



### TENNESSEE

#### Tennessee Sexuality Education Law and Policy

Tennessee law states that the teaching of any sexuality education class cannot be implemented without approval of the local education agency. Any course in sexuality education must be taught by instructors deemed to be qualified by the local school board and must “include presentations encouraging abstinence from sexual intercourse during the teen and pre-teen years.”<sup>1</sup> In addition, all instruction and materials related to HIV/AIDS prevention must place “primary emphasis on abstinence from premarital intimacy and on the avoidance of drug abuse in controlling the spread of AIDS.”<sup>2</sup>

State law explains that if any county in Tennessee has pregnancy rates higher than 19.5 pregnancies per 1,000 females ages 15–17, then every school district in that county must implement family life education in accordance with curriculum guidelines provided by the state board of education. This education must emphasize abstinence until marriage and must include instruction in the prevention of HIV/AIDS and sexually transmitted diseases (STDs).<sup>3</sup> Family life education must be taught for four years after the release of the initial teen pregnancy rates. If the school district fails to develop and implement its own family life education program, then it must adopt “the complete plan of family life instruction developed by the state board.”<sup>4</sup> If the school board does not implement family life education, the commissioner of education for the state is instructed to withhold state funding.

Health and wellness courses at all grade levels must conform to the curriculum standards mandated by the state Board of Education.<sup>5</sup> The *Tennessee Health Education Standards 3-5* include instruction on sexually transmitted disease (STDs), including HIV/AIDS, include instruction on STDs, including HIV/AIDS, beginning in grade three.<sup>6</sup> The *Tennessee Health Education Standards 6-8* include the expectation that students will learn to “identify abstinence from sexual activity as the responsible and preferred choice for adolescents.”<sup>7</sup>

The *Tennessee Lifetime Wellness Curriculum Standards Grades 9-12* for wellness courses, which students must take in order to graduate high school, include a section on sexuality and family life. The standards describe abstinence as a “positive choice,” but also include instruction on contraception and alternatives for an unplanned pregnancy, including abortion.<sup>8</sup> The wellness curriculum standards for grades six through 12 also require instruction on STDs, including HIV/AIDS.

Tennessee Code allows students to be removed from sexuality education classes upon written request from their parent or guardian.<sup>9</sup> This is referred to as an “opt-out” policy.

See Tennessee Code Sections 49-6-1005, 49-6-1008, 49-6-1301, 49-6-1302, and 49-6-1303; Rules of the State Board of Education, Chapter 0520-1-3; *Tennessee Health Education Standards 3-5*, *Tennessee Health Education Standards 6-8*, and *Tennessee Lifetime Wellness Curriculum Standards Grades 9-12*.

## Recent Legislation

### *Legislation Limiting Sexuality Instruction to Heterosexuality in Primary and Middle School*

House Bill 821 and Senate Bill 1250, filed in January 2009, would ban any discussion of, or distribution of materials pertaining to, any sexual orientation other than heterosexuality in primary and middle school. Both bills were referred to committee, where no further action has been taken.

## Tennessee's Youth: Statistical Information of Note<sup>10</sup>

- In 2009, 51% of female high school students and 56% of male high school students in Tennessee reported ever having had sexual intercourse compared to 46% of female high school students and 46% of male high school students nationwide.
- In 2009, 3% of female high school students and 12% of male high school students in Tennessee 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 Tennessee 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, 38% of female high school students and 39% of male high school students in Tennessee 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, 51% of females and 68% of males in Tennessee 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, 21% of females and 12% of males in Tennessee 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, 15% of females and 21% of males in Tennessee 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, 84% of high school students in Tennessee reported having been taught about AIDS/HIV in school compared to 87% of high school students nationwide.

### *Memphis, Tennessee*

- In 2009, 53% of female high school students and 71% of male high school students in Memphis, Tennessee reported ever having had sexual intercourse compared to 46% of female high school students and 46% of male high school students nationwide.

## T E N N E S S E E

- In 2009, 4% of female high school students and 22% of male high school students in Memphis, Tennessee 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 34% of male high school students in Memphis, Tennessee 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, 39% of female high school students and 49% of male high school students in Memphis, Tennessee 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, 68% of females and 77% of males in Memphis, Tennessee 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, 12% of females and 6% of males in Memphis, Tennessee 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, 8% of females and 21% of males in Memphis, Tennessee 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, 79% of high school students in Memphis, Tennessee reported having been taught about AIDS/HIV in school compared to 87% of high school students nationwide.

### **Tennessee Youth Sexual Health Statistics**

#### *Teen Pregnancy, Birth, and Abortion*

- Tennessee's teen pregnancy rate ranks 10<sup>th</sup> in the U.S., with a rate of 79 pregnancies per 1,000 young women ages 15–19 compared to the national rate of 70 pregnancies per 1,000.<sup>11</sup> There were a total of 15,560 pregnancies among young women ages 15–19 reported in 2005, the most recent year for which data are available, in Tennessee.<sup>12</sup>
- Tennessee's teen birth rate ranked 7<sup>th</sup> in the U.S. in 2005, with a rate of 54.9 births per 1,000 young women ages 15–19 compared to the national rate of 40.5 births per 1,000.<sup>13</sup> In 2005, there were a total of 10,785 live births reported to young women ages 15–19 in Tennessee.<sup>14</sup>
- 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.<sup>15</sup> In contrast, Tennessee's teen birth rate decreased between 2005 and 2006, from 54.9 to 54.7 births per 1,000 young women ages 15–19.<sup>16</sup>

## T E N N E S S E E

- Tennessee's teen abortion rate ranks 21<sup>st</sup> in the U.S., with a rate of 14 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 2,781 abortions reported among young women ages 15–19 in Tennessee.<sup>17</sup>

### *HIV and AIDS*

- Tennessee ranks 9<sup>th</sup> in cases of HIV infection diagnosed in the U.S. among all age groups. In 2007, there were a total of 708 new cases of HIV infection diagnosed in Tennessee.<sup>18</sup>
- Tennessee ranks 10<sup>th</sup> 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 62 young people ages 13–19 diagnosed with HIV/AIDS in Tennessee.<sup>19</sup>
- Tennessee's AIDS rate ranks 17<sup>th</sup> in the U.S., with a rate of 10.7 cases per 100,000 population compared to the national rate of 12.5 cases per 100,000.<sup>20</sup>
- Tennessee ranks 15<sup>th</sup> in number of reported AIDS cases in the U.S. among all age groups. In 2007, there were a total of 658 new AIDS cases reported in Tennessee.<sup>21</sup>
- Tennessee ranks 19<sup>th</sup> in number of reported AIDS cases in the U.S. among young people ages 13–19. In 2007, there were a total of 9 AIDS cases reported among young people ages 13–19 in Tennessee.<sup>22</sup>

### *Sexually Transmitted Diseases*

- Tennessee ranks 8<sup>th</sup> in reported cases of Chlamydia among young people ages 15–19 in the U.S., with an infection rate of 25.27 cases per 1,000 compared to the national rate of 19.51 cases per 1,000. In 2008, there were a total of 10,413 cases of Chlamydia reported among young people ages 15–19 in Tennessee.<sup>23</sup>
- Tennessee ranks 11<sup>th</sup> in reported cases of gonorrhea among young people ages 15–19 in the U.S., with an infection rate of 6.52 cases per 1,000 compared to the national rate of 4.52 cases per 1,000. In 2008, there were a total of 2,686 cases of gonorrhea reported among young people ages 15–19 in Tennessee.<sup>24</sup>
- Tennessee ranks 4<sup>th</sup> in reported cases of primary and secondary syphilis among young people ages 15–19 in the U.S., with an infection rate of 0.08 cases per 1,000 compared to the national rate of 0.04 cases per 1,000. In 2008, there were a total of 34 cases of syphilis reported among young people ages 15–19 in Tennessee.<sup>25</sup>

### **Comprehensive Approaches to Sex Education**

*SIECUS is not aware of any examples of model programs, policies, or best practices being implemented in Tennessee 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 Tennessee public schools for inclusion in future publications of the SIECUS State Profiles. Please visit SIECUS' "Contact Us" webpage at [www.siecus.org](http://www.siecus.org) to share information. Select "state policy" as the subject heading.*

### **Federal Funding for Abstinence-Only-Until-Marriage Programs**

Community-based organizations in Tennessee received \$4,695,162 in federal funds for abstinence-only-until-marriage programs in Fiscal Year 2009.<sup>26</sup>

T E N N E S S E E

*Title V Abstinence-Only-Until Marriage Funding*

- Tennessee chose not to participate in the Title V abstinence-only-until-marriage program in Fiscal Year 2009 due to the shortened time frame for the disbursement of funds. The state was eligible for approximately \$993,367 in funding. 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 would have received three quarters of the total funding allocated for the full fiscal year.

*Community-Based Abstinence Education (CBAE) Funding*

- Organizations in Tennessee received \$4,695,162 in CBAE funding for Fiscal Year 2009.
- There are nine CBAE grantees in Tennessee, including four community-based organizations, three crisis pregnancy centers, one abstinence-only-until-marriage industry leader, and one faith-based health center.

*Adolescent Family Life Act (AFLA) Funding*

- There are no AFLA grantees in Tennessee.

**Abstinence-Only-Until-Marriage Curricula Used by Grantees**

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

- *Choosing the Best*
- *Why kNOW*

*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](http://www.communityactionkit.org).*

**Federal Funding for Abstinence-Only-Until-Marriage Programs in FY 2009<sup>27</sup>**

Abstinence-Only-Until-Marriage Grantee	Title V	CBAE (Length of Grant)	AFLA (Length of Grant)
Boys and Girls Club of Tennessee Valley <a href="http://www.bgctnv.org">www.bgctnv.org</a>		\$410,850  (2006–2011)	
Boys to Men, Inc. <a href="http://www.boys-to-men.org">www.boys-to-men.org</a>		\$498,140  (2008–2013)	
Break the Cycle <a href="http://www.breakthecycleinc.org">www.breakthecycleinc.org</a>		\$526,223  (2006–2011)	

T E N N E S S E E

Abstinence-Only-Until-Marriage Grantee	Title V	CBAE (Length of Grant)	AFLA (Length of Grant)
Christ Community Health Services <a href="http://www.christcommunityhealth.org">www.christcommunityhealth.org</a>		\$599,400 (2006–2011)	
Douglas Cherokee Economic Authority, Inc. <a href="http://www.douglascherokee.org/DCEA">www.douglascherokee.org/DCEA</a>		\$582,822 (2008–2013)	
Hope Resource Center <a href="http://www.hoperesourcecenterknoxville.com">www.hoperesourcecenterknoxville.com</a>		\$521,000 (2006–2011)	
Life Choice Pregnancy Support Center, Inc. <a href="http://www.lifechoiceprc.com">www.lifechoiceprc.com</a>		\$566,402 (2006–2011)	
On Point (formerly Why kNOw Abstinence Education) <a href="http://www.liveonpoint.org">www.liveonpoint.org</a>		\$597,785 (2007–2012)	
Women’s Care Center of Rhea County <a href="http://www.rheaofhope.org">www.rheaofhope.org</a>		\$392,540 (2008–2013)	

**Adolescent Health Contact**<sup>28</sup>

Yvette Mack  
Tennessee Department of Health  
Maternal and Child Health Section  
5<sup>th</sup> Floor, Cordell Hull Building  
425 5<sup>th</sup> Avenue, North  
Nashville, TN 37243  
Phone: (615) 741-7353

T E N N E S S E E

**Tennessee Organizations that Support Comprehensive Sexuality Education**

ACLU of Tennessee  
P.O. Box 120160  
Nashville, TN 37212  
Phone: (615) 320-7142  
[www.aclu-tn.org](http://www.aclu-tn.org)

Knoxville Chapter of the National  
Organization for Women  
P.O. Box 5332  
Knoxville, TN 37928  
Phone: (865) 281-8075  
[www.knoxvillenow.org](http://www.knoxvillenow.org)

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

Planned Parenthood of Middle and East  
Tennessee  
50 Vantage Way, #102  
Nashville, TN 37228  
Phone: (615) 345-0952  
[www.plannedparenthood.org/mid-east-tennessee](http://www.plannedparenthood.org/mid-east-tennessee)

**Tennessee Organizations that Oppose Comprehensive Sexuality Education**

Center for Bio-Ethical Reform  
P.O. Box 20115  
Knoxville, TN 37940  
Phone: (865) 609-9033  
[www.abortionno.org/CBRSEsoutheast](http://www.abortionno.org/CBRSEsoutheast)

Tennessee Right to Life  
State Central Office  
P.O. Box 110765  
4802 Charlotte Avenue  
Nashville, TN 37209  
Phone: (877) 246-6735  
[www.tennesseeighttolife.org](http://www.tennesseeighttolife.org)

**Newspapers in Tennessee<sup>29</sup>**

*Chattanooga Times & Free Press*  
Newsroom  
400 East 11<sup>th</sup> Street  
Chattanooga, TN 37403  
Phone: (423) 757-6357  
[www.timesfreepress.com](http://www.timesfreepress.com)

*The City Paper*  
Newsroom  
624 Grassmere Park, Suite 28  
Nashville, TN 37211  
Phone: (615) 298-9833  
[www.nashvillecitypaper.com](http://www.nashvillecitypaper.com)

*The Memphis Daily News*  
Newsroom  
193 Jefferson Avenue  
Memphis, TN 38103  
Phone: (901) 523-1561  
[www.memphisdailynews.com](http://www.memphisdailynews.com)

*The Jackson Sun*  
Newsroom  
P.O. Box 1059  
Jackson, TN 38302  
Phone: (731) 427-3333  
[www.jacksonsun.com](http://www.jacksonsun.com)

*Knoxville News Sentinel*  
 Newsroom  
 2332 News Sentinel Drive  
 Knoxville, TN 37921  
 Phone: (865) 523-3131  
[www.knownews.com](http://www.knownews.com)

*The Leaf-Chronicle*  
 Newsroom  
 200 Commerce Street  
 Clarksville, TN 37040  
 Phone: (931) 552-1808  
[www.theleafchronicle.com](http://www.theleafchronicle.com)

*The Tennessean*  
 Newsroom  
 1100 Broadway  
 Nashville, TN 37203  
 Phone: (615) 259-8000  
[www.tennessean.com](http://www.tennessean.com)

**Political Blogs in Tennessee**

*Enclave*  
[www.enclave-nashville.blogspot.com](http://www.enclave-nashville.blogspot.com)

*Nashville 21*  
[www.seanbraisted.blogspot.com](http://www.seanbraisted.blogspot.com)

*Post Politics*  
<http://politics.nashvillepost.com>

*Sharon Cobb*  
[www.sharoncobb0.blogspot.com](http://www.sharoncobb0.blogspot.com)

*Tennessee Guerilla Woman*  
[www.guerillawomentn.blogspot.com](http://www.guerillawomentn.blogspot.com)

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<sup>1</sup> Tenn. Code Ann. § 49-6-1005(a).

<sup>2</sup> Tenn. Code Ann. § 49-6-1008(a).

<sup>3</sup> Tenn. Code Ann. §§ 49-6-1301(a) and (b).

<sup>4</sup> Tenn. Code Ann. § 49-6-1301(c).

<sup>5</sup> Rules of the State Bd. Of Ed. § 0520-1-3-.05(6)(e)(1).

<sup>6</sup> *Tennessee Health Education Standards 3–5* (Tennessee: Tennessee State Board of Education), accessed 15 April 2010, <[http://www.state.tn.us/education/ci/health\\_pe/doc/health\\_3\\_5.pdf](http://www.state.tn.us/education/ci/health_pe/doc/health_3_5.pdf)>, 12.

<sup>7</sup> *Tennessee Health Education Standards 3–5* (Tennessee: Tennessee State Board of Education), accessed 15 April 2010, <[http://www.state.tn.us/education/ci/health\\_pe/doc/health\\_6\\_8.pdf](http://www.state.tn.us/education/ci/health_pe/doc/health_6_8.pdf)>, 9.

<sup>8</sup> *Tennessee Lifetime Wellness Curriculum Standards Grades 9-12* (Tennessee: Tennessee State Board of Education), accessed 15 April 2010, <<http://www.state.tn.us/education/schoolhealth/physed/doc/LifetimeWellnessStandards2009.pdf>>, 19.

<sup>9</sup> Tenn. Code Ann. § 49-6-1303(b).

<sup>10</sup> 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: Memphis also participated in the 2009 YRBS.

<sup>11</sup> 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.

<sup>12</sup> *Ibid.*, Table 3.2.

<sup>13</sup> 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](http://www.cdc.gov/nchs/data/nvsr/nvsr57/nvsr57_07.pdf)>, Table B.

<sup>14</sup> U.S. *Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, Table 3.2.



<sup>15</sup> Martin, et. al, “Births: Final Data for 2006,” 4.

<sup>16</sup> Ibid., Table B.

<sup>17</sup> *U.S. Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, Table 3.5.

<sup>18</sup> “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.

<sup>19</sup> 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>>.

<sup>20</sup> 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>>.

<sup>21</sup> Ibid., Table 16.

<sup>22</sup> 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>>.

<sup>23</sup> “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.

<sup>24</sup> 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.

<sup>25</sup> 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.

<sup>26</sup> This refers to the federal government’s fiscal year, which begins on October 1<sup>st</sup> and ends on September 30<sup>th</sup>. 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.

<sup>27</sup> 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.

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

<sup>29</sup> 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](#).