



## Kentucky

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### Kentucky Sexuality Education Law

All Kentucky schools follow the Department of Education's *Program of Studies*, which is required instruction for students in grades six through 12. Instruction on human sexuality must focus on abstinence as the only sure means of avoiding unwanted pregnancy and sexually transmitted diseases.

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

See Kentucky Department of Education's *Program of Studies*.

### Recent Legislation

The Kentucky legislature does not carry bills over from one session to the next. Related 2003 and 2004 bills are listed. Kentucky's legislative session ended on April 13, 2004.

*Bill Limiting Participation in Programs Where Birth Control Discussed Died, 2004 Session*  
House Bill 31, introduced in January 2004, would have prohibited a "state organizational unit or administrative body" from providing or participating in an educational program in which information on birth control is provided with a pro-choice view unless equal time was given to the pro-life point of view.

The bill died at the end of the legislative session in April 2004.

### Events of Note

*Boyd County GSA Allowed to Meet  
February 2004; Boyd County, KY*

The Boyd County Gay Straight Alliance will finally be allowed to meet following years of negotiations with the Boyd County School District.

In October 2002, after twice refusing to allow the club, the Boyd County Parent-Teacher Council voted to allow the GSA to meet at the high school. Their decision came after receiving a letter from the American Civil Liberties Union (ACLU) stating that not allowing the club would be a violation of the Equal Access Act.

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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.

Many community members, parents, and students held protests to overturn the decision to allow the club. In response, the Boyd County Board of Education cancelled all non-curricular clubs.

In January 2003, the ACLU filed a lawsuit against the school on behalf of potential GSA members, their parents, and the group's advisor charging that school officials had permitted many clubs to continue to meet (including the drama club and a Bible club, among others) despite the ban on clubs.

In April 2003, a U.S. District Judge issued a preliminary injunction in favor of the students and ordered the high school to allow the club to meet while the suit is pending. The judge also ordered that the two sides attempt to settle the lawsuit in mediation without going through a full trial.

In February 2004, the school agreed to settle the lawsuit. As part of the settlement, the school agreed to allow the GSA to meet and to hold an anti-harassment training with an emphasis on sexual orientation for all district staff as well as middle school and high school students.

An attorney with the ACLU's Lesbian and Gay Rights Project said, "The Boyd County Public Schools wasted over a year's time and a lot of taxpayer money to try to stop these students from having their club, when a federal judge had already made it clear that the district was breaking the law by trying to silence students who wanted nothing more than a place to talk about how to stop anti-gay harassment and discrimination at school and in the community."<sup>2</sup> One student member of the GSA said, "I'm just excited that it's over... I'm glad we're finally coming to a resolution."<sup>3</sup>

However, not everyone in the community is in support of the school's decision to settle. As a result of the decision, the pastor of a local Baptist church, who led the opposition to the GSA, is forming a new group to "protect the civil rights, personal health and safety of students, staff and citizens" in Boyd County. The pastor claims the group will include educators, students, business leaders, pastors, and parents.<sup>4</sup>

#### *Sex Education Pamphlets Removed from Classroom March 2003; Bullitt County, KY*

A group of parents of fifth-graders were upset when their children brought home a brochure that discussed topics such as masturbation and changes to genitalia during puberty. Parents had signed permission slips for the program but argued they were not made aware of everything that would be covered. The parents voiced their opposition and the pamphlet has since been pulled from the Bullitt County Health Department's school program.

A local ministerial association held a meeting in mid-March to review the pamphlet. The association's president and a local pastor commented on the pamphlet saying, "it was just very graphic for young children. You might be talking about ninth- or tenth-graders."<sup>5</sup>

The Health Department's education coordinator explained that they have been running the program with these pamphlets in fifth-grade classes, at the request of the individual schools, for

<sup>2</sup> "Youth: ACLU Wins Settlement for Ky. Gay-Straight Alliance," *Windy City Times*, February 25, 2004.

<sup>3</sup> P. Mark, "Gay-rights club's supporters praise decree; Boyd group allowed to meet at school; some foes stunned," *The Courier-Journal*, February 4, 2004.

<sup>4</sup> "Regional Briefs: Group forms after Boyd school decision," *The Courier-Journal*, February 14, 2004.

<sup>5</sup> T. Holbrook, "Bullitt Agency Withdraws Sex-Education Pamphlets," *The Courier-Journal (Louisville, KY)*, March 16, 2003.

the past seven years and this is the first complaint they have ever received. She said the information in the pamphlets came from a program that was approved by the National Association of School Nurses, though they did not specify what age group should receive it. Health Department staff agreed to review the pamphlet and look for others that may be more acceptable.

### **Kentucky' Youth: Statistical Information of Note<sup>6</sup>**

- In 2003, 54% of female high school students and 50% of male high school students in Kentucky reported ever having had sexual intercourse compared to 45% of female high school students and 48% of male high school students nationwide.
- In 2003, 4% of female high school students and 8% of male high school students in Kentucky 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, 14% of female high school students and 16% of male high school students in Kentucky 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, 42% of female high school students and 35% of male high school students in Kentucky 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, 17% of females and 28% of males in Kentucky reported having used alcohol or drugs the last time they had sexual intercourse compared to 21% of females and 30% of males nationwide.
- In 2003, among those high school students who reported being currently sexually active, 57% of females and 68% of males in Kentucky 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, 18% of females and 17% of males in Kentucky 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, 6% of female high school students and 3% of male high school students in Kentucky 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.

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<sup>6</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, 90% of high school students in Kentucky reported having been taught about AIDS/HIV in school compared to 88% of high school students nationwide.
- In 2000, Kentucky’s abortion rate was 8 per 1,000 women ages 15-19 compared to a teen abortion rate of 24 per 1,000 nationwide.<sup>7</sup>
- In 2001, Kentucky’s birth rate was 52 per 1,000 women ages 15-19 compared to a teen birth rate of 45 per 1,000 nationwide.<sup>8</sup>

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

Kentucky received \$900,000 in federal Title V abstinence-only-until-marriage funding in Fiscal Year 2003. The Title V 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. Kentucky provides \$250,000 in state funds, the rest of the match is provided by sub-grantees through both funding and in-kind services. The Kentucky Department of Health Services oversees all Title V funding.

The funding is distributed between 47 sub-grantees and a media campaign. Fifty percent of funding goes to a media campaign titled *Get A Life First – Wait to Have Sex*. This campaign uses radio, billboards, television, and posters to target youth ages nine to 15.

Sub-grantees receive between \$2,500 and \$25,000 and target youth and parents. Nineteen of these sub-grantees are educational agencies that use the *Postponing Sexual Involvement* curricula with sixth grade boys and girls.

In addition, 2.5 percent of the overall budget is allotted for evaluation. Sub-grantees evaluate their own programs at the end of each grant year and professional evaluators will examine the media campaign.

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

There is one SPRANS–CBAE grantee in Kentucky: New Hope Center Inc. There are no AFLA grantees in Kentucky.

**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> Kentucky Department of Health Services  <a href="http://www.chs.ky.gov">www.chs.ky.gov</a>	\$900,000 federal/ \$250,000 state	Title V

<sup>7</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>8</sup> A. Papillo, et.al., *Facts at a Glance*, (Washington, DC: Child Trends, February, 2004).

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<b>Abstinence-Only-Until-Marriage Grantee</b> <b>Length of Grant</b>	<b>Amount of Grant</b>	<b>Type of Grant (includes SPRANS-CBAE, Title V, and AFLA)</b>
Adair County	\$25,000	Title V sub-grantee
Bath County	\$10,435	Title V sub-grantee
Butler County	\$20,302	Title V sub-grantee
Carlisle County	\$8,900	Title V sub-grantee
Casey County	\$25,000	Title V sub-grantee
Christian County	\$24,929	Title V sub-grantee
Franklin County	\$2,800	Title V sub-grantee
Hardin County	\$13,998	Title V sub-grantee
Henderson County	\$25,000	Title V sub-grantee
Jessamine County	\$24,930	Title V sub-grantee
Magoffin County	\$24,964	Title V sub-grantee
Meade County	\$4,500	Title V sub-grantee
Ohio County	\$25,000	Title V sub-grantee
Simpson County	\$24,998	Title V sub-grantee
Warren County	\$24,975	Title V sub-grantee
New Hope Center, Inc. 2002-2005	\$363,497	SPRANS-CBAE (Implementation Grant)

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

Rae Williams  
275 E. Main St.  
Frankfurt, KY 40601  
Phone: (502) 564-2154 Ext. 3759

**Kentucky Organizations that Support Comprehensive Sexuality Education**

Advocates of Planned Parenthood of  
Louisville and Western Kentucky  
1025 S. 2nd St.  
Louisville, KY 40203  
Phone: (502) 584-2471

American Civil Liberties Union of  
Kentucky  
425 W. Muhammad Ali Blvd., Suite 230  
Louisville, KY 40202  
Phone: (502) 581-1181  
[www.aclu-ky.org](http://www.aclu-ky.org)

Kentucky Association of Planned  
Parenthood Affiliates  
258 Red Lick Rd.  
Berea, KY 40403  
Phone: (606) 986-1650

Religious Coalition for Reproductive  
Choice  
P.O. Box 4065  
Louisville, KY 40204  
Phone: (502) 585-3050  
<http://members.iglou.com/gils/>

**Kentucky Organizations that Oppose Comprehensive Sexuality Education**

Democrats Pro-Life of Kentucky  
200 Fenley Ave.  
Louisville, KY 40206  
<http://hometown.aol.com/demolife/>

The Family Foundation of Kentucky  
P.O. Box 22100  
Lexington, KY 40522  
Phone: (859) 255-5400  
[www.tffky.org](http://www.tffky.org)

Kentucky Right to Life Association  
134 Breckinridge Lane  
Louisville, KY 40207  
Phone: (502) 895-5959  
[www.krla.org](http://www.krla.org)

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**Newspapers in Kentucky**

*The Courier-Journal*

Martha Elson  
Community News Reporter  
525 W. Broadway  
Louisville, KY 40202  
Phone: (502) 582-7061

*Daily News*

Alyssa Harvey  
Medical/Health Editor  
813 College St.  
Bowling Green, KY 42101  
Phone: (270) 783-3257

*The Gleaner*

Wendy Bredhold  
Community News Editor  
455 Klutey Park Plaza Dr.  
Henderson, KY 42420  
Phone: (270) 831-8336

*The Independent*

Cathie Shaffer  
Medical/Health Editor  
224 17th St.  
Ashland, KY 41101  
Phone: (606) 326-2661

*The Kentucky Enquirer*

Assignment Editor  
226 Grandview Dr.  
Fort Mitchell, KY 41017  
Phone: (859) 578-5555

*Kentucky New Era*

Assignment Editor  
1618 E. 9th St.  
Hopkinsville, KY 42240  
Phone: (270) 886-4444

*Lexington Herald-Leader*

Deedra Lawhead  
Medical/Health Editor  
100 Midland Ave  
Lexington, KY 40508  
Phone: (859) 231-1680

*The News-Enterprise*

Donna Walker  
Community News Editor  
408 W. Dixie Ave.  
Elizabethtown, KY 42701  
Phone: (270) 769-1200

*Owensboro Messenger-Inquirer*

Sharon Payne  
Community News Reporter  
1401 Frederica St.  
Owensboro, KY 42301  
Phone: (270) 691-7309

*The Paducah Sun*

Leigh Landini Wright  
Medical/Health Editor  
408 Kentucky Ave.  
Paducah, KY 42003  
Phone: (270) 575-8658