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Mississippi Sexuality Education Law and Policy

Mississippi schools are not required to teach sexuality education or sexually transmitted disease (STD)/HIV education. If schools choose to teach either or both forms of education, they must stress abstinence-until-marriage, including “the social, psychological, and health gains to be realized by abstaining from sexual activity, and the likely negative psychological and physical effects of not abstaining” and “that abstinence from sexual activity before marriage, and fidelity within marriage, is the only certain way to avoid out-of-wedlock pregnancy, sexually-transmitted diseases and related health problems.”¹ In addition, monogamous heterosexual relationships must be presented as the only appropriate place for sexual intercourse. Mississippi’s *Comprehensive Health Framework* includes education on health promotion and disease prevention for ninth through 12th grade students.

If the school board authorizes the teaching of contraception, state law dictates that the failure rates and risks of each contraceptive method must be included and “in no case shall the instruction or program include any demonstration of how condoms or other contraceptives are applied.”² Local school boards may also authorize through a majority vote “the teaching of sex education without instructions on abstinence.”³

The Department of Health must implement a “Teen Pregnancy Pilot Program” in districts with the highest number of teen pregnancies. Such programs are coordinated through the school nurse and include education on abstinence, reproductive health, teen pregnancy, and STDs. Mississippi public school nurses may not provide abortion counseling to students nor may they refer students to abortion services.

Parents or guardians must be notified of any sexuality education instruction and have the ability to remove their children from any or all sexuality education classes. This is referred to as an “opt-out” policy.

See Mississippi Code Annotated §§ 37-13-171, 37-31-173, and 41-79-5; and *Comprehensive Health Framework*.

Recent Legislation

Bill Mandates Comprehensive Sex Education

House Bill 147, introduced in January 2010, would have required that comprehensive sex education be taught in kindergarten through 12th grade. The act specified that instruction should be medically accurate and age-appropriate, and should include information on: abstinence as a method of pregnancy and disease prevention; the possible side effects and health benefits of contraception, including success and failure rates; STDs, including HIV; legal definitions of statutory rape and the age of consent; positive communication skills and healthy relationships; rejecting sexual advances and peer pressure; and sexual harassment and acquaintance rape. The bill was sent to the Committee on Education, where it also died.

Legislation to Create a Sex Education Pilot Program

House Bill 140, introduced in January 2010, would have established a comprehensive sex education pilot program aimed at reducing the teen pregnancy rate in Mississippi, to be carried out by school nurses. The bill specified that the curricula must be age-appropriate and focus on preventing unintended pregnancy and STDs, including HIV/AIDS, and would have mandated an opt-in policy under which parents must send written notice for their children to be allowed to participate in the program. The pilot program would have also included support services for pregnant teens. The bill was referred to the Committees on Education and Public Health and Human Services, where it died. Its companion bill in the Senate, SB 2467, was referred to the Committees on Appropriations and Education, and died as well.

Senate Bill 2660, introduced nine days after HB 140 in January 2010, would have created a comprehensive sex education pilot program similar to that outlined in HB 140. School districts would have been selected for participation in the program based on a number of criteria, primarily the rate of unintended pregnancy and STDs among the districts' adolescents. Rather than creating an opt-in program, SB 2660 stated that students would participate in the program if their parents or guardians did not request to have them removed from sex education instruction after receiving two written notices from the school. This is referred to as an "opt-out" provision. Sex education courses would have been required to address the merits of both contraception and abstinence. SB 2660 was referred to the Committees on Education and Appropriations, where it died.

An Act Mandating Abstinence-Centered Curricula

House Bill 837, which was introduced in January 2010, would have affirmed abstinence-only-until-marriage programs as the state standard for sex education; however, individual school districts would have been empowered to institute abstinence-plus instruction, which would have included information about condoms and other contraceptives, STDs, and HIV/AIDS, provided that the program adhered to the parameters established by the state Department of Education. HB 837 also could have prohibited sex education programs from teaching that abortion prevents the birth of a child and mandated that the participants in all such courses be separated according to gender. The bill passed the House by a vote of 83–32 and subsequently was sent to the Senate, where it was referred to the Committees on Education and Public Health and Welfare. It died in committee.

Mississippi's Youth: Statistical Information of Note⁴

- In 2009, 58% of female high school students and 64% of male high school students in Mississippi reported ever having had sexual intercourse compared to 46% of female high school students and 46% of male high school students nationwide.
- In 2009, 8% of female high school students and 19% of male high school students in Mississippi reported having had sexual intercourse before age 13 compared to 3% of female high school students and 8% of male high school students nationwide.
- In 2009, 18% of female high school students and 30% of male high school students in Mississippi reported having had four or more lifetime sexual partners compared to 11% of female high school students and 16% of male high school students nationwide.

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- In 2009, 44% of female high school students and 46% of male high school students in Mississippi reported being currently sexually active (defined as having had sexual intercourse in the three months prior to the survey) compared to 36% of female high school students and 33% of male high school students nationwide.
- In 2009, among those high school students who reported being currently sexually active, 61% of females and 70% of males in Mississippi reported having used condoms the last time they had sexual intercourse compared to 54% of females and 69% of males nationwide.
- In 2009, among those high school students who reported being currently sexually active, 16% of females and 12% of males in Mississippi reported having used birth control pills the last time they had sexual intercourse compared to 23% of females and 16% of males nationwide.
- In 2009, among those high school students who reported being currently sexually active, 13% of females and 25% of males in Mississippi reported having used alcohol or drugs the last time they had sexual intercourse compared to 17% of females and 26% of males nationwide.
- In 2009, 83% of high school students in Mississippi reported having been taught about AIDS/HIV in school compared to 87% of high school students nationwide.

Mississippi Youth Sexual Health Statistics

Teen Pregnancy, Birth, and Abortion

- Mississippi's teen pregnancy rate ranks 6th in the U.S., with a rate of 85 pregnancies per 1,000 young women ages 15–19 compared to the national rate of 70 pregnancies per 1,000.⁵ There were a total of 9,030 pregnancies among young women ages 15–19 reported in 2005, the most recent year for which data are available, in Mississippi.⁶
- Mississippi's teen birth rate ranked 4th in the U.S. in 2005, with a rate of 60.5 births per 1,000 young women ages 15–19 compared to the national rate of 40.5 births per 1,000.⁷ In 2005, there were a total of 6,411 live births reported to young women ages 15–19 in Mississippi.⁸
- In 2006, the U.S. teen birth rate increased for the first time in 15 years by 3% from 40.5 to 41.9 births per 1,000 young women ages 15–19, after having steadily declined between 1991 and 2005.⁹ In contrast, Mississippi's teen birth rate increased 13% between 2005 and 2006, from 60.5 to 68.4 births per 1,000 young women ages 15–19.¹⁰
- Mississippi's teen abortion rate ranks 44th in the U.S., with a rate of 5 abortions per 1,000 young women ages 15–19 compared to the national rate of 19 abortions per 1,000. In 2005, there were a total of 450 abortions reported among young women ages 15–19 in Mississippi.¹¹

HIV and AIDS

- Mississippi ranks 19th in cases of HIV infection diagnosed in the U.S. among all age groups. In 2007, there were a total of 411 new cases of HIV infection diagnosed in Mississippi.¹²

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- Mississippi ranks 15th in cases of HIV/AIDS diagnosed among young people ages 13–19 out of the 34 states with confidential, name-based HIV infection reporting. In 2007, there were a total of 36 young people ages 13–19 diagnosed with HIV/AIDS in Mississippi.¹³
- Mississippi's AIDS rate ranks 15th in the U.S., with a rate of 12.1 cases per 100,000 population compared to the national rate of 12.5 cases per 100,000.¹⁴
- Mississippi ranks 25th in number of reported AIDS cases in the U.S. among all age groups. In 2007, there were a total of 352 new AIDS cases reported in Mississippi.¹⁵
- Mississippi ranks 21st in number of reported AIDS cases in the U.S. among young people ages 13–19. In 2007, there were a total of 5 AIDS cases reported among young people ages 13–19 in Mississippi.¹⁶

Sexually Transmitted Diseases

- Mississippi ranks 2nd in reported cases of Chlamydia among young people ages 15–19 in the U.S., with an infection rate of 38.51 cases per 1,000 compared to the national rate of 19.51 cases per 1,000. In 2008, there were a total of 8,531 cases of Chlamydia reported among young people ages 15–19 in Mississippi.¹⁷
- Mississippi ranks 2nd in reported cases of gonorrhea among young people ages 15–19 in the U.S., with an infection rate of 10.93 cases per 1,000 compared to the national rate of 4.52 cases per 1,000. In 2008, there were a total of 2,421 cases of gonorrhea reported among young people ages 15–19 in Mississippi.¹⁸
- Mississippi ranks 3rd in reported cases of primary and secondary syphilis among young people ages 15–19 in the U.S., with an infection rate of 0.09 cases per 1,000 compared to the national rate of 0.04 cases per 1,000. In 2008, there were a total of 19 cases of syphilis reported among young people ages 15–19 in Mississippi.¹⁹

Comprehensive Approaches to Sex Education

SIECUS is not aware of any examples of model programs, policies, or best practices being implemented in Mississippi public schools that provide a more comprehensive approach to sex education for young people.

We encourage you to submit any updated or additional information on comprehensive approaches to sex education being implemented in Mississippi public schools for inclusion in future publications of the SIECUS State Profiles. Please visit SIECUS' "Contact Us" webpage at www.siecus.org to share information. Select "state policy" as the subject heading.

Federal Funding for Abstinence-Only-Until-Marriage Programs

The Department of Human Services and community-based organizations in Mississippi received \$4,264,367 in federal funds for abstinence-only-until-marriage programs in Fiscal Year 2009.²⁰

Title V Abstinence-Only-Until Marriage Funding

- Mississippi received \$414,676 in federal Title V abstinence-only-until-marriage funding in Fiscal Year 2009. Due to the expiration of the grant program on June 30, 2009, three months prior to the end of the federal fiscal year, the state received three quarters of the total funding allocated for the full fiscal year. However, because of the shortened disbursement period, Mississippi was not able to allocate the funding and the award was returned in full to the federal Administration for Children and Families.

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Community-Based Abstinence Education (CBAE) Funding

- Organizations in Mississippi received \$3,589,058 in CBAE funding for Fiscal Year 2009.
- There are six CBAE grantees in Mississippi, including two community-based organizations, two faith-based organizations, one school district, and the state health department.

Adolescent Family Life Act (AFLA) Funding

- There is one AFLA grantee in Mississippi, Youth Opportunities Unlimited, which received \$260,633 in AFLA funding for Fiscal Year 2009.

Abstinence-Only-Until-Marriage Curricula Used by Grantees

Some abstinence-only-until-marriage grantees in Mississippi use commercially available curricula. These include, but are not limited to:

- *Choosing the Best*
- *FACTS (Family Accountability Communicating Teen Sexuality)*

To read reviews of abstinence-only-until-marriage curricula commonly used by federal grantees please visit the “Curricula and Speaker Reviews” webpage of SIECUS’ Community Action Kit at www.communityactionkit.org.

Federal Funding for Abstinence-Only-Until-Marriage Programs in FY 2009²¹

Abstinence-Only-Until-Marriage Grantee	Title V	CBAE (Length of Grant)	AFLA (Length of Grant)
Mississippi Department of Human Services www.mdhs.state.ms.us	\$414,676 ²² (federal grant)	\$599,800 (2007–2012)	
Community Matters, Inc. www.communitymattersinc.net		\$600,000 (2007–2012)	
Partnership for a Healthy Scott County, Inc. www.phsc-inc.com		\$600,000 (2007–2012)	
Redemption Outreach Ministries International, Inc. www.romi-inc.org		\$600,000 (2006–2011)	

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Abstinence-Only-Until-Marriage Grantee	Title V	CBAE (Length of Grant)	AFLA (Length of Grant)
Shaw School District www.shawschools.k12.ms.us		\$600,000 (2006–2011)	
Youth Opportunities Unlimited www.msdelatyou.org		\$589,258 (2004–2009)	\$260,633 (2007–2012)

Adolescent Health Contact²³

Vera Butler
Mississippi Department of Human Services
Division of Economic Assistance/MAEP
P.O. Box 352
Jackson, MS 39205
Phone: (601)359-4464

Mississippi Organizations that Support Comprehensive Sexuality Education

ACLU of Mississippi
P.O. Box 2242
Jackson, MS 39225
Phone: (601) 354-3408
www.msaclu.org

Equality Mississippi
P.O. Box 4212
Jackson, MS 39296
Phone: (601) 376-9007
www.equalityms.org

Planned Parenthood Greater Memphis Region
1407 Union, Suite 300
Memphis, TN 38104
Phone: (901) 725-1717
www.plannedparenthood.org/memphis

Planned Parenthood Southeast
6111 Highway 49, Suite 119
Hattiesburg, MS 39401
Phone: (601) 296-6001
www.ppalabama.org

South Mississippi AIDS Taskforce
PO Box 8009
Biloxi, MS 39535
Phone: (228) 385-1214
www.smatf.com

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Mississippi Organizations that Oppose Comprehensive Sexuality Education

American Family Association
P.O. Drawer 2440
Tupelo, MS 38803
Phone: (662) 844-5036
www.afa.net

Mississippi Center for Public Policy
520 George Street
Jackson, MS 39202
Phone: (601) 969-1300
www.msolicy.org

Newspapers in Mississippi²⁴

The Clarion-Ledger
Newsroom
201 South Congress Street
Jackson, MS 39201
Phone: (601) 961-7175
www.clarionledger.com

Commercial Dispatch
Newsroom
P.O. Box 511
Columbus, MS 39703
Phone: (662) 328-2471
www.cdispatch.com

Delta Democrat Times
Newsroom
P.O. Box 1618
Greenville, MS 38701
Phone: (662) 335-1155
www.ddtonline.com

Enterprise-Journal
Newsroom
P.O. Box 2009
McComb, MS 39649
Phone: (601) 684-2421
www.enterprise-journal.com

Hattiesburg American
Newsroom
825 North Main Street
Hattiesburg, MS 39401
Phone: (601) 582-4321
www.hattiesburgamerican.com

Meridian Star
Newsroom
P.O. Box 1591
Meridian, MS 39302
Phone: (601) 693-1551
www.meridianstar.com

Mississippi Press
Newsroom
1225 Jackson Avenue
Pascagoula, MS 39567
Phone: (228) 762-3805
www.gulfive.com/mississippipress

The Northeast Mississippi Daily Journal
Newsroom
P.O. Box 909
Tupelo, MS 38802
Phone: (662) 842-2611
www.djournal.com/pages/DailyJournal

Rankin Ledger
Newsroom
2001 Airport Road, Suite 207
Jackson, MS 39208
Phone: (601) 961-7175
www.rankinledger.com

Sun Herald
Newsroom
P.O. Box 4567
Biloxi, MS 39535
Phone: (228) 896-2390
www.sunherald.com

Vicksburg Post
 Newsroom
 1601-F N. Frontage Road
 P.O. Box 821668
 Vicksburg, MS 39182
 Phone: (601) 636-4545
www.vicksburgpost.com

Political Blogs in Mississippi

The Jackson Progressive
www.jacksonprogressive.com/

Magnolia Report
www.magnoliareport.com/political.html

Mississippi Political
www.mississippipolitical.com/

¹ Miss. Code Ann. § 37-13-171(1)(d), <http://michie.com/mississippi/lpExt.dll/mscode/9835/9e18/9eff/9f00?f=templates&fn=document-frame.htm&2.0#JD_37-13-171>.

² Miss. Code Ann. § 37-13-171(1)(d), <http://michie.com/mississippi/lpExt.dll/mscode/9835/9e18/9eff/9f00?f=templates&fn=document-frame.htm&2.0#JD_37-13-171>.

³ Miss. Code Ann. § 37-13-171(3) <http://michie.com/mississippi/lpExt.dll/mscode/9835/9e18/9eff/9f00?f=templates&fn=document-frame.htm&2.0#JD_37-13-171>.

⁴ Danice K. Eaton, et. al., “Youth Risk Behavior Surveillance—United States, 2009,” *Surveillance Summaries, Morbidity and Mortality Weekly Report*, vol. 59, no. SS-5 (4 June 2010): 98–109, accessed 4 June 2010, <<http://www.cdc.gov/mmwr/pdf/ss/ss5905.pdf>>.

⁵ U.S. *Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, (Washington, DC: Guttmacher Institute, January 2010), accessed 5 March 2010, <<http://www.guttmacher.org/pubs/USTPtrends.pdf>>, Table 3.1.

⁶ *Ibid.*, Table 3.2.

⁷ Joyce A. Martin, et. al., “Births: Final Data for 2006,” *National Vital Statistics Reports*, vol. 57, number 7 (Hyattsville, MD: Centers for Disease Control and Prevention, 7 January 2009), accessed 5 March 2010, <http://www.cdc.gov/nchs/data/nvsr/nvsr57/nvsr57_07.pdf>, Table B.

⁸ U.S. *Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, Table 3.2.

⁹ Martin, et. al., “Births: Final Data for 2006,” 4.

¹⁰ *Ibid.*, Table B.

¹¹ U.S. *Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, Table 3.5.

¹² “Cases of HIV Infection and AIDS in the United States and Dependent Areas, 2007,” *HIV/AIDS Surveillance Report*, vol. 19, (Atlanta, GA: Centers for Disease Control and Prevention, February 2009), accessed 5 March 2010, <<http://www.cdc.gov/hiv/topics/surveillance/resources/reports/2007report/pdf/2007SurveillanceReport.pdf>>, Table 18.

¹³ Slide 6: “Estimated Numbers of HIV/AIDS Cases among Adolescents 13 to 19 Years of Age, 2007—34 States,” *HIV/AIDS Surveillance in Adolescents and Young Adults (through 2007)*, (Atlanta, GA: Centers for Disease Control and Prevention, May 2009), accessed 25 March 2010, <<http://www.cdc.gov/hiv/topics/surveillance/resources/slides/adolescents/index.htm>>.

¹⁴ *Ibid.*; “AIDS Case Rate per 100,000 Population, All Ages, 2007,” (Menlo Park, CA: Kaiser Family Foundation), accessed 5 March 2010, <<http://www.statehealthfacts.org/comparabletable.jsp?ind=513&cat=11&sub=120&yr=62&typ=1&sort=a>>.

¹⁵ *Ibid.*, Table 16.

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¹⁶ Slide 15: “Reported AIDS Cases among Adolescents 13 to 19 Years of Age, 2007—United States and Dependent Areas,” *HIV/AIDS Surveillance in Adolescents and Young Adults (through 2007)*, (Atlanta, GA: Centers for Disease Control and Prevention, May 2009), accessed 25 March 2010, <<http://www.cdc.gov/hiv/topics/surveillance/resources/slides/adolescents/index.htm>>.

¹⁷ “Wonder Database: Selected STDs by Age, Race/Ethnicity, and Gender, 1996-2008 Results,” (Atlanta, GA: Centers for Disease Control and Prevention), 30 June 2009, accessed 5 March 2010, <<http://wonder.cdc.gov>>; see also Table 10: “Chlamydia: Reported Cases and Rates Per 100,000 Population by Age Group and Sex: United States, 2004–2008,” *Sexually Transmitted Disease Surveillance 2008*, (Atlanta, GA: Centers for Disease Control and Prevention, Division of STD Prevention, November 2009), accessed 5 March 2010, <<http://www.cdc.gov/std/stats08/surv2008-Complete.pdf>>, 95.

¹⁸ Ibid; see also Table 20: “Gonorrhea—Reported Cases and Rates per 100,000 Population by Age Group and Sex: United States, 2004–2008,” *Sexually Transmitted Disease Surveillance 2008*, 106.

¹⁹ Ibid; see also Table 33: “Primary and Secondary Syphilis—Reported Cases and Rates per 100,000 Population by Age Group and Sex: United States, 2004–2008,” *Sexually Transmitted Disease Surveillance 2008*, 121.

²⁰ This refers to the federal government’s fiscal year, which begins on October 1st and ends on September 30th. The fiscal year is designated by the calendar year in which it ends; for example, Fiscal Year 2009 began on October 1, 2008 and ended on September 30, 2009.

²¹ Through the Fiscal Year 2010 appropriations process, Congress eliminated all discretionary funding for abstinence-only-until-marriage programs, including the entire CBAE program and the abstinence-only-until-marriage portion of AFLA. The grant years listed in the chart reflect the years for which funding was originally approved; however, the grants effectively ended in Fiscal Year 2009.

²² Mississippi was awarded this amount but returned the complete award to the federal government.

²³ SIECUS has identified this person as a state-based contact for information on adolescent health and if applicable, abstinence-only-until-marriage programs.

²⁴ This section is a list of major newspapers in your state with contact information for their newsrooms. This list is by no means exhaustive and does not contain the local level newspapers which are integral to getting your message out to your community. SIECUS strongly urges you to follow stories about the issues that concern you on the national, state, and local level by using an internet news alert service such as [Google alerts](#), becoming an avid reader of your local papers, and establishing relationships with reporters who cover your issues. For more information on how to achieve your media goals visit the SIECUS [Community Action Kit](#).