



## LOUISIANA

*Louisiana received \$2,398,122 in federal funding for abstinence-only-until-marriage programs in Fiscal Year 2004.<sup>1</sup>*

### **Louisiana Sexuality Education Law**

Louisiana does not require schools to offer sexuality or sexually transmitted disease (STD)/HIV education, but schools are permitted to offer it after fifth grade. Sexuality education cannot be offered in kindergarten through sixth grade, except in Orleans Parish, which may offer sexuality education in third grade and above.

Louisiana law defines sexuality education as “the dissemination of factual biological or pathological information that is related to the human reproduction system and may include the study of sexually transmitted disease, pregnancy, childbirth, puberty, menstruation, and menopause, as well as the dissemination of factual information about parental responsibilities under the child support laws of the state.” This education cannot include “religious beliefs, practices in human sexuality, nor the subjective moral and ethical judgments of the instructor or other persons. Students shall not be tested, quizzed, or surveyed about their personal or family beliefs or practices in sex, morality, or religion.”

Classes may not include “any sexually explicit materials depicting male or female homosexual activity.” They also may not in “any way counsel or advocate abortion.”

HIV/AIDS education can be included in sexuality education or can be included in a separate class. This class “must be structured and limited so as not to constitute sex education.” Classes must emphasize abstinence-only-until-marriage, teach that “each student has the power to control personal behavior,” and “encourage students to base action on reasoning, self-esteem, and respect for others.”

Selection of teachers for this class can only be made by the local school board. All curricula and materials used must be reviewed by a parental review committee that is appointed by the school board.

Parents may exempt their students from a sexuality education class. This is referred to as an “opt-out” policy.

See Louisiana Revised Statute 17:281.

### **Recent Legislation**

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

## Events of Note

### *Louisiana Governor's Program on Abstinence (GPA) Continues to Promote Religion November 2004*

In a November 17 letter to the Louisiana Governor's Program on Abstinence (GPA), the American Civil Liberties Union (ACLU) identified numerous violations of a 2002 settlement.<sup>2</sup> The GPA currently receives over \$1.5 million from the federal government's Title V account (the abstinence-only-until-marriage program authorized in conjunction with the Welfare Reform Act of 1996) and over \$1 million in state funds. In 2002, the ACLU filed suit against the GPA claiming that it violated the constitutional separation of church and state by using federal and state abstinence-only-until-marriage funds to convey religious messages and advance religion. Later that year, the two parties reached a settlement.

As part of the settlement, the GPA must review lessons and curricula prior to their use and must post a statement on its website and all promotional materials that reads: "the GPA is a health and education program committed to promoting and publicizing the benefits of abstinence. Under limits imposed by the Constitution, the GPA's funds may not be used for activities, events or materials that include religious messages or otherwise promote or advance religion."<sup>3</sup>

In its November 17 letter, the ACLU noted many examples of website content that violated this settlement. One such example appears in a section entitled "Ask the Experts" where a young woman asks how she should convince her friend to remain a virgin. The GPA's "expert" responds, "tell your friend that abstaining from sex until entering a loving marriage will give her the freedom to acheive [sic] true self-esteem - to be really, truly, 'cool' in God's eyes as well as yours and mine."<sup>4</sup> In answer to a question about virginity pledges, the expert writes, "God will help you to explain what you mean...He will provide the words, if you let Him...please know that God is standing beside you the whole way. Have courage and answer the question as God wants you to."<sup>5</sup>

According to the ACLU's letter, the website also refers readers to scripture in linked articles and includes summaries of articles that advance religion. For example, an article by the American Life League is included in the website's "Library." The article states, "the condom's biggest flaw is that those using it to prevent the conception of another human being are offending God." It continues, "furthermore, each and every act of marital intercourse must be both unitive and open to procreation. Any action, including condom use, which has as its purpose to render procreation impossible is intrinsically evil."<sup>6</sup>

According to Joe Cook, Executive Director of the ACLU of Louisiana, "the GPA has not only failed to correct the error of its ways, but in the past two years it has gone out of its way to use taxpayer money to layer religious content on religious content. It is time for the GPA to be held accountable to the Constitution and to its own legal agreements. If it fails to do so, we'll see them in court for round two."<sup>7</sup>

According to the Governor's deputy press secretary, Roderick Hawkins, the Governor's office was unaware of the site's content or of the 2002 settlement until they received the ACLU's letter. He said the office is looking into the matter and stated, "our concern is that the site comply with the agreement and the settlement of 2002. That's what we're doing right now—making sure the site complies."

According to the GPA's former director, Dan Richey, the program has followed the settlement and contracts with the Louisiana Family Forum to develop and maintain the site.<sup>8</sup> The Louisiana Family Forum, whose mission is to "persuasively present biblical principles in the

centers of influence,” has in turn handed the contract over to Nancy Victory, wife of conservative Louisiana Supreme Court Justice Jeffrey Victory. Ms. Victory stated that the site is “not involved with promoting religion.”<sup>9</sup>

In early December, Governor Kathleen Blanco rejected the ACLU’s claims and said that the program is in compliance with the federal settlement. In a written statement she said, “I hope that the ACLU would agree that among the many voices in this debate are those whose deep faith in God prompts them to discuss this issue from a biblical perspective. This is a perspective that I and most Louisiana citizens strongly share.”<sup>10</sup> The ACLU is considering further legal action.

### *School Establishes New Club Policy As a Result of Debate Over GSA*

*May 2004; Mandeville, LA*

As a result of a debate over the establishment of a Gay-Straight Alliance (GSA) at Fontainebleau High School in Mandeville, Louisiana, all high school clubs in the district will now have to follow stringent requirements in order to remain a school club.

The Gay-Straight Alliance was formed in the spring of 2003. School officials allowed the club to meet in part out of fear of legal repercussions because of the Equal Access Act.

After it was formed, many community members voiced complaints about the establishment of the club. At a meeting of the St. Tammany Parish School Board, over 30 parents voiced complaints against the club and cited a recent court case involving the Lubbock, Texas school’s decision not to allow a GSA on campus. One parent said he worried that the goal was to advance a national homosexual agenda: “they accomplish this by gaining a foothold in our nation’s schools through the establishment of student-led clubs to propagandize legitimacy for the homosexual lifestyle.”<sup>11</sup>

As a result of the complaints, the school board instructed the school to prepare a review of policies, laws, and court rulings regarding clubs at public schools and discuss the issue at a future meeting.

In March 2004, the Louisiana Chapter of the ACLU came out in full support of the GSA and said it was considering further action. The Executive Director of the Louisiana ACLU responded to the situation saying, “instead of wasting time investigating the potential for disbanding the GSA, the St. Tammany Parish school board should work to foster tolerance and make students who have traditionally been marginalized feel safe and valued. We will entertain complaints from students who believe they have been discriminated against or harassed because of their gender or sexual orientation.”<sup>12</sup>

In April, parents collected 1,300 signatures demanding the school shut down the GSA. One parent who opposed the club said, “let’s show the nation we’re not fearful of the ACLU but we are fearful of our Lord.”<sup>13</sup>

In May, responding to all of the criticism surrounding the GSA, the school board unanimously passed a new policy that mandates stringent requirements for all clubs in the district’s seven high schools. The new policy requires that every club will have to reapply to hold meetings and club sponsors will have to fill out extensive paperwork. In addition, any students who want to join a club will have to get written permission from their parents. One school board member explained the reasoning behind the new policy and said, “the GSA prompted our discussion of the policy. Legal research has been conducted, and I’m confident our legal counsel has looked closely at the issues. I’m confident the superintendent and her staff have put together

a good policy and good regulations.”<sup>14</sup> If it fulfills all of the new rules, the GSA will be allowed to meet.

### **Louisiana’s Youth: Statistical Information of Note**

- In 2001, 80% of high school students in Louisiana reported having been taught about HIV/AIDS in school compared to 89% of high school students nationwide.<sup>15</sup>
- In 2000, Louisiana’s abortion rate was 11 per 1,000 women ages 15-19 compared to a teen abortion rate of 24 per 1,000 nationwide.<sup>16</sup>
- In 2002, Louisiana’s birth rate was 58 per 1,000 women ages 15-19 compared to a teen birth rate of 43 per 1,000 nationwide.<sup>17</sup>

### *New Orleans, Louisiana*<sup>18</sup>

- In 2003, 48% of female high school students and 70% of male high school students in New Orleans 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 27% of male high school students in New Orleans 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, 9% of female high school students and 39% of male high school students in New Orleans 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, 36% of female high school students and 50% of male high school students in New Orleans 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, 10% of females and 23% of males in New Orleans 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, 71% of females and 76% of males in New Orleans 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, 7% of females and 7% of males in New Orleans 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, 12% of female high school students and 9% of male high school students in New Orleans 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, 79% of high school students in New Orleans reported having been taught about HIV/AIDS in school compared to 88% of high school students nationwide.

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

Louisiana received \$1,600,000 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. Louisiana matches the federal funding with in-kind services, including staff and volunteer time. The money is controlled through the Governor's Program on Abstinence (GPA).

The program has many components:

- Community projects
- GPA Clubs for high school students
- A curricula for seventh grade students
- Statewide Grassroots Campaign: The state is divided into sections, each of which has its own coordinator who focuses on organizing and mobilization.
- Clearinghouse Program: The Clearinghouse evaluates "abstinence centered" programs throughout the United States.
- Media Campaign: This component is used to enhance the other sections.

According to the GPA's website, it has established GPA clubs in 250 high schools in Louisiana with more than 5,000 students participating. It also sponsors quarterly events and the clubs have quarterly projects. The GPA is working to establish GPA clubs in all 420 Louisiana high schools.

The curriculum for seventh grade students uses shame and fear to encourage youth to remain abstinent. The program requires volunteers to undergo one day of training, but does not require that they have any prior experience teaching or working with youth. The curriculum actively discourages condom use, includes inaccurate STD statistics, and ignores the reality of sexually abused youth. In one activity, youth are asked to decide which statements are myths and which are facts. One of these statements, "everyone is having sex," is introduced as a myth. The teacher then explains, "if this was true, everyone would be in trouble in one way or another. Everyone would be suffering from emotional conflicts with others, pregnancy, and diseases. (However, there are some teens that are sexually active and they will eventually have to suffer the consequences.)"<sup>19</sup>

The program's website, [www.abstinencedu.com](http://www.abstinencedu.com), includes a question and answer section in which visitors ask questions regarding sexual activity. The answers often encourage them to turn

to churches for guidance and strength. One answer inaccurately states that abortion can cause breast cancer. The section also includes the following exchange:

*Question:* “Freeing myself to reach for the best life has to offer, I promise to abstain from sexual involvement from this day until I enter a marriage relationship.”

That’s fine, at least for those who desire and plan to get married at some point in their lives. What about people like me (now in my 40s), and there are many like me, who have no desire to get married (note-I regularly have monogamous relationships with women). Are we supposed to stay abstinent all of our lives?

*Answer:* Why would you want to have a series of monogamous relationships instead of marriage? God’s plan is for us not to be alone, but to have one spouse for life. When you are 55 and have a heart attack or cancer of the colon, which of these many women will be there for you? No one. Your commitment is to self-indulgence, not to wholly loving a woman—and being loved—as God intended. You will end up a lonely old man unless you move from selfishness to selflessness. It is your decision, but you have made the wrong one for 20 years. At the time I was in my 40s, my sons were teenagers, and are now in their 30s, and are a blessing to my wife and me. Where is your investment in the next generation? However, there is still time to build a marriage that could give you joy for the next 30 or 40 years. It would be sad to choose bachelorhood, as I see it.<sup>20</sup>

Michael J. McManus  
Co-Founder & President  
Marriage Savers

The website also includes a religious disclaimer mandated by the court:

The GPA is a health and education program committed to promoting and publicizing the benefits of abstinence. Under the limits imposed by the Constitution, the GPA funds may not be used for activities, events or materials that include religious messages or otherwise promote or advance religion. The GPA does not discourage or encourage private religious exercise. If you have any spiritual or religious questions that arise in the context of events sponsored by the GPA, the GPA encourages you to consult with a spiritual advisor from your faith or system of belief.<sup>21</sup>

### **Special Projects of Regional and National Significance–Community Based Abstinence Education (SPRANS–CBAE)<sup>22</sup> and Adolescent Family Life Act (AFLA) Grantees**

There is one SPRANS–CBAE grantee in Louisiana: Inner Reflections Too. There are no AFLA grantees in Louisiana.

Inner Reflections Too (IRT) is based in Baton Rouge and receives both Title V and SPRANS funding. This program works with youth between the ages of 10 and 16 who live in the inner city and are considered “high risk.” According to the executive director of IRT, “we are actively engaging youth with the truth regarding the ‘safe sex’ myth. Inner Reflections Too is teaching youth that the safest sex is ‘saved sex.’” This program works in local housing developments, a youth group home, and a prenatal facility that serves teen mothers.

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

<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> Louisiana Governor's Program on Abstinence (GPA) <a href="http://www.abstinencedu.com">www.abstinencedu.com</a>	\$1,600,000 federal	Title V
Council for the Advancement of Social Services and Education 2003-2006	\$798,122	SPRANS-CBAE (Implementation Grant)

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

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**Louisiana Organizations that Support Comprehensive Sexuality Education**

ACLU of Louisiana  
 PO Box 56157  
 New Orleans, LA 70156  
 Phone: (504) 522-0617  
[www.laclu.org](http://www.laclu.org)

AIDS Law of Louisiana, Inc.  
 PO Box 30203  
 New Orleans, LA 70190  
 Phone: (504) 568-1631  
[www.aidslaw.org](http://www.aidslaw.org)

Louisiana NOW  
 PO Box 750356  
 New Orleans, LA 70175  
 Phone: (504) 364-4444  
[www.louisiananow.org](http://www.louisiananow.org)

NO AIDS Task Force  
 2601 Tulane Ave., Suite 500  
 New Orleans, LA 70119  
 Phone: (504) 821-2601  
[www.noaidstaskforce.org](http://www.noaidstaskforce.org)

Planned Parenthood of Louisiana and the Mississippi Delta  
 2601 Tulane Ave., Suite 701  
 New Orleans, LA 70119  
 Phone: (504) 821-5423  
[www.plannedparenthoodlouisiana.org](http://www.plannedparenthoodlouisiana.org)

**Louisiana Organizations that Oppose Comprehensive Sexuality Education**

LA Christian Coalition  
PO Box 1695  
Mandeville, LA 70470  
[www.mylacc.com](http://www.mylacc.com)

LA Family Forum  
655 St. Ferdinand St.  
Baton Rouge, LA 70802  
Phone: (225) 344-8533  
[www.lafamilyforum.org](http://www.lafamilyforum.org)

LA Right to Life Foundation  
PO Box 8807  
Metairie, LA 70011  
Phone: (504) 834-5433  
[www.lartl.org](http://www.lartl.org)

**Newspapers in Louisiana**

*The Advocate*  
Laurie Smith-Anderson  
Health & Medicine Editor  
PO Box 588  
Baton Rouge, LA 70821  
Phone: (225) 388-0645

*The Advocate*  
Chante Dionne Warren  
Health & Medicine Writer  
PO Box 588  
Baton Rouge, LA 70821  
Phone: (225) 388-0305

*Alexandria Daily Town Talk*  
Sarah Crooks  
Health & Medicine Reporter  
PO Box 7558  
Alexandria, LA 71306  
Phone: (318) 487-6419

*The Courier*  
Marty Authement  
Medical/Health Editor  
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Houma, LA 70360  
Phone: (985) 857-2206

*The Daily Advertiser*  
Phyllis Walters  
Medical/Health Editor  
221 Jefferson St.  
Lafayette, LA 70501  
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*The Daily Iberian*  
Jeff Moore  
Community News Reporter  
926 E. Main St.  
New Iberia, LA 70560  
Phone: (337) 365-6773

*Lake Charles American Press*  
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Community News Reporter  
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Phone: (337) 239-3444



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*The News-Star*  
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411 N. 4th St.  
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*The Times*  
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Shreveport, LA 71130  
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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 2004 begins on October 1, 2003 and ends on September 30, 2004.

<sup>2</sup> Louise Melling, "Letter Addressing Settlement Violations in *ACLU of Louisiana v. Foster*," 15 November 2004, accessed 29 November 2004,

<<http://www.aclu.org/ReproductiveRights/ReproductiveRights.cfm?ID=17026&c=147>>.

<sup>3</sup> *AbstinencEdu.com*, Louisiana Governor's Program on Abstinence (GPA) (2004), accessed 29 November 2004, <<http://www.abstinenceedu.com>>.

<sup>4</sup> *Ask the Experts*, Louisiana Governor's Program on Abstinence (GPA) (2004), accessed 29 November 2004, <<http://www.abstinenceedu.com>>.

<sup>5</sup> Louise Melling, "Letter Addressing Settlement Violations."

<sup>6</sup> *Library, Medical Info: Safe Sex*, Louisiana Governor's Program on Abstinence (GPA) (2004), accessed 29 November 2004, <<http://www.abstinenceedu.com>>.

<sup>7</sup> Louisiana ACLU, "ACLU Asks Louisiana to Remove Religious Content from Abstinence-Only Website, Citing Numerous Violations of 2002 Agreement," Press release published on 17 November 2004, accessed 22 November 2004, <<http://www.laclu.org/News/2004/Nov17GPA.htm>>.

<sup>8</sup> Keith O'Brien, "ACLU Threatens to File Lawsuit over Abstinence Program: Despite Settlement Web site cites God," *The Times Picayune*, 18 November 2004, A4.

<sup>9</sup> *Ibid.*

<sup>10</sup> Laura Maggi, "Blanco defends Abstinence Web Site," *Times-Picayune* (LA), 10 December 2004, accessed on Lexis-Nexis 8 January 2005.

<sup>11</sup> "Parents Seek to Shut Down Gay/Straight High School Alliance," *Associated Press* (Mandeville, LA), 11 March 2004.

<sup>12</sup> B. Martel, "ACLU to School Board: Don't Shut down gay students' group," *Associated Press* (New Orleans, LA), 12 March 2004.

<sup>13</sup> "Lawyer: Courts Would Oppose Ban on St. Tammany Parish Gay Group," *Associated Press*, accessed on Lexis-Nexis, 8 January 2004.

<sup>14</sup> Trey Iles, "School Board Establishes New Policy on Clubs," *Times-Picayune* (LA), 14 May 2004.

<sup>15</sup> 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/>>. Information for Louisiana does not include New Orleans. Louisiana did not participate in the 2003 YRBS, but New Orleans did.

<sup>16</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), accessed 28 January 2005, <[www.guttmacher.org](http://www.guttmacher.org)>.

<sup>17</sup> *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>>.

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<sup>18</sup> Jo Anne Grunbaum, et. al., “Youth Risk Behavior Surveillance — United States, 2003,” *Surveillance Summaries, Morbidity and Mortality Weekly Report* 53.SS-2 (21 May 2004): 1-95, accessed 28 January 2005, <<http://www.cdc.gov/nccdphp/dash/yrbs/>>.

<sup>19</sup> *Governor’s Programs on Abstinence Teacher Guide* (Louisiana Governor’s Program on Abstinence, June 2002), 21.

<sup>20</sup> *Ask the Experts*, Governor’s Program on Abstinence, accessed 18 February 2005, <<http://www.abstinencedu.com/>>.

<sup>21</sup> Ibid.

<sup>22</sup> 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).