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Arkansas received \$3,417,571 in federal funding for abstinence-only-until-marriage programs in Fiscal Year 2004.¹

Arkansas Sexuality Education Law

Arkansas schools are not required to teach sexuality education or sexually transmitted disease (STD)/HIV education. If a school offers sexuality or STD/HIV education, abstinence must be stressed.

Arkansas maintains curriculum standards for physical and health education. However, these do not include specific guidelines pertaining to sexuality education course content. According to the Department of Education, course content is left to the discretion of the local school districts and varies widely from school to school. There is also no system of evaluation in place to monitor what subject matter is being covered in health education classes across the state.

School-based health clinics may teach sexuality education. They may also prescribe and distribute contraceptives with written parental consent; however, no state funds may be used to purchase condoms or contraception. These school-based health clinics must maintain records of the number of condoms and other contraceptive devices distributed and prescribed as well as the number of pregnancies and STDs in the school. This information must remain confidential. Clinics may not give information about abortions or refer students to where they might find such information.

The Arkansas Department of Health provides some sexuality education throughout the state. The department works predominantly in high schools and churches in rural areas focusing on condom demonstration and distribution.

Arkansas does not have a policy by which parents or guardians are notified or can remove their children from sexuality education classes.

See Arkansas Code 6-18-703.

Recent Legislation

SIECUS is not aware of any recent legislation related to sexuality education in Arkansas.

Events of Note

ACLU Settles Case About Harassment of Gay Student

July 2003; Pulaski County, AR

In July of 2003, the American Civil Liberties Union (ACLU) settled a case against the Pulaski County Special School District. The case was brought on behalf of a student who claimed he suffered repeated harassment by school officials after a teacher overheard a conversation in which the student refused to deny that he was gay. The lawsuit alleged that teachers unfairly disciplined him, preached to him from the Bible, and told his parents he was gay.

The district ultimately settled the case, although it initially defended its conduct by saying that his confession had disrupted the learning process.

In the settlement, the student, a 14-year-old boy, received \$25,000 and an apology from school officials and his record was cleared. Also as part of the settlement, the school district can no longer disclose a student's sexual orientation or punish a student for discussing his/her sexual orientation.²

Arkansas' Youth: Statistical Information of Note³

- In 2001, 53% of female high school students and 58% of male high school students in Arkansas reported ever having had sexual intercourse compared to 43% of female high school students and 49% of male high school students nationwide.
- In 2001, 5% of female high school students and 14% of male high school students in Arkansas 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 2001, 16% of female high school students and 25% of male high school students in Arkansas reported having had four or more lifetime sexual partners compared to 11% of female high school students and 17% of male high school students nationwide.
- In 2001, 41% of female high school students and 40% of male high school students in Arkansas reported being currently sexually active (defined as having had sexual intercourse in the three months prior to the survey) compared to 33% of females and 33% of males nationwide.
- In 2001, among those high school students who reported being currently sexually active, 18% of females and 31% of males in Arkansas reported having used alcohol or drugs the last time they had sexual intercourse compared to 21% of females and 31% of males nationwide.
- In 2001, among those high school students who reported being currently sexually active, 61% of females and 69% of males in Arkansas reported having used condoms the last time they had sexual intercourse compared to 51% of females and 65% of males nationwide.
- In 2001, among those high school students who reported being currently sexually active, 21% of females and 9% of males in Arkansas reported having used birth control pills the last time they had sexual intercourse compared to 21% of females and 15% of males nationwide.
- In 2001, 7% of female high school students and 5% of male high school students in Arkansas reported ever having been pregnant or gotten someone pregnant compared to 5% of female high school students and 4% of male high school students nationwide.
- In 2001, 86% of high school students in Arkansas reported having been taught about HIV/AIDS in school compared to 89% of high school students nationwide.

- In 2000, Arkansas' abortion rate was 12 per 1,000 women ages 15-19 compared to a teen abortion rate of 24 per 1,000 nationwide.⁴
- In 2002, Arkansas' birth rate was 60 per 1,000 women ages 15-19 compared to a teen birth rate of 43 per 1,000 nationwide.⁵

Title V Abstinence-Only-Until-Marriage Funding

Arkansas received \$660,083 in federal Title V funding in Fiscal Year 2004. 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 can be provided in part or in full by local groups. Arkansas uses no state funds for the match; instead, sub-grantees provide a match of \$618,455. The Arkansas Department of Health has authority over the "Arkansas Abstinence Education Program."

In Fiscal Year 1998, the Arkansas Abstinence Education Program was combined with the state's Unwed Birth Reduction Program, a more comprehensive effort that had been created by the state legislature. The Abstinence Education Program also coordinates with Arkansas' county-level Welfare Reform Coalitions. The Abstinence Education Program does not target any specific age group, race, ethnicity, or socioeconomic level. However, the county-level groups are free to target participants based on any of those criteria. The Governor's Steering Committee, made up of youth, state legislators, religious leaders, and community members, also provides oversight. The Arkansas Abstinence Education Program contracts the money to 14 sub-grantees.

The goal of one sub-grantee, Loving Choices, is to "minister to the body, soul, and spirit" of women who find themselves dealing with "surprise pregnancies."⁶ Loving Choices' website states that "the loving options are parenting or adoption" and offer counseling services including post-abortion counseling.⁷ Choosing to Excel, a sub-grantee that provides abstinence-only-until-marriage workshops in public schools, focuses its energy around abstinence and character-building programs administered primarily to twelfth graders. It estimates that its programs reach 20,000 youth across the state with a "multifaceted approach to glamorizing and promoting abstinence until marriage."⁸

In addition to these sub-grantees, an evaluation component receives \$248,284 to assess the program.

Special Projects of Regional and National Significance—Community Based Abstinence Education (SPRANS–CBAE)⁹ and Adolescent Family Life Act (AFLA) Grantees

There are six SPRANS–CBAE grantees in Arkansas: the Arkansas Department of Health, Mid-South Christian Ministries, Fayetteville Public Schools (two grants), Prim 'n Proper/Choosing to EXCEL, Abstinence by Choice, Inc., and Catherine's House. There are no AFLA grantees in Arkansas.

Abstinence by Choice is a three-to-five day program that is aimed at eighth graders. According to its website, "the topics are Self-Esteem and Risk-Taking Behaviors, Tough Choices of Pregnancy, Sexually Transmitted Diseases, and Dating Strategies." The students are divided into small groups by gender, and given a workbook which contains more information, corresponding discussion questions, and homework assignments for each topic. Speakers, including counselors from a crisis pregnancy and adoption center, youth from local organizations, and "women and men who have personally experienced the painful consequences of premarital sex," also present to the students. At the end of each session, students are given the opportunity to sign a pledge promising to be "abstinent from this day forward."¹⁰

According to recent research, virginity pledges may help some young people delay intercourse by approximately 18 months; however, when these young people do become sexually active, they

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are one-third less likely to use contraception than their peers who had not pledged. In addition, researchers found that pledges only worked when taken by a small group of students. Pledges taken by a whole class were ineffective.¹¹

Federal and State Funding for Abstinence-Only-Until-Marriage Programs in FY 2004

| Abstinence-Only-Until-Marriage Grantee | Amount of Grant | Type of Grant (includes SPRANS-CBAE, Title V, and AFLA) |
|---------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------------------------------------------------------------|
| Length of Grant | | |
| Arkansas Department of Health DUAL GRANTEE 2001-2004 www.healthyarkansas.com | \$660,083 federal \$800,000 | Title V SPRANS-CBAE (Implementation Grant) |
| Abstinence by Choice, Inc. DUAL GRANTEE 2002-2005 www.abstinencebychoice.org | \$66,072 \$172,237 | Title V sub-grantee SPRANS-CBAE (Implementation Grant) |
| Christian Family Services/ Loving Choices www.lovingchoices.org | \$53,874 | Title V sub-grantee |
| Daughters of Charity | \$367,058 | Title V sub-grantee |
| Excel Upward | \$31,078 | Title V sub-grantee |
| Freedom For Youth, Inc. | \$163,982 | Title V sub-grantee |
| Greater Fellowship Ministries Caleb | \$81,862 | Title V sub-grantee |
| Lee County Family Resource Center | \$43,957 | Title V sub-grantee |

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| Abstinence-Only-Until-Marriage Grantee | Amount of Grant | Type of Grant (includes SPRANS-CBAE, Title V, and AFLA) |
|---------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|------------------------------------------------------------------------------------|
| Length of Grant | | |
| Mississippi County Tea Coalition | \$47,734 | Title V sub-grantee |
| Prim 'n Proper/Choosing to EXCEL DUAL GRANTEE 2002-2005 www.choosingtoexcel.org | \$82,078 \$339,842 | Title V sub-grantee SPRANS-CBAE (Implementation Grant) |
| Southeast Arkansas Medical Network, Inc. | \$92,467 | Title V sub-grantee |
| Shepherd's Ranch | \$53,292 | Title V sub-grantee |
| Shining Light Foundation | \$62,513 | Title V sub-grantee |
| Step Excel, Inc. | \$169,102 | Title V sub-grantee |
| Tree of Life Prevention Health | \$46,187 | Title V sub-grantee |
| Catherine's House 2002-2005 | \$255,500 | SPRANS-CBAE (Implementation Grant) |
| Fayetteville Public Schools 2001-2004 DUAL GRANTEE 2004-2007 www.fayar.net | \$465,631 \$447,099 | SPRANS-CBAE (Implementation Grant) SPRANS-CBAE (Implementation Grant) |

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Title V Abstinence-Only-Until-Marriage Coordinator

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Little Rock, AR 72205
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Arkansas Organizations that Support Comprehensive Sexuality Education

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|------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| ACLU of Arkansas 904 W. 2 nd St., Suite #1 Little Rock, AR 72201 Phone: (501) 374-2660 | Arkansas Coalition for Choice PO Box 23013 Little Rock, AR 72221 Phone: (501) 233-2231 |
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Planned Parenthood Affiliates of Arkansas
5512 W. Markham
Little Rock, AR 72205
Phone: (501) 666-7526

Arkansas Organizations that Oppose Comprehensive Sexuality Education

Arkansas Family Council
414 S. Pulaski, Suite 2
Little Rock, AR 72201-2930
Phone: (501) 375-7000
www.familycouncil.org

Newspapers in Arkansas

Arkansas Democrat-Gazette
Danny Shameer
Health & Medicine Editor
PO Box 2221
Little Rock, AR 72203
Phone: (501) 378-3568

The Morning News
Laurinda Joenks
Medical/Health Editor
2560 N. Lowell Rd.
Springdale, AR 72764
Phone: (479) 872-5036

Times Record
Tina Dale
Medical/Health Editor
3600 Wheeler Ave.
Fort Smith, AR 72901
Phone: (479) 785-7748

Jonesboro Sun
Rebecca Rasberry
Medical/Health Editor
518 Carson St.
Jonesboro, AR 72401
Phone: (870) 935-5525

The Sentinel-Record
Marilyn Holsapple
Medical/Health Editor
300 Spring St.
Hot Springs National Park, AR 71901
Phone: (501) 623-7711

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 2004 begins on October 1, 2003 and ends on September 30, 2004.

² "School District, Gay Student Settle Suit," *Associated Press*, 18 July 2003.

³ Unless otherwise cited, all statistical information comes from: Jo Anne Grunbaum, et. al., "Youth Risk Behavior Surveillance—United States, 2001," *Morbidity and Mortality Weekly Report*, 51. SS-4, (28 June 2002): 1-64, accessed 28 January 2005, <<http://www.cdc.gov/nccdphp/dash/yrbs/>>. Arkansas did not participate in the 2003 YRBS.

⁴ *U.S. Teenage Pregnancy Statistics: Overall Trends, Trends by Race and Ethnicity and State-by-State Information* (New York: Alan Guttmacher Institute, February, 2004), accessed 28 January 2005 <www.guttmacher.org>.

⁵ *National Vital Statistics Reports 52.10* (Hyattsville, MD: National Center for Health Statistics, 2003), 48, accessed 4 February 2005, <<http://www.cdc.gov/nchs/births.htm#stat%20tables>>.

⁶ *Loving Choices Pregnancy Center* (2004), accessed 10 December 2004, <<http://www.lovingchoices.org>>.

⁷ *Loving Choices Pregnancy Center – Counseling* (2004), accessed 10 December 2004, <<http://www.lovingchoices.org/counseling.htm>>.

⁸ *Choosing to Excel –Program Message* (2004), accessed 10 December 2004, <<http://www.choosingtoexcel.org/about3.htm>>.

⁹ In FY 2004 SPRANS-CBAE was administered within the U.S. Department of Health and Human Services (HHS) by the Maternal and Child Health Bureau. In FY 2005 this funding stream was moved to HHS' Administration for Children and Families and is now referred to simply as Community Based Abstinence Education (CBAE).

¹⁰ *Abstinence by Choice*, Abstinence by Choice (2005), accessed 9 February 2005, <<http://www.abstinencebychoice.org>>.

¹¹ Peter Bearman and Hannah Brückner "Promising the Future: Virginity Pledges and the Transition to First Intercourse," *American Journal of Sociology* 106.4 (2001): 859-912.