



NORTH CAROLINA

North Carolina received \$1,670,213 in federal funding for abstinence-only-until-marriage programs in Fiscal Year 2005.¹

North Carolina Sexuality Education Law and Policy

North Carolina schools are required to teach sexuality, HIV, and sexually transmitted disease (STD) education. Schools must stress the importance of abstinence and students must be taught refusal skills and strategies to handle peer pressure. Curricula must teach that a “mutually faithful monogamous heterosexual relationship in the context of marriage is the best lifelong means of avoiding diseases transmitted by sexual contact,” including HIV/AIDS.

The law states:

Any instruction concerning the causes of sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS), in cases where homosexual acts are a significant means of transmission, shall include the legal status of those acts.²

In addition, the law states that:

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 Acquired Immune Deficiency Syndrome (AIDS), in actual use among adolescent populations and shall explain clearly the difference between risk reduction and risk elimination through abstinence. Contraceptives, including condoms and other devices, shall not be made available or distributed on school property.

The North Carolina State Department of Public Instruction provides several different areas of guidance for schools, including two documents on abstinence programs—*Components of a Strong School HIV Policy*, *Healthful Living Education* and *Communicable Diseases-Students*—and a textbook catalogue. These documents offer model policies, suggested curricula, and content outlines. However, school districts make the ultimate decision on what the education looks like in the classroom and, if a public hearing is held, school districts can provide a more comprehensive program. Each school district must also establish a school health advisory council.

North Carolina law states that, “local 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." This is referred to as either an "opt-in" or "opt-out" policy.

See North Carolina General Statute 115C-81.

Recent Legislation

Bill Would Include "Safe Surrender" in School Health Classes

Introduced in March 2005 and referred to the House Committee on Education Subcommittee on Pre-School, Elementary, and Second Education, House Bill 683 would require that instruction on how a newborn can be safely and legally abandoned is included in school health education.

Legislation Would Correct Language in School Health Education Statutes

House Bill 1059, introduced in March 2005 and referred to the House Committee on Education, would make several corrections to the state's existing school health education statutes. It would change "AIDS" to "HIV/AIDS," change the "teaching of abstinence as the only certain means of avoiding sexually transmitted diseases" to the "teaching of abstinence as the only certain means of avoiding most sexually transmitted diseases," and change the mandate to discuss the "legality of homosexual acts" when discussing STDS and HIV/AIDS to the "legality of currently outlawed sexual acts." In addition, the statutes would now include information on instruction relating to "how alcohol and drugs can lower inhibitions, which may lead to risky sexual behavior."

Events of Note

Wake County, North Carolina Flip-Flops on Sexuality Education 2002-2004; Wake County, NC

Parents, educators, advocates, and students have been debating sexuality education in Wake County, North Carolina for many years since the county changed the focus of its curriculum from comprehensive sexuality education to abstinence-only-until-marriage in 1995.

In 2002, the Wake County School Health Advisory Council recommended re-instituting a comprehensive sexuality education program. After months of debate, the Wake County School Board agreed in a 5-4 decision. Over the months that followed, educators and advocates worked to create a new curriculum that included information about contraceptives, STDs, and tolerance for people of all sexual orientations.³

The debate did not end there, however. Critics of the curriculum who felt that the school should have maintained an abstinence-only-until-marriage focus continued to demand changes. In January 2004, the Wake County School Board voted 5-3 in favor of a new restrictive abstinence-only policy that negated much of the recently implemented comprehensive sexuality education curriculum.

The new policy requires all school employees to promote the message that, "abstinence from sexual activity outside of marriage is the expected standard for all school-age children."⁴ However, a portion of the proposed policy that would have required all school employees to teach about abstinence whenever sexual subjects were discussed was removed and the policy, as adopted, only applies to health classes.

The adopted policy requires that all sexuality education classes in grades K-12 teach that abstinence-until-marriage is the expected standard and that a "mutually faithful monogamous

heterosexual relationship in the context of marriage” is the best way to prevent STDs, including HIV/AIDS. The adoption of this policy eliminated many of the recently added comprehensive components, including information on using contraceptives and the importance of tolerance for all sexual orientations. Under the new policy, discussions on contraception must focus on failure rates, and teachers are not allowed to answer students’ questions about where and how they can obtain contraception or seek abortions. In addition, all discussions of sexual orientation and tolerance will now be made part of character education classes.

A board member who supported the restrictions explained, “this is simply saying that when we teach kids about sex, we are going to send a clear message that abstinence is their best choice for success.” He continued by saying that, “having sex out of wedlock, the emotional consequences of that decision are huge.”⁵

Many people at the January 2004 meeting, however, spoke out against the new policy. A college student whose teenage friend had recently given birth said that abstinence is not enough. “Thousands of parents talk to their students about sex, thousands don’t, and those girls will be left crying not knowing what to do,” the student stated.⁶ The executive director of Equality NC, a critic of the new policy, said, “we’ve got a conservative majority on the board who doesn’t want anything other than abstinence taught.”⁷ Even some school employees criticized the new policy; one teacher in the area said, “I hope at one point we can expand what we teach. We have ninth graders who come in pregnant. We have ninth-grade fathers.”⁸

*Children’s Book about Two Gay Princes Causes Uproar Among Parents
March 2004; Wilmington, NC*

The parents of a first-grader at Freeman Elementary School in Wilmington, NC, filed a complaint with the school after reading a book that their 7-year-old daughter had brought home from the school library. The book, titled *King and King*, tells the story of a character named Prince Bertie who falls in love with a character named Prince Lee. The book is written by two Dutch authors and the publisher says it is intended for ages 6 and up. The book ends with the two princes falling in love and kissing, their lips obscured by a picture of a heart.

The father said his daughter was “not old enough to understand something like that, especially when it is not in our beliefs.”⁹ The father also said he felt that, “if this book is going to be allowed, I believe it ought to be allowed on more of a high school level.”¹⁰ The school principal countered by saying, “we have a lot of diversity in our schools....What might be inappropriate for one family, in another family is a totally acceptable thing.”¹¹

Due to the family’s complaint and a second complaint filed by another family, a school committee, made up of parents, teachers, and community members, held a meeting in late March 2004 about the book. The school committee voted 8-3 to put the book under lock and key so that only adults, including parents and teachers, are allowed to check it out.

The parents who filed the original complaint said they were happy with the decision, but not everyone agreed with the ruling. One committee member said, “I feel like it’s my responsibility to make it clear that these things exist. It doesn’t mean we have to agree with it. It’s not about right or wrong....It’s just different.”¹²

As a result of the widespread media attention this controversy received, people from around the country donated additional copies of the book to the school. In fact, the attention has prompted a second printing of the book and a sequel was expected later that year.

North Carolina's Youth: Statistical Information of Note¹³

- In 2005, 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 48% of male high school students nationwide.
- In 2005, 5% of female high school students and 11% of male high school students in North Carolina 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, 14% of female high school students and 21% of male high school students in North Carolina 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, 35% of female high school students and 39% 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 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, 55% of females and 71% of males in North Carolina 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, 17% of females and 18% of males in North Carolina 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 28% of males in North Carolina 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, North Carolina'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 2002, North Carolina's birth rate was 52 per 1,000 women ages 15–19 compared to a teen birth rate of 43 per 1,000 nationwide.¹⁵

Charlotte-Mecklenburg, North Carolina

- In 2005, 46% of female high school students and 56% 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 48% of male high school students nationwide.

- In 2005, 5% of female high school students and 16% of male high school students in Charlotte-Mecklenburg, North Carolina 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, 14% of female high school students and 25% of male high school students in Charlotte-Mecklenburg, North Carolina 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, 34% of female high school students and 40% 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 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, 62% of females and 76% of males in Charlotte-Mecklenburg, North Carolina 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, 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 21% of females and 15% of males nationwide.
- In 2005, among those high school students who reported being currently sexually active, 15% of females and 23% of males in Charlotte-Mecklenburg, North Carolina reported having used alcohol or drugs the last time they had sexual intercourse compared to 19% of females and 28% of males nationwide.

Title V Abstinence-Only-Until-Marriage Funding

North Carolina received \$1,248,963 in federal Title V funding in Fiscal Year 2005. 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. North Carolina's Department of Public Instruction receives the funds and uses teachers' salaries as in-kind contributions to meet the required match. The Department of Public Instruction keeps 10% of the funds for administration; the remaining funds are given to 130 school districts throughout the state. In order to be eligible, schools must have at least one class of seventh through twelfth graders.

Funding is distributed based on the number of grades and students each school has; schools receive \$333 per grade and between \$1 and \$1.30 per student. Schools are free to use the money at their discretion as long as they do not violate the federal government's eight-point definition of "abstinence education."

In the past, North Carolina did not track how schools spent this money nor did they evaluate the effectiveness of the programs. In 2003, for the first time, 10% of the federal funding was reserved to

begin a baseline assessment of how schools are using the money, which will include determining the curricula schools are using, barriers schools experience in implementing their program, and the level of training that teachers receive. Staff at the North Carolina Department of Public Instruction are also looking to begin a process of visiting grantees as well as determining why some schools have rejected the funding.

Community-Based Abstinence Education (CBAE)¹⁶ and Adolescent Family Life Act (AFLA) Grantees

There is one CBAE grantee in North Carolina: Rockingham Pregnancy Care Center. There are two AFLA grantees in North Carolina: Public Health Authority of Cabarrus County and Roanoke Chapel Baptist Church.

The Rockingham Pregnancy Center is a crisis pregnancy center. Crisis pregnancy centers typically advertise as providing medical services and then use anti-choice propaganda, misinformation, and fear and shame tactics to dissuade women facing unintended pregnancy from exercising their right to choose. Its stated purpose is to “befriend, comfort, educate, and support individuals and their families facing an unplanned pregnancy in a confidential and supportive Christian environment.” The center also purports to provide “accurate information about pregnancy options” and a “post-abortion support ministry.”

Federal and State Funding for Abstinence-Only-Until-Marriage Programs in FY 2005

Abstinence-Only-Until-Marriage Program Grantee	Amount of Grant	Type of Grant (includes Title V, CBAE, and AFLA)
Length of Grant		
North Carolina Department of Public Instruction www.dpi.state.nc.us	\$1,248,963 federal	Title V
Rockingham Pregnancy Care Center 2003–2006	\$46,250	CBAE
Roanoke Chapel Baptist Church 2005–2006	\$225,000	AFLA

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Abstinence-Only-Until-Marriage Program Grantee Length of Grant	Amount of Grant	Type of Grant (includes Title V, CBAE, and AFLA)
Public Health Authority of Cabarrus County 2005–2006 www.cabarrushealth.org	\$150,000	AFLA

Title V Abstinence-Only-Until-Marriage Coordinator

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North Carolina Organizations that Support Comprehensive Sexuality Education

Equality NC
 PO Box 28768
 Raleigh, NC 27611
 Phone: (919) 829-0343
www.equalitync.org

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

NC Lambda Youth Network
 343 W. Main St., Suite 201
 Durham, NC 27701
 Phone: (919) 683-3037
www.nclyn.org

Planned Parenthood of Central North Carolina
 1765 Dobbins Dr.
 Chapel Hill, NC 27514
 Phone: (919) 942-7762
www.plannedparenthood.org/pp2/cnc/

North Carolina Organizations that Oppose Comprehensive Sexuality Education

Christian Action League of NC
 809 Spring Forest Rd., Suite 1000
 Raleigh, NC 27609
 Phone: (919) 787-0606
christianactionleague.net

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

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

NC Right to Life
PO BOX 9282
Greensboro, NC 27429
Phone: (336) 274-LIFE (5433)
www.ncrtl.org

Newspapers in North Carolina

The Charlotte Observer
Karen Garloch
Health & Medicine Editor
PO Box 30308
Charlotte, NC 28230
Phone: (704) 358-5078

The Fayetteville Observer
Kristin Askelson
Health & Medicine Editor
PO Box 849
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The Fayetteville Observer
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The Independent
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The News & Observer
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News & Record
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200 E. Market St.
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News & Record
Mike Kernels
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Winston-Salem Journal
Danielle Deaver
Education Reporter
418 N. Marshall St.
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Health & Medicine Editor
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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 2005 begins on October 1, 2004 and ends on September 30, 2005.

² In 2003, the United States Supreme Court handed down a decision in *Lawrence v. Texas*, which declared state laws criminalizing homosexual behavior to be unconstitutional.

³ *February 2003 Controversy Report* (Washington, DC: SIECUS, February 2003), accessed 28 January 2005, <<http://www.siecus.org/controversy/cont0018.html>>.

⁴ Wake County Public School System, "Healthful Living Education Policy Updated," accessed 15 March 2004, <<http://www.wcpss.net/news/health-ed-update/>>.

⁵ "Wake School Board Approves Abstinence-Based Sex Education Policy at All Grades," *WRAL.com*, 6 January 2004, accessed 30 March 2005 <<http://www.wral.com/family/2746095/detail.html>>.

⁶ Vanessa Welch, "Wake School Board Removes Contraceptives, Tolerance from Sex-Ed Curriculum," *Eyewitness News 11.com*, 6 January 2004.

⁷ T. Keung Hui, "Sex Ed May Be Revised Today," *News and Observer* (NC), 6 January 2004.

⁸ M. Futch, "Is Abstinence Enough?," *Fayetteville Online*, 21 January 2004.

⁹ S. Scott, "Book from School Jolts Parents," *The Star News* (Wilmington, NC), 18 March 2004.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² S. Jones, "King Dethroned, Pulled From Shelf," *Star News* (Wilmington, NC), 27 March 2004.

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 8 June 2006, <<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: Alan Guttmacher Institute, February 2004), accessed 28 January 2005, <http://www.guttmacher.org/pubs/state_pregnancy_trends.pdf>.

¹⁵ *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>>.

¹⁶ In Fiscal Year 2004 SPRANS—CBAE was administered within the U.S. Department of Health and Human Services (HHS) by the Maternal and Child Health Bureau. In Fiscal Year 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).