



## TEXAS

***Texas received \$16,040,338 in federal funding for abstinence-only-until-marriage programs in Fiscal Year 2005.<sup>1</sup>***

### **Texas Sexuality Education Law and Policy**

Texas does not require sexuality education. However, Texas Education Code states that if a school district does teach sexuality education, HIV/AIDS prevention, or sexually transmitted disease (STD) prevention education, then it must:

- Present abstinence from sexual activity as the preferred choice of behavior in relationship to all sexual activity for unmarried persons of school age;
- Devote more attention to abstinence from sexual activity than to any other behavior;
- Emphasize that abstinence from sexual activity, if used consistently and correctly, is the only method that is 100% effective in preventing pregnancy, sexually transmitted diseases, infection with human immunodeficiency virus or acquired immune deficiency syndrome, and the emotional trauma associated with adolescent sexual activity;
- Direct adolescents to a standard of behavior in which abstinence from sexual activity before marriage is the most effective way to prevent pregnancy, sexually transmitted diseases, and infection with human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS); and
- Teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates, if instruction on contraception and condoms is included in curriculum content.

Sexuality education and STD/HIV-prevention education are also included in the *Texas Essential Knowledge and Skills for Health Education*, which are written by the Texas Education Agency.

If a school district implements a sexuality education program, it must also set up an advisory board. The majority of this board must be made up by parents with children enrolled in the district who are not employed by the district. This board must “assist the district in ensuring that local community values are reflected in the district’s health education instruction.”

Parents or guardians may remove their children from any part of sexuality education instruction by submitting a written request to the principal. This is referred to as an “opt-out” policy.

See Texas Education Code Sections 28.004 and 26.010 and *Texas Essential Knowledge and Skills for Health Education*.

## **Recent Legislation**

### *Legislation Would Change Education Code*

Introduced in March 2005 and referred to the House Committee on Public Education, House Bill 3134 would enact several changes in the state Education Code. Among other alterations, it states that all sexuality education course material and instruction must “provide a clear understanding of abstinence from sexual activity and engaging in sexual activity” and “for circumstances in which a student is unable to abstain from sexual activity, analyze the benefits of a healthy and monogamous sexual relationship and provide detailed information about local agencies that provide relationship support and counseling.” In addition, all instruction would have to teach about contraception and condom use in “a medically accurate manner that addresses the health benefits of contraception and condom use.” The bill died at the end of the legislative session.

### *Bill Would Repeal the Teaching of Criminalization of “Homosexual Conduct”*

House Bill 3215, introduced in March 2005 and referred to the House Committee on State Affairs, would change state sexuality education law to remove language that instructs teachers to “state that homosexual conduct is not an acceptable lifestyle and is a criminal offense under Section 21.06, Penal Code” as well as to “emphasize, provided in a factual manner and from a public health perspective, that homosexuality is not a lifestyle acceptable to the general public and that homosexual conduct is a criminal offense under Section 21.06, Penal Code.” (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.) The bill died at the end of the legislative session.

### *Texas Prevention First Act of 2005 Introduced*

House Bill 1354, introduced in February 2005 and referred to the House Committee on Public Health, asks for “funding for services to reduce the number of unintended pregnancies and abortions and lower rates of sexually transmitted diseases (including HIV).” The legislation cites contraceptive coverage in health insurance, educating people about emergency contraception, allowing pharmacists to dispense emergency contraception without a prescription, increasing the availability of emergency contraception for sexual assault survivors, funding teen pregnancy prevention, and requiring medical accuracy in all education that discusses contraception and condoms as steps to be taken in order to reduce the number of unintended pregnancies and abortions and lower rates of sexually transmitted diseases. The bill died at the end of the legislative session.

### *Legislation Prohibiting Discrimination Based on Sexual Orientation, Gender Identity Introduced*

House Bill 376 and Senate Bill 201, introduced in January 2005 and referred to their respective Committees on Education, would prohibit any public educational institution or employee of such an institution from discriminating against a student enrolled in the institution based on “ethnicity, color, gender, gender identity, sexual preference, disability, religion, or national origin, of the student or the student’s parents.” Both bills died at the end of the legislative session.

### Events of Note

#### *Texas Fetal Protection Law Sends 19-year-old to Prison for Life*

June 2005; Lufkin, TX

On June 6, 2005, 19-year-old Gerardo Flores was found guilty on two counts of murder and sentenced to life in prison by the Angelina County Court in Lufkin, TX for helping his girlfriend end her pregnancy.<sup>2</sup> In 2004, Flores' girlfriend, 16-year-old Erica Basoria, found out she was pregnant with twins. Initially opposed to abortion, according to her medical record, Basoria asked her doctor about termination at four months and was told it was too late. At five months she asked her boyfriend to step on her stomach as she hit herself causing her to miscarry.

The Prenatal Protection Act, which became law in Texas in 2003, defines an "individual" as "an unborn child at every state of gestation from fertilization until birth,"<sup>3</sup> and allows "criminal prosecution or civil action for a preventable injury or death of a fetus."<sup>4</sup> Twenty states have similar laws recognizing a fetus at any stage of development as a victim under homicide laws.<sup>5</sup> Basoria cannot be prosecuted because the law does not extend culpability to the pregnant woman or any source of legal medical care she may receive. Flores, however, is treated as a stranger under the statute and can be prosecuted as if he had randomly attacked Basoria.

The ACLU has expressed "serious reservations about legislation designed to protect fetuses, because it can endanger women's rights by reinforcing claims of 'fetal rights' in the law."<sup>6</sup> Legislation that grants full rights to fetuses is in tension with *Roe v. Wade*, which says that for the purpose of the Fourteenth Amendment, a fetus is not a person. Such legislation provides a foundation for opponents of choice to argue for continued restrictions on abortion.<sup>7</sup>

#### *Young People Use Films to Advocate for Comprehensive Sexuality Education*

June 2005; TX

Two films about sexuality education, *The Education of Shelby Knox* and *Toothpaste*, generated a flurry of media attention and have proved to be excellent advocacy tools for sexuality education activists across the country.

*The Education of Shelby Knox*, an award-winning documentary, follows Shelby Knox, a high school student in Lubbock, TX, who joins the local youth council and becomes a leader in advocating for improved sexuality education in her area schools. The film profiles her political awakening, as she goes from attending a True Love Waits virginity pledge ceremony with her parents to working with a group of gay and lesbian students at her school to form a gay-straight alliance.

*Toothpaste*, a film created by Kristal Villarreal, Laura Coria, Gladys Sanchez, and Amanda Ramirez, students at Mission High School in the Rio Grande Valley, TX, profiles the story of two teen girls considering whether to have sex with their boyfriends. The students created the film after winning an annual contest hosted by Scenarios USA, an organization that pairs student screenwriters with Hollywood directors to make films about sexuality. According to the organization's website, its aim is "to inspire teens to make healthier and safer decisions by offering them a creative approach to thinking through and discussing their lives, their choices, and their future."<sup>8</sup> The 16-minute educational film promotes the use of condoms, referred to as "toothpaste" in local slang.

Both Shelby Knox and the students who created *Toothpaste* were inspired by the high incidence of teen pregnancy and unprotected sexual activity taking place in their hometowns. These young people hope their films provide evidence of the need for comprehensive sexuality

education. The young women who wrote *Toothpaste*, all of whom are now attending college, said they would like to see Texas include information on contraception in its sexuality education policy. Ramirez explained, “hopefully, the state will also realize the law they have—it’s not working.”<sup>9</sup>

*Texas House Bans, But Does Not Define “Suggestive” Cheerleading*  
May 2005; Austin, TX

On the May 3, 2005, the Texas state House of Representatives took on the issue of “sexy cheerleading” and voted 65-56 to ban the practice. The bill, proposed by Democratic Representative Al Edwards, banned, but failed to define the practice of “overtly sexually suggestive” cheerleading, leaving cheerleaders and their coaches confused as to what exactly they are not allowed to do.

“Any adult that’s been involved with sex in their lives, they know it when they see it,” Edwards said.<sup>10</sup> The bill and Rep. Edwards’ explanation took many by surprise, prompting ridicule and mockery by media outlets and even late night comedians. A correspondent from *The Daily Show with Jon Stewart* quipped that in order for cheerleaders to recognize whether their routines were suggestive they would have to become involved with sex in their own lives.<sup>11</sup>

Despite its vagueness, Edwards argued that the bill, which would give the state education commissioner the authority to request reviews of high school performances, is a teen pregnancy prevention tool. Lacking any evidence, he asserted that, “overtly sexual performances” are a distraction for students that result in teen pregnancy, high school dropouts, and the spread of sexually transmitted disease.<sup>12</sup> Edwards, who in the past has also crusaded against explicit song lyrics and Internet pornography, felt that “people were waiting for something to be done” about what he views as another symptom of the deterioration of morals in America.<sup>13</sup>

The bill died at the end of the legislative session. Even if the bill had been approved by the Senate and Republican Governor Rick Perry, it was unlikely to have much effect. The American Civil Liberties Union had deemed it redundant because state law already prohibits public lewdness by students on or near a school campus.

*New Study on Adolescent Access to Reproductive Health Care Released*  
2004; TX

A study, published in the December 2004 issue of *Archives of Pediatrics and Adolescent Medicine*, focused on female teens under age 18 who depend on publicly financed health care and found that the reproductive health status of Texas adolescents is poor when compared to national levels.<sup>14</sup> Researchers examined projected health consequences and public medical costs associated with restricting adolescents’ access to confidential reproductive health services in Texas.

Researchers wanted to assess the potential economic costs that would result when adolescents do not seek reproductive health because their confidentiality is compromised. Using previous data on how young people would react to parental notification, researchers constructed a model to estimate, for a one-year period, the effect of an anticipated decrease in services on pregnancies, births, abortions, and untreated STDs among girls under 18 using publicly funded reproductive health care services in Texas.<sup>15</sup>

Using this model, the researchers estimated that reporting and consent requirements for youth would result in a rise in unintended pregnancies, births, and abortions among teens using publicly funded family planning clinics in Texas, as well as a rise in cases of untreated

Chlamydia, gonorrhea, and Pelvic Inflammatory Disease (PID). Additionally, the researchers found that these outcomes would cost \$43.6 million per year, of which \$33.7 million would come directly out of the pockets of Texans.<sup>16</sup> The authors of the study caution, however, that these costs only account for the direct publicly funded medical expenditures such as STD screening and treatment, and prenatal care, delivery, and infant care for the first year. These figures therefore underestimate the cost to individuals and society because infants born to teen mothers often require other expenditures such as neonatal intensive care, hospitalization, public assistance, education, and special services.

*Girl Scouts Face Criticism from Pro-Life Waco  
March 2004; Waco, TX*

Pro-Life Waco, a local Christian group, called for a boycott of Girl Scout cookies because the local Bluebonnet Council of Girl Scouts supports Planned Parenthood's annual sexuality education seminars. "I encourage you to join me in abstaining from Girl Scout cookies," the director of Pro-Life Waco said in public service announcements that ran on a local Christian radio station for several weeks.<sup>17</sup>

According to the executive director of the Bluebonnet Council of Girl Scouts, the group does not take any stance on abortion or sexuality education and none of the money from the cookie sales goes to Planned Parenthood or any other organization. It does, however, allow the national Girl Scouts logo to be put on posters for Planned Parenthood of Central Texas' summer sexuality education seminar held annually for fifth through ninth-graders. More than 20 other groups sign on to these posters as well; Pro-Life Waco has yet to go after any of the other groups as aggressively.

The director of Pro-Life Waco explained that he thought up the boycott when the Bluebonnet Council honored the Central Texas Planned Parenthood's director in May. He explained, "when I saw the head of Planned Parenthood held up as a role model to little girls, that was great irritation to me."<sup>18</sup> The boycott received national attention. The communications director of the Circle T Council, which serves over 1,200 Girl Scout troops in four counties, remarked, "I think it's unfortunate that the girls have gotten caught in [this] agenda."<sup>19</sup>

Two of the 400 Girl Scout troops in the Central Texas district have disbanded as a result of the Planned Parenthood connection; however, the boycott did not seem to work as Pro-Life Waco had hoped. The executive director of the Bluebonnet Council of Girl Scouts said that there were few reports of adults turning down cookie sales because of the boycott. In fact, in Waco, the boycott seemed to have resulted in increased cookie sales.

As a result of the controversy, however, the Bluebonnet Council of Girls Scouts decided to discontinue its relationship with Planned Parenthood. Pro-Life Waco ended its boycott of the cookies in March 2004. One parent, however, started a new troop for girls, affiliated with the Christian-based American Heritage Girls. The parent said, "I felt like the Girl Scouts' morals were definitely lacking, and the girls needed another choice."<sup>20</sup>

*Judge Rules Against GSA in Lubbock, TX  
March 2004; Lubbock, TX*

Lambda Legal Defense sued the Lubbock, TX schools on behalf of students who were not allowed to form a gay-straight alliance (GSA) on campus. Lambda Legal claimed that the district violated the students' constitutional rights as well as federal law by refusing to allow the group to meet at a high school in late 2002.

The U.S. District Judge ruled in favor of the school district, saying, “the local school officials and parents are in the best position to determine what subject matter is reasonable and will be allowed on LISD campuses.”<sup>221</sup> He ruled that the decision not to allow the group to meet on-campus is “an assertion of a school’s right not to surrender control of the public school system to students and erode a community’s standard of what subject matter is considered obscene and inappropriate.”<sup>222</sup>

The GSA members were disappointed with the ruling. However, the school board president was pleased, saying of the decision, “it confirms our policy as a district, and I think it accurately reflects the community perspective as a whole.”<sup>223</sup>

*Texas Board Restricts Educational Information, Embraces Discriminatory Language  
November 2004; TX*

In November 2004, the Texas School Board of Education approved health textbooks for Texas’ public middle and high schools. Beginning the previous summer, the textbooks were the subject of a great deal of criticism due to their lack of adequate information on contraception and changes made to the definition of marriage.

Advocates of comprehensive sexuality education argued that the books did not fulfill the Texas state curriculum standard, *Texas Essential Knowledge and Skills*, which requires that students are able to “analyze the effectiveness and ineffectiveness of barrier protection and other contraceptive methods.”<sup>224</sup> Only one of the four textbooks mentioned condoms as a way to help prevent unintended pregnancy and sexually transmitted diseases (STDs), including HIV/AIDS. In the other three books, information about contraceptive options, including condoms, was found only in the teachers’ editions. The publishers argued that this information not only adhered to state standards but also allowed for local control of what information was made available to students.

Advocates disagreed. “Because this basic information is not in Student’s Editions, most students will never see it,” explained the chief executive officer of the Women’s Health and Family Planning Association of Texas. “Families know that making sure our kids have the most accurate and reliable information is the best protection we have for raising safe, healthy, responsible adults.”<sup>225</sup> According to the *Brownsville Herald*, a Scripps Howard Texas Poll taken in August 2004 found that 90% of Texans prefer that “age-appropriate, medically accurate sex education that includes information on abstinence, birth control and prevention of sexually transmitted diseases of HIV” be taught in the public schools.<sup>26</sup>

Before the board made its final decision, a second argument over the definition of marriage erupted. One member of the Texas Board of Education, who sends her own children to private school, made the argument that the textbooks could not be in accordance with the *Texas Marriage Act* unless marriage was clearly defined as a “lifelong union between a husband and a wife.” She was concerned that “neutral words in the book such as ‘couples’ and ‘partners’ are inclusive to same-sex marriages and mislead students.”<sup>227</sup>

Two publishers, Holt, Rinehart and Winston, a division of Harcourt, Inc., and Glencoe/McGraw-Hill, a division of the McGraw-Hill Companies, Inc., agreed to the board’s demands that marriage be defined as a “lifelong union between a husband and a wife” and that when referring to relationships, the words ‘people’ and ‘individuals’ be replaced with “man and a woman.”<sup>228</sup>

The president of the Texas Freedom Network criticized the board’s decision saying that, “four million teenagers will rely on these textbooks for information that is accurate and up-to-

date. Instead of doing the responsible thing and providing high school students with life-saving information about sex and health, the state board of education has left them to fend for themselves and get information from each other and sources like the Internet and MTV.”<sup>29</sup>

As the second largest textbook purchaser in the United States after California, the Texas School Board of Education’s decisions influence the buying options for other states and educational resources for scores of students across the nation.

**Texas’ Youth: Statistical Information of Note<sup>30</sup>**

- In 2005, 50% of female high school students and 55% of male high school students in Texas reported ever having had sexual intercourse compared to 46% of female high school students and 48% of male high school students nationwide.
- In 2005, 4% of female high school students and 11% of male high school students in Texas 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, 13% of female high school students and 20% of male high school students in Texas 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, 38% of female high school students and 38% of male high school students in Texas 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, 53% of females and 68% of males in Texas 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 Texas 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, 16% of females and 30% of males in Texas 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, 85% of high school students in Texas reported having been taught about AIDS/HIV in school compared to 88% of high school students nationwide.

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- In 2000, Texas' abortion rate was 17 per 1,000 women ages 15-19 compared to a teen abortion rate of 24 per 1,000 nationwide.<sup>31</sup>
- In 2002, Texas' birth rate was 64 per 1,000 women ages 15-19 compared to a teen birth rate of 43 per 1,000 nationwide.<sup>32</sup>

### *Dallas, Texas*

- In 2005, 53% of female high school students and 68% of male high school students in Dallas, Texas reported ever having had sexual intercourse compared to 46% of female high school students and 48% of male high school students nationwide.
- In 2005, 7% of female high school students and 17% of male high school students in Dallas, Texas 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, 13% of female high school students and 26% of male high school students in Dallas, Texas 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, 38% of female high school students and 44% of male high school students in Dallas, Texas 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, 49% of females and 69% of males in Dallas, Texas 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, 9% of females and 6% of males in Dallas, Texas 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 26% of males in Dallas, Texas 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 Dallas, Texas reported having been taught about AIDS/HIV in school compared to 88% of high school students nationwide.

*Houston, Texas*<sup>33</sup>

- In 2001, 43% of female high school students and 56% of male high school students in Houston, Texas reported ever having had sexual intercourse compared to 43% of female high school students and 49% of male high school students nationwide.
- In 2001, 5% of female high school students and 15% of male high school students in Houston, Texas 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 2001, 9% of female high school students and 24% of male high school students in Houston, Texas reported having had four or more lifetime sexual partners compared to 11% of female high school students and 17% of male high school students nationwide.
- In 2001, 33% of female high school students and 39% of male high school students in Houston, Texas reported being currently sexually active (defined as having had sexual intercourse in the three months prior to the survey) compared to 33% of female high school students and 33% of male high school students nationwide.
- In 2001, among those high school students who reported being currently sexually active, 19% of females and 28% of males in Houston, Texas reported having used alcohol or drugs the last time they had sexual intercourse compared to 21% of females and 31% of males nationwide.
- In 2001, among those high school students who reported being currently sexually active, 56% of females and 73% of males in Houston, Texas reported having used condoms the last time they had sexual intercourse compared to 51% of females and 65% of males nationwide.
- In 2001, among those high school students who reported being currently sexually active, 9% of females and 7% of males in Houston, Texas reported having used birth control pills the last time they had sexual intercourse compared to 21% of females and 15% of males nationwide.
- In 2001, 6% of female high school students and 6% of male high school students in Houston, Texas reported ever having been pregnant or gotten someone pregnant compared to 5% of female high school students and 4% of male high school students nationwide.
- In 2001, 81% of high school students in Houston, Texas reported having been taught about HIV/AIDS in school compared to 89% of high school students nationwide.

**Title V Abstinence-Only-Until-Marriage Funding**

Texas received \$4,777,916 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. Texas matches its federal funding with \$450,000 from the state budget. The rest of the match is provided through in-kind services and funds from sub-grantees. The money is controlled by the Texas Department of Health and is split among a media campaign (which is used only occasionally), community groups, technical assistance, program evaluation, and administrative costs. The majority of the money is given to 38 sub-grantees, six of which are school districts.

The Medical Institute, formerly known as the Medical Institute for Sexual Health, is one Title V sub-grantee. The Medical Institute works with the ChangeMakers seminar and focuses on adult community leaders to establish “a ‘Community Milieu’ that supports abstinence.” The Medical Institute holds seminars designed to develop action strategies to mobilize communities and build community-wide consensus, and is creating a media campaign to complement this project and to further its reach.

Another Title V sub-grantee, *Worth the Wait*, uses its self-titled abstinence-only education program that was created by a physician. The mission of the program is to “educate adolescents and adults on the consequences of teen sexual activity including the medical, social, economic, and legal impacts.”<sup>34</sup> The website contains sample materials and lessons to be used in the classroom. One lesson, targeting sixth grade students, discusses STDs stating that, “condoms have been proven to decrease greatly your chance of getting HIV if used correctly every time you have sex but have not been proven to reduce greatly your chance of getting other STDs.”<sup>35</sup> In fact, condoms have been shown to significantly reduce transmission of a variety of STDs.

SIECUS reviewed *Worth the Wait* and found that it covers some important topics related to sexuality such as puberty, anatomy, and sexual abuse, and that the curriculum is based on reliable sources of data. Despite these strengths, *Worth the Wait* relies on messages of fear, discourages contraceptive use, and promotes biased views of gender, marriage, and pregnancy options. For example, the curriculum explains, “teenage sexual activity can create a multitude of medical, legal, and economic problems not only for the individuals having sex but for society as a whole.”<sup>36</sup>

### *Title V Evaluation*

A state-sponsored evaluation of Texas’ Title V programs completed in September 2004 and released in February 2005, revealed an increase in sexual activity following the implementation of abstinence-only-until-marriage programs in Texas. The Texas Department of State Health Services contracted with Texas A&M University to conduct the multi-phase evaluation designed to increase understanding of the state’s Title V “abstinence education” program. Five “abstinence education” contractors in Texas volunteered to participate in this phase of the study. Students who participated in these programs, and who received parental permission, responded to questionnaires prior to participation and directly following participation.

Among other factors, the evaluation assessed students’ sexual behaviors following their participation in abstinence-only-until-marriage programs and sought to examine “factors that have been previously identified as associated with adolescents’ intention to remain abstinent... and to detect whether abstinence education programs impact these factors and/or youth’s self-reported abstinent behavior.”<sup>37</sup>

Analysis of the data revealed that both the middle and high school study groups showed “*no significant changes*” in the percentage of students “pledging not to have sex before marriage.”<sup>38</sup> In addition, the analysis revealed that following abstinence-only-until-marriage the percentage of students reporting having ever engaged in sexual intercourse increased for nearly all ages between 13 and 17 by the time of the post-test.

The report notes that abstinence-only-until-marriage “programs appear to be operating without solid, statistical evidence of their effectiveness.”<sup>39</sup> A co-investigator for the study explained, “most of what we’ve discovered shows there’s no evidence the large amount of money spent is having an effect.”<sup>40</sup> The co-investigator went on to say, “we didn’t see any strong indications these programs were having an impact in the direction desired...these programs seem to be much more concerned about politics than kids, and we need to get over that.”<sup>41</sup>

### **Community-Based Abstinence Education (CBAE)<sup>42</sup> and Adolescent Family Life Act (AFLA) Grantees**

There are fourteen CBAE grantees in Texas: Celebrate Kids, Inc., Communities in Schools—Corpus Christi Inc., Families Under Urban and Social Attack, First Choice Pregnancy Resource Center, Fisher County Rural Abstinence Education Coalition, Fort Bend Independent School District, JOVEN (receives two grants), Jordan Community Development Corporation, Laredo Independent School District, Longview Wellness Center, McLennan County Collaborative Abstinence Project(McCAP) (receives two grants), Sex Education Programs (Scott and White Memorial Hospital and Clinic) (receives two grants), Shannon Health Systems/Right Choices for Youth Program, and University of Texas Health Science Center at San Antonio.

There are five AFLA grantees: Baptist Children’s Home, Dallas Independent School District, Fifth Ward Enrichment Program, JOVEN, and Youth and Family Alliance (dba Lifeworks).

The *Worth the Wait* program focuses on Gray, Hemphill, and Wheeler Counties. It targets students ages 11–17 and their parents and uses doctors, nurses, social workers, and youth leaders to provide an abstinence message. The program is described as “medically accurate.” In addition, the program uses a media campaign to cover the entire Texas Panhandle, which consists of 25 counties. For more about *Worth the Wait*, see the Title V section.

The Fifth Ward Enrichment Program uses the *Choosing the Best* and *Sex Can Wait* curricula. JOVEN also uses the *Sex Can Wait* program.

SIECUS reviewed two of the curricula produced by Choosing the Best, Inc.—*Choosing the Best LIFE* (for high school students) and *Choosing the Best Path* (for middle school students). These reviews found that the curricula name numerous negative consequences of premarital sexual activity and suggest that teens should feel guilty, embarrassed, and ashamed of sexual behavior. For example, *Choosing the Best LIFE* states that, “relationships often lower the self-respect of both partners—one feeling used, the other feeling like the user. Emotional pain can cause a downward spiral leading to intense feelings of lack of worthlessness.” *Choosing the Best PATH* says, “sexual activity also can lead to the trashing of a person’s reputation, resulting in the loss of friends.”<sup>43</sup>

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

<b>Abstinence-Only-Until-Marriage Grantee</b> <b>Length of Grant</b>	<b>Amount of Grant</b>	<b>Type of Grant (includes Title V, CBAE, and AFLA)</b>
Texas Department of Health <a href="http://www.tdh.state.tx.us/abstain">www.tdh.state.tx.us/abstain</a>	\$4,777,916 federal \$540,000 state	Title V
Abstinence America <a href="http://www.abstinenceamerica.org">www.abstinenceamerica.org</a>	\$43,940	Title V sub-grantee
Arlington Independent School District <a href="http://www.arlington.k12.tx.us">www.arlington.k12.tx.us</a>	\$202,175	Title V sub-grantee
Austin Crisis Pregnancy Center DBA Lifecare Pregnancy Services <a href="http://www.austinflifecare.com">www.austinflifecare.com</a>	\$50,304	Title V sub-grantee
City of Laredo Health Department <a href="http://www.ci.laredo.tx.us/health.htm">www.ci.laredo.tx.us/health.htm</a>	\$92,910	Title V sub-grantee
Colorado Independent School District <a href="http://www.ccity.esc14.net">www.ccity.esc14.net</a>	\$36,464	Title V sub-grantee
Communities in Schools, Corpus Christi  DUAL GRANTEE  2004–2007	\$270,799  \$613,335	Title V sub-grantee  CBAE

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<b>Abstinence-Only-Until-Marriage Grantee</b>  <b>Length of Grant</b>	<b>Amount of Grant</b>	<b>Type of Grant (includes Title V, CBAE, and AFLA)</b>
Corpus Christi Independent School District  <a href="http://www.corpuschristiisd.org">www.corpuschristiisd.org</a>	\$134,618	Title V sub-grantee
Corpus Christi Pregnancy Center  <a href="http://www.ccpregnancy.com">www.ccpregnancy.com</a>	\$36,087	Title V sub-grantee
Dallas Independent School District  DUAL GRANTEE  2005–2006  <a href="http://www.dallasisd.org">www.dallasisd.org</a>	\$182,250  \$225,000	Title V sub-grantee  AFLA
Ector County Independent School District	\$195,519	Title V sub-grantee
Edgewood Independent School District	\$25,371	Title V sub-grantee
Families Under Urban and Social Attack  DUAL GRANTEE  2004–2007	\$82,132  \$318,011	Title V sub-grantee  CBAE
Fisher County Rural Abstinence Education Coalition  DUAL GRANTEE  2003–2006	\$155,540  \$361,517	Title V sub-grantee  CBAE

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<b>Abstinence-Only-Until-Marriage Grantee</b>  <b>Length of Grant</b>	<b>Amount of Grant</b>	<b>Type of Grant (includes Title V, CBAE, and AFLA)</b>
Fort Bend A.L.E.R.T	\$130,403	Title V sub-grantee
Girls Incorporated of Metropolitan Dallas  <a href="http://www.girlsincdallas.org">www.girlsincdallas.org</a>	\$153,712	Title V sub-grantee
Girls Incorporated of Tarrant County  <a href="http://www.girlsinctarrant.org">www.girlsinctarrant.org</a>	\$36,208	Title V sub-grantee
Harris County Public Health and Environment  <a href="http://www.hd.co.harris.tx.us">www.hd.co.harris.tx.us</a>	\$68,575	Title V sub-grantee
Hart Independent School District  <a href="http://www.region16.net/hartisd">www.region16.net/hartisd</a>	\$56,020	Title V sub-grantee
JOVEN – Juvenile Outreach Vocational/ Educational  QUADRUPLE GRANTEE 2004–2007  QUADRUPLE GRANTEE 2004–2007  QUADRUPLE GRANTEE 2005–2006  <a href="http://www.jovensa.org">www.jovensa.org</a>	\$102,556  \$312,776  \$752,312  \$222,251	Title V sub-grantee  CBAE  CBAE  AFLA

TEXAS

<b>Abstinence-Only-Until-Marriage Grantee</b>  <b>Length of Grant</b>	<b>Amount of Grant</b>	<b>Type of Grant (includes Title V, CBAE, and AFLA)</b>
Lamar County Coalition of Education, Business, and Industry	\$114,214	Title V sub-grantee
Longview Wellness Center  DUAL GRANTEE  2003–2006  TRIPLE GRANTEE  2005–2008	\$113,501  \$752,224  \$800,000	Title V sub-grantee  CBAE  CBAE
Making the Grade, Victoria	\$131,079	Title V sub-grantee
McLennan County Collaborative Abstinence Project (MCCAP)  TRIPLE GRANTEE  2002–2005  TRIPLE GRANTEE  2004–2007  <a href="http://www.mccap.org">www.mccap.org</a>	\$135,000  \$799,341  \$800,000	Title V sub-grantee  CBAE  CBAE
Medical Institute for Sexual Health  <a href="http://www.medinstitute.org">www.medinstitute.org</a>	\$135,056	Title V sub-grantee
Memorial Medical Center	\$62,188	Title V sub-grantee
Neighborhood Centers, Inc  <a href="http://www.neighborhood-centers.org">www.neighborhood-centers.org</a>	\$39,044	Title V sub-grantee

TEXAS

<b>Abstinence-Only-Until-Marriage Grantee</b>  <b>Length of Grant</b>	<b>Amount of Grant</b>	<b>Type of Grant (includes Title V, CBAE, and AFLA)</b>
New Hope Counseling Center	\$82,497	Title V sub-grantee
Planned Parenthood Center of El Paso	\$51,637	Title V sub-grantee
Scott and White Worth the Wait  TRIPLE GRANTEE  2002–2005  TRIPLE GRANTEE  2004–2007	\$152,835  \$365,898  \$799,341	Title V sub-grantee  CBAE  CBAE
Shannon Health Systems/ Right Choices for Youth Program  DUAL GRANTEE  2003–2006	\$195,983  \$800,000	Title V sub-grantee  CBAE
Skillful Living Center	\$92,500	Title V sub-grantee
Southwest Community Economic Development Corporation	\$69,877	Title V sub-grantee
Southwest Winners Foundation  <u><a href="http://www.swwf.org">www.swwf.org</a></u>	\$128,107	Title V sub-grantee
Texas A & M University  <u><a href="http://www.tamu.edu/index.html">www.tamu.edu/index.html</a></u>	\$205,990	Title V sub-grantee
Texas College  <u><a href="http://www.texascollege.edu">www.texascollege.edu</a></u>	\$133,947	Title V sub-grantee

TEXAS

<b>Abstinence-Only-Until-Marriage Grantee</b>  <b>Length of Grant</b>	<b>Amount of Grant</b>	<b>Type of Grant (includes Title V, CBAE, and AFLA)</b>
University of Texas Health Science Center at San Antonio  DUAL GRANTEE  2005–2008  <a href="http://www.uthscsa.edu">www.uthscsa.edu</a>	\$246,270  \$213,276	Title V sub-grantee  CBAE
The Urban League of Greater Dallas & North Central Texas Inc	\$86,149	Title V sub-grantee
Worth the Wait  <a href="http://www.worththewait.org">www.worththewait.org</a>	\$162,000	Title V sub-grantee
Yseita Independent School District	\$161,811	Title V sub-grantee
Celebrate Kids, Inc  2004–2007  <a href="http://www.celebratekids.com">www.celebratekids.com</a>	\$800,000	CBAE
First Choice Pregnancy Resource Center  2005–2008  <a href="http://www.1stchoice.org">www.1stchoice.org</a>	\$435,419	CBAE
Fort Bend Independent School District  2002–2005  <a href="http://www.fortbend.k12.tx.us">www.fortbend.k12.tx.us</a>	\$351,815	CBAE

TEXAS

<b>Abstinence-Only-Until-Marriage Grantee</b>  <b>Length of Grant</b>	<b>Amount of Grant</b>	<b>Type of Grant (includes Title V, CBAE, and AFLA)</b>
Jordan Community Development Corp  2004–2007	\$312,776	CBAE
Laredo Independent School District  2005–2008  <a href="http://www.laredoisd.org">www.laredoisd.org</a>	\$520,725	CBAE
Baptist Children’s Home Ministries  2005–2006	\$300,000	AFLA
Fifth Ward Enrichment Program  2005–2006  <a href="http://www.fwepinc.org">www.fwepinc.org</a>	\$225,000	AFLA
Youth and Family Alliance Inc., dba Lifeworks  2005–2006	\$181,405	AFLA

**Title V Abstinence-Only-Until-Marriage Coordinator**

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**Texas Organizations that Support Comprehensive Sexuality Education**

ACLU of Texas  
PO Box 12905  
Austin, TX 78711  
Phone: (512) 478-7300  
[www.aclutx.org](http://www.aclutx.org)

NARAL Pro-Choice Texas  
PO Box 684602  
Austin, TX 78768  
Phone: (512) 462-1661  
[www.prochoicetexas.org](http://www.prochoicetexas.org)

Planned Parenthood Houston and  
Southeast Texas Action Fund  
3601 Fannin  
Houston, TX 77004  
Phone: (713) 522-6363  
[www.pphouston.org](http://www.pphouston.org)

Planned Parenthood of North Texas Action  
Fund  
7424 Greenville Ave., Suite 206  
Dallas, TX 75231  
Phone: (214) 363-2004  
[www.ppnt.org](http://www.ppnt.org)

Planned Parenthood of San Antonio and  
South Central Texas Action Fund  
104 Babcock Rd.  
San Antonio, TX 78201  
Phone: (210) 736-2244  
[www.ppsectx.org](http://www.ppsectx.org)

Planned Parenthood of Texas Capital  
Region Action Fund  
707 Rio Grande St.  
Austin, TX 78701  
Phone: (512) 275-0171  
[www.ppaustin.org](http://www.ppaustin.org)

Texas Freedom Network  
PO Box 1624  
Austin, TX 78767  
Phone: (512) 322-0545  
[www.tfn.org](http://www.tfn.org)

Women's Health and Family Planning  
Association of Texas  
PO Box 3868  
Austin, TX 78764  
Phone: (512) 448-4857  
[www.whfpt.org](http://www.whfpt.org)

**Texas Organizations that Oppose Comprehensive Sexuality Education**

Aim For Success  
PO Box 550336  
Dallas, TX 75355  
Phone: (972) 422-2322  
[www.aimforsuccess.org](http://www.aimforsuccess.org)

Free Market Foundation  
903 E. 18<sup>th</sup> St.  
Nathaniel Barret Bldg., Suite 230  
Plano, TX 75074  
Phone: (972) 423-8889  
[www.freemarket.org](http://www.freemarket.org)

TEXAS

Life Dynamics  
PO Box 2226  
Denton, TX 76202  
Phone: (940) 380-8800  
[www.lds.org](http://www.lds.org)

The Medical Institute  
1101 S. Capital of Texas Highway  
Building B, Suite 100  
Austin, TX 78746  
Phone: (512) 328-6269  
[www.medinstitute.org](http://www.medinstitute.org)

Texas Alliance for Life  
2026 Guadalupe St., Suite 220  
Austin, TX 78705  
Phone: (512) 477-1244  
[www.texasallianceforlife.org](http://www.texasallianceforlife.org)

Texas Right To Life Committee, Inc.  
6776 Southwest Freeway, Suite 430  
Houston, TX 77074  
Phone: (713) 782-LIFE  
[www.texasrighttolife.com](http://www.texasrighttolife.com)

Wonderful Days  
3200 Riverfront, Suite 100  
Fort Worth, TX 76107  
Phone: (817) 335-5000  
[www.days.org](http://www.days.org)

**Newspapers in Texas**

*Austin American-Statesman*  
Raven Hill  
Education Reporter  
305 S. Congress Ave.  
Austin, TX 78704  
Phone: (512) 445-3620

*Austin American-Statesman*  
Mary Ann Roser  
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305 S. Congress Ave.  
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*Austin Chronicle*  
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4000 N IH 35  
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*Beaumont Enterprise*  
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<sup>1</sup> 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.

<sup>2</sup> Ashley Cook, "Teen guilty of fetal murder," *The Lufkin Daily News*, 7 June 2005, accessed 9 June 2005, <<http://www.lufkindailynews.com/hp/content/news/stories/2005/06/07/20050607LDNflores.html;COXnetJSessionIDbuild78=C0KeX591u36c97dwiqr2vdQxos0Si8SJKHaswSUu1KP1I8m0aGgC!959416843?urac=n&urvf=11183417264220.5726724211825647>>.

<sup>3</sup> SB 319, 78th Reg. Sess. (Tex. 2003).

<sup>4</sup> Associated Press, "Man Gets Life Under Fetal Protection Law," *The Washington Post*, 6 June 2005, accessed 9 June 2005, <<http://www.washingtonpost.com/wp-dyn/content/article/2005/06/06/AR2005%20060601411.html>>.

<sup>5</sup> *State Homicide Laws That Recognize Unborn Victims*, (National Right to Life Committee, 8 June 2005), accessed 10 June 2005, <[http://www.nrlc.org/Unborn\\_victims/Statehomicidelaws092302.html](http://www.nrlc.org/Unborn_victims/Statehomicidelaws092302.html)>.

<sup>6</sup> *What's Wrong with Fetal Rights*, (New York, NY: American Civil Liberties Union, 31 July 1996), accessed 9 June 2005, <<http://aclu.org/news/NewsPrint.cfm?ID=9055&c=144>>.

<sup>7</sup> *Understanding Religious and Political Opposition to Reproductive Health and Rights*, (New York: Planned Parenthood Federation of America, the Sexuality Information and Education Council of the US, and International Planned Parenthood Federation European Network, 2004), accessed 9 June 2005, <[http://www.siecus.org/inter/Pol\\_Rel\\_Opp\\_Guide.pdf](http://www.siecus.org/inter/Pol_Rel_Opp_Guide.pdf)>.

<sup>8</sup> About Us, *Scenarios USA*, accessed 20 June 2005, <<http://www.scenariosusa.com/about.html>>.

<sup>9</sup> Lynn Brezosky, "Teens Hope Sex-Ed Film Sparks Change in Texas," *The Journal Gazette* (IN), 16 May 2005, accessed 7 June 2005, <<http://www.fortwayne.com/mld/journalgazette/living/11659289.htm>>.

<sup>10</sup> Associated Press, "Texas Lawmakers OK Bill to Ban Suggestive Cheerleading," *USA Today*, 4 May 2005, accessed 12 May 05, <[http://www.usatoday.com/news/nation/2005-05-04-cheerleading-bill\\_x.htm](http://www.usatoday.com/news/nation/2005-05-04-cheerleading-bill_x.htm)>.

<sup>11</sup> *The Daily Show with Jon Stewart*, Originally aired 9 May 2005, Episode # 10063, accessed 15 May 2005, <[http://www.comedycentral.com/tv\\_shows/thedailyshowwithjonstewart/](http://www.comedycentral.com/tv_shows/thedailyshowwithjonstewart/)>.

<sup>12</sup> Associated Press, "Texas Lawmakers OK Bill to Ban Suggestive Cheerleading."

<sup>13</sup> Kristen Mack and Allen Turner, "House to Cheerleaders: Hooray, but No Hip-Hips," *Houston Chronicle*, 4 May 2005, accessed 12 May 05, <<http://www.chron.com/cs/CDA/ssistory.mpl/metropolitan/3166954>>.

<sup>14</sup> Luisa Franzini et. al., "Projected Economic Costs Due to Health Consequences of Teenagers' Loss of Confidentiality in Obtaining Reproductive Health Care Services in Texas," *Archives of Pediatrics and Adolescent Medicine*, (158 December 2004): 1140-1146.

<sup>15</sup> *Ibid.*, 1141.

<sup>16</sup> *Ibid.*, 1145.

<sup>17</sup> Jessie Milligan, "Waco Group Urges Boycott of Cookies," *Fort Worth Star-Telegram* (TX), 21 February 2004, 1B.

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

<sup>20</sup> Angela K. Brown, "Some unhappy with Girl Scouts form new group," *Associated Press*, 22 March 2004, 1.

<sup>21</sup> B. Blaney, "Judge Rules Against Gay Students in Lubbock," *Dallas Morning News*, 3 March 2004.

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> Statutory Authority: The provisions of this Subchapter C issued under the Texas Education Code, §28.002, unless otherwise noted; Chapter 115, *Texas Essential Knowledge and Skills for Health Education, Subchapter C. High School*, accessed on 24 November 2004, <<http://www.tea.state.tx.us/rules/tac/chapter115/ch115c.html>>.

<sup>25</sup> Texas Freedom Network, "State Board Approves Flawed Health Textbooks," Press Release published 5 November 2004.

<sup>26</sup> Elizabeth Pierson, "Sex education decision draws mixed reaction - Contraception: High school textbooks omit some information," *The Brownsville Herald* (TX), 7 November 2004, accessed 22 November 2004, <[http://www.brownsvilleherald.com/print.php?id=62096\\_0\\_10\\_0](http://www.brownsvilleherald.com/print.php?id=62096_0_10_0)>.

<sup>27</sup> Melissa Mixon, "Health books' changes adopted," *The Daily Texan*, 8 November 2004, accessed 22 November 2004, <[http://www.dailytexanonline.com/global\\_user\\_elements/printpage.cfm?storyid=796253](http://www.dailytexanonline.com/global_user_elements/printpage.cfm?storyid=796253)>.

<sup>28</sup> *Ibid.*

<sup>29</sup> "State Board Approves Flawed Health Textbooks."

<sup>30</sup> 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>>. Information for Texas does not include information from Houston, one of Texas' largest school systems. Houston did not participate in the 2005 or 2003 YRBS, it did participate in 2001; 2001 information for Houston is listed separately.

- <sup>31</sup> *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](http://www.guttmacher.org/pubs/state_pregnancy_trends.pdf)>
- <sup>32</sup> *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>>.
- <sup>33</sup> Jo Anne Grunbaum, et. al., “Youth Risk Behavior Surveillance — United States, 2001,” *Morbidity and Mortality Weekly Report* 51.SS-4, (28 June 2002): 1-64, accessed 28 January 2005, <<http://www.cdc.gov/nccdphp/dash/yrbs/>>. Houston, Texas did not participate in the 2005 or 2003 YRBS.
- <sup>34</sup> *What We’re About*, Worth the Wait, accessed 17 November 2005, <<http://www.worththewait.org/about.html>>.
- <sup>35</sup> *Section 5: Considering Health Risks*, Worth the Wait, accessed 17 November 2005, <<http://www.worththewait.org/curriculum/section%205.pdf>>
- <sup>36</sup> Patricia Sulak, *Worth the Wait* (Temple, TX: Scott & White Memorial Hospital, 2003). For more information, see SIECUS’ review of *Worth the Wait* at <[http://www.communityactionkit.org/curricula\\_reviews.html](http://www.communityactionkit.org/curricula_reviews.html)>.
- <sup>37</sup> Patricia Goodson, et al. *Abstinence Education Evaluation Phase 5: Technical Report* (College Station, TX: Department of Health & Kinesiology–Texas A&M University, 2004), 12.
- <sup>38</sup> *Ibid.*, 170, 172. Emphasis included in original document.
- <sup>39</sup> Patricia Goodson, et al., 192.
- <sup>40</sup> “Texas Teens Increased Sex After Abstinence Program.”
- <sup>41</sup> *Ibid.*
- <sup>42</sup> 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).
- <sup>43</sup> Bruce Cook, *Choosing the Best LIFE* (Marietta, GA: Choosing the Best Inc., 2000); Bruce Cook, *Choosing the Best PATH* (Marietta, GA: Choosing the Best Inc., 2000). For more information, see SIECUS’ reviews of *Choosing the Best LIFE* and *Choosing the Best PATH* at <[http://www.communityactionkit.org/curricula\\_reviews.html](http://www.communityactionkit.org/curricula_reviews.html)>.