



TENNESSEE

Tennessee received \$4,217,759 in federal funding for abstinence-only-until-marriage programs in Fiscal Year 2005.¹

Tennessee Sexuality Education Law and Policy

Tennessee Code forbids the teaching of any sexuality education class unless it has been approved by the state board of education and the local school board, and is taught by instructors deemed to be qualified by the local school board. Any course in sexuality education must “include presentations encouraging abstinence from sexual intercourse during the teen and pre-teen years.” Violation of this rule is considered a Class C misdemeanor.

The Code also protects sexuality education teachers:

With respect to sex education courses otherwise offered in accordance with the requirements of this subsection, no instructor shall be construed to be in violation of this section for answering in good faith any question, or series of questions, germane and material to the course, asked of the instructor and initiated by a student or students enrolled in the course.

Sexuality education is not required; however, the state code 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 HIV/AIDS- and sexually transmitted disease (STD)-prevention.

According to Tennessee Code, if a sexuality education program is developed in any school district, “in developing the plan, the state board shall consider such programs and materials as *Sex Respect*, *Teen-Aid*, and the *3-R Project* of the South Carolina departments of education and health.” The state also recommends a plan for curriculum development, which includes building community and parental support for family life education. Schools must hold at least one public hearing. If, upon implementation of family life education in a school district, more than 50 parents or guardians with children enrolled in the school district complain about the program, the state department of education must audit the school district “for the purpose of evaluating the quality and effectiveness of the plan of family life instruction.” The state department of education must then recommend how to make the instruction more effective and how to build parental and community support for the program.

School districts may use health care professionals and social workers to assist in family life education. Such instructors must be individuals “upright of character and of good public standing.”

Family life education must be taught for four years after the release of the initial teen pregnancy rates. If the school district fails to implement family life education, then the county must do so. If the school board does not implement family life education, the commissioner of education for the state is instructed to withhold state funding.

According to Tennessee law, HIV/AIDS-prevention courses may not be required for graduation. 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.”

Tennessee Code allows students to be removed from sexuality education classes upon written request of their parent or guardian. 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.

Recent Legislation

Bill Would Mandate Development and Implementation of Sexual Violence and Awareness Curriculum

House Bill 374 and Senate Bill 595, introduced in February 2005 and assigned to their respective Committees on Education, would require the development of curriculum guidelines and the adoption of a curriculum about sexual violence and awareness by school districts. This curriculum would be part of the current “lifetime wellness curriculum.” The legislation encourages the development of sexual violence and awareness curriculum in conjunction with community-based organization, including “abstinence education organizations.” HB 374 has passed out of the Committee on Education, and currently resides in the House Committee on Finance, Ways, and Means. SB 595 has passed out of the Senate and is currently awaiting action in the House.

Bill Would Reward Five Model Programs

House Bill 1294 and Senate Bill 1011, introduced in February 2005 and referred to the House Committee on Health and Human Resources and Senate Committee on General Welfare, Health, and Human Resources respectively, would designate up to five model programs in numerous topic areas including family life education; prevention of teenage pregnancy; and counseling services for teenagers who are, or think they might be, pregnant. These programs would receive funding in recognition of their work. HB 1294 has passed out of the Committee on Education, and currently resides in the House Committee on Finance, Ways, and Means and SB1011 has passed out of the Senate Committee on General Welfare, Health, and Human Resources.

Events of Note

Tennessee Moves to Investigate “Ex-Gay” Camp July 2005; TN

In June 2005, 16-year-old Zach Stark, a member of the “MySpace” online community, gained the support of thousands and commanded the attention of both the media and the state of Tennessee after he used his blog to detail his struggle of coming out to his parents and his subsequent enrollment in an “ex-gay” camp.

On May 29th, Stark reported on the blog that his parents made him apply to Refuge, a fundamentalist Christian program, which “exists to be a Christ-centered ministry for the prevention or remediation of unhealthy and destructive behaviors facing families, adults, and

adolescents.”² In Stark’s case, the goal of the program was to change his sexual orientation from homosexual to heterosexual. Stark expressed a resistance and hopelessness over the prospect of attending Refuge. “Even if I do come out straight, I’ll be so mentally unstable and depressed it won’t matter,” he wrote in his blog on May 30th.

Refuge is a two or six week program. It is held in a “park like” setting from 9am–5pm, after which participants retreat to a hotel with a legal guardian. Refuge is a subsidiary of Love in Action International, which offers a range of similar programs. A confidential email sent from Refuge to Stark’s parents that Stark copied and posted on his blog outlines the strict rules of Refuge, including lengthy sessions of solitary confinement, isolation, and extreme restrictions of attire, correspondence, and privacy sanctioned by biblical quotations.

Love in Action International is an affiliate of Exodus International, the most prominent informational and referral organization in the “ex-gay” movement. Founded in 1976, the Exodus network includes over 150 secular and religious programs, counselors, and therapists in 17 member nations, predominantly the U.S. and Canada.³

Attempting to eliminate same-sex desires is referred to as “transformational ministries” by many religious groups while most secular groups refer to it as “reparative therapy.”⁴ The practice of reparative therapy holds little weight among mental health professionals. Most professional mental health organizations believe that reparative therapies carry a significant risk of perpetuating symptoms of anxiety, depression, and self-hatred rather than relieving them. The American Psychological Association (APA), in collaboration with ten major health professions, has stated that, “the most important fact about ‘reparative therapy’ is that it is based on an understanding of homosexuality that has been rejected by all the major health and mental health professions.”⁵ The APA declassified homosexuality as a mental disorder in 1973.

After receiving complaints from supporters of Stark and the Queer Action Coalition, a grassroots organization formed in response to Stark’s struggle, Tennessee’s Department of Children’s Services (DCS) launched an investigation into allegations of child abuse at the Love in Action campus. “Emotional abuse is difficult to prove in the state of Tennessee,” said Pamela Dickey of Childhelp USA in Knoxville, “you have to document that the child is undergoing depression or suicidal ideation, that he can’t sleep or can’t eat.”⁶ In fact, on June 27th DCS determined that the child abuse allegations were unfounded.⁷

The Tennessee Department of Health and the Department of Mental Health and Human Developmental Disabilities are also scrutinizing the case to determine if Love in Action is offering therapeutic services for which it is not licensed.⁸ A spokesperson for Love in Action, however, insists that the program is a spiritual, not counseling, center and he said he will remove references to therapy from its website.⁹

Tennessee’s Youth: Statistical Information of Note¹⁰

- In 2005, 56% of female high school students and 54% of male high school students in Tennessee reported ever having had sexual intercourse compared to 46% of female high school students and 48% of male high school students nationwide.
- In 2005, 6% of female high school students and 11% of male high school students in Tennessee reported having had sexual intercourse before age 13 compared to 4% of female high school students and 9% of male high school students nationwide.

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- In 2005, 15% of female high school students and 19% of male high school students in Tennessee 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, 41% of female high school students and 35% 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 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, 48% of females and 69% of males in Tennessee 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, 24% of females and 12% of males in Tennessee 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, 18% of females and 29% of males in Tennessee reported having used alcohol or drugs the last time they had sexual intercourse compared to 19% of females and 28% of males nationwide.
- In 2005, 90% of high school students in Tennessee reported having been taught about AIDS/HIV in school compared to 88% of high school students nationwide.
- In 2000, Tennessee's abortion rate was 16 per 1,000 women ages 15–19 compared to a teen abortion rate of 24 per 1,000 nationwide.¹¹
- In 2002, Tennessee's birth rate was 54 per 1,000 women ages 15–19 compared to a teen birth rate of 43 per 1,000 nationwide.¹²

Memphis, Tennessee

- In 2005, 61% of female high school students and 75% of male high school students in Memphis, Tennessee reported ever having had sexual intercourse compared to 46% of female high school students and 48% of male high school students nationwide.
- In 2005, 6% of female high school students and 28% of male high school students in Memphis, Tennessee 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, 17% of female high school students and 38% of male high school students in Memphis, Tennessee 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, 44% 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 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, 61% of females and 80% of males in Memphis, Tennessee 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, 10% of females and 7% of males in Memphis, Tennessee 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, 8% of females and 22% of males in Memphis, Tennessee reported having used alcohol or drugs the last time they had sexual intercourse compared to 19% of females and 28% of males nationwide.
- In 2005, 84% of high school students in Memphis, Tennessee reported having been taught about AIDS/HIV in school compared to 88% of high school students nationwide.

Title V Abstinence-Only-Until-Marriage Funding

Tennessee received \$630,355 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. In Tennessee, the full state match is provided by sub-grantees. The Tennessee Department of Health oversees this funding, runs a state-wide media campaign, and awards grants to 18 sub-grantees. The media campaign focuses on parent-child communication about the importance of remaining abstinent before marriage.

The 18 sub-grantees target young people ages 10–17 and their parents by running local media campaigns and other activities, including in-school programs. The sub-grantees use a variety of abstinence-only-until-marriage curricula, including *Sex Can Wait*, *Choices*, *Smart Moves*, *Postponing Sexual Involvement*, and *Sex Respect*.

SIECUS reviewed *Sex Respect* and found that the curriculum relies on messages of fear and shame, inaccurate and misleading information, and biased views of marriage, sexual orientation, and family structure. According to *Sex Respect*, “there is no way to have premarital sex without hurting someone.” *Sex Respect* implies that young people who become sexually active lack values, self-esteem, and principles: “Many young teens who have been brought up with principles and values may have already decided they want to save sex for marriage.” The curriculum is also not appropriate for public schools, as it remains patently religious. For example, *Sex Respect* uses Biblical language in giving young people dating advice: “Set ending time for your date before you go out. Be home on time. Don’t invite your date in. Lead yourselves not into temptation.”¹³

The Blount Nurses for Health Education (BNHE), one sub-grantee, emphasizes fear and shame in its abstinence-only-until-marriage message. Its website lists some of the “permanent

life changes” that have “ruined” young people’s lives as a result of their decisions to be sexually active in their teen years. Those changes include:

INFECTIONS, which cause death (examples: AIDS and hepatitis);
 PREGNANCIES, which leave young women agonizing over whether to:
 Become unmarried single moms, typically living in poverty and giving up any plans to go to college, or Kill their unborn children, through abortions; and
 GUILT, by having cheapened the sexual union between husband and wife through misuse of the greatest gift a person can give his or her spouse on the wedding night—purity and totally committed love, with no remorse or emotional baggage.¹⁴

BNHE also misinforms its audience about critical topics such as HIV transmission and condom effectiveness. For example, its website suggests that HIV can be spread by “blood or secretions from an infected person coming into contact with another person’s skin.” In truth, HIV cannot be spread if blood and secretions come into contact with unbroken skin. In addition, BNHE warns that “small viruses may pass through tiny defects in the latex” of condoms.¹⁵ In truth, numerous studies have shown that condoms do not have holes large enough to allow HIV through.

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

There are seven CBAE grantees in Tennessee: Boys to Men, Inc./Right for Me Program; Centerstone Community Mental Health Centers Inc.; Creative Life, Inc.; Hope Resource Center; Knoxville Leadership Foundation; Life Choices Inc./Right Choices of West Tennessee; and Why Know Abstinence Education Program. There is one AFLA grantee: Break the Cycle.

Life Choices, Inc. describes itself as a Christian organization that counsels on Biblical principles. Its website emphasizes a ruined reputation as one of the consequences of premarital sex. It goes on to provide hints for avoiding sexual activity such as not spending too much time parking or sitting on the couch in the dark. Instead, the website suggests staying in public areas with your date and carefully choosing the movies you watch during a date so as not to be influenced to have sex.

The website also includes information on abortion and adoption. The abortion section emphasizes the possible negative emotional consequences of abortion, including “Post Abortion Stress Syndrome.” The organization suggests that there is a high rate of “Post Abortion Stress Syndrome” and attributes this to the assertion that many women are “forced to have an abortion.” It then suggests support groups and Bible study as a way to overcome grief from an abortion. Life Choices, Inc. is also a state-licensed adoption agency. Couples must be of the same local “Bible-believing” church and must sign doctrinal and anti-choice statements before qualifying as adoptive parents.

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

Abstinence-Only-Until-Marriage Grantee Length of Grant	Amount of Grant	Type of Grant (includes Title V, CBAE, and AFLA)
Tennessee Department of Health www2.state.tn.us/health/MCH/abstinenceeducation.htm	\$630,355 federal	Title V
Blount Nurses for Health Education www.ywwf.org	\$43,400	Title V sub-grantee
Boys and Girls Club of Greater Knoxville	\$43,400	Title V sub-grantee
Boys to Men, Inc. Right for Me Program	\$65,200	Title V sub-grantee
DUAL GRANTEE 2005–2008	\$454,046	CBAE
Break the Cycle DUAL GRANTEE 2005–2006 www.kornnet.org/bkcycle	\$38,800 \$175,000	Title V sub-grantee AFLA
Catholic Charities of Tennessee www.cctenn.org	\$121,800	Title V sub-grantee
Children and Family Services www.diane.tnstate.edu/Dircov.htm	\$38,800	Title V sub-grantee

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Abstinence-Only-Until-Marriage Grantee Length of Grant	Amount of Grant	Type of Grant (includes Title V, CBAE, and AFLA)
Concerned Neighbors United	\$15,800	Title V sub-grantee
Creative Life, Inc. DUAL GRANTEE 2002–2005	\$63,600 \$580,957	Title V sub-grantee CBAE
Girl Scouts of Moccasin Bend Council, Inc.	\$37,600	Title V sub-grantee
Hope Clinic for Women http://hopeclinicforwomen.org	\$47,200	Title V sub-grantee
Hope Resource Center DUAL GRANTEE 2003–2006 www.hoperc.org	\$67,800 \$317,282	Title V sub-grantee CBAE
LaBonheur Center for Children and Parents www.lebonheur.org/Centerfor_Children_and_Parents.222.0.html	\$50,800	Title V sub-grantee
National Center for Youth Issues www.ncyi.org	\$60,000	Title V sub-grantee
REACHS www.tnpca.org/hcenters/reachs.htm	\$89,800	Title V sub-grantee
St. Andrews AME Church	\$41,600	Title V sub-grantee

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Abstinence-Only-Until-Marriage Grantee Length of Grant	Amount of Grant	Type of Grant (includes Title V, CBAE, and AFLA)
Somali Community Center of Nashville www.somalinashville.org	\$49,000	Title V sub-grantee
Warren Co. Schools and Health Services www.warrenschoools.com	\$60,600	Title V sub-grantee
Women’s Care Center	\$42,200	Title V sub-grantee
Centerstone Community Health Centers 2004–2007 www.centerstone.org	\$781,000	CBAE
Knoxville Leadership Foundation 2005–2008 www.klf.org	\$354,236	CBAE
Life Choices Inc./ Right Choices of West Tennessee 2003–2006	\$534,339	CBAE
Why kNOw Abstinence Education 2004–2007 www.whyknow.org	\$390,544	CBAE

Title V Abstinence-Only-Until-Marriage Coordinator

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Nashville, TN 37219
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Tennessee Organizations that Support Comprehensive Sexuality Education

American Civil Liberties Union of Tennessee PO Box 120160 Nashville, TN 37212 Phone: (615) 320-7142 www.aclu-tn.org	Knoxville Chapter of NOW PO Box 5332 Knoxville, TN 37928 Phone: (865) 281-8075 www.kornet.org/knoxnow
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Planned Parenthood of Middle and Eastern Tennessee, Inc.
50 Vantage Way, Suite 102
Nashville, TN 37228
Phone: (615) 345-0952
www.plannedparenthood.org/pp2/tennessee/

Tennessee Organizations that Oppose Comprehensive Sexuality Education

Center for Bio-Ethical Reform, Southeast PO Box 20115 Knoxville, TN 37940 Phone: (865) 609-9033 http://abortionno.org/CBRSoutheast/	Tennessee Right to Life State Central Office 4802 Charlotte Ave. Nashville, TN 37209 Phone: (877) 246-6735 www.tennesseerighttolife.org
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Newspapers in Tennessee

The Chattanooga Times & Free Press
Beverly Carroll
Education Reporter
400 E. 11th St.
Chattanooga, TN 37403
Phone: (423) 757-6673

The Chattanooga Times & Free Press
Mark Kennedy
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400 E. 11th St.
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Phone: (423) 757-6645

T E N N E S S E E

The City Paper
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Community News Writer
3322 W. End Ave.
Nashville, TN 37203
Phone: (615) 298-9833

The City Paper
Katharine Mosher
Education Reporter
3322 W. End Ave.
Nashville, TN 37203
Phone: (615) 298-9833

The Commercial Appeal
Ruma Banerji Kumar
Education Reporter
495 Union Ave.
Memphis, TN 38103
Phone: (901) 529-2596

The Commercial Appeal
Mary Powers
Health & Medicine Reporter
495 Union Ave.
Memphis, TN 38103
Phone: (901) 529-2383

The Commercial Appeal
Peggy Reisser-Winburne
Health & Medicine Editor
495 Union Ave.
Memphis, TN 38103
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The Daily Times
Iva Butler
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307 E. Harper Ave.
Maryville, TN 37804
Phone: (865) 981-3142

The Daily Times
Bonny Millard
Education Reporter
307 E. Harper Ave.
Maryville, TN 37804
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The Jackson Sun
Amy McDaniel
Education Editor
245 W. Lafayette St.
Jackson, TN 38301
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The Jackson Sun
Jamie Page
Community News Reporter
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Jackson, TN 38301
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Johnson City Press
James Brooks
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Johnson City Press
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North Shelby Times
Education Editor
3518 N. Watkins St.
Memphis, TN 38127
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Shelby Sun Times
Education Editor
7508 Capital Dr.
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Education Editor
124 E. GE Patterson Ave.
Memphis, TN 38103
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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 *Our Mission*, Love in Action International, Inc, accessed 14 July 2005, <www.loveinaction.org>.

³ *About Exodus*, Exodus International (2005), accessed 26 June 2005, <http://www.exodus-international.org/about_exodus.shtml>.

⁴ *Just the Facts about Sexual Orientation & Youth: A Primer for Principals, Educators and School Personnel* (Washington D.C.: Just the Facts Coalition, 1999), accessed 14 July 2005, <<http://www.apa.org/pi/lgbt/publications/justthefacts.html>>.

⁵ Ibid.

⁶ Ibid.

⁷ Associated Press, "Investigation Into Ex-Gay Camp Ends," *365gay.com*, 28 June 2005, accessed 13 July 2005, <<http://www.365gay.com/newscon05/06/062805exGays.htm>>.

⁸ Eartha Melzer, "Tennessee continues to probe into 'ex-gay' facility," *Southern Voice*, 1 July 2005, accessed 14 July 2005, <http://www.sovo.com/print.cfm?content_id=3925>.

⁹ Alex Williams, "Gay Teenager Stirs a Storm," *The New York Times*, 17 July 2005, accessed 19 July 2005, <<http://www.nytimes.com/2005/07/17/fashion/sundaystyles/17ZACH.html>>.

¹⁰ 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>>.

¹¹ *U.S. Teenage Pregnancy Statistics: Overall Trends, Trends by Race and Ethnicity and State-by-State Information* (New York: Guttmacher Institute, February, 2004), accessed 28 January 2005, <www.guttmacher.org>.

¹² *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>>.

¹³ Coleen Kelly Mast, *Sex Respect: The Option for True Sexual Freedom* (Bradley, IL: Sex Respect, 2001). For more information, see SIECUS' review of *Sex Respect* at <http://www.communityactionkit.org/curricula_reviews.html>.

¹⁴ *You're Worth Waiting For*, Blount Nurses For Health Education, accessed 25 January 2005, <<http://www.ywwf.org/>>.

¹⁵ Ibid.

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).