



## WEST VIRGINIA

### West Virginia Sexuality Education Law and Policy

West Virginia law does not require schools to teach sexuality education, but does require HIV/AIDS-prevention education in grades six through 12.<sup>1</sup> According to the West Virginia Board of Education's AIDS Education Policy, "[t]he goal of this policy is to assist in the protection of students by providing them with the knowledge and skills necessary to avoid behaviors that will put them at the risk of infection with the human immunodeficiency virus (HIV)."<sup>2</sup> Each county board must integrate HIV-prevention education into health courses and may also include it in "science, social studies and developmental guidance" courses in order to "assure total understanding of the disease and its consequences."<sup>3</sup> Educators conducting classroom instruction about HIV/AIDS must be qualified professionals who participate in staff development to ensure they teach current AIDS information.<sup>4</sup>

West Virginia does not require any specific curriculum; however, the Board of Education's *21<sup>st</sup> Century Health Education 5-12 Content Standards and Objectives for West Virginia Schools* curriculum framework includes sexuality education.

Parents or guardians may remove their children from any part of this instruction by written notification to the principal.<sup>5</sup> This is referred to as an "opt-out" policy.

See West Virginia Code §18-2-9; West Virginia Board of Education Policies 2422.4, 2422.45, and 2520.5; and *21<sup>st</sup> Century Health Education 5-12 Content Standards and Objectives for West Virginia Schools*.

### Recent Legislation

#### *Bill Requires Written Policies for Faith-based and Abstinence-only Facilities Introduced*

House Bill 2373, introduced in February 2009, would have required faith-based, abstinence-only and anti-choice facilities to have written policies and procedures including but not limited to: safety rules and practices relating to personnel that require full disclosure and information to pregnant girls and women regarding sex education, contraception, pregnancy, adoption, abortions; childbirth and the care and education of children; procedures and information that fully disclose the type of equipment, gases, liquids, drugs, supplies and services used in obtaining an abortion, used in the care and treatment of a pregnancy and childbirth, and any correlating side effects and the costs of each procedure; provisions for disseminating information to users of the facility regarding rape, incest, spouse abuse, adoption, child abuse, child support, children's health insurance policies, government benefits and other social issues related to the birth, life and welfare of a child; provisions for disseminating information to users of the facility regarding the cost of contraceptives, abortions, adoptions, childbirth and child rearing, including, but not limited to, costs of health care and education of a child. The bill was referred to the Committee on Health and Human Resources, where it died.

**West Virginia's Youth: Statistical Information of Note<sup>6</sup>**

- In 2009, 55% of female high school students and 54% of male high school students in West Virginia reported ever having had sexual intercourse compared to 46% of female high school students and 46% of male high school students nationwide.
- In 2009, 5% of female high school students and 8% of male high school students in West Virginia reported having had sexual intercourse before age 13 compared to 3% of female high school students and 8% of male high school students nationwide.
- In 2009, 15% of female high school students and 16% of male high school students in West Virginia reported having had four or more lifetime sexual partners compared to 11% of female high school students and 16% of male high school students nationwide.
- In 2009, 42% of female high school students and 38% of male high school students in West Virginia reported being currently sexually active (defined as having had sexual intercourse in the three months prior to the survey) compared to 36% of female high school students and 33% of male high school students nationwide.
- In 2009, among those high school students who reported being currently sexually active, 48% of females and 61% of males in West Virginia reported having used condoms the last time they had sexual intercourse compared to 54% of females and 69% of males nationwide.
- In 2009, among those high school students who reported being currently sexually active, 26% of females and 20% of males in West Virginia reported having used birth control pills the last time they had sexual intercourse compared to 23% of females and 16% of males nationwide.
- In 2009, among those high school students who reported being currently sexually active, 20% of females and 25% of males in West Virginia reported having used alcohol or drugs the last time they had sexual intercourse compared to 17% of females and 26% of males nationwide.
- In 2009, 86% of high school students in West Virginia reported having been taught about AIDS/HIV in school compared to 87% of high school students nationwide.

**West Virginia Youth Sexual Health Statistics***Teen Pregnancy, Birth, and Abortion*

- West Virginia's teen pregnancy rate ranks 27<sup>th</sup> in the U.S., with a rate of 62 pregnancies per 1,000 young women ages 15–19 compared to the national rate of 70 pregnancies per 1,000.<sup>7</sup> There were a total of 3,470 pregnancies among young women ages 15–19 reported in 2005, the most recent year for which data are available, in West Virginia.<sup>8</sup>
- West Virginia's teen birth rate ranked 17<sup>th</sup> in the U.S. in 2005, with a rate of 43.4 births per 1,000 young women ages 15–19 compared to the national rate of 40.5 births per 1,000.<sup>9</sup> In 2005, there were a total of 2,450 live births reported to young women ages 15–19 in West Virginia.<sup>10</sup>

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- In 2006, the U.S. teen birth rate increased for the first time in 15 years by 3% from 40.5 to 41.9 births per 1,000 young women ages 15–19, after having steadily declined between 1991 and 2005.<sup>11</sup> West Virginia's teen birth rate also increased between 2005 and 2006, from 43.4 to 44.9 births per 1,000 young women ages 15–19.<sup>12</sup>
- West Virginia's teen abortion rate ranks 42<sup>nd</sup> in the U.S., with a rate of 9 abortions per 1,000 young women ages 15–19 compared to the national rate of 19 abortions per 1,000. In 2005, there were a total of 309 abortions reported among young women ages 15–19 in West Virginia.<sup>13</sup>

### *HIV and AIDS*

- West Virginia ranks 40<sup>th</sup> in cases of HIV infection diagnosed in the U.S. among all age groups. In 2007, there were a total of 50 new cases of HIV infection diagnosed in West Virginia.<sup>14</sup>
- West Virginia ranks 27<sup>th</sup> in cases of HIV/AIDS diagnosed among young people ages 13–19 out of the 34 states with confidential, name-based HIV infection reporting. In 2007, there were a total of 3 young people ages 13–19 diagnosed with HIV/AIDS in West Virginia.<sup>15</sup>
- West Virginia's AIDS rate ranks 39<sup>th</sup> in the U.S., with a rate of 4.2 cases per 100,000 population compared to the national rate of 12.5 cases per 100,000.<sup>16</sup>
- West Virginia ranks 39<sup>th</sup> in number of reported AIDS cases in the U.S. among all age groups. In 2007, there were a total of 76 new AIDS cases reported in West Virginia.<sup>17</sup>
- In 2007, there were no AIDS cases reported among young people ages 13–19 in West Virginia.<sup>18</sup>

### *Sexually Transmitted Diseases*

- West Virginia ranks 47<sup>th</sup> in reported cases of Chlamydia among young people ages 15–19 in the U.S., with an infection rate of 10.21 cases per 1,000 compared to the national rate of 19.51 cases per 1,000. In 2008, there were a total of 1,199 cases of Chlamydia reported among young people ages 15–19 in West Virginia.<sup>19</sup>
- West Virginia ranks 38<sup>th</sup> in reported cases of gonorrhea among young people ages 15–19 in the U.S., with an infection rate of 1.49 cases per 1,000 compared to the national rate of 4.52 cases per 1,000. In 2008, there were a total of 175 cases of gonorrhea reported among young people ages 15–19 in West Virginia.<sup>20</sup>
- West Virginia ranks 23<sup>rd</sup> in reported cases of primary and secondary syphilis among young people ages 15–19 in the U.S., with an infection rate of 0.02 cases per 1,000 compared to the national rate of 0.04 cases per 1,000.<sup>21</sup>

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

*SIECUS is not aware of any examples of model programs, policies, or best practices being implemented in West Virginia public schools that provide a more comprehensive approach to sex education for young people.*

*We encourage you to submit any updated or additional information on comprehensive approaches to sex education being implemented in West Virginia public schools for inclusion in future publications of the SIECUS State Profiles. Please visit SIECUS' "Contact Us" webpage at [www.siecus.org](http://www.siecus.org) to share information. Select "state policy" as the subject heading.*

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

The Department of Health and Human Services and community-based organizations in West Virginia received \$871,450 in federal funds for abstinence-only-until-marriage programs in Fiscal Year 2009.<sup>22</sup>

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*Title V Abstinence-Only-Until Marriage Funding*

- West Virginia received \$271,450 in federal Title V abstinence-only-until-marriage funding in Fiscal Year 2009. Due to the expiration of the grant program on June 30, 2009, three months prior to the end of the federal fiscal year, the state received three quarters of the total funding allocated for the full fiscal year.
- The West Virginia Department of Health and Human Services distributes federal Title V abstinence-only-until-marriage funds to five sub-grantees, including two community-based organizations, two crisis pregnancy centers, and one health center.
- 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 could have been provided in part or in full by local groups.
- In West Virginia, sub-grantees contributed to the match through a combination of direct revenue and in-kind services.

*Community-Based Abstinence Education (CBAE) Funding*

- There is one CBAE grantee in West Virginia, Mission West Virginia, Inc., which received \$600,000 in CBAE funding for Fiscal Year 2009.

*Adolescent Family Life Act (AFLA) Funding*

- There are no AFLA grantees in West Virginia.

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

*SIECUS is not aware of any commercially available curricula used by abstinence-only-until-marriage grantees in West Virginia.*

*To read reviews of abstinence-only-until-marriage curricula commonly used by federal grantees please visit the “Curricula and Speaker Reviews” webpage of SIECUS’ Community Action Kit at [www.communityactionkit.org](http://www.communityactionkit.org).*

**Federal Funding for Abstinence-Only-Until-Marriage Programs in FY 2009<sup>23</sup>**

Abstinence-Only-Until-Marriage Grantee	Title V	CBAE (Length of Grant)	AFLA (Length of Grant)
West Virginia Department of Health and Human Services <a href="http://www.wvdhhr.org">www.wvdhhr.org</a>	\$271,450  (federal grant)		
Community Action of South Eastern West Virginia <a href="http://www.casewv.org">www.casewv.org</a>	\$28,592  (sub-grant)		

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Abstinence-Only-Until-Marriage Grantee	Title V	CBAE (Length of Grant)	AFLA (Length of Grant)
The Gabriel Project of West Virginia <a href="http://www.gabrielwv.org">www.gabrielwv.org</a>	\$41,908 (sub-grant)		
Mission West Virginia, Inc. <a href="http://www.missionwv.org">www.missionwv.org</a>		\$600,000 (2007–2012)	
Rainelle Medical Center <a href="http://www.rmchealth.org">www.rmchealth.org</a>	\$37,619 (sub-grant)		
Regeneration, Inc. <a href="http://www.regenerationinc.org">www.regenerationinc.org</a>	\$82,882 (sub-grant)		
Women’s Care Center <a href="http://www.yourpregnancychoices.com">www.yourpregnancychoices.com</a>	\$47,667 (sub-grant)		

**Adolescent Health Contact<sup>24</sup>**

Patty McGrew  
 Adolescent Health Initiative  
 Office of Maternal, Child and Family Health  
 West Virginia Department of Health and Human Services  
 350 Capitol Street, Room 427  
 Charleston, WV 25301  
 Phone: (304) 558-4934

**West Virginia Organizations that Support Comprehensive Sexuality Education**

ACLU of West Virginia  
 P.O. Box 3952  
 Charleston, WV 25339  
 Phone: (304) 345-9246  
[www.acluwv.org](http://www.acluwv.org)

Charleston AIDS Network  
 P.O. Box 1024  
 Charleston, WV 25324  
 Phone: (304) 345-4673  
[www.aidsnet.net](http://www.aidsnet.net)

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Rainbow Pride of West Virginia  
P.O. Box 2624  
Charleston, WV 25329  
Phone: (304) 345-9938  
[www.pridewv.org](http://www.pridewv.org)

**West Virginia Organizations that Oppose Comprehensive Sexuality Education**

West Virginia Family Foundation  
P.O. Box 3421  
Charleston, WV 25334  
Phone: (304) 965-6700  
[www.wvfamily.org](http://www.wvfamily.org)

West Virginians for Life  
25 Canyon Road  
Morgantown, WV 26508  
Phone: (304) 594-9845  
[www.wvforLife.org](http://www.wvforLife.org)

**Newspapers in West Virginia<sup>25</sup>**

*Charleston Daily Mail*  
Newsroom  
1001 Virginia Street E  
Charleston, WV 25301  
Phone: (304) 348-4830  
[www.dailymail.com](http://www.dailymail.com)

*Charleston Gazette*  
Newsroom  
1001 Virginia Street E  
Charleston, WV 25301  
Phone: (304) 348-5100  
[www.wvgazette.com](http://www.wvgazette.com)

*Dominion Post*  
Newsroom  
1251 Earl L. Core Road  
Morgantown, WV 26505  
Phone: (304) 291-9425  
[www.dominionpost.com](http://www.dominionpost.com)

*Herald-Dispatch*  
Newsroom  
946 5<sup>th</sup> Avenue  
Huntington, WV 25701  
Phone: (304) 526-2773  
[www.herald-dispatch.com](http://www.herald-dispatch.com)

*News and Sentinel*  
Newsroom  
519 Juliana Street  
Parkersburg, WV 26101  
Phone: (304) 485-1891  
[www.nesandsentinel.com](http://www.nesandsentinel.com)

*Wheeling News-Register*  
Newsroom  
1500 Main Street  
Wheeling, WV 26003  
Phone: (304) 233-0100  
[www.news-register.com](http://www.news-register.com)

**Political Blogs in West Virginia**

*Progressive Democrats of West Virginia*  
[www.pdawv.blogspot.com](http://www.pdawv.blogspot.com)

*West Virginia Blue*  
[www.wvablue.com](http://www.wvablue.com)

<sup>1</sup> W. Va. Code §18-2-9(b)(1).

<sup>2</sup> W. Va. Board of Education Policy 2422.4 § 126-50A-2.

<sup>3</sup> W. Va. Board of Education Policy 2422.4 § 126-50A-4.3.

<sup>4</sup> W. Va. Board of Education Policy 2422.4 § 126-50A-3.3.1.

<sup>5</sup> W. Va. Code §18-2-9(b)(1).

<sup>6</sup> Danice K. Eaton, et. al., “Youth Risk Behavior Surveillance—United States, 2009,” *Surveillance Summaries, Morbidity and Mortality Weekly Report*, vol. 59, no. SS-5 (4 June 2010): 98–109, accessed 4 June 2010, <<http://www.cdc.gov/mmwr/pdf/ss/ss5905.pdf>>.

<sup>7</sup> U.S. *Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, (Washington, DC: Guttmacher Institute, January 2010), accessed 5 March 2010, <<http://www.guttmacher.org/pubs/USTPtrends.pdf>>, Table 3.1.

<sup>8</sup> *Ibid.*, Table 3.2.

<sup>9</sup> Joyce A. Martin, et. al., “Births: Final Data for 2006,” *National Vital Statistics Reports*, vol. 57, number 7 (Hyattsville, MD: Centers for Disease Control and Prevention, 7 January 2009), accessed 5 March 2010, <[http://www.cdc.gov/nchs/data/nvsr/nvsr57/nvsr57\\_07.pdf](http://www.cdc.gov/nchs/data/nvsr/nvsr57/nvsr57_07.pdf)>, Table B.

<sup>10</sup> U.S. *Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*, Table 3.2.

<sup>11</sup> Martin, et. al., “Births: Final Data for 2006,” 4.

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

<sup>13</sup> U.S. *Teenage Pregnancies, Births, and Abortions: National and State Trends and Trends by Race and Ethnicity*. Table 3.5.

<sup>14</sup> “Cases of HIV Infection and AIDS in the United States and Dependent Areas, 2007,” *HIV/AIDS Surveillance Report*, vol. 19, (Atlanta, GA: Centers for Disease Control and Prevention, February 2009), accessed 5 March 2010, <<http://www.cdc.gov/hiv/topics/surveillance/resources/reports/2007report/pdf/2007SurveillanceReport.pdf>>, Table 18.

<sup>15</sup> Slide 6: “Estimated Numbers of HIV/AIDS Cases among Adolescents 13 to 19 Years of Age, 2007—34 States,” *HIV/AIDS Surveillance in Adolescents and Young Adults (through 2007)*, (Atlanta, GA: Centers for Disease Control and Prevention, May 2009), accessed 25 March 2010, <<http://www.cdc.gov/hiv/topics/surveillance/resources/slides/adolescents/index.htm>>.

<sup>16</sup> *Ibid.*; “AIDS Case Rate per 100,000 Population, All Ages, 2007,” (Menlo Park, CA; Kaiser Family Foundation), accessed 5 March 2010, <<http://www.statehealthfacts.org/comparabletable.jsp?ind=513&cat=11&sub=120&yr=62&typ=1&sort=a>>.

<sup>17</sup> *Ibid.*, Table 16.

<sup>18</sup> Slide 15: “Reported AIDS Cases among Adolescents 13 to 19 Years of Age, 2007—United States and Dependent Areas,” *HIV/AIDS Surveillance in Adolescents and Young Adults (through 2007)*, (Atlanta, GA: Centers for Disease Control and Prevention, May 2009), accessed 25 March 2010, <<http://www.cdc.gov/hiv/topics/surveillance/resources/slides/adolescents/index.htm>>.

<sup>19</sup> “Wonder Database: Selected STDs by Age, Race/Ethnicity, and Gender, 1996-2008 Results,” (Atlanta, GA: Centers for Disease Control and Prevention), 30 June 2009, accessed 5 March 2010, <<http://wonder.cdc.gov>>; see also Table 10: “Chlamydia: Reported Cases and Rates Per 100,000 Population by Age Group and Sex: United States, 2004–2008,” *Sexually Transmitted Disease Surveillance 2008*, (Atlanta, GA: Centers for Disease Control and Prevention, Division of STD Prevention, November 2009), accessed 5 March 2010, <<http://www.cdc.gov/std/stats08/surv2008-Complete.pdf>>, 95.

<sup>20</sup> *Ibid.*; see also Table 20: “Gonorrhea—Reported Cases and Rates per 100,000 Population by Age Group and Sex: United States, 2004–2008,” *Sexually Transmitted Disease Surveillance 2008*, 106.

<sup>21</sup> *Ibid.*; see also Table 33: “Primary and Secondary Syphilis—Reported Cases and Rates per 100,000 Population by Age Group and Sex: United States, 2004–2008,” *Sexually Transmitted Disease Surveillance 2008*, 121.

<sup>22</sup> This refers to the federal government’s fiscal year, which begins on October 1<sup>st</sup> and ends on September 30<sup>th</sup>. The fiscal year is designated by the calendar year in which it ends; for example, Fiscal Year 2009 began on October 1, 2008 and ended on September 30, 2009.

<sup>23</sup> Through the Fiscal Year 2010 appropriations process, Congress eliminated all discretionary funding for abstinence-only-until-marriage programs, including the entire CBAE program and the abstinence-only-until-marriage portion of AFLA. The grant years listed in the chart reflect the years for which funding was originally approved; however, the grants effectively ended in Fiscal Year 2009.

<sup>24</sup> SIECUS has identified this person as a state-based contact for information on adolescent health and if applicable, abstinence-only-until-marriage programs.

<sup>25</sup> This section is a list of major newspapers in your state with contact information for their newsrooms. This list is by no means exhaustive and does not contain the local level newspapers which are integral to getting your message out to your community. SIECUS strongly urges you to follow stories about the issues that concern you on the national, state, and local level by using an internet news alert service such as [Google alerts](#), becoming an avid reader of your local papers, and establishing relationships with reporters who cover your issues. For more information on how to achieve your media goals visit the SIECUS [Community Action Kit](#).