



## Delaware

***Delaware received \$80,935 in federal funding for abstinence-only-until-marriage programs in Fiscal Year 2003.<sup>1</sup>***

### **Delaware Sexuality Education Law**

Delaware requires sexuality education to be taught as part of health education in kindergarten through twelfth grade. This education must be coordinated by an employee in each school district and must be overseen by a “District Consolidated Application Planning Committee.” The Committee must consist of teachers, parents, school nurses, community leaders, law enforcement, and others.

There is no minimum number of hours that sexuality education must be taught. Sexuality education must include an “HIV prevention program that stresses the benefits of abstinence from high-risk behaviors.”

Delaware law does not specify if parents or guardians must give permission for their children to attend sexuality education classes nor does it say if parents or guardians can remove their children from sexuality education classes.

See Delaware Administrative Code 14-851.

### **Recent Legislation**

SIECUS is not aware of any recent legislation in Delaware regarding sexuality education.

### **Events of Note**

*Teacher Sues Catholic School after Being Fired for Pro-Choice Beliefs*

*November 2003; Wilmington, DE*

An English teacher at Ursuline Academy, an independent Catholic school for girls in Wilmington, DE, was fired in late January 2003 after school officials saw her name on a list in an advertisement commemorating the *Roe v. Wade* decision compiled by the Coalition for Choice. The school abides by the anti-abortion stance of the Catholic Church and said they fired the teacher for not adhering to the church’s teachings. Before firing her, they gave her the option to resign or to publicly recant her pro-choice beliefs. School officials said that she should have known about the school’s stance on abortion.

The teacher said she was surprised when the school took issue with her name appearing in the ad. She had volunteered with Planned Parenthood since April, although she had not previously stated her involvement in public. She said, “I felt fairly humiliated and beside myself

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<sup>1</sup> 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 2003 begins on October 1, 2002 and ends on September 30, 2003.

about it. Nothing I did publicly ever had anything to do with the classroom. What was more upsetting was that I realized I couldn't go back to the classroom."<sup>2</sup>

In response, the teacher filed a federal discrimination complaint with the U.S. Equal Employment Opportunity Commission (EEOC) accusing the school of gender and pregnancy discrimination.<sup>3</sup>

In early November 2003, the former teacher filed a federal lawsuit claiming that she was illegally fired for supporting abortion rights because she is a woman. She claims that the church and the school have not taken the same action against men who did not follow church doctrine. The lawsuit was filed against the school, the school's former president, the school's current communications director, as well as the Catholic Diocese of Wilmington and the head of the Diocese. It claims that the former teacher's rights to freely express her views on abortion, as protected by the Civil Rights Act, were violated. It further contends that her privacy rights were violated because school officials spoke publicly about the firing.

The former teacher is seeking reinstatement of her job, back pay, and punitive damages.

In December 2003, an attorney for the school asked the federal judge to throw out the lawsuit. At press time, SIECUS was unaware on any further action on this case.

#### **Delaware's Youth: Statistical Information of Note<sup>4</sup>**

- In 2003, 56% of female high school students and 59% of male high school students in Delaware reported ever having had sexual intercourse compared to 45% of female high school students and 48% of male high school students nationwide.
- In 2003, 7% of female high school students and 16% of male high school students in Delaware reported having had sexual intercourse before age 13 compared to 4% of female high school students and 10% of male high school students nationwide.
- In 2003, 18% of female high school students and 23% of male high school students in Delaware reported having had four or more lifetime sexual partners compared to 11% of female high school students and 18% of male high school students nationwide.
- In 2003, 45% of female high school students and 41% of male high school students in Delaware reported being currently sexually active (defined as having had sexual intercourse in the three months prior to the survey) compared to 35% of females and 34% of males nationwide.
- In 2003, among those high school students who reported being currently sexually active, 18% of females and 31% of males in Delaware reported having used alcohol or drugs the last time they had sexual intercourse compared to 21% of females and 30% of males nationwide.

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<sup>2</sup> M. Balaji, "Ursuline Teacher Fired After Name in Ad," *DelawareOnline.com* (Service of The News Journal), January 29, 2003.

<sup>3</sup> M. Balaji, "Fired Teacher Files Federal Complaint," *The News Journal*, Wilmington, DE, February 25, 2003.

<sup>4</sup> Unless otherwise cited, all statistical information comes from: J. Grunbaum, et. al., "Youth Risk Behavior Surveillance — United States, 2003," *Surveillance Summaries, Morbidity and Mortality Weekly Report*, vol. 53, no.SS-2, May 21, 2004, pp. 1-95. Available online at: <http://www.cdc.gov/nccdphp/dash/yrbs/>.

- In 2003, among those high school students who reported being currently sexually active, 55% of females and 71% of males in Delaware reported having used condoms the last time they had sexual intercourse compared to 57% of females and 69% of males nationwide.
- In 2003, among those high school students who reported being currently sexually active, 22% of females and 13% of males in Delaware reported having used birth control pills the last time they had sexual intercourse compared to 21% of females and 13% of males nationwide.
- In 2003, 9% of female high school students and 6% of male high school students in Delaware 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 2003, 92% of high school students in Delaware reported having been taught about AIDS/HIV in school compared to 88% of high school students nationwide.
- In 2000, Delaware's abortion rate was 31 per 1,000 women ages 15-19 compared to a teen abortion rate of 24 per 1,000 nationwide.<sup>5</sup>
- In 2001, Delaware's birth rate was 47 per 1,000 women ages 15-19 compared to a teen birth rate of 45 per 1,000 nationwide.<sup>6</sup>

### **Title V Abstinence-Only-Until-Marriage Funding**

Delaware received \$80,935 in federal Title V funding in Fiscal Year 2003. 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. Delaware matches the federal funding with \$60,701 in state funds.

The Delaware Department of Health and Social Services, Division of Public Health has authority over the Title V abstinence-only-until-marriage funding. The Division of Public Health has contracted with the Alliance for Adolescent Pregnancy Prevention (AAPP) to handle many of the details of the program, including working on the media campaign and awarding "mini-grants" to community groups.

Delaware targets its Title V abstinence-only-until-marriage programs to youth aged 17 years and younger. The programs have three goals:

1. Promote abstinence for adolescents 9-14 years of age,
2. encourage parents to accept responsibility for proactive and preventive sexuality education of their children, and
3. increase community awareness about the importance of teen pregnancy prevention and the gains to be realized from teens abstaining from sexual activity.

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<sup>5</sup> U.S. *Teenage Pregnancy Statistics: Overall Trends, Trends by Race and Ethnicity and State-by-State Information*, (New York: Alan Guttmacher Institute, February, 2004). Available online at [www.guttmacher.org](http://www.guttmacher.org).

<sup>6</sup> A. Papillo, et.al., *Facts at a Glance*, (Washington, DC: Child Trends, February, 2004).

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Prior to contracting with the Division of Health, the AAPP maintained a media campaign focusing on an abstinence-only-until-marriage message, which it has expanded using Title V funds. The campaign uses materials developed by Maryland's *Campaign for Our Children* that focuses on promoting abstinence and encouraging adult-youth communication around sexuality issues. It uses billboards, radio public service announcements (PSAs), educational materials, and a website.

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

There are no SPRANS–CBAE or AFLA grantees in Delaware.

**Federal and State Funding for Abstinence-Only-Until-Marriage Programs in FY 2003**

<b>Abstinence-Only-Until-Marriage Grantee</b>	<b>Amount of Grant</b>	<b>Type of Grant (includes SPRANS–CBAE, Title V, and AFLA)</b>
<b>Length of Grant</b> Delaware Department of Health and Social Services, Division of Public Health <a href="http://www.state.de.us/dhss/index.html">www.state.de.us/dhss/index.html</a>	\$80,935 federal/ \$60,701 state	Title V

**Title V Abstinence-Only-Until-Marriage Coordinator**

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Delaware Department of Health and Social Services  
Division of Public Health  
Jesse Cooper Building  
P.O. Box 637  
Dover, DE 19903  
Phone: (302) 744-4554

**Delaware Organizations that Support Comprehensive Sexuality Education**

American Civil Liberties Union  
100 West 10th St., Suite 309  
Wilmington, DE 19801  
Phone: (302) 654-3966  
[www.aclu-de.org](http://www.aclu-de.org)

Delaware Pro-Choice Medical Fund  
PO Box 1942  
Wilmington, DE 19809  
Phone: (302) 656-9838

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Delaware Women's Conference  
P.O. Box 7747  
Newark, DE 19714  
Phone: (302) 761-8005  
[www.delawarewomen.org](http://www.delawarewomen.org)

Delaware Women's Health Organization  
312 Mitch Rd.  
Wilmington, Delaware 19804  
Phone: (302) 992-7996

Planned Parenthood of Delaware  
625 Shipley St.  
Wilmington, DE 19801  
Phone: (302) 655-7296  
[www.ppdel.org](http://www.ppdel.org)

**Delaware Organizations that Oppose Comprehensive Sexuality Education**

Delaware Pro-Life Coalition, Inc.  
400 New London Rd  
Newark, DE 19711  
Phone: (302) 368-0329  
[www.delawareprolife.org](http://www.delawareprolife.org)

Delaware Right To Life  
P.O. Box 1222  
Wilmington, DE 19899  
Phone: (302) 832-9600  
[delburgess0.tripod.com/delawarerighttolife/index.html](http://delburgess0.tripod.com/delawarerighttolife/index.html)

Intercollegiate Studies Institute  
(ISI)  
3901 Centerville Rd.  
P.O. Box 4431  
Wilmington, DE 19807  
[www.isi.org](http://www.isi.org)

**Newspapers in Delaware**

*Delaware State News*  
Drew Ostroski  
Medical/Health Editor  
429 Webbs Ln.  
Dover, DE 19904  
Phone: (302) 741-8250

*The News Journal*  
Edward Kenney  
Community News Reporter  
950 W. Basin Rd.  
New Castle, DE 19720  
Phone: (302) 324-2891