



UTAH

Utah Sexuality Education Law and Policy

Utah Code mandates that the state board of education establish curriculum requirements in grades eight through 12 for the prevention of communicable diseases. This instruction must stress “the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods for preventing certain communicable diseases; and personal skills that encourage individual choice of abstinence and fidelity.”¹

Among other limitations on what can be taught, the Code states that “[a]t no time may instruction be provided, including responses to spontaneous questions raised by students, regarding any means or methods that facilitate or encourage the violation of any state or federal criminal law by a minor or adult.”² In Utah, consensual sexual intercourse outside of marriage is illegal.³

Utah Code further requires that materials used for instruction in health do not include:

- the intricacies of intercourse, sexual stimulation, or erotic behavior;
- the advocacy of homosexuality;
- the advocacy or encouragement of the use of contraceptive methods or devices; or
- the advocacy of sexual activity outside of marriage.⁴

Utah Administrative Code requires that each newly hired or newly assigned educator who teaches or who will be teaching any part of a sexuality education class must attend a state-sponsored course offered annually that outlines the state designed curriculum and Utah Code regarding the teaching of human sexuality.⁵

The Utah *Elementary Core Curriculum: Responsible Healthy Lifestyles 3–6* and *Secondary Health Core Curriculum* documents, suggested curriculum frameworks produced by the Utah State Office of Education, provide greater detail regarding grade level and topics to be included. The *Elementary Core Curriculum* states that in grades three through six, students should receive disease prevention and HIV/AIDS education.⁶ According to the *Secondary Health Core Curriculum*, students should receive instruction that abstinence is the best way to prevent unintended pregnancy and sexually transmitted infections beginning in grade seven.⁷ Instructors are told that a “strong abstinence message has *always been* and *will continue to be* an expected element” (emphasis in original) of sexuality education.⁸

Schools are not required to follow this framework. However, local school districts must establish a curriculum materials review committee.⁹ This committee must make sure that all instructional material complies with “state law and state board rules” regarding sexuality education.¹⁰ Curricula must be adopted after “an open and regular” school board meeting in which parents and guardians have an opportunity to testify about the curricula.¹¹

Parents or guardians must give written permission in order for a student to participate in any form of sexuality education.¹² This is referred to as an “opt-in” policy.

See Utah Code § 53A-13-101; Utah Administrative Code §§ R277-474 and R277-700; *Elementary Core Curriculum: Responsible Healthy Lifestyles 3–6*; *Secondary Health Core Curriculum*; *A Resource Guide for Parents and*

Teachers on Teaching Human Sexuality—Junior High School; and A Resource Guide for Parents and Teachers on Teaching Human Sexuality—High School.

Recent Legislation

A Bill to Mandate Sexuality Education

House Bill 189, introduced in February 2009, would have mandated age-appropriate, medically accurate sexuality education in the public schools. The bill would have required sexuality education instruction to stress abstinence but also acknowledge the needs of sexually active students, encourage family communication regarding sexuality, provide information on the health benefits and side effects of methods of contraception, and help build healthy relationship skills. In addition, HB 189 would have lifted the ban on advocating the use of any methods of contraception. The bill was referred to the House Committee on Health and Human Services, where it died.

Legislation to Amend Health Education Requirements

Senate Bill 54, introduced in January 2010, would have amended the current restriction on advocating or encouraging the use of contraceptives in health instruction to ban only the distribution or demonstration of contraceptives; and would have required that age-appropriate, medically accurate sexuality education instruction be a compulsory component of health education. SB 54 would also have affirmed that parents should be the primary sources of information regarding human sexuality. It died after being sent to the Senate Education Committee, which refused to consider it.

Reproductive Health Education Amendments Proposed

House Bill 129, introduced in February 2010, would have mandated age-appropriate, medically accurate sexuality education instruction, required the Board of Education to develop curriculum materials regarding contraceptives, and specified that classroom discussion on contraception methods be allowed. The bill died in committee.

Utah's Youth: Statistical Information of Note¹³

- In 2009, 84% of high school students in Utah reported having been taught about AIDS/HIV in school compared to 87% of high school students nationwide.

Utah Youth Sexual Health Statistics

Teen Pregnancy, Birth, and Abortion

- Utah's teen pregnancy rate ranks 45th in the U.S., with a rate of 47 pregnancies per 1,000 young women ages 15–19 compared to the national rate of 70 pregnancies per 1,000.¹⁴ There were a total of 4,460 pregnancies among young women ages 15–19 reported in 2005, the most recent year for which data are available, in Utah.¹⁵
- Utah's teen birth rate ranked 34th in the U.S. in 2005, with a rate of 33.4 births per 1,000 young women ages 15–19 compared to the national rate of 40.5 births per 1,000.¹⁶ In 2005, there were a total of 3,181 live births reported to young women ages 15–19 in Utah.¹⁷
- In 2006, the U.S. teen birth rate increased for the first time in 15 years by 3% from 40.5 to 41.9 births per 1,000 young women ages 15–19, after having steadily declined between 1991 and 2005.¹⁸ Utah's teen birth rate also increased between 2005 and 2006, from 33.4 to 34 births per 1,000 young women ages 15–19.¹⁹

- Utah’s teen abortion rate ranks 41st in the U.S., with a rate of 7 abortions per 1,000 young women ages 15–19 compared to the national rate of 19 abortions per 1,000. In 2005, there were a total of 616 abortions reported among young women ages 15–19 in Utah.²⁰

HIV and AIDS

- Utah ranks 37th in cases of HIV infection diagnosed in the U.S. among all age groups. In 2007, there were a total of 73 new cases of HIV infection diagnosed in Utah.²¹
- Utah ranks 28th in cases of HIV/AIDS diagnosed among young people ages 13–19 out of the 34 states with confidential, name-based HIV infection reporting. In 2007, there were a total of 2 young people ages 13–19 diagnosed with HIV/AIDS in Utah.²²
- Utah ranks 41st in number of reported AIDS cases in the U.S. among all age groups. In 2007, there were a total of 68 new AIDS cases reported in Utah.²³
- Utah ranks 35th in number of reported AIDS cases in the U.S. among young people ages 13–19. In 2007, there was a total of 1 AIDS case reported among young people ages 13–19 in Utah.²⁴
- Utah’s AIDS rate ranks 44th in the U.S., with a rate of 2.6 cases per 100,000 population compared to the national rate of 12.5 cases per 100,000.²⁵

Sexually Transmitted Diseases

- Utah ranks 49th in reported cases of Chlamydia among young people ages 15–19 in the U.S., with an infection rate of 8.46 cases per 1,000 compared to the national rate of 19.52 cases per 1,000. In 2008, there were a total of 1,772 cases of Chlamydia reported among young people ages 15–19 in Utah.²⁶
- Utah ranks 47th in reported cases of gonorrhea among young people ages 15–19 in the U.S., with an infection rate of 0.33 cases per 1,000 compared to the national rate of 4.52 cases per 1,000. In 2008, there were a total of 69 cases of gonorrhea reported among young people ages 15–19 in Utah.²⁷
- There are no available statewide data on the rate of syphilis among young people.

Comprehensive Approaches to Sex Education

SIECUS is not aware of any examples of model programs, policies, or best practices being implemented in Utah public schools that provide a more comprehensive approach to sex education for young people.

We encourage you to submit any updated or additional information on comprehensive approaches to sex education being implemented in Utah public schools for inclusion in future publications of the SIECUS State Profiles. Please visit SIECUS’ “Contact Us” webpage at www.siecus.org to share information. Select “state policy” as the subject heading.

Federal Funding for Abstinence-Only-Until-Marriage Programs

The Department of Health and community-based organizations in Utah received \$816,222 in federal funds for abstinence-only-until-marriage programs in Fiscal Year 2009.²⁸

Title V Abstinence-Only-Until Marriage Funding

- Utah received \$216,222 in federal Title V abstinence-only-until-marriage funding in Fiscal Year 2009. Due to the expiration of the grant program on June 30, 2009, three months prior to the end of the federal fiscal year, the state received three quarters of the total funding allocated for the full fiscal year.

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- The Utah Department of Health distributes federal Title V abstinence-only-until-marriage funds to six sub-grantees, including two community-based organizations, two local health departments, one crisis pregnancy center, and one local branch of an international organization.
- The Title V abstinence-only-until marriage grant required states to provide three state-raised dollars or the equivalent in services for every four federal dollars received. The state match could have been provided in part or in full by local groups.
- In Utah, sub-grantees contributed to the match through in-kind services.

Community-Based Abstinence Education (CBAE) Funding

- There is one CBAE grantee in Utah, the Weber-Morgan Health Department, which received \$600,000 in CBAE funding for Fiscal Year 2009.

Adolescent Family Life Act (AFLA) Funding

- There are no AFLA grantees in Utah.

Abstinence-Only-Until-Marriage Curricula Used by Grantees

Some abstinence-only-until-marriage grantees in Utah use commercially available curricula. These include, but are not limited to:

- *Sex Can Wait*
- *Choosing the Best*
- *FACTS (Family Accountability Communicating Teen Sexuality)*

To read reviews of abstinence-only-until-marriage curricula commonly used by federal grantees please visit the “Curricula and Speaker Reviews” webpage of SIECUS’ Community Action Kit at www.communityactionkit.org.

Federal Funding for Abstinence-Only-Until-Marriage Programs in FY 2009²⁹

Abstinence-Only-Until-Marriage Grantee	Title V	CBAE (Length of Grant)	AFLA (Length of Grant)
Utah Department of Health www.health.utah.gov	\$216,222 (federal grant)		
Colors of Success www.colorsofsuccess.com	\$43,356 (sub-grant)		
Community–Building–Community Initiative of Midvale City www.cbc.midvalecity.info	\$52,350 (sub-grant)		

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Abstinence-Only-Until-Marriage Grantee	Title V	CBAE (Length of Grant)	AFLA (Length of Grant)
Pregnancy Resource Center of Salt Lake www.pregnancyresource.net	\$45,000 (sub-grant)		
Tooele County Health Department www.tooelehealth.org	\$52,500 (sub-grant)		
Wasatch City–County Health Department www.wasatchcountyhd.org	\$13,350 (sub-grant)		
Weber-Morgan Health Department www1.co.weber.ut.us		\$600,000 (2006–2011)	
Worldwide Organization of Women www.wowinfo.org	\$7,500 (sub-grant)		

Adolescent Health Contact³⁰

Jennifer Mayfield
 Adolescent Health Coordinator
 Maternal and Infant Health Program
 Utah Department of Health
 P.O. Box 142001
 Salt Lake City, UT 84114
 Phone: (801) 538-9317

Utah Organizations that Support Comprehensive Sexuality Education

ACLU of Utah
 355 North 300 W
 Salt Lake City, UT 84103
 Phone: (801) 521-9862
www.acluutah.org

Planned Parenthood Action Council
 551 East South Temple
 Salt Lake City, UT 84102
 Phone: (801) 328-8939
www.ppacutah.org

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Planned Parenthood Association of Utah
654 South 900 E
Salt Lake City, UT 84102
Phone: (801) 532-1586
www.plannedparenthood.org/utah

Utah National Organization for Women
P.O. Box 57816
Murray, UT 84157
Phone: (801) 268-0363
www.utahnow.org

Utah AIDS Foundation
1408 South 1100 E
Salt Lake City, Utah 84105
Phone: (801) 487-2323
www.utahaids.org

Utah Pride Center
355 North 300 West, 1st Floor
Salt Lake City, UT 84103
Phone: (801) 539-8800

Utah Progressive Network
P.O. Box 521391
Salt Lake City, UT 84152
Phone: (801) 466-0955

Utah Organizations that Oppose Comprehensive Sexuality Education

Right to Life of Utah
2390 West 450 S, #8
Springville, UT 84663
Phone: (801) 491-9742

Sutherland Institute
Crane Building
307 West 200 South, Suite 5005
Salt Lake City, UT 84101
Phone: (801) 355-1272
www.sutherlandinstitute.org

Utah Eagle Forum
2486 West Winding Way
South Jordan, UT 84095
Phone: (801) 254-7446
www.utaheagleforum.org

Newspapers in Utah³¹

Daily Herald
Newsroom
1555 North Freedom Boulevard
Provo, UT 84604
Phone: (801) 373-5050
www.heraldextra.com

Daily Spectrum
Newsroom
275 East Saint George Boulevard
Saint George, UT 84770
Phone: (435) 674-6200
www.thespectrum.com

Salt Lake Tribune
Newsroom
90 South 400 W
Salt Lake City, UT 84101
Phone: (801) 257-8742
www.sltrib.com

Deseret Morning News
Newsroom
30 East 100 S
Salt Lake City, UT 84111
Phone: (801) 236-6000
www.deseretnews.com

Standard-Examiner
 Newsroom
 332 Standard Way
 Ogden, UT 84404
 Phone: (801) 625-4270
www.standard.net/digital

Political Blogs in Utah

Blue in Red Zion
www.blueinredzion.com

Bob Aagard
www.bobaagard.blogspot.com

One Utah
www.oneutah.org

Utah Policy
www.utahpolicy.com

¹ Utah Code §§ 53A-13-101(1)(b)(i)(A) and (B).

² Utah Code § 53A-13-101(1)(b)(ii).

³ Utah Code § 76-7-104(1).

⁴ Utah Code §§ 53A-13-101(1)(c)(iii)(A)(I)–(IV). .

⁵ Utah Admin. Code § R277-474-5(A).

⁶ *Elementary Core Curriculum: Responsible Healthy Lifestyles 3–6* (Salt Lake City, UT: Utah State Office of Education, 1997), accessed 15 April 2010, <<http://schools.utah.gov/curr/core/corepdf/RHL3-6.pdf>>, 6.

⁷ *Secondary Health Core Curriculum* (Salt Lake City, UT: Utah State Office of Education, 1997), accessed 15 April 2010, <http://www.schools.utah.gov/curr/pe_health/documents/HealthCorewithCover.pdf>, 11.

⁸ *Ibid.*, 2.

⁹ Utah Admin. Code § R277-474-5(C).

¹⁰ Utah Code § 53A-13-101(1)(c)(iii)(A).

¹¹ Utah Code § 53A-13-101(1)(c)(iii)(B).

¹² Utah Admin. Code § R277-474-1(H).

¹³ Danice K. Eaton, et. al., “Youth Risk Behavior Surveillance—United States, 2009,” *Surveillance Summaries, Morbidity and Mortality Weekly Report*, vol. 59, no. SS-5 (4 June 2010): 98–109, accessed 4 June 2010, <<http://www.cdc.gov/mmwr/pdf/ss/ss5905.pdf>>.

Note: Utah did not participate in the full 2009 YRBS.

¹⁴ *U.S. Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, (Washington, DC: Guttmacher Institute, January 2010), accessed 5 March 2010, <<http://www.guttmacher.org/pubs/USTPtrends.pdf>>, Table 3.1.

¹⁵ *Ibid.*, Table 3.2.

¹⁶ Joyce A. Martin, et. al, “Births: Final Data for 2006,” *National Vital Statistics Reports*, vol. 57, number 7 (Hyattsville, MD: Centers for Disease Control and Prevention, 7 January 2009), accessed 5 March 2010, <http://www.cdc.gov/nchs/data/nvsr/nvsr57/nvsr57_07.pdf>, Table B.

¹⁷ *U.S. Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, Table 3.2.

¹⁸ Martin, et. al, “Births: Final Data for 2006,” 4.

¹⁹ *Ibid.*, Table B.

²⁰ *U.S. Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, Table 3.5.

²¹ “Cases of HIV Infection and AIDS in the United States and Dependent Areas, 2007,” *HIV/AIDS Surveillance Report*, vol. 19, (Atlanta, GA: Centers for Disease Control and Prevention, February 2009), accessed 5 March 2010, <<http://www.cdc.gov/hiv/topics/surveillance/resources/reports/2007report/pdf/2007SurveillanceReport.pdf>>, Table 18.

²² Slide 6: “Estimated Numbers of HIV/AIDS Cases among Adolescents 13 to 19 Years of Age, 2007—34 States,” *HIV/AIDS Surveillance in Adolescents and Young Adults (through 2007)*, (Atlanta, GA: Centers for Disease Control and Prevention, May 2009), accessed 25 March 2010, <<http://www.cdc.gov/hiv/topics/surveillance/resources/slides/adolescents/index.htm>>.

²³ Ibid., Table 16.

²⁴ Slide 15: “Reported AIDS Cases among Adolescents 13 to 19 Years of Age, 2007—United States and Dependent Areas,” *HIV/AIDS Surveillance in Adolescents and Young Adults (through 2007)*, (Atlanta, GA: Centers for Disease Control and Prevention, May 2009), accessed 25 March 2010, <<http://www.cdc.gov/hiv/topics/surveillance/resources/slides/adolescents/index.htm>>.

²⁵ Ibid.; “AIDS Case Rate per 100,000 Population, All Ages, 2007,” (Menlo Park, CA: Kaiser Family Foundation), accessed 5 March 2010, <<http://www.statehealthfacts.org/comparetable.jsp?ind=513&cat=11&sub=120&yr=62&typ=1&sort=a>>.

²⁶ “Wonder Database: Selected STDs by Age, Race/Ethnicity, and Gender, 1996-2008 Results,” (Atlanta, GA: Centers for Disease Control and Prevention), 30 June 2009, accessed 5 March 2010, <<http://wonder.cdc.gov/>>; see also Table 10: “Chlamydia: Reported Cases and Rates Per 100,000 Population by Age Group and Sex: United States, 2004–2008,” *Sexually Transmitted Disease Surveillance 2008*, (Atlanta, GA: Centers for Disease Control and Prevention, Division of STD Prevention, November 2009), accessed 5 March 2010, <<http://www.cdc.gov/std/stats08/surv2008-Complete.pdf>>, 95.

²⁷ Ibid; see also Table 20: “Gonorrhea—Reported Cases and Rates per 100,000 Population by Age Group and Sex: United States, 2004–2008,” *Sexually Transmitted Disease Surveillance 2008*, 106.

²⁸ This refers to the federal government’s fiscal year, which begins on October 1st and ends on September 30th. The fiscal year is designated by the calendar year in which it ends; for example, Fiscal Year 2009 began on October 1, 2008 and ended on September 30, 2009.

²⁹ Through the Fiscal Year 2010 appropriations process, Congress eliminated all discretionary funding for abstinence-only-until-marriage programs, including the entire CBAE program and the abstinence-only-until-marriage portion of AFLA. The grant years listed in the chart reflect the years for which funding was originally approved; however, the grants effectively ended in Fiscal Year 2009.

³⁰ SIECUS has identified this person as a state-based contact for information on adolescent health and if applicable, abstinence-only-until-marriage programs.

³¹ This section is a list of major newspapers in your state with contact information for their newsrooms. This list is by no means exhaustive and does not contain the local level newspapers which are integral to getting your message out to your community. SIECUS strongly urges you to follow stories about the issues that concern you on the national, state, and local level by using an internet news alert service such as [Google alerts](#), becoming an avid reader of your local papers, and establishing relationships with reporters who cover your issues. For more information on how to achieve your media goals visit the [SIECUS Community Action Kit](#).