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North Carolina Sexuality Education Law and Policy

North Carolina schools are required to teach a comprehensive health education program, which includes instruction on the prevention of unintended pregnancy and sexually transmitted diseases (STDs), including HIV/AIDS. Schools must stress the importance of parental involvement and teach refusal skills and strategies to handle peer pressure.¹ Curricula must teach “that abstinence from sexual activity is the only certain means of avoiding out-of-wedlock pregnancy, sexually transmitted diseases when transmitted through sexual contact, including HIV/AIDS,” and “that a mutually faithful monogamous heterosexual relationship in the context of marriage is the best lifelong means of avoiding sexually transmitted diseases, including HIV/AIDS.”² With respect to contraception and family planning, the law states:

- instruction shall include how sexually transmitted diseases are and are not transmitted, the effectiveness and safety of all federal Food and Drug Administration (FDA)-approved methods of reducing the risk of contracting sexually transmitted diseases, and information on local resources for testing and medical care for sexually transmitted diseases...[as well as] the rates of infection among pre-teen and teens of each known sexually transmitted disease and the effects of contracting each sexually transmitted disease;³
- [instruction shall include] the effectiveness and safety of all FDA-approved contraceptive methods in preventing pregnancy;⁴
- students may receive information about where to obtain contraceptives and abortion referral services only in accordance with a local board’s policy regarding parental consent. Any instruction concerning the use of contraceptives or prophylactics shall provide accurate statistical information on their effectiveness and failure rates for preventing pregnancy and sexually transmitted diseases, including HIV/AIDS, in actual use among adolescent populations and shall explain clearly the difference between risk reduction and risk elimination through abstinence. The Department of Health and Human Services shall provide the most current available information at the beginning of each school year;⁵ and
- contraceptives, including condoms and other devices, shall not be made available or distributed on school property.⁶

The North Carolina Department of Public Instruction provides several different resources for schools, including *Components of a Strong School HIV Policy*, *Healthful Living: Standard Course of Study and Grade-Level Competencies* (which currently is under revision), and *Communicable Diseases—Students*. These documents offer model policies and content outlines. However, school districts make the ultimate decision about classroom education. Each school district must also establish a school health advisory council.⁷

According to North Carolina law, “[l]ocal boards of education shall adopt policies to provide opportunities either for parents and legal guardians to consent or for parents and legal guardians to withhold their consent to the students’ participation in any or all of these programs.”⁸ These are referred to as “opt-

in” and “opt-out” policies, respectively.

See North Carolina General Statutes § 115C-81, *Components of a Strong School HIV Policy, Healthful Living: Standard Course of Study and Grade-Level Competencies*, and *Communicable Diseases—Students*.

Recent Legislation

Bill Requires Schools to Offer More Comprehensive Approach to Sex Education

House Bill 88 and its companion, Senate Bill 221, also known as the *Healthy Youth Act*, requires all school systems to offer information to students in seventh, eighth, and ninth grade about the use of contraceptives for pregnancy and sexually transmitted diseases (STDs) prevention. The program, however, remains part of a larger reproductive health education curriculum and retains the abstinence-until-marriage focus that is currently offered in nearly all of North Carolina’s school. After it passed the Senate by a vote of 25–21 and the House 60–55, Governor Beverly Perdue signed the bill into law on June 29, 2009. The new law goes into effect for the 2010–2011 school year.

North Carolina’s Youth: Statistical Information of Note⁹

- In 2009, 48% of female high school students and 54% of male high school students in North Carolina reported ever having had sexual intercourse compared to 46% of female high school students and 46% of male high school students nationwide.
- In 2009, 5% of female high school students and 10% of male high school students in North Carolina 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, 12% of female high school students and 19% of male high school students in North Carolina 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.
- In 2009, 36% of female high school students and 38% of male high school students in North Carolina 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, 56% of females and 66% of males in North Carolina 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, 15% of females and 24% of males in North Carolina reported having used alcohol or drugs the last time they had sexual intercourse compared to 17% of females and 26% of males nationwide.

Charlotte-Mecklenburg County, North Carolina

- In 2009, 44% of female high school students and 55% of male high school students in Charlotte-Mecklenburg, North Carolina reported ever having had sexual intercourse compared to 46% of female high school students and 46% of male high school students nationwide.

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- In 2009, 3% of female high school students and 12% of male high school students in Charlotte-Mecklenburg, North Carolina 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, 13% of female high school students and 20% of male high school students in Charlotte-Mecklenburg, North Carolina 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.
- In 2009, 35% of female high school students and 36% of male high school students in Charlotte-Mecklenburg, North Carolina 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, 57% of females and 74% of males in Charlotte-Mecklenburg, North Carolina 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 10% of males in Charlotte-Mecklenburg, North Carolina 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, 16% of females and 22% of males in Charlotte-Mecklenburg, North Carolina reported having used alcohol or drugs the last time they had sexual intercourse compared to 17% of females and 26% of males nationwide.

North Carolina Youth Sexual Health Statistics

Teen Pregnancy, Birth, and Abortion

- North Carolina's teen pregnancy rate ranks 14th in the U.S., with a rate of 76 pregnancies per 1,000 young women ages 15–19 compared to the national rate of 70 pregnancies per 1,000.¹⁰ There were a total of 21,720 pregnancies among young women ages 15–19 reported in 2005, the most recent year for which data are available, in North Carolina.¹¹
- North Carolina's teen birth rate ranked 15th in the U.S. in 2005, with a rate of 48.5 births per 1,000 young women ages 15–19 compared to the national rate of 40.5 births per 1,000.¹² In 2005, there were a total of 13,933 live births reported to young women ages 15–19 in North Carolina.¹³
- 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 2005.¹⁴ In contrast, North Carolina's teen birth rate increased 2% between 2005 and 2006, from 48.5 to 49.7 births per 1,000 young women ages 15–19.¹⁵

- North Carolina's teen abortion rate ranks 8th in the U.S., with a rate of 19 abortions per 1,000 young women ages 15–19 which is equal to the national rate of 19 abortions per 1,000. In 2005, there were a total of 5,251 abortions reported among young women ages 15–19 in North Carolina.¹⁶

HIV and AIDS

- North Carolina ranks 5th in cases of HIV infection diagnosed in the U.S. among all age groups. In 2007, there were a total of 1,465 new cases of HIV infection diagnosed in North Carolina.¹⁷
- North Carolina ranks 5th 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 110 young people ages 13–19 diagnosed with HIV/AIDS in North Carolina.¹⁸
- North Carolina's AIDS rate ranks 16th in the U.S., with a rate of 11.3 cases per 100,000 population compared to the national rate of 12.5 cases per 100,000.¹⁹
- North Carolina ranks 10th in number of reported AIDS cases in the U.S. among all age groups. In 2007, there were a total of 1,024 new AIDS cases reported in North Carolina.²⁰
- North Carolina ranks 13th in number of reported AIDS cases in the U.S. among young people ages 13–19. In 2007, there were a total of 11 AIDS cases reported among young people ages 13–19 in North Carolina.²¹

Sexually Transmitted Diseases

- North Carolina ranks 16th in reported cases of Chlamydia among young people ages 15–19 in the U.S., with an infection rate of 21.34 cases per 1,000 compared to the national rate of 19.51 cases per 1,000. In 2008, there were a total of 29,803 cases of Chlamydia reported among young people ages 15–19 in North Carolina.²²
- North Carolina ranks 26th in reported cases of gonorrhea among young people ages 15–19 in the U.S., with an infection rate of 3.33 cases per 1,000 compared to the national rate of 4.52 cases per 1,000. In 2008, there were a total of 4,648 cases of gonorrhea reported among young people ages 15–19 in North Carolina.²³
- North Carolina ranks 12th in reported cases of primary and secondary syphilis among young people ages 15–19 in the U.S., with an infection rate of 0.04 per cases 1,000, which is equal to the national rate of 0.04 cases per 1,000. In 2008, there were a total of 25 cases of syphilis reported among young people ages 15–19 in North Carolina.²⁴

Comprehensive Approaches to Sex Education

*SIECUS has identified some examples of model programs, policies, and best practices being implemented in North Carolina public schools that provide a more comprehensive approach to sex education for young people.*²⁵

Revised State Sex Education Policy

North Carolina's revised sex education law, which was signed by Governor Beverly Purdue in June 2009, expands the requirements for human sexuality instruction provided in public schools and amends the state's former abstinence-only-until-marriage policy to provide young people with a more comprehensive approach to sex education. Previous law required schools to teach "abstinence until marriage education" as part of the comprehensive health education requirement for students in grades K–nine. Such instruction emphasized the risks of premarital sexual activity, including the "health and emotional problems" associated with engaging in sexual activity before marriage. Under previous law each local school board could choose

to offer expanded instruction and provide a comprehensive sex education program only if all of the following requirements were met:

- the local school board held a public hearing before adopting a comprehensive sex education program and “after adequately notifying the public of the hearing;”
- the objectives and all instructional materials for the proposed program were made available for review at least 30 days before the public hearing took place;
- the objectives and all instructional materials for the proposed program remained available for review by the parents and legal guardians of school district students for at least 30 days after the public hearing; and
- the local school board adopted policies to allow for parents and legal guardians to provide or withhold their consent for their child’s participation in either an “abstinence until marriage” or comprehensive sex education program that provided information related to the prevention of STDs, including HIV/AIDS, or “the avoidance of out-of-wedlock pregnancy.”

The new law requires all school districts to provide “a reproductive health and safety education program” that teaches about STDs as a required part of instruction beginning in the seventh grade. Such instruction must address “how sexually transmitted diseases are and are not transmitted,” “the effectiveness and safety of all FDA-approved methods for reducing the risk of sexual disease transmission and FDA-approved contraceptive methods for preventing pregnancy,” “awareness of sexual assault, sexual abuse, and risk reduction,” and healthy relationships. The new law goes into effect for the 2010–2011 school year.

Comprehensive Sex Education Programs in Public Schools

Even before the passage of the *Healthy Youth Act*, high schools in Chapel Hill-Carrboro City provided comprehensive sexuality education to high school students using *Reducing the Risk: Building Skills to Prevent Pregnancy, STD and HIV*, a comprehensive sexuality education curriculum designed for high school students in the ninth and tenth grade that is appropriate for use with multi-ethnic populations. The curriculum includes experiential activities that teach students to develop refusal, negotiation, and communication skills. An evaluation of the program found that it increased parent-child communication, especially among Latino youth, delayed the initiation of sexual intercourse, and reduced incidence of unprotected sex among lower-risk youth.

We encourage you to submit any updated or additional information on comprehensive approaches to sex education being implemented in North Carolina 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 Public Instruction and community-based organizations in North Carolina received \$2,361,463 in federal funds for abstinence-only-until-marriage programs in Fiscal Year 2009.²⁶

Title V Abstinence-Only-Until Marriage Funding

- North Carolina received \$1,248,963 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.

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- The North Carolina Department of Public Instruction distributes federal Title V abstinence-only-until-marriage funds among 113 local education agencies throughout the state.
- The Title V abstinence-only-until marriage grant required states to provide three state-raised dollars or the equivalent in services for every four federal dollars received. The state match could have been provided in part or in full by local groups.
- In North Carolina, sub-grantees contributed to the match through in-kind services.

Community-Based Abstinence Education (CBAE) Funding

- Public and private entities in North Carolina received \$1,112,500 in CBAE funding for Fiscal Year 2009.
- There are two CBAE grantees in North Carolina, including one community-based organizations and one school district.

Adolescent Family Life Act (AFLA) Funding

- There are no AFLA grantees in North Carolina.

Abstinence-Only-Until-Marriage Curricula Used by Grantees

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

- *Choosing the Best*

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 2009²⁷

Abstinence-Only-Until-Marriage Grantee	Title V	CBAE (Length of Grant)	AFLA (Length of Grant)
North Carolina Department of Public Instruction www.ncpublicschools.org	\$1,248,963 (federal grant)		
Family Resource Center of Raleigh, Inc. www.frcofraleigh.org		\$512,500 (2008–2013)	
Halifax County Schools www.halifax.k12.nc.us		\$600,000 (2007–2012)	

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Adolescent Health Contact²⁸

Denise Pattillo
Abstinence Consultant
Department of Public Instruction
301 North Wilmington Street
Raleigh, NC 27601
Phone: (919) 807-3860

North Carolina Organizations that Support Comprehensive Sexuality Education

ACLU of North Carolina
P.O. Box 28004
Raleigh, NC 27611
Phone: (919) 834-3390
www.acluofnorthcarolina.org

Equality North Carolina
P.O. Box 28768
Raleigh, NC 27611
Phone: (919) 829-0343
www.equalitync.org

NARAL Pro-Choice North Carolina
514 Daniels Street, #142
Raleigh, NC 27605
Phone: (919) 829-9779
www.prochoicenc.org

North Carolina Lambda Youth Network
115 Market Street, Suite 203
Durham, NC 27701
Phone: (919) 683-3037
www.angelfire.com/nc/nclambda

Planned Parenthood of Central North Carolina
1765 Dobbins Drive
Chapel Hill, NC 27514
Phone: (919) 929-5402
www.plannedparenthood.org/centralnc

Western North Carolina AIDS Project
P.O. Box 2411
Asheville, North Carolina 28802
828-252-7489

North Carolina Organizations that Oppose Comprehensive Sexuality Education

Christian Action League of North Carolina
809 Spring Forest Road, Suite 1000
Raleigh, NC 27609
Phone: (919) 787-0606
www.christianactionleague.org

John Locke Foundation
200 West Morgan Street, Suite 200
Raleigh, NC 27601
Phone: (919) 828-3876
www.johnlocke.org

North Carolina Family Policy Council
P.O. Box 20607
Raleigh, NC 27619
Phone: (919) 807-0800
www.ncfpc.org

North Carolina Right to Life
P.O. Box 9282
Greensboro, NC 27429
Phone: (336) 274-LIFE
www.ncrtl.org

Newspapers in North Carolina²⁹

The Charlotte Observer
 Newsroom
 600 South Tryon Street
 Charlotte NC 28202
 Phone: (704)358-5000
www.charlotte.com

The Fayetteville Observer
 Newsroom
 P.O. Box 849
 Fayetteville, NC 28302
 Phone: (910) 323-4848
www.fayobserver.com

The Independent
 Newsroom
 P.O. Box 2690
 Durham, NC 27715
 Phone: (919) 286-1972
www.indyweek.com

The News & Observer
 Newsroom
 P.O. Box 191
 Raleigh, NC 27602
 Phone: (919) 829-4500
www.newsobserver.com

News & Record
 Newsroom
 P.O. Box 20848
 Greensboro, NC 27420
 Phone: (336) 373-7000
www.news-record.com

Winston-Salem Journal
 Newsroom
 P.O. Box 3159
 Winston-Salem, NC 27102
 Phone: (336) 727-7211
www.journalnow.com

Political Blogs in North Carolina

Blue NC
www.bluenc.com

The Jacksonian
www.andrewjacksondem.com

Orange Politics
www.orangepolitics.org

The Progressive Pulse
<http://pulse.ncpolicywatch.org>

Under the Dome
<http://projects.newsobserver.com/dome>

¹ N.C. Gen. Stat. § 115C-81(e1)(4).

² N.C. Gen. Stat. § 115C-81(e1)(4)(d); N.C. Gen. Stat. § 115C-81(e1)(4)(e).

³ N.C. Gen. Stat. § 115C-81(e1)(4a)(a).

⁴ N.C. Gen. Stat. § 115C-81(e1)(4a)(b).

⁵ N.C. Gen. Stat. § 115C-81(e1)(8).

⁶ N.C. Gen. Stat. § 115C-81(e1)(9).

⁷ *Healthful Living: Standard Course of Study and Grade-Level Competencies* (Raleigh, NC: North Carolina Department of Public Instruction, 2006), accessed 14 April 2010, <<http://www.ncpublicschools.org/docs/curriculum/healthfulliving/scos/2006healthfullivingscos.pdf>>, 81.

⁸ N.C. Gen. Stat. § 115C-81(e1)(7).

⁹ 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>>.

Note: North Carolina did not participate in the full 2009 YRBS. One county in North Carolina also participated in the survey, however, it also did not participate in the full 2009 YRBS.

¹⁰ *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.

¹¹ *Ibid.*, Table 3.2.

¹² 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.

¹³ *U.S. Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, Table 3.2.

¹⁴ Martin, et. al, “Births: Final Data for 2006,” 4.

¹⁵ *Ibid.*, Table B.

¹⁶ *U.S. Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, Table 3.5.

¹⁷ “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.

¹⁸ 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>>.

¹⁹ *Ibid.*; “AIDS Case Rate per 100,000 Population, All Ages, 2007,” Kaiser Family Foundation, accessed 5 March 2010, <<http://www.statehealthfacts.org/comparatable.jsp?ind=513&cat=11&sub=120&yr=62&typ=1&sort=a>>.

²⁰ *Ibid.*, Table 16.

²¹ 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>>.

²² “Wonder Database: Selected STDs by Age, Race/Ethnicity, and Gender, 1996-2008 Results,” 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.

²³ *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.

²⁴ *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.

²⁵ This is by no means a complete list of all comprehensive programming and policies related to sexuality education, but rather some examples of best practices and model programs that SIECUS identified.

²⁶ 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.

²⁷ 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.

²⁸ SIECUS has identified this person as a state-based contact for information on adolescent health and if applicable, abstinence-only-until-marriage programs.

²⁹ 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](#).