that a rape scene in the book made it inappropriate reading for sixth graders.

An unofficial review committee including middle school librarians and English teachers has unanimously recommended removing the book from the curriculum. One committee member commented that there wasn't enough time in school to explore the issues raised by the book.²

The School Committee is responsible for reviewing the book and making a final decision. SIECUS will continue to monitor the situation.

Dispute over Presentation of Same-Sex Marriage in Massachusetts Schools June 2006; Lexington, MA

Some parents at Joseph Estabrook Elementary School raised concerns after a second-grade teacher read *King and King*, a children's story about a prince who marries another prince and "lives happily ever after," to his students. After reading the book, the teacher told students that in Massachusetts same-sex marriage is now legal.

Parents complained that the students were too young to be exposed to such lessons, and other parents demanded that the school send notification letters home informing them when homosexuality will be discussed in the classroom. "My son is only seven years old," one Lexington parent complained. "By presenting this kind of issue at such a young age, they're trying to indoctrinate our children. They're intentionally presenting this as a norm, and it's not a value that our family supports."

The Lexington School District Superintendent said that schools are committed to "teaching children about the world they live in."

Parents Sue School for Absence of Sex Education February 2006; Boston, MA

Parents of a former Milton Academy student expelled for statutory rape are suing the school for not providing its students with adequate and accurate information about appropriate sexual behavior. The parents claim that the school failed to carry out its role of supervising and protecting students *in loco parentis*, and as a result condoned an "anything goes" attitude towards sex. They fault Milton for failing to include specific rules and guidelines for student sexual behavior in the Upper School Handbook.

According to the parents' suit, underage sex happens "all over [Milton's] campus, day and night." The student was also encouraged to sign incriminating statements without his parents or lawyer present. The parents are demanding that the expulsion be expunged from their son's transcript.

Governor Changes Use of Title V Funds 2005; Boston, MA

Former Governor Mitt Romney ignored a legislative veto in an effort to change the way that Massachusetts spends Title V abstinence-only-until-marriage funding. Since the funding began,

Massachusetts had used its Title V funds for a media campaign. Governor Romney's proposal, however, requires the Massachusetts Department of Health to fund in-classroom instruction.

Governor Romney initially proposed this change to the Massachusetts legislature, which overwhelmingly rejected it. The proposal was rejected 105 to 44 in the Massachusetts House and by a voice vote in the Senate. The Governor vetoed that rejection, but the session ended without the legislature voting on his veto. The lack of a vote effectively killed the proposal. Nonetheless, the Governor disregarded this and changed the way the funds are used.

Many of the lawmakers who voted against the proposal were concerned that the funding for abstinence-only-until-marriage instruction would encourage schools to replace their existing comprehensive programs. Legislators were also concerned about the restrictive nature of the funding, including the emphasis placed on the failure rates of contraception.

According to the President/CEO of Planned Parenthood League of Massachusetts, "Federal funding for abstinence-only-until-marriage programs is putting Massachusetts teens at risk. The Commonwealth of Massachusetts should have the flexibility to use its portion of these funds in ways that promote abstinence without discouraging condom use. It is disappointing that Governor Romney is putting ideology before the health of our state's young people by ignoring the scientific evidence and peer-reviewed studies that show these programs do not work."

Father Arrested at Elementary School in Protest Over Book on Diversity April 2005; Lexington, MA

The father of a five-year-old at Joseph Estabrook School in Lexington, MA, was arrested after he refused to leave the school in protest of a book his son had brought home about diverse families. The book, *Who's In a Family?* by Robert Skutch, depicts different kinds of families, including same-sex couples with children.

The book was part of a bag of books on foreign cultures and traditions that the school sent home with students for them to read with their families. The co-president of the Estabrook Parent-Teacher Association said that parents received notice about the book bag at the beginning of the year and the bag's contents were displayed at a back-to-school night earlier in the school year.

However, the father said he and his wife were never told about the bag of books. When his son came home with the books, he became concerned and arranged a meeting with the school principal and district director of information, where he demanded that the school notify both him and his wife about any classroom discussions involving same-sex marriage and other "adult themes." He asked that their son be removed from any such discussions, even if they arose spontaneously. The father explained that he wanted to control "the timing and manner" in which his son learned about "adult themes." His wife explained, "We're not giving unfettered access to the psyche of our son when he enters the school."

When the administration would not agree with his demands, the father refused to leave the school. After several hours, he was arrested for trespassing and spent the night in jail. He refused to post bail for himself, saying he wanted to stay in custody to prove a point. He was released and ordered to stay off Lexington school property until his court case.

After his release, the father explained that, "because of the same-sex [marriage] law, people are treating it as a mandate to teach the youngest children. It is not a mandate to teach the youngest of children, particularly if parents say, 'Hold on, I want to be the gatekeeper of the information." ¹¹

The Lexington School Committee chairman defended the school's policy. "We don't view telling a child that there is a family out there with two mommies as teaching about homosexuality, heterosexuality, or any kind of sexuality....We are teaching about the realities of where different children come from." ¹²

Condom Availability Program Comes Under Fire October 2004; Holyoke, MA

The Holyoke, MA school system came under fire from the Roman Catholic Bishop of Springfield for a decision to institute a program to make condoms available at school for sixth through twelfth grade students. The school committee decided to adopt the program in an effort to curb the city's high teen birth rates of 82 births per 1,000 teen girls. This is the highest in the state, which has a rate of 23 births per 1,000 teen girls. The school committee first voted to revise its health education curriculum and give sexuality education a higher priority. More recently, the school decided to institute the condom availability program.

The program will be piloted in the high schools and will be extended to sixth through eighth grade if it is deemed successful. Students wishing to receive condoms will need to speak to a nurse who will explain pregnancy, AIDS, abstinence, and that condoms are not 100% effective.

A letter was sent home to parents, who will have the option of preventing their children from obtaining condoms. A school physician and interim director of health education for the Holyoke schools described the need for the program and said, "We had to do something to combat what we were seeing."

Not everyone agrees with the school's new program, however. Several members of the school committee voiced opposition and voted to limit the program. The latest opposition comes from the Roman Catholic Bishop of Springfield, who argued that that the school system is "an endorser and an enabler of early adolescent sex." In a statement, he said, "I am profoundly disappointed and disturbed" and that school officials are reducing sex to "meaningless self-gratification." Despite the opposition, the school intends to go forward with the program.

Massachusetts's Youth: Statistical Information of Note¹⁷

- ➤ In 2005, 43% of female high school students and 48% of male high school students in Massachusetts reported ever having had sexual intercourse compared to 46% of female high school students and 48% of male high school students nationwide.
- ➤ In 2005, 2% of female high school students and 8% of male high school students in Massachusetts reported having had sexual intercourse before age 13 compared to 4% of female high school students and 9% of male high school students nationwide.
- ➤ In 2005, 11% of female high school students and 15% of male high school students in Massachusetts reported having had four or more lifetime sexual partners compared to 12% of female high school students and 17% of male high school students nationwide.
- ➤ In 2005, 35% of female high school students and 33% of male high school students in Massachusetts reported being currently sexually active (defined as having had sexual intercourse in the three months prior to the survey) compared to 35% of female high school students and 33% of male high school students nationwide.
- In 2005, among those high school students who reported being currently sexually active, 59% of females and 72% of males in Massachusetts reported having used condoms the last time they had sexual intercourse compared to 56% of females and 70% of males nationwide.

- In 2005, among those high school students who reported being currently sexually active, 30% of females and 19% of males in Massachusetts reported having used birth control pills the last time they had sexual intercourse compared to 21% of females and 15% of males nationwide.
- ➤ In 2005, among those high school students who reported being currently sexually active, 20% of females and 26% of males in Massachusetts reported having used alcohol or drugs the last time they had sexual intercourse compared to 19% of females and 28% of males nationwide.
- ➤ In 2005, 93% of high school students in Massachusetts reported having been taught about AIDS/HIV in school compared to 88% of high school students nationwide.
- ➤ In 2000, Massachusetts's abortion rate was 26 per 1,000 women ages 15–19 compared to a teen abortion rate of 24 per 1,000 nationwide.¹⁸
- ➤ In 2004, Massachusetts's birth rate was 22 per 1,000 women ages 15–19 compared to a teen birth rate of 41 per 1,000 nationwide.¹⁹

Boston, Massachusetts

- ➤ In 2005, 46% of female high school students and 64% of male high school students in Boston, Massachusetts reported ever having had sexual intercourse compared to 46% of female high school students and 48% of male high school students nationwide.
- In 2005, 4% of female high school students and 19% of male high school students in Boston, Massachusetts reported having had sexual intercourse before age 13 compared to 4% of female high school students and 9% of male high school students nationwide.
- ➤ In 2005, 11% of female high school students and 33% of male high school students in Boston, Massachusetts reported having had four or more lifetime sexual partners compared to 12% of female high school students and 17% of male high school students nationwide.
- ➤ In 2005, 35% of female high school students and 42% of male high school students in Boston, Massachusetts reported being currently sexually active (defined as having had sexual intercourse in the three months prior to the survey) compared to 35% of female high school students and 33% of male high school students nationwide.
- ➤ In 2005, among those high school students who reported being currently sexually active, 68% of females and 81% of males in Boston, Massachusetts reported having used condoms the last time they had sexual intercourse compared to 56% of females and 70% of males nationwide.
- ➤ In 2005, among those high school students who reported being currently sexually active, 16% of females and 10% of males in Boston, Massachusetts reported having used birth control pills the last time they had sexual intercourse compared to 21% of females and 15% of males nationwide.
- ➤ In 2005, among those high school students who reported being currently sexually active, 15% of females and 18% of males in Boston, Massachusetts reported having used alcohol or drugs the last time they had sexual intercourse compared to 19% of females and 28% of males nationwide.

In 2005, 83% of high school students in Boston, Massachusetts reported having been taught about AIDS/HIV in school compared to 88% of high school students nationwide.

Title V Abstinence-Only-Until-Marriage Funding

Massachusetts received \$712,241 in federal Title V funding in Fiscal Year 2006. The Title V abstinence-only-until-marriage grant requires states to provide three state-raised dollars or the equivalent in services for every four federal dollars received. The state match may be provided in part or in full by local groups. Massachusetts provides \$534,181 in matching funds.

Massachusetts funds two sub-grantees: A Woman's Concern and Geovision, Inc. In 2006, former Governor Mitt Romney announced that a portion of the Title V funding would be given to A Woman's Concern crisis pregnancy center for its abstinence-only-until-marriage program, *Healthy Futures*. Romney explained, "We teach sex education, but there's no portion of sex education which talks about the advantages of waiting." Prior to this Title V funding in Massachusetts was only used for the state's abstinence media campaign. (See the CBAE and AFLA section for more information about A Woman's Concern.)

According to the Massachusetts Department of Public Health's (MDPH) website, from 1998–2004 MDPH used the money to run a media campaign with the main message of "You don't have to do it." This media campaign targeted males and females ages 10–14, males ages 15–17, and parents of teenagers. The goals of the campaign were to increase parent-child communication, encourage youth to delay the onset of sexual activity, and educate young men about the risks of early sexual activity. It is unclear if the campaign is on-going.

Community-Based Abstinence Education (CBAE) and Adolescent Family Life Act (AFLA) Grantees

There are two CBAE grantees in Massachusetts: Catholic Social Services of Fall River and A Women's Concern (which receives two grants) with locations throughout Massachusetts. There is one AFLA grantee in Massachusetts: Boston Medical Center.

A Woman's Concern runs several crisis pregnancy centers that use misleading information to pressure women into choosing not to have abortions. For example, in its *Abortion Health and Safety Checklist* the organization states that "Up to 50% of post-abortive women report experiencing emotional and psychological disturbances..." However, there is no sound scientific evidence linking abortion to subsequent mental health problems, termed "post-abortion stress syndrome" by anti-abortion groups. Neither the American Psychological Association nor the American Psychiatric Association recognize "post-abortion stress syndrome" as a legitimate medical condition. Nonetheless, abortion opponents often refer to studies that have been found to have severe methodological flaws or that cite anecdotal evidence of this condition in an effort to scare women out of exercising their right to choose.

The agency also uses ultrasound "photos and models of babies in utero, giving the woman a way to picture her own unborn child" in order to help women "to reconsider elective abortions." The American Institute of Ultrasound in Medicine (AIUM), Society for Diagnostic Medical Sonography (SDMS), American College of Radiology (ACR) and the U.S. Food and Drug Administration (FDA) all discourage the use of ultrasound machines for the non-medical, non-diagnostic purpose of manipulating a patient's decision. ²⁴

In 2006, the former medical director of A Woman's Concern, Eric Keroack, was appointed to the Office of Population Affairs in Health and Human Services as Deputy Assistant Secretary for Population

Affairs in 2006. This appointment put Dr. Keroack in charge of \$283 million in annual family-planning grants that are "designed to provide access to contraceptive supplies and information." However, under Dr. Keroak's leadership, A Woman's Concern did not believe that women should have access to birth control. It has stated that "the crass commercialization and distribution of birth control is demeaning to women, degrading of human sexuality and adverse to human health and happiness." In April 2007, Dr. Keroack resigned from his position at the Office of Population Affairs following notification by the Massachusetts Medicaid office that it had launched an investigation into Keroack's private practice. The Board of Registration in Medicine also issued warnings to Keroack based on a complaint that he had overmedicated a patient, prescribing her powerful psychotherapeutic drugs, and had "brainwashed" the patient into believing she was "severely depressed."

A Woman's Concern has a website with a "Questions" section. The answer to the question, "If you aren't religious, why wouldn't you have sex before you're married?" states, "Regardless of their spiritual beliefs, the healthiest choice for anyone is to wait until they are in a faithful, lifelong relationship to have sex. Outside of that relationship, there are risks associated with sex, including STDs, unplanned pregnancy, and intense emotions that can make it hard when the relationship ends. Without a formal commitment like marriage, relationships have some level of insecurity because either person can leave at any time."²⁹

A Woman's Concern created its abstinence program, *Healthy Futures*, in 2002 and currently offers it free to schools. *Healthy Futures* is the largest abstinence-only-until-marriage program in Massachusetts.³⁰ Governor Mitt Romney announced in 2006 that almost \$1 million dollars would go to A Woman's Concern's *Healthy Futures*.³¹ According to its website, *Healthy Futures* has conducted the program in more than 30 Massachusetts schools.³²

Before receiving this grant, A Woman's Concern's abstinence-only-until-marriage program was privately funded by the Gerard Health Foundation. Ray Neary, director of education for the Gerard Health Foundation and former director of Massachusetts Citizens for Life, told *Massachusetts News* that his job was to introduce abstinence-only-until-marriage programs to Massachusetts schools and "help rid the state of those sex education courses that really promote unbridled sex."

Federal and State Funding for Abstinence-Only-Until-Marriage Programs in FY 2006

Abstinence-Only-Until- Marriage Grantee Length of Grant	Amount of Grant	Type of Grant (includes Title V, CBAE, AFLA, and other funds)
Massachusetts Department of Public Health www.mass.gov/dph	\$712,241 federal \$534,181 state	Title V

Abstinence-Only-Until- Marriage Grantee	Amount of Grant	Type of Grant (includes Title V, CBAE, AFLA, and other
Length of Grant		funds)
A Woman's Concern	\$138,067	Title V sub-grantee
TRIPLE GRANTEE	\$488,434	CBAE
2003–2006		
TRIPLE GRANTEE	\$600,000	CBAE
2006–2011		
www.awomansconcern.org		
Geovision, Inc.	\$50,000	Title V sub-grantee
www.geovisiononline.com		
Boston Medical Center	\$209,826	AFLA
2004–2009		
www.bmc.org		

Title V Abstinence-Only-Until-Marriage Coordinator

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Massachusetts Organizations that Support Comprehensive Sexuality Education

ACLU of Massachusetts

AIDS Action Committee of Massachusetts

211 Congress St., 3rd Floor 294 Washington St., 5th Floor

Boston, MA 02110 Boston, MA 02108 Phone: (617) 482-3170 Phone: (617) 437-6200

<u>www.aclu-mass.org</u> <u>www.aac.org</u>

Greater Boston National Organization for

Women

1105 Commonwealth Ave.

Boston, MA 02215

Phone: (617) 254-9130

www.bostonnow.org

Massachusetts Alliance on Teen Pregnancy

105 Chauncy St., 8th Floor

Boston, MA 02111 Phone: (617) 482-9122

www.massteenpregnancy.org

Massachusetts Gay and Lesbian Political

Caucus

P.O. Box 246, State House

Boston, MA 02133 Phone: (617) 248-0776

www.mglpc.org

NARAL Pro-Choice Massachusetts

41 Winter St., Suite 65 Boston, MA 02108

Phone: (617) 556-8800 www.prochoicemass.org

Planned Parenthood League of

Massachusetts

1055 Commonwealth Ave.

Boston, MA 02215 Phone: (617) 616-1660

www.plannedparenthood.org/ma/

Religious Coalition for Reproductive Choice

Massachusetts

P.O. Box 1129

Brookline, MA 02446 Phone: (617) 522-2964

www.rcrcofma.org

Massachusetts Organizations that Oppose Comprehensive Sexuality Education

MA Family Institute

381 Elliot St.

Newton, MA 02464

Phone: (617) 928-0800 www.mafamily.org

MA Citizens for Life The Schrafft Center

529 Main St.

Boston, MA 02129 Phone: (617) 242-4199

www.masscitizensforlife.org

Operation Rescue: Boston

P.O. Box 870037

www.orboston.org

Milton Village, MA 02187 Phone: (781) 849-6026

Newspapers in Massachusetts

The Atlantic Monthly Boston Globe James Fallows Beth Daley

National News Correspondent Health & Medicine Reporter 135 William T. Morrissey Blvd. 77 N. Washington St.

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The Eagle-Tribune
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MetroWest Daily News Charlie Breitrose Education Reporter 33 New York Ave. Framingham, MA 01701 Phone: (617) 626-4407

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Phone: (508) 793-9232

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20 Franklin St.
Worcester, MA 01608
Phone: (508) 793-9292

¹ This refers to the fiscal year for the federal government which begins on October 1 and ends on September 30. The fiscal year is designated by the calendar year in which it ends; for example, Fiscal Year 2006 begins on October 1, 2005 and ends on September 30, 2006.

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⁷ Planned Parenthood League of Massachusetts, "Planned Parenthood League of Massachusetts Criticizes Romney Decision That Will Put Massachusetts Teens At Risk," Press Release published 25 February 2005, accessed 11 March 2005, http://www.pplm.org/Facts/rf fact/pr 2005 02 25.htm>.

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¹⁵ Ibid.

¹⁶ Ibid.

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