



WISCONSIN

Wisconsin received \$4,080,399 in federal funds for abstinence-only-until-marriage programs in Fiscal Year 2006.¹

Wisconsin Sexuality Education Law and Policy

Wisconsin state law encourages, but does not require, school boards to provide classes in sexuality education. However, the law does identify educational goals and expectations; one of these goals is personal development. The law also states that school boards shall provide a program to discuss the human body and how to maintain lifelong health. It adds that this program should include instruction in sexually transmitted diseases (STDs) and should be offered in high schools. According to Wisconsin law, this instruction may include:

- Self-esteem, responsible decision-making, and personal responsibility
- Interpersonal relationships
- Discouragement of adolescent sexual activity
- Family life and skills required of a parent
- Human sexuality; reproduction; family planning, as defined in [state law] s.243.07, including natural family planning; human immunodeficiency virus and acquired immunodeficiency syndrome; prenatal development; childbirth; adoption; available prenatal and postnatal support; and male and female responsibility
- Sex stereotypes and protective behavior

If a school board provides instruction in any of these areas, it must “also provide instruction in marriage and parental responsibility.” These classes may occur in kindergarten through twelfth grade and must be age-appropriate. Classes must also stress that “abstinence from sexual activity before marriage is the most effective way to prevent pregnancy and sexually transmitted diseases, including human immunodeficiency virus and acquired immunodeficiency syndrome.”

The Department of Public Instruction (DPI) is authorized to develop a health education program that includes instruction about STDs and AIDS. DPI also has the authority to develop health curriculum guidelines, but is prohibited from requiring local school boards to use a specific curriculum.

The DPI created the *Wisconsin School HIV/AIDS Policy Tool Kit* in 2003 to increase the number of schools implementing policies and procedures, including curricula, related to HIV/AIDS. The *Wisconsin Human Growth and Development Resource Packet* was also created by the DPI to assist schools in sexuality education by providing information such as research on teen sexual behavior, locally developed materials on curriculum, and evaluation tools.

Parents and guardians must be given the opportunity to review all materials related to sexuality education classes. If such classes are offered, school boards must also form advisory councils consisting of

“parents, teachers, school administrators, pupils, health care professionals, members of the clergy, and other residents of the school district” to review the sexuality education curricula at least every three years.

Parents or guardians may remove their children from sexuality education classes with a written note to the teacher or principal. This is referred to as an “opt-out” policy.

See Wisconsin Statutes 115.35, 118.01, 118.019, *School HIV/AIDS Policy Tool Kit*, and *Human Growth and Development Resource Packet*.

Recent Legislation

Bills Require Teaching about Abstinence, Marriage, and Parental Responsibility

Assembly Bill 309 requires any school board that provides information in sexuality education to provide information on marriage and parental responsibility in the same course and in the same school year. The bill became law in April 2006.

Senate Bill 286 requires sexuality education to present abstinence as the preferred behavior for all unmarried students and emphasize that abstinence from sexual activity until marriage is the most effective way to prevent pregnancy and sexually transmitted diseases. The bill became law in April 2006.

Events of Note

Wisconsin Department of Health and Family Services Announces the State Will No Longer Accept Title V Funding March 2007; WI

On March 2nd, the Wisconsin Department of Health and Family Services announced that it will be rejecting Title V abstinence-only-until-marriage funding for Fiscal Year 2007.² The U.S. Department of Health and Human Services (HHS) has allocated \$50 million in federal funding each year to the states since the Title V abstinence-only-until-marriage program was authorized in 1996. States that choose to accept these funds must match every four federal dollars with three state-raised dollars and are then responsible for either using the funds or distributing them. Restrictions around how the Title V Funding can be used have grown increasingly strict in the past year and, now, ten states have decided not to reapply for these funds. Governor Jim Doyle explained, “There’s a debate now about whether kids should be taught abstinence only. Of course abstinence is the best choice for kids, and that’s an important message they need to hear. But ideology isn’t more important than our kids’ health.”

Wisconsin Rules Against Objecting Pharmacists February 2005; WI

Wisconsin Administrative Law Judge Collen M. Baird ruled that a pharmacist who refused to fill or transfer a college student’s prescription for birth control “fell far short of satisfying the standard of care” required of pharmacists based on the pharmacists’ code of ethics. She continued by stating that the pharmacist did not do enough to guarantee that the woman had another way to fill her prescription and recommended that his pharmaceutical license be restricted for at least two years. The judge explicitly stated that the pharmacist’s testimony “gave the distinct impression that satisfying his own moral code was his only concern.”³

Pharmacists sometimes cite refusal clauses as justification for their decision not to fill prescription for birth control or emergency contraception based on their own moral beliefs. Refusal clauses, called “conscience clauses” by anti-choice groups, debuted in 1973 following the landmark Supreme Court decision of *Roe v. Wade*, which affirmed women’s rights to safe, legal abortion. Adopted by the federal government and most U.S. states, refusal clause legislation was intended to allow doctors to refuse to

perform abortions. This legislation, however, does not usually apply to pharmacists, as pharmacists do not generally participate in abortion procedures.

During the 2004 legislative session, however, 13 states introduced legislation that would allow pharmacists to refuse to fill prescriptions for oral contraception. Arkansas, Mississippi, and South Dakota already have similar laws on their books. This type of legislation is criticized by both medical professionals and sexual and reproductive health advocates for permitting a pharmacist to interfere with the patient/physician relationship. A recent article in the *New England Journal of Medicine (NEJM)* stated that such laws frequently fail to address the “potential for abuse by pharmacists.”⁴

Wisconsin’s Youth: Statistical Information of Note⁵

- In 2005, 40% of female high school students and 40% of male high school students in Wisconsin reported ever having had sexual intercourse compared to 46% of female high school students and 48% of male high school students nationwide.
- In 2005, 3% of female high school students and 5% of male high school students in Wisconsin 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, 10% of female high school students and 11% of male high school students in Wisconsin 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, 32% of female high school students and 27% of male high school students in Wisconsin 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, 62% of females and 69% of males in Wisconsin 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, 26% of females and 20% of males in Wisconsin 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, 19% of females and 28% of males in Wisconsin reported having used alcohol or drugs the last time they had sexual intercourse compared to 19% of females and 28% of males nationwide.
- In 2000, Wisconsin’s abortion rate was 12 per 1,000 women ages 15–19 compared to a teen abortion rate of 24 per 1,000 nationwide.⁶
- In 2004, Wisconsin’s birth rate was 30 per 1000 women ages 15–19 compared to a teen birth rate of 41 per 1,000 nationwide.⁷

Milwaukee, Wisconsin

- In 2005, 53% of female high school students and 66% of male high school students in Milwaukee, Wisconsin reported ever having had sexual intercourse compared to 46% of female high school students and 48% of male high school students nationwide.
- In 2005, 6% of female high school students and 19% of male high school students in Milwaukee, Wisconsin 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, 15% of female high school students and 31% of male high school students in Milwaukee, Wisconsin 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, 41% of female high school students and 46% of male high school students in Milwaukee, Wisconsin 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 77% of males in Milwaukee, Wisconsin 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, 9% of females and 11% of males in Milwaukee, Wisconsin 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, 10% of females and 19% of males in Milwaukee, Wisconsin reported having used alcohol or drugs the last time they had sexual intercourse compared to 19% of females and 28% of males nationwide.

Title V Abstinence-Only-Until-Marriage Funding

Wisconsin received \$602,958 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. Wisconsin provides the match in-kind using tobacco control funds.

The Wisconsin Department of Health and Family Services (DHFS), Division of Public Health, the Bureau of Community Health Promotion coordinates the Wisconsin Abstinence Education Project (WAEP). The WAEP had two distinct sets of sub-grantees during Fiscal Year 2006 because the Department of Health overhauled the program that distributes Title V abstinence-only-until-marriage funding during the fiscal year. During the fiscal year, the program received a directive to improve disparities in access to services among African-American teen mothers and their babies.

During the first half of the fiscal year, the program had three sub-grantees: Center for Self Sufficiency, Wise Women Gathering, and the AIDS Resource Center of Wisconsin. In addition, WAEP awarded \$46,000 to consultants throughout the state to develop abstinence clubs in Wisconsin: 47 abstinence clubs were developed (97 percent in public schools) with an average of 6

members each. Rosalie Manor Community and Family Services was also awarded a small amount of funding in the first half of the fiscal year. (See the CBAE and AFLA section for more information on Rosalie Manor.)

For the second half of the fiscal year, during which the majority of funds were distributed, there were four grantees: AIDS Resource Center of Wisconsin, Center for Self Sufficiency, PlainTalk Milwaukee, and Wise Women Gathering Place. Although three of these organizations received funding throughout the year, their activities changed.

Wise Women Gathering Place provides resources for communities regarding the birth process, health, and relationship development. It coordinates the Community-Based Abstinence Culture Project (C-BAC) in collaboration with the Oneida Nation Elementary School and the Menominee Tribal School. The ultimate goal of the C-BAC Project is to “reduce the incidence of premarital sex among teens while promoting a supporting culture of abstinence.”⁸ Wise Women Gathering Place focuses on issues related to childbirth, midwifery, and healthy youth development.

Wise Women Gathering Place developed “Discovery Dating,” a youth relationship development program that it describes as “the logical precursor to Abstinence/Sex Education” because young people “have a lot to learn about the person to whom they are attracted.”⁹ Therefore, “they need no longer make the decision about whether or not to commit to abstinence or carry condoms along, just in case.”¹⁰ In the second half of the fiscal year, Wise Women Gathering Place was funded to train health educators in tribal health centers to use “Discovery Dating.” AIDS Resource Center of Wisconsin also received funds to train staff to provide “Discovery Dating” for middle school girls in an after school program as well as for parenting teens. In addition, the Center for Self Sufficiency was funded to address health disparities in Milwaukee.

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

There are four CBAE grantees in Wisconsin: AIDS Resource Center of Wisconsin, Center for Self-Sufficiency, Opportunities Industrialization Center of Greater Milwaukee, and Rosalie Manor Community and Family Services. There are two AFLA grantees in Wisconsin: Red Cliff Band of Lake Superior Chippewa Indians and Wise Women Gathering Place. (See the Title V section for more information on Wise Women Gathering Place.)

AIDS Resource Center of Wisconsin uses one-on-one peer outreach and high school presentations to encourage youth to abstain from sexual activity.¹¹

Rosalie Manor developed the “Families United to Prevent Teen Pregnancy (FUPTP)” program in 1986.¹² It includes an after-school program for students ages 12–18, teen mentors, and also classroom presentations. Rosalie Manor “created the Milwaukee Alliance For Teaching Abstinence (MAFTA), a coalition of agencies that utilize the FUPTP curriculum and help to promote abstinence until marriage throughout Milwaukee County.”¹³ Approximately 3,000 students receive classroom presentations on curriculum topics through the program.¹⁴ MAFTA’s also produces a campaign entitled “A Crying Shame,” which includes radio and cinema advertising, a website (www.acryingshame.info), and public relations with local media campaign.¹⁵ Its main message is “Abstinence—not having sex until marriage— IS the best choice.”¹⁶ In one of the radio spots, a young woman asks, “Hey, did you hear about Alyssa? She’s pregnant and freakin’. She told Michael and he dumped her. And her mom, her mom’s about to kick her out. She should have thought about this before she had sex.”¹⁷

W I S C O N S I N

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)
Wisconsin Department of Health http://dhfs.wisconsin.gov	\$602,958 federal	Title V
AIDS Resource Center of Wisconsin DUAL GRANTEE 2005–2008 www.arcw.org	\$162,000 \$733,542	Title V sub-grantee CBAE
The Center for Self-Sufficiency DUAL GRANTEE 2005–2008	\$166,693 \$799,500	Title V sub-grantee CBAE
PlainTalk Milwaukee	\$20,000	Title V sub-grantee
Rosalie Manor Community and Family Services DUAL GRANTEE 2004–2007 www.rosaliemanor.org	\$11,100 \$798,000	Title V sub-grantee CBAE
Wise Women Gathering Place DUAL GRANTEE 2002–2007 www.wisewomengp.org	\$85,600 \$225,000	Title V sub-grantee AFLA

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Abstinence-Only-Until-Marriage Grantee Length of Grant	Amount of Grant	Type of Grant (includes Title V, CBAE, AFLA, and other funds)
Grants to various consultants throughout the state to establish abstinence clubs during the first half of FY06	\$46,000	Title V sub-grantee
Opportunities Industrialization Center of Greater Milwaukee 2003–2006	\$769,399	CBAE
Red Cliff Band of Lake Superior Chippewa Indians 2004–2009 www.redcliff.org	\$152,000	AFLA

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Wisconsin Organizations that Support Comprehensive Sexuality Education

ACLU of Wisconsin
 207 East Buffalo St., Suite 325
 Milwaukee, WI 53202
 Phone: (414) 272-4032
www.aclu-wi.org

Action Wisconsin
 122 State St., Suite 309
 Madison, WI 53703
 Phone: (608) 441-0143
www.actionwisconsin.org

NARAL Pro-Choice Wisconsin
 122 State St., Suite 308
 Madison, WI 53703
 Phone: (608) 287-0016
www.prochoicewisconsin.org

Planned Parenthood Advocates of Wisconsin
 P.O. Box 2566
 Madison, WI 53701
 Phone: (608) 256-7549
www.ppawi.org

Wisconsin Organizations that Oppose Comprehensive Sexuality Education

Family Research Institute of Wisconsin
P.O. Box 2075
Madison, WI 53701
Phone: (608) 256-3228
www.fri-wi.org

Pro-Life Wisconsin
19270 North Hills Drive
P.O. Box 221
Brookfield, WI 53045
Phone: (262) 796-1111
www.prolifewisconsin.org

Newspapers in Wisconsin

The Capital Times
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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.

² Judith Davidoff, "Doyle Says No to Abstinence Dollars: Title V Only Pays if There's No Play," *The Capital Times*, 3 March 2007, accessed 27 March 2007. <<http://www.madison.com/tct/mad/topstories/index.php?ntid=121450&entpid=1>>.

³ Stacy Forster, "Reprimand Advised for Pharmacist—Beliefs, Duties Clash; He Refused to Fill Birth Control Order," *Milwaukee Journal-Sentinel*, 28 February 2005, accessed 4 March 2005, <<http://www.jsonline.com/news/state/feb05/305752.asp>>.

⁴ Julie Cantor and Ken Baum, "The Limits of Conscientious Objection—May Pharmacists Refuse to Fill Prescriptions for Emergency Contraception?," *New England Journal of Medicine* 351.19 (4 November 2004): 2010.

⁵ Unless otherwise cited, all statistical information comes from: Danice K. Eaton, et al., "Youth Risk Behavior Surveillance—United States, 2005," *Surveillance Summaries, Morbidity and Mortality Weekly Report*, vol. 55, no. SS-5 (9 June 2006): 1-108, accessed 26 January 2007, <<http://www.cdc.gov/HealthyYouth/yrbs/index.htm>>.

⁶ *U.S. Teenage Pregnancy Statistics: Overall Trends, Trends by Race and Ethnicity and State-by-State Information* (New York: The Guttmacher Institute, February 2004), accessed 26 January 2007, <<http://www.guttmacher.org/pubs/2006/09/12/USTPstats.pdf>>.

⁷ *National Vital Statistics Reports 55.01* (Hyattsville, MD: National Center for Health Statistics, 2006), 10, accessed 26 January 2006, <http://www.cdc.gov/nchs/data/nvsr/nvsr55/nvsr55_01.pdf>.

⁸ "C-BAC Program," Wise Women Gathering Place, accessed 1 February 2007, <<http://www.wisewomengp.org/cbac.html>>.

⁹ Ibid.

¹⁰ Ibid.

¹¹ "Prevention Services," AIDS Resource Center of Wisconsin, (2005), accessed 25 January 2007, <<http://www.arcw.org/prevent.htm>>.

¹² "Programs: Families United to Prevent Teen Pregnancy," Rosalie Manor Community and Family Services, (2006), accessed 25 January 2007, <http://www.rosaliemanor.org/families_united.html>.

¹³ "Program Statistics," Rosalie Manor Community and Family Services, (2006), accessed 5 February 2007, <http://www.rosaliemanor.org/program_statistics.html>.

¹⁴ "Programs: Families United to Prevent Teen Pregnancy," Rosalie Manor Community and Family Services, (2006), accessed 1 February 2007, <http://www.rosaliemanor.org/families_united.html>.

¹⁵ “About MAFTA,” Milwaukee Alliance for Teaching Abstinence, (2006), accessed 5 February 2007, <<http://www.mafta.info/about/index.html>>.

¹⁶ “The Campaign,” Milwaukee Alliance for Teaching Abstinence, (2006), accessed 5 February 2007, <<http://www.mafta.info/campaign/index.html>>.

¹⁷ “The Campaign: Radio Ad,” Milwaukee Alliance for Teaching Abstinence, (2006), accessed 5 February 2007, <<http://www.mafta.info/campaign/cp4.html>>.