



## VIRGINIA

***Virginia received \$2,554,842 in federal funds for abstinence-only-until-marriage programs in Fiscal Year 2006.<sup>1</sup>***

### **Virginia Sexuality Education Law and Policy**

The Virginia Administrative Code states that all curriculum decisions are to be left to local school boards. Virginia gives permission for local school boards to develop sexuality education programs with the “goals of reducing the incidence of pregnancy and sexually transmitted diseases [STDs] and substance abuse among teenagers.” However, the state board of education is also required to develop standards and curriculum guidelines for kindergarten through twelfth grades. The guidelines set standards for “comprehensive, sequential family life education curriculum” that include age-appropriate instruction in “family living and community relationships, abstinence education, the value of postponing sexual activity, the benefits of adoption as a positive choice in the event of an unwanted pregnancy, human sexuality, human reproduction, steps to take to avoid sexual assault, and availability of counseling, and legal resources.”

Virginia code requires each local school board to “place special emphasis on the thorough evaluation of materials related to controversial or sensitive topics such as sex education, moral education, and religion.”

In addition, every school board must establish a school health advisory board with no more than twenty members. These members should include parents, students, health professionals, educators, and others. The purpose of this advisory board is to “assist with the development of health policy in the school division and the evaluation of the status of school health, health education, the school environment, and health services.”

Each school board must create a summary of the family life education program available for distribution to parents and guardians for review. The law states that parents or guardians can remove their students from any class. This is referred to as an “opt-out” policy. Virginia laws also state that “parents should be required to justify their requests.”

See Virginia Administrative Code 8VAC20-131-170; Virginia Administrative Code 8VAC20-170-10; Code of Virginia 22.1-102-7.1, 22.1-207.2 and 22.1-275.1; and Virginia *Guidelines on Family Life Education*.

### **Recent Legislation**

*Bill Requires Family Life Education to Include Dating Violence*

House Bill 1916, introduced in January 2007 and referred to the House Committee on Education, would amend the state code to require that instruction on dating violence and the characteristics of abusive relationships is included in Family Life Education. The bill passed in the Virginia House of

Representatives on January 18, 2007 and the Senate on February 5, 2007. Governor Tim Kaine approved this measure on February 19, 2007; this law will become effective on July 1, 2007.

*Parental Right to Review Curricula Supported*

House Bill 163, introduced in January 2006 and referred to the House Committee on Education, would have given parents and guardians the right to review all family life education curricula, regardless of whether the curricula is mandatory or optional. In addition, it would have required each school board that offers family life education to develop a summary of the program to be distributed to parents. The bill died at the end of the session.

*Legislation Requires an Abstinence-Only-Until-Marriage Focus*

House Bill 164, introduced in January 2006, would have amended the state's existing family life education code to state that any "family life education course including a discussion of sexual intercourse, shall emphasize that abstinence is the accepted norm and is the only guarantee against unwanted pregnancy and sexually transmitted diseases." All family life education courses would have been required to include "age-appropriate subject matter; an emphasis on honor and respect for monogamous heterosexual marriage; a discussion on the value of postponing sexual activity until marriage, including the emotional and psychological consequences of adolescent sexual intercourse and unwanted pregnancy; information on the possible transmission of sexually transmitted diseases through protected and unprotected sexual intercourse; an overview of laws addressing (i) the financial responsibility of parents to children born out of wedlock and (ii) circumstances under which it is unlawful for unmarried persons to have sexual relations; and advice on avoiding unwanted sexual advances and resisting negative peer pressure." The bill passed the House, but died in the Senate.

*Resolution Requires Review of Family Life Education Programs*

Senate Joint Resolution 171 requires the Board of Education to survey Family Life Education programs carried out by the state, including reviewing curricula and content of instruction, the qualifications of family life education instructors, and the parental and community involvement in all the programs. The resolution, introduced in January of 2006, passed both the House and the Senate. The Virginia Board of Education must now comply with the requirements outlined in the resolution.

**Events of Note**

*Groups Speak Out Against Abstinence Presentation  
October 2006; Loudoun County, VA*

Two Virginia groups, The American Civil Liberties Union (ACLU) and Mainstream Loudoun, voiced their opposition to Keith Deltano's abstinence-only-until-marriage presentation at Loudoun County High School. Both groups objected to the presentation's religious nature.

The ACLU sent a letter to the high school's principal before the assembly hoping to ensure that the performance would not contain religious sentiments and preaching, that Deltano would not provide information about off-campus religious activities, and that he would not promote the Life Line Pregnancy Center, which funded his appearance.

The principal, however, had already reviewed Deltano's presentation and felt that it mirrored the county's abstinence-only-until-marriage stance.<sup>2</sup> Furthermore, the principal sent letters to parents about the assembly and provided students with the option of not attending the assembly.

After the assembly, Mainstream Loudoun contacted the school board members and the school superintendent with concerns that Deltano cited inaccurate information about contraception. The

group's president asked, "Is Mr. Deltano really qualified to conduct a curriculum-related program on sex?"<sup>3</sup>

The presentation was met with mixed reviews from students. While some took to his abstinence message, others found that it reflected a religious tone. "Although it's not about Christianity, there is an underlying conservative belief," one student said.<sup>4</sup>

School officials defended the program, saying that it followed the Family Life Education curriculum and the Title V Federal Code for abstinence programs in schools.<sup>5</sup>

*School Board Revises Club Policy, Keeps GSAs*  
*March 2006; Chesterfield, VA*

A Gay-Straight Alliance (GSA) in Chesterfield County sparked controversy when a gay novelist invited to speak to its members apparently used inappropriate sexual language.

Community members approached the school board and used this event as an opportunity to suggest that GSAs in the district no longer be granted official recognition. The Family Foundation, a conservative organization, proposed that the county eliminate the clubs altogether, arguing that clubs that are "in conflict with the principle that sexual abstinence before marriage or the principle of confining sexual activity to marriage between one man and one woman" should not be allowed.<sup>6</sup> One participant at the school board meeting presented a petition of 700 signatures against GSAs.

The board rejected the request to disband the GSAs after learning that the Equal Access Act prohibits school districts from barring clubs based on content. At a March school board meeting, however, the board did approve some changes to the club policy. The new policy restricts clubs from activities that contain sexually explicit material. Furthermore, principals and school administrators will now have the role of green-lighting school clubs.<sup>7</sup>

*State Delegate Wants to End Emergency Contraception Availability at Virginia Universities*  
*February 2004; VA*

Virginia State Delegate Robert G. Marshall (R) worked to discontinue the availability of emergency contraception on college campuses in Virginia. The anti-choice legislator sent letters to ten state-supported universities in March 2003 asking officials to explain why their schools were distributing emergency contraception, also known as the "morning-after pill," to students. In his letters, Marshall said the pills are a form of abortion because they prevent implantation of a fertilized egg. He further wrote that the distribution of the pills violates state law, which requires women seeking abortions to receive information about the procedure and other alternatives and to wait 24 hours before undergoing the procedure.

In response to the letters, the state attorney general sent a memo to the schools in question stating that they were not violating Virginia's informed consent law by dispensing "morning after" birth control pills to students. For the informed consent law to apply, he explained, "the pregnancy of the woman must first be established."<sup>8</sup> Because the drug is taken within hours of having unprotected sexual intercourse, this law does not apply. He went on to say that the decision of whether to dispense emergency contraception is a choice each college's board of trustees would have to resolve for themselves.

In addition to his letters, Marshall filed a Freedom of Information Act request with the University of Virginia to determine whether officials have kept records of students who receive emergency contraception. He has accused the university of giving out the drug before it was approved by the FDA in 1998. Marshall said that the availability of emergency contraceptive pills at state colleges and universities would turn young women into "chemical Love Canals for frat house playboys."<sup>9</sup>

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In January 2004, Marshall introduced Virginia House Bill 1414 to prohibit the distribution of emergency contraception at state-supported colleges and universities. The bill passed in the House but died in the Senate.

### *Virginia University Students Fight Back Against Emergency Contraception Ban February 2004; Harrisonburg, VA*

In 2003, James Madison University became the first school to end the availability of emergency contraception based on Virginia State Delegate Robert G. Marshall's (R) letter of complaint. After receiving the letter, the University's trustees ordered the campus health center to stop dispensing the pills. The trustees said that they had not been aware of the availability of the pills. The trustees also looked at the issue of whether to prohibit health center physicians from writing prescriptions for the pills to be filled at outside pharmacies, but postponed that decision.

Students, outraged by this decision, worked to pass a Student Senate bill asking the board of trustees to reverse its decision. A petition supporting this bill was signed by more than 2,700 students. As they signed the petition, many young men and women talked about the extreme need for emergency contraception on campus. "Freshmen, especially, are young and dumb," explained one senior, who also said that, four years earlier, she had made a mistake and the health center provided emergency contraception and counseling "without making me feel like an idiot." A sophomore said that she went to the health center after being sexually assaulted by several young men late at night and that getting emergency contraception was a "huge relief."

The school health center nurse agreed with the students. She argued that eliminating the chance of pregnancy early prevented later, more dangerous, alternatives such as abortion. She also pointed out that the FDA classifies emergency contraception pills as contraceptives. In fact, emergency contraception is a higher dosage of the same hormones found in birth control pills.

The Student Senate passed the bill 54-6, with 4 abstentions. In February 2004, the James Madison University Board of Visitors voted to reverse the ban on emergency contraception, after four new members were added to the Board.<sup>10</sup>

### **Virginia's Youth: Statistical Information of Note**

- In 2000, Virginia's abortion rate was 21 per 1,000 women ages 15–19 compared to a teen abortion rate of 24 per 1,000 nationwide.<sup>11</sup>
- In 2004, Virginia's birth rate was 35 per 1,000 women ages 15–19 compared to a teen birth rate of 41 per 1,000 nationwide.<sup>12</sup>
- In 2003, teens ages 13–19 accounted for 3% of the 1,193 total cases of HIV reported in Virginia.<sup>13</sup>
- In 2003, teens ages 15–19 accounted for 37% of the 19,439 total cases of Chlamydia reported in Virginia.<sup>14</sup>
- In 2003, teens ages 15–19 accounted for 28% of the 10,462 total cases of gonorrhea reported in Virginia.<sup>15</sup>

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

Virginia received \$841,329 in federal Title V funding in Fiscal Year 2006. 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. Virginia matches the federal money with \$375,098 of state funds. This money is controlled by the Abstinence Education Initiative, which is part of the Virginia Department of Health's Office of Family Health Services.

The Abstinence Education Initiative funds two sub-grantees, an evaluation, community-based programs, information dissemination, and a social marketing campaign.

Approximately \$200,000 is allocated to the dissemination of information which includes developing and purchasing pamphlets, posters, and videos that are distributed to schools, teen health facilities, and agencies serving youth. The American Institute of Research (AIR) has been funded to create and run a state-specific social marketing campaign developed to target parents of young people ages 10–14 with a tool kit called *Talk to Me*. AIR developed and disseminated 50,000 of these tool kits throughout the state. A portion of the funds is used for advertising the *Talk to Me* tool kit in Virginia's major cities.

The Abstinence Education Initiative also funds community-based abstinence promotion in the Chesterfield health district. A portion of the funds are also used by the Virginia Commonwealth University to evaluate the programs.

Finally, the Abstinence Education Initiative funds two sub-grantees that are currently being evaluated: Alliance for Families & Children (fiscal administrator for two programs), and the Horizons Unlimited Youth and Development, Inc. (formerly Horizons Unlimited Ministries). Sub-grantees use two abstinence curricula: *Individuals Abstaining Until Marriage (I.A.M.)* and *WAIT (Why Am I Tempted) Training*.

SIECUS reviewed *WAIT (Why Am I Tempted) Training* and found that it contains little medical or biological information and almost no information about STDs, including HIV/AIDS. Instead, it contains information and statistics about marriage, many of which are outdated and not supported by scientific research. It also contains messages of fear and shame and biased views of gender, sexual orientation, and family type. For example, *WAIT Training* explains that “men sexually are like microwaves and women sexually are like crockpots....A woman is stimulated more by touch and romantic words. She is far more attracted by a man's personality while a man is stimulated by sight. A man is usually less discriminating about those to whom he is physically attracted.”<sup>16</sup>

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

There are two CBAE grantees in Virginia: Charlottesville Pregnancy Center and Educational Guidance Institute. There are two AFLA grantees in Virginia: the Boat People SOS and James Madison University.

Charlottesville Pregnancy Center is a crisis pregnancy center. Crisis pregnancy centers typically advertise as providing medical services and then use anti-abortion propaganda, misinformation, and fear and shame tactics to dissuade women facing unintended pregnancy from exercising their right to choose. Charlottesville Pregnancy Center has a strong anti-choice message. Its website states, “The unborn child is alive prior to the abortion procedure, and there is strong evidence that the unborn child can feel pain as early as twelve weeks. The abortion procedure is thought to be painful for the unborn child, as no anesthesia is administered to the fetus.”<sup>17</sup>

The website also includes a section for teens. In one chart, it compares a “SMART SEXUALITY/ Chaste Lifestyle” with “RISKY SEXUALITY/ Dangerous Lifestyle” and suggests that sexually active teens may face any number of hardships: “Having more than one sexual partner; no long-term

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commitment to monogamy”; “Alone while pregnant”; “Disrespected by opposite sex”; “Painful memories of past relationships”; and “Guilt, shame, and secrecy.”<sup>18</sup> Another part of the teen section contains “Partial Listing of STDs and Consequences.” Without acknowledging that many STDs can be cured or treated without any long-term health consequences, the website lists the “results of STDs” as “Pelvic Inflammatory Disease; Ectopic Pregnancy; Cervical Cancer; Infertility; Pain; Death.”<sup>19</sup>

The Educational Guidance Institute, another CBAE grantee, was founded and is directed by Onalee McGraw. Ms. McGraw serves on the board of the Abstinence Clearinghouse and is also a contributing editor to Women for Faith and Family’s newsletter.<sup>20</sup> According to the Educational Guidance Institute’s website, the mission of its abstinence-only-until-marriage program is to challenge youth “to become emotionally attached to the good of abstinence until marriage.”<sup>21</sup> The Educational Guidance Institute uses the publication *Teaching the Whole Person about Love, Sex and Marriage* which covers the topics: “Rebuilding a Culture of Marriage and Strengthening Family Life; Opposing Views on the Truth and Meaning of Human Sexuality; Challenging the Cultural Legacy of the Sexual Revolution; Classic vs. Modern Philosophies of Human Nature and Sexuality; Principles and Practice of Whole Person Learning Theory; and the Virtuous Habits of the Heart in Love, Sexuality, Marriage and Family.”<sup>22</sup>

**Federal and State Funding for Abstinence-Only-Until-Marriage Programs in FY 2006**

<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, AFLA, and other funds)</b>
Virginia Department of Health <a href="http://www.vdh.state.va.us">www.vdh.state.va.us</a>	\$841,329 federal \$375,098 state	Title V
Alliance for Families & Children	\$289,000	Title V sub-grantee
American Institute for Research <a href="http://www.air.org">www.air.org</a>	\$651,161	Title V sub-grantee
Chesterfield Health Department <a href="http://www.chesterfield.gov/HumanServices/Health">www.chesterfield.gov/HumanServices/Health</a>	\$75,000	Title V sub-grantee
Horizons Unlimited Youth and Development, Inc	\$125,000	Title V sub-grantee
Virginia Commonwealth University <a href="http://www.vcu.edu">www.vcu.edu</a>	\$177,741	Title V sub-grantee

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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, AFLA, and other funds)</b>
Charlottesville Pregnancy Center  2005–2008  <a href="http://www.virginiapregnancy.org/civil.html">www.virginiapregnancy.org/civil.html</a>	\$645,642	CBAE
Educational Guidance Institute  2005–2008  <a href="http://www.educationalguidance.org">www.educationalguidance.org</a>	\$698,840	CBAE
The Boat People SOS  2002–2007  <a href="http://www.bpsos.org">www.bpsos.org</a>	\$100,00	AFLA
James Madison University  2004–2009  <a href="http://www.jmu.edu">www.jmu.edu</a>	\$269,031	AFLA

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

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 Virginia Department of Health  
 Office of Family Health Services  
 1500 East Main St., Suite 104  
 P.O. Box 2448  
 Richmond, VA 23218  
 Phone: (804) 864-7685

**Virginia Organizations that Support Comprehensive Sexuality Education**

Equality Virginia  
 421 East Franklin St., Suite 310  
 Richmond, VA 23219  
 Phone: (804) 643-4816  
[www.equalityvirginia.org](http://www.equalityvirginia.org)

Planned Parenthood Advocates of Virginia  
 3415 Floyd Ave.  
 Richmond, VA 23221  
 Phone: (804) 355-4358  
[www.ppav.org](http://www.ppav.org)

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**Virginia Organizations that Oppose Comprehensive Sexuality Education**

American Life League  
P.O. Box 1350  
Stafford, VA 22555  
Phone: (540) 659-4171  
[www.all.org](http://www.all.org)

The Family Foundation  
One Capital Square  
830 East Main St., Suite 1201  
Richmond, VA 23219  
Phone: (804) 343-0010  
[www.familyfoundation.org](http://www.familyfoundation.org)

**Newspapers in Virginia**

*Daily Press*  
Health & Medicine Reporter  
P.O. Box 746  
Newport News, VA 23607  
Phone: (757) 247-4600

*The Free Lance-Star*  
Jim Hall  
Medical/Health Reporter  
616 Amelia St.  
Fredericksburg, VA 22401  
Phone: (540) 374-5433

*Richmond Times-Dispatch*  
Pauline Clay  
Health & Medicine Editor  
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Richmond, VA 23293  
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*The News & Advance*  
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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 2006 begins on October 1, 2005 and ends on September 30, 2006.

<sup>2</sup> Michael Alison Chandler, "The Abstinence Shtick, Minus Jesus," *Washington Post*, 13 October 2006, accessed 16 October 2006, <<http://www.washingtonpost.com/wpdyn/content/article/2006/10/12/AR2006101201576.html>>.

<sup>3</sup> Charlie Jackson, "Group Objects to Abstinence Program at High School," *Leesburg Today*, 19 October 2006, accessed 24 October 2006, <<http://www.leesburg2day.com/articles/2006/10/19/schools/edu22abstinence101906.txt>>.

<sup>4</sup> Chandler.

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- <sup>5</sup> Jackson.
- <sup>6</sup> Lou Chibbaro, Jr., "School Board Asked to Ban Gay Group," *Washington Blade*, 10 March 2006, accessed 15 March 2006, <[http://www.washblade.com/thelatest/thelatest.cfm?blog\\_id=5521](http://www.washblade.com/thelatest/thelatest.cfm?blog_id=5521)>.
- <sup>7</sup> Lou Chibbaro, Jr., "Chesterfield School Board Vote Bolsters Alliance," *Washington Blade*, 17 March 2006, accessed 4 January 2007, <[http://www.washblade.com/print.cfm?content\\_id=7810](http://www.washblade.com/print.cfm?content_id=7810)>.
- <sup>8</sup> B. Lewis, "Colleges Don't Break Informed Consent Law With 'Morning-After' Pills," *Associated Press*, 9 May 2003.
- <sup>9</sup> Katha Pollitt, "Toothpaste, Cough Drops, Aspirin, Contraception," *The Nation*, 15 March 2004, accessed 1 April 2006 <<http://www.thenation.com/doc/20040315/pollitt>>.
- <sup>10</sup> Laura Sessions Stepp, "Ban On Morning-After Pill Spurs Protest," *Chicago Tribune*, 7 May 2003, 3A.
- <sup>11</sup> U.S. *Teenage Pregnancy Statistics: Overall Trends, Trends by Race and Ethnicity and State-by-State Information* (New York: The Guttmacher Institute, February 2004), accessed 26 January 2007, <<http://www.guttmacher.org/pubs/2006/09/12/USTPstats.pdf>>.
- <sup>12</sup> *National Vital Statistics Reports 55.01* (Hyattsville, MD: National Center for Health Statistics, 2006), 10, accessed 26 January 2006, <[http://www.cdc.gov/nchs/data/nvsr/nvsr55/nvsr55\\_01.pdf](http://www.cdc.gov/nchs/data/nvsr/nvsr55/nvsr55_01.pdf)>.
- <sup>13</sup> *Division of HIV, STD, and Pharmacy Services Surveillance Quarterly* (Richmond, VA: Virginia Department of Health, March 2004), 6, accessed 26 January 2007, <[http://www.vdh.state.va.us/std/Qtr1\\_04.pdf](http://www.vdh.state.va.us/std/Qtr1_04.pdf)>.
- <sup>14</sup> Ibid, 29.
- <sup>15</sup> Ibid, 23.
- <sup>16</sup> Joneen Krauth-Mackenzie, *WAIT (Why Am I Tempted) Training, Second Edition* (Greenwood Village, CO: WAIT Training, undated). For more information, see SIECUS' review of *WAIT Training* at <[http://www.communityactionkit.org/curricula\\_reviews.html](http://www.communityactionkit.org/curricula_reviews.html)>.
- <sup>17</sup> "What Is an Abortion?," The Pregnancy Centers of Central Virginia, (2004), accessed 25 January 2007, <<http://www.virginiapregnancy.org/abortion.html>>.
- <sup>18</sup> "Just For Teens: Facts," The Pregnancy Centers of Central Virginia, (2004), accessed 5 February 2007, <<http://www.virginiapregnancy.org/teenfacts.html>>.
- <sup>19</sup> Ibid.
- <sup>20</sup> "Onalee McGraw," Women for Faith and Family, accessed 25 January 2007, <<http://www.wf-f.org/bd-omcgraw.html>>.
- <sup>21</sup> "Abstinence Education," Educational Guidance Institute, (2005), accessed 25 January 2007, <<http://www.educationalguidance.org/abstinence.htm>>.
- <sup>22</sup> Ibid.