



NEW MEXICO

New Mexico received \$1,336,251 in federal funds for abstinence-only-until-marriage programs in Fiscal Year 2006.¹

New Mexico Sexuality Education Law and Policy

New Mexico does not mandate that schools teach sexuality education; however, it does mandate that “each school district shall provide instruction about HIV and related issues in the curriculum of the required health education content area to all students in the elementary grades, in the middle/junior high school grades, and in the senior high school grades.” This instruction must include “ways to reduce the risk of getting AIDS, stressing abstinence.” Outcomes of such instruction should include the “ability to demonstrate refusal skills, overcome peer pressure, and use decision-making skills.”

Educational materials and the grade levels at which they will be introduced are determined by local school districts. All instruction must be age-appropriate. Local school boards must “insure the involvement of parents, staff, and students in the development of policies and the review of instructional materials.” The state neither suggests curriculum nor limits what may or may not be included in sexuality education instruction.

New Mexico offers *Content Standards for Health Education* that includes abstinence and reproductive health beginning in grades three and four. Beginning in seventh and eighth grade, performance standards in health education include understanding “how healthy alternatives can replace unhealthy behaviors (i.e. abstinence, condom use, other pregnancy prevention methods).”

New Mexico’s *Health Education Standards with Benchmarks and Performance Standards* states that each school district must have a policy allowing parents to “request that their child be exempted from the parts of the health education curriculum that addresses the sexuality performance standards.” This is referred to as an “opt-out” policy. Alternative lessons must be created for exempted students. Also, local school boards must include parents, staff, and students in developing their opt-out policy.

See New Mexico Administrative Code 6.12.2.10, 6.30.2.19, and *Health Education Standards with Benchmarks and Performance Standard*.

Recent Legislation

Bill Appropriates Funds for Teen Pregnancy Prevention Program

House Bill 810 would allocate \$2.6 million for a statewide teen pregnancy prevention program. The bill was introduced in February 2007 and currently resides in the House Committee on Appropriations and Finance.

Resolution Supports Secretary of Health's Decision Regarding Restriction of Abstinence-Only-Until-Marriage Funding
House Joint Memorial 40, introduced in January 2006 and assigned to the Committee on Education, supports the Secretary of Health's decision to limit abstinence-only-until-marriage programs to grades six and below and to provide comprehensive sexuality education to grades seven and above.

Multiple Bills in 2006 Appropriate Funds for Teen Pregnancy Prevention Programs

House Bill 193, introduced in January 2006 and referred to the House Committees on Education and Appropriations, would appropriate \$1 million to the Department of Education to fund programs for teen mothers and fathers to learn about pregnancy prevention, parenting, and family skills. The bill passed out of the House Committee on Education. A similar bill, Senate Bill 160, would provide \$2 million for such programs. SB 160 was referred to the Senate Committees on Committees, Public Affairs, and Finance and has passed the Senate Committee on Committees. House Bill 664 and House Bill 857, introduced in January 2006 and referred to the House Committees on Consumer and Public Affairs, Appropriations, and Finance, would allocate \$200,000 to expand a male involvement program and \$250,000 to develop and implement a pregnancy-prevention program based on the Carrera model. H.B. 644 passed out of the House Committee on Consumer and Public Affairs. Finally, Senate Bill 592 and Senate Bill 642, also introduced in January 2006 and referred to the Senate Committees on Committees and Finance, would allocate \$2.6 million to develop and implement a statewide teen pregnancy prevention program. These bills vary slightly in that H.B. 592 would require that the programs used have been proven to reduce teen pregnancy by fifty percent. Both bills died in committee.

Events of Note

Community Opposes GSA at Local High School

October 2006; Santa Fe, NM

Community members have responded with some opposition to the founding of the Anti-Defamation Alliance at a Santa Fe high school, stating that the club does not oppose all discrimination as it claims, but rather was created specifically as a Gay-Straight Alliance (GSA).

The club filed its proposal as the Anti-Defamation Alliance. Its application, however, states that the club's mission is "to create a supportive environment for gay, lesbian, bisexual and transgender students and to increase tolerance through our straight allies."²

The club's message generated enraged responses from some community members. One condemned the club: "Political correctness is ruining this country, and we cannot even stand up and say that."³ Despite the community resistance, a school administrator said that there had been no vocal opposition from the student body.

No other high schools in the county have school-sponsored GSAs.

Socorro Condemns State Sex Education, Then Allows Reproductive Services at New School Health Center

October 2006; Socorro, NM

In October 2006, the Socorro School Board voted to offer family planning and reproductive health services at a new school-based health center that has been built as part of the governor's "Building a Healthy New Mexico" initiative. The county has a high rate of teenage pregnancy compared to the rest of the state.

The school board had previously voted against providing reproductive health services at the center but reconsidered after the state released new health education guidelines which propose comprehensive sexuality education for all New Mexico schools.

The guidelines themselves became controversial when they were released in April, as some members of the community wished to keep the abstinence-only-until-marriage curriculum that was already in place and felt that the state should not exercise control over what is taught in local schools.⁴ Socorro residents had the chance to express their views at a meeting with the State Secretary of Health in June. The Secretary emphasized that the comprehensive sexuality education curriculum would not be changed.

The debate resurfaced in October with the vote regarding the school-based clinic. One parent said, “I think it seems to be promoting behavior that I don’t think is healthy or that age group should be involved in.” An official from the Department of School and Adolescent Health, however, suggested that the clinic could have some positive outcomes, explaining that other centers in the state have seen a decline in pregnancy and STD rates.⁵ A school board member supported the decision stating, “We are all aiming for the same goal—safe, healthy, and productive children.”⁶

The center opened in November 2006 and will serve two Socorro schools in the district, offering reproductive services, including pregnancy and STD testing, along with other health services. The center will provide information on contraceptives, but will not distribute them.

Film Documents Problems with Abstinence-Only-Until-Marriage Program

April, 2006; Albuquerque, NM

Abstinence Comes to Albuquerque is a documentary that follows Susan Rodriguez, the mother of a Cibola High School student, through her efforts to remove an abstinence-only-until-marriage program from a local school.

Rodriguez was spurred to take action after realizing that her daughter was receiving biased and inaccurate information about abortion and condom use, and had been pressured to sign a pledge promising to remain a virgin until marriage.⁷

“Their point of view is pushed on (students) with no discussion,” said Rodriguez. “These kids are being completely propagandized and brainwashed.”⁸

Rodriguez’s actions caused the New Mexico Department of Health to review *Best Choice, Game Plan*, and *Navigator*, curricula used in 25 public schools in the state. In the documentary, Department of Health Secretary Michelle Lujan Grisham states that the curricula indeed contain inaccurate and inappropriate information about abortion and condom use, and therefore will only be allowed for use in grades three through six.⁹ Older grades will receive comprehensive sexuality education, which will include information on contraception and sexually transmitted diseases.¹⁰

The film focuses on perspectives of a wide range of people including young people, parents, public health officials, educators, state officials, and national advocates on both sides of the debate. Included with the documentary is a “Frequently Asked Questions” section featuring national experts on sexuality education and a discussion guide to be used for educational purposes.¹¹

New Mexico Announces Changes to Title V Program

April, 2006; NM

After numerous complaints about medical inaccuracies in curricula used by funded programs, the New Mexico Department of Health (NMDH) took the bold step of restricting all Title V abstinence-only-until-marriage funding to grades six and below. The secretary of the NMDH explained, “The most effective way to protect kids is to discourage them from engaging in sexual activity. However, the reality is some adolescents do engage in sexual behavior. To be cognizant of that fact and do nothing about it is unconscionable. We want to make sure all of New Mexico’s children know how to protect themselves if they become sexually active.”¹² The federal government rejected its application and stopped sending funding until NMDH came into compliance. It refused. In its application for Fiscal Year 2007 funding,

however, the NMDH proposed using the funds to work on college campuses and with parents. This application has been accepted.

New Mexico's Youth: Statistical Information of Note¹³

- In 2005, 5% of female high school students and 12% of male high school students in New Mexico 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 2005, 11% of female high school students and 16% of male high school students in New Mexico reported having had four or more lifetime sexual partners compared to 12% of female high school students and 17% of male high school students nationwide.
- In 2005, 36% of female high school students and 30% of male high school students in New Mexico reported being currently sexually active (defined as having had sexual intercourse in the three months prior to the survey) compared to 35% of female high school students and 33% of male high school students nationwide.
- In 2005, among those high school students who reported being currently sexually active, 50% of females and 67% of males in New Mexico reported having used condoms the last time they had sexual intercourse compared to 56% of females and 70% of males nationwide.
- In 2005, among those high school students who reported being currently sexually active, 20% of females and 13% of males in New Mexico reported having used birth control pills the last time they had sexual intercourse compared to 21% of females and 15% of males nationwide.
- In 2005, among those high school students who reported being currently sexually active, 20% of females and 33% of males in New Mexico reported having used alcohol or drugs the last time they had sexual intercourse compared to 19% of females and 28% of males nationwide.
- In 2000, New Mexico's abortion rate was 22 per 1,000 women ages 15–19 compared to a teen abortion rate of 24 per 1,000 nationwide.¹⁴
- In 2004, New Mexico's birth rate was 61 per 1,000 women ages 15–19 compared to a teen birth rate of 41 per 1,000 nationwide.¹⁵

Title V Abstinence-Only-Until-Marriage Funding

Although New Mexico would have been eligible for \$502,785 in Title V funding in Fiscal Year 2006, the state did not receive these funds. According to the New Mexico Department of Health, “the service population boundaries set by the federal government during that fiscal year did not align with the service population identified by the state.” 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 may be provided in part or in full by local groups. Therefore, New Mexico did not provide matching funds nor did it have organizations supported by this type of federal money in Fiscal Year 2006.

Community-Based Abstinence Education (CBAE) and Adolescent Family Life Act (AFLA) Grantees

There are two CBAE grantees in New Mexico: Best Choice Educational Services, Inc., and Socorro General Hospital. There are no AFLA grantees in New Mexico.

Best Choice Educational Services is the abstinence-only-until-marriage project of the New Mexico Family Council, an affiliate of the Family Research Council.¹⁶ According to its website, the Family Research Council (FRC) “champions marriage and family as the foundation of civilization, the seedbed of virtue, and the wellspring of society.”¹⁷ FRC lists its core principles, including: “God exists and is sovereign over all creation. He created human beings in His image. Human life is, therefore, sacred and the right to life is the most fundamental of political rights”; “Life and love are inextricably linked and find their natural expression in the institutions of marriage and the family”; and “The American system of law and justice was founded on the Judeo-Christian ethic.”¹⁸ The New Mexico Family Council’s mission is “To strengthen and preserve the traditional values of New Mexican families, to serve as a voice for the families of New Mexico, and to assist advocates for family values in recapturing the moral and intellectual high ground of the public arena.”¹⁹

Best Choice Educational Services, Inc. presents abstinence-only-until-marriage programs to schools and other community organizations. Through its “D.R.E.A.M.S.” peer mentoring program, teens “who truly believe abstinence from drugs, sex, smoking and other risky behaviors, is the healthiest lifestyle” meet to promote abstinence amongst other youth.²⁰

Best Choice Educational Services uses *A.C. Green’s Game Plan* for middle school students and *Make the Best Choices* for high school students. SIECUS reviewed *Game Plan* and found that in order to convince high school students to remain abstinent until marriage, the curriculum relies on messages of fear and shame, inaccurate and misleading information, and biased views of marriage, sexual orientation, and family structure. In addition, *Game Plan* fails to provide important information on sexual health including how students can seek testing and treatment if they suspect they have an STD. Finally, the format and underlying biases of the curriculum do not allow for cultural, community, and individual values, and discourage critical thinking and discussions of alternate points of view in the classroom. For example, *Game Plan* states that, “even if you’ve been sexually active, it’s never too late to say no. You can’t go back, but you can go forward. You might feel guilty or untrustworthy, but you can start over again.”²¹

Best Choice Educational Services is listed as a resource by the New Mexico Department of Health’s abstinence-only-until-marriage program, “I Choose My Future.”²² “I Choose My Future” promotes printable pledge cards that state, “In the best interest of my Future I hereby make a personal commitment to choose to remain abstinent until marriage.”²³ Research has found that under certain conditions such pledges, most commonly called virginity pledges, may help some adolescents delay sexual intercourse. When they work, pledges help this select group of adolescents delay the onset of sexual intercourse for an average of 18 months—far short of marriage. Researchers found that pledges only worked when taken by a small group of students. Pledges taken by a whole class were ineffective. More importantly, the studies also found that those young people who took a pledge were one-third less likely to use contraception when they did become sexually active than their peers who had not pledged. These teens are therefore more vulnerable to the risks of unprotected sexual activity, such as unintended pregnancy and STDs, including HIV/AIDS. Further research has confirmed that although some students who take pledges delay intercourse, ultimately they are as likely to contract an STD as their non-pledging peers. The study also found that the STD rates were higher in communities where a significant proportion (over 20%) of the young people had taken virginity pledges.²⁴

NEW MEXICO

Federal and State Funding for Abstinence-Only-Until-Marriage Programs in FY 2006

Abstinence-Only-Until-Marriage Grantee Length of Grant	Amount of Grant	Type of Grant (includes Title V, CBAE, AFLA, and other funds)
Best Choices Educational Services, Inc. 2004–2007 www.makethebestchoice.org	\$536,583	CBAE
Socorro General Hospital 2005–2008 www.phs.org/facilities/socorro/index.shtml	\$799,883	CBAE

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New Mexico Organizations that Support Comprehensive Sexuality Education

ACLU of New Mexico
 P.O. Box 566
 Albuquerque, NM 87103
 Phone: (505) 266-5915
www.aclu-nm.org

New Mexico National Organization for Women
 P.O. Box 642
 Santa Fe, NM 87504
www.halpc.org/~ginger/now_complete/

NARAL Pro-Choice New Mexico
 P.O. Box 97
 Albuquerque, NM 87103
 Phone: (505) 243-4443
www.prochoicenewmexico.org

New Mexico Religious Coalition for Reproductive Choice
 P.O. Box 66433
 Albuquerque, NM 87193
 Phone: (505) 890-1010
www.nmrcrc.org

NEW MEXICO

New Mexico Teen Pregnancy Coalition
P.O. Box 35997
Albuquerque, NM 87176
Phone: (505) 254-8737
www.nmtpc.org

Planned Parenthood of New Mexico
719 San Mateo NE
Albuquerque, NM 87108
Phone: (505) 265-5976
www.plannedparenthood.org/new-mexico/

New Mexico Organizations that Oppose Comprehensive Sexuality Education

Right to Life Committee of New Mexico
2800 San Mateo NE, Suite 107
Albuquerque, NM 87110
Phone: (505) 881-4563
www.rtlnm.org

Newspapers in New Mexico

Albuquerque Journal
Amy Miller
Education Reporter
7777 Jefferson St. NE
Albuquerque, NM 87109
Phone: (505) 823-3836

Current-Argus
Education Editor
620 S. Main St.
Carlsbad, NM 88220
Phone: (505) 887-5501

Clovis News Journal
Marlena Hartz
Education Reporter
521 Pile St.
Clovis, NM 88101
Phone: (505) 763-3431

The Daily Times
Education Editor
201 N. Allen Ave.
Farmington, NM 87499
Phone: (505) 325-4545

Hobbs Daily News-Sun
Marie Wadsworth
Education Writer
201 N. Thorp St.
Hobbs, NM 88240
Phone: (505) 391-5433

Independent
Darryl Beehner
Health & Medicine Editor
500 N. 9th St.
Gallup, NM 87301
Phone: (800) 545-3817

Las Cruces Sun-News
Education Editor
256 W. Las Cruces Ave.
Las Cruces, NM 88005
Phone: (505) 541-5400

Roswell Daily Record
Education Editor
2301 N. Main St.
Roswell, NM 88201
Phone: (505) 622-7710

The Santa Fe New Mexican
 Charles Montabano
 Education Reporter
 202 E. Marcy St.
 Santa Fe, NM 87501
 Phone: (505) 995-3851

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 2006 begins on October 1, 2005 and ends on September 30, 2006.

² Senée Seale, "Some Find Tolerance Club Intolerable," *Galveston Daily News*, 8 October 2006, accessed 13 October 2006, <<http://news.galvestondailynews.com/story.lasso?ewcd=97b7c4e6b543bc22>>.

³ Ibid.

⁴ Argen Duncan, "Parents Want More Modesty When Teaching Sex Education," *El Defensor Chieftain*, 1 April 2006, accessed 14 April 2006, <<http://www.dchieftain.com/news/60459-04-01-06.html>>.

⁵ Thomas Guengerich, "Socorro Parents Speak Out," *Mountain Mail*, 16 October 2006, 4 December 2006, accessed <<http://www.topix.net/content/smalltown/3596630544402154913816627784023329898571>>.

⁶ Thomas Guengerich, "Schools OK Health Center," *Mountain Mail*, 26 October 2006, accessed 4 December 2006, <<http://www.mymountainmail.com/stories/heahealthcenter10-26-0620061026.php>>.

⁷ Leann Holt, "Sex-Ed Debate Flares Up; Panels Screen Abstinence Film," *Albuquerque Journal*, 10 April 2006, B8.

⁸ Ibid.

⁹ Ibid.

¹⁰ New Mexico Department of Health, Press Release published 8 April 2005, accessed 19 April 2006 <<http://www.health.state.nm.us/pdf/PR-05-abstinence-04-07.pdf>>.

¹¹ For more information see the Documentary Educational Resources at <<http://www.der.org/films/abstinence-comes-to-albuquerque.html>>.

¹² Ibid.

¹³ Unless otherwise cited, all statistical information comes from: Danice K. Eaton, et al., "Youth Risk Behavior Surveillance—United States, 2005," *Surveillance Summaries, Morbidity and Mortality Weekly Report*, vol. 55, no. SS-5 (9 June 2006): 1-108, accessed 26 January 2007, <<http://www.cdc.gov/HealthyYouth/yrbs/index.htm>>.

¹⁴ U.S. *Teenage Pregnancy Statistics: Overall Trends, Trends by Race and Ethnicity and State-by-State Information* (New York: The Guttmacher Institute, February 2004), accessed 26 January 2007, <<http://www.guttmacher.org/pubs/2006/09/12/USTPstats.pdf>>.

¹⁵ *National Vital Statistics Reports 55.01* (Hyattsville, MD: National Center for Health Statistics, 2006), 10, accessed 26 January 2006, <http://www.cdc.gov/nchs/data/nvsr/nvsr55/nvsr55_01.pdf>.

¹⁶ "State Policy Organizations: Complete Listing" Family Research Council, (2007), accessed 2 February 2007, <http://www.frc.org/get.cfm?c=STATE_POLICY_LEG>.

¹⁷ "About FRC," Family Research Council, (2007), accessed 2 February 2007, <http://www.frc.org/get.cfm?c=ABOUT_FRC>.

¹⁸ Ibid.

¹⁹ "Mission: Our Mission," New Mexico Family Council, (2005), accessed 2 February 2007, <<http://www.nmfamilycouncil.org/mission.html>>.

²⁰ "Peer Mentoring," Best Choice Educational Service, Inc., accessed 24 January 2007, <http://www.makethebestchoice.org/students/pm_moinfo.html>.

²¹ Scott Phelps and Libby Gray, *A.C. Green's Game Plan* (Golf, IL: Project Reality, 2001). For more information, see SIECUS' review of *A.C. Green's Game Plan* at <http://www.communityactionkit.org/curricula_reviews.html>.

²² "New Mexico: Around New Mexico," I Choose My Future, (2005), accessed 2 February 2007, <<http://www.ichoosemyfuture.com/>>.

²³ "Pledge," I Choose My Future, (2005), accessed 2 February 2007, <<http://www.ichoosemyfuture.com/>>.

²⁴ 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; Peter Bearman and Hannah Brückner, "After the Promise: The STD Consequences of Adolescent Virginity Pledges," *Journal of Adolescent Health* 36.4 (2005): 271-278.