

# The SIECUS State Profiles



## FLORIDA

### FLORIDA'S SEX ED SNAPSHOT

#### THE STATE OF SEX EDUCATION

Advocates have diligently worked to advance sex education in Florida over recent years, their most recent efforts culminating in the introduction of a series of progressive bills ([House Bill 703](#), [Senate Bill 926](#), and [Senate Bill 982](#)). House Bill 703 and Senate Bill 926, were both introduced in an attempt to pass the “Florida Healthy Adolescent Act,” which sought to require schools that provide sex education to teach comprehensive instruction on sexuality that is culturally responsive to the needs of young people of color and LGBTQ youth and includes topics such as healthy relationships and the full range of contraceptive methods. Senator Perry Thurston introduced Senate Bill 982 in an effort to include instruction on human trafficking in Florida’s comprehensive health education curriculum.

While all three bills were ultimately unsuccessful, they demonstrate a significant effort to advance sex education requirements statewide. In addition to these three bills, [Senate Bill 1454](#) was introduced by Senator Debbie Mayfield in a regressive effort to require parents and guardians to receive notification of topics related to human sexuality and provide consent for their children to participate in sex education instruction. While parents should be informed on what sexual health curriculum their children are being taught, “[opt-in](#)” policies present an unnecessary barrier to receiving sex education. “Opt-out” policies, similar to the one currently required under Florida statute, allow parents to remove their children from sex education instruction without requiring additional hurdles for parents who want their children to receive such instruction.

Sex education is not currently mandated in Florida. Schools that do teach sex education must emphasize abstinence as the expected social standard. Since Florida schools are not required to provide sex education to students, school districts are left to decide what type of sex education—if any at all—they provide to youth. Mandating local control over sex education presents unique challenges that have resulted in a glaring disparity regarding the quality of sex education that students receive. Such discretion allows for the implementation of policies and curriculum that stigmatize marginalized youth, such as students of color and LGBTQ youth, and presents further challenges in ensuring that low income districts have access to the resources needed to implement comprehensive sex education. While some districts, such as [Putnam County](#), mandate comprehensive sex education, others, such as [St. John’s County](#), mandate abstinence only instruction. Regardless of how advanced a particular district’s curriculum may be, state statute mandates that HIV/AIDS instruction emphasize the benefits of heterosexual marriage. This requirement is particularly harmful to vulnerable LGBTQ youth.

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Many parents and community members have spoken out against unsatisfactory curriculum, such as parents in Hillsborough and Pinellas counties. These parents began [speaking out](#) in 2019 against curriculum that they claim failed to provide enough information to their children. It has been [reported](#) that the religious organization More2Life, [linked](#) to a Florida-based crisis pregnancy center (CPCs), is approved to teach abstinence only curriculum in Pinellas County. CPCs, also referred to as fake clinics, rely on deceptive messaging to draw in individuals trying to access reputable reproductive health care services and provide false, manipulative information about abortion care. Unfortunately, crisis pregnancy centers have increasingly received federal funding to deliver abstinence-only instruction [nationwide](#). It has been [reported](#) that More2Life's presentation includes a metaphor that compares sex to a fire, arguing that it is only safe within the context of marriage—similar to fire only being safe when it burns in a fireplace.

To improve access to quality sex education instruction, The Florida Department of Education has developed a [Community Action Tool Kit](#) to assist localities with the implementation of advanced sex education and also provides technical assistance to support districts in implementing advanced curriculum.

Right now, advocates can take action to ensure young people in their community have access to quality sex education. After identifying what topics are missing from local sex education requirements, advocates can vocalize the importance of implementing specific elements of comprehensive sex education, such as trauma informed, culturally responsive curriculum that addresses the needs of youth of color and includes instruction on topics such as sexual orientation and gender identity, consent, healthy relationships, and contraceptive options. Community members can also advocate for a local mandate that requires sex education to be medically accurate. Further, advocates can also contact their representatives to discuss the critical need for a statewide sex education requirement or discuss the potential for introducing legislation that requires specific elements included in comprehensive sex education to be taught. Advocates are encouraged to use the SIECUS [Community Action Toolkit](#) to guide local efforts to advance sex education.

### STATE SEX EDUCATION POLICIES AND REQUIREMENTS AT A GLANCE

- Florida schools are **not** required to teach sex education. However, they are required to teach comprehensive health education that includes instruction on teenage pregnancy.
  - Curriculum is not required to be comprehensive.
  - Curriculum must include the benefits of abstinence as the expected social standard.
- If a school chooses to teach further instruction on HIV/AIDS, instruction must emphasize the benefits of heterosexual marriage.
- Curriculum is not required to include instruction on consent.
- Parents or Guardians may submit a written request to remove their children from instruction on reproductive health or any disease. [This is referred to as an “opt-out” policy.](#)
- Florida has no standard regarding medically accurate sex education instruction.

### STATE HOUSE HIGHLIGHTS

This section highlights sex education bills that were introduced during the 2019 state legislative session as well as bills that have been introduced thus far in 2020. These proposed bills provide a brief overview of both recent and current legislative action taken to advance or restrict sex education. For a more comprehensive look at relevant legislation concerning sex education and related topics such as reproductive health care, LGBTQ rights, and HIV/AIDS, continue reading on to the “State Legislative Activity” section of Florida's profile.

## 2020 Legislative Session

### **House Bill 1059** (pending):

- Aims to establish the “Parents’ Bill of Rights”, requiring each school board to establish procedures for a parent to object to instructional materials on the basis of beliefs concerning mortality, sex, religion, or that the materials are harmful. The bill also establishes the right of parents to opt their children out of any district-level data collection and prohibits health care practitioners from providing or arranging to provide health care services to a minor prior to receiving parental consent. An [identical, companion bill](#) was introduced in the Senate.

## 2019 Legislative Session

### **House Bill 703** (failed):

- Sought to establish the “Florida Healthy Adolescent Act.” If successful, the act would have established a curriculum compliance review program. In addition, the Florida Healthy Adolescent Act would have further defined comprehensive sex education to ensure instruction is medically accurate and culturally competent, inclusive of sexual orientation and gender identity, and includes information on all forms of contraception. This bill had [an identical companion bill](#) in the Florida Senate.

### **House Bill 1171** (failed):

- Sought to establish a program to allow for parents to be notified of information relating to the health, well-being, and education of their children. Sought to allow parents and guardians to remove their student from any portion of the school district’s comprehensive health education that relates to sex education, among all other objected classroom materials and activities. [An identical companion bill](#) was introduced in the Florida Senate.

### **Senate Bill 982** (failed):

- Sought to require schools to provide instruction on human trafficking within their comprehensive health education curriculum.

### **Senate Bill 1454** (failed):

- If successful, would have required schools to notify certain parents of the inclusion of sex education and required parental approval for their child to receive sex education instruction. [This is referred to as an “opt-in” policy.](#)

## MORE ON SEX ED IN FLORIDA

### STATE LAW

[Florida Statute 48-1003.42](#) states that public schools must teach comprehensive health education that includes giving students “an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.” State policy reads that “course descriptions for comprehensive health education shall not interfere with the local determination of appropriate curriculum, which reflects local values and concerns.” Curriculum must include a teen dating violence component.

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[Florida Statute 48-1003.46](#) allows school boards to include additional instruction regarding HIV/AIDS. Such instruction may include information about “means used to control the spread of [AIDS].” If this instruction is included, it must:

- a. Teach abstinence from sexual activity outside of marriage as the expected standard for all school-age students, while teaching the benefits of monogamous, heterosexual marriage;
- b. Emphasize that abstinence from sexual activity is a certain way to avoid out-of-wedlock pregnancy, STIs, including AIDS and other associated health problems;
- c. Teach that each student has the power to control personal behavior and encourage students to base actions on reasoning, self-esteem, and respect for others; and
- d. Provide instruction and material that is appropriate for the grade and age of the student.

Parents may submit a written request to the school principal to exempt their child from “the teaching of reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment.” [This is referred to as an “opt-out” policy.](#)

**STATE STANDARDS**

Florida standards, titled [Sunshine State Standards for Health Education](#), were revised in 2012 to incorporate benchmarks that include the prevention and control of disease, teen dating violence, and internet safety. The benchmarks include examples that can be taught to achieve competency, but the examples are neither prescriptive nor limiting. Examples of what can be taught include, “HIV by sexual transmission,” and “contracting [STDs] through sexual relationships.” Florida provides example curricula that schools can adopt to fulfill their comprehensive health education requirement. One of these programs, Health Opportunities through Physical Education (HOPE), includes instruction on “human sexuality, including abstinence and HIV.” Florida also maintains a detailed database of health education standards [online](#) and provides [further guidance](#) on curricula and instruction.

**STATE LEGISLATIVE ACTIVITY**

State legislative activity related to sex education does not take place in isolation from the broader embroiled political and policy climate. Attacks on the rights of lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQ) individuals, and efforts to limit access to abortion care and other reproductive health care services prevent students from receiving comprehensive sex education and accessing sexual and reproductive health care services. Below are highlights of current legislative activity related to these topics.

**2020 SESSION: CONVENED JANUARY 14, 2020**

TITLE	DESCRIPTION	STATUS
<a href="#">HOUSE BILL 41</a>	PROHIBITS LICENSED PROFESSIONALS FROM PERFORMING CONVERSION THERAPY ON A MINOR.	REFERRED TO THE HOUSE SUBCOMMITTEE ON HEALTH QUALITY
<a href="#">HOUSE BILL 265</a>	PROHIBITS PHYSICIANS FROM PERFORMING OR INDUCING AN ABORTION ON A MINOR WITHOUT WRITTEN CONSENT FROM A PARENT OR GUARDIAN.	REFERRED TO THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES

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<a href="#">House Bill 1059</a>	ESTABLISHES THE “PARENTS’ BILL OF RIGHTS”, REQUIRING EACH SCHOOL BOARD TO ESTABLISH PROCEDURES FOR A PARENT TO OBJECT TO INSTRUCTIONAL MATERIALS ON THE BASIS OF BELIEFS CONCERNING MORTALITY, SEX, RELIGION, OR THAT THE MATERIALS ARE HARMFUL. THE BILL ALSO ESTABLISHES THE RIGHT OF PARENTS TO OPT THEIR CHILDREN OUT OF ANY DISTRICT-LEVEL DATA COLLECTION AND PROHIBITS HEALTH CARE PRACTITIONERS FROM PROVIDING OR ARRANGING TO PROVIDE HEALTH CARE SERVICES TO A MINOR PRIOR TO RECEIVING PARENTAL CONSENT.	REFERRED TO THE HOUSE COMMITTEE ON JUDICIARY
<a href="#">SENATE BILL 180</a>	PROHIBITS LICENSED PROFESSIONALS FROM PERFORMING CONVERSION THERAPY ON A MINOR.	REFERRED TO THE SENATE COMMITTEE ON HEALTH POLICY; CHILDREN, FAMILIES, AND ELDER AFFAIRS; RULES
<a href="#">SENATE BILL 404</a>	PROHIBITS PHYSICIANS FROM PERFORMING AN ABORTION ON A MINOR WITHOUT WRITTEN CONSENT FROM A PARENT OR GUARDIAN.	REFERRED TO THE SENATE COMMITTEE ON HEALTH POLICY
<a href="#">SENATE BILL 1634</a>	ESTABLISHES THE “PARENTS’ BILL OF RIGHTS”, REQUIRING EACH SCHOOL BOARD TO ESTABLISH PROCEDURES FOR A PARENT TO OBJECT TO INSTRUCTIONAL MATERIALS ON THE BASIS OF BELIEFS CONCERNING MORTALITY, SEX, RELIGION, OR THAT THE MATERIALS ARE HARMFUL. THE BILL ALSO ESTABLISHES THE RIGHT OF PARENTS TO OPT THEIR CHILDREN OUT OF ANY DISTRICT-LEVEL DATA COLLECTION AND PROHIBITS HEALTH CARE PRACTITIONERS FROM PROVIDING OR ARRANGING TO PROVIDE HEALTH CARE SERVICES TO A MINOR PRIOR TO RECEIVING PARENTAL CONSENT.	REFERRED TO THE SENATE COMMITTEE ON EDUCATION

**2019 SESSION: ADJOURNED MAY 4, 2019**

<b>TITLE</b>	<b>DESCRIPTION</b>	<b>STATUS</b>
<a href="#">HOUSE BILL 235</a>	PROHIBITS ABORTION IF A FETAL HEARTBEAT IS DETECTED.	DIED IN THE HOUSE SUBCOMMITTEE ON HEALTH QUALITY
<a href="#">HOUSE BILL 703</a>	REQUIRES SCHOOLS THAT TEACH SEX EDUCATION TO PROVIDE COMPREHENSIVE INSTRUCTION THAT IS MEDICALLY ACCURATE AND AGE APPROPRIATE.	DIED IN THE HOUSE SUBCOMMITTEE ON PREK-12 QUALITY
<a href="#">HOUSE BILL 855</a>	REQUIRES SCHOOLS TO PROVIDE PARENTS WITH THE CONTENT OF REPRODUCTIVE HEALTH INSTRUCTIONAL MATERIALS AT LEAST TEN DAYS BEFORE STUDENTS VIEW THE MATERIALS.	DIED IN THE HOUSE COMMITTEE ON EDUCATION

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<a href="#">HOUSE BILL 1335</a>	PROHIBITS PHYSICIANS FROM PERFORMING OR INDUCING AN ABORTION ON A MINOR WITHOUT WRITTEN CONSENT FROM A PARENT OR GUARDIAN.	DIED IN THE SENATE COMMITTEE ON HEALTH POLICY
<a href="#">HOUSE BILL 1345</a>	PROHIBITS THE ATTEMPTED OR ACTUAL PERFORMANCE OR INDUCTION OF AN ABORTION OF AN “UNBORN CHILD CAPABLE OF FEELING PAIN”.	DIED IN THE HOUSE SUBCOMMITTEE ON HEALTH QUALITY
<a href="#">HOUSE BILL 1171</a>	ESTABLISHES A PROGRAM TO ALLOW FOR PARENTS TO BE NOTIFIED OF INFORMATION RELATING TO THE HEALTH, WELL-BEING, AND EDUCATION OF THEIR CHILDREN. SOUGHT TO ALLOW PARENTS AND GUARDIANS TO REMOVE THEIR STUDENT FROM ANY PORTION OF THE SCHOOL DISTRICT’S COMPREHENSIVE HEALTH EDUCATION THAT RELATES TO SEX EDUCATION, AMONG ALL OTHER OBJECTED CLASSROOM MATERIALS AND ACTIVITIES.	DIED IN THE HOUSE COMMITTEE ON JUDICIARY
<a href="#">SENATE BILL 84</a>	PROHIBITS LICENSED PROFESSIONALS FROM PERFORMING CONVERSION THERAPY ON A MINOR.	DIED IN THE SENATE COMMITTEE ON HEALTH POLICY
<a href="#">SENATE BILL 558</a>	PROHIBITS THE ATTEMPTED OR ACTUAL PERFORMANCE OR INDUCTION OF AN ABORTION OF AN “UNBORN CHILD CAPABLE OF FEELING PAIN”.	DIED IN THE SENATE COMMITTEE ON HEALTH POLICY
<a href="#">SENATE BILL 792</a>	PROHIBITS ABORTION IF A FETAL HEARTBEAT IS DETECTED.	DIED IN THE SENATE COMMITTEE ON HEALTH POLICY
<a href="#">SENATE BILL 926</a>	REQUIRES SCHOOLS THAT TEACH SEX EDUCATION TO PROVIDE COMPREHENSIVE INSTRUCTION THAT IS MEDICALLY ACCURATE AND AGE APPROPRIATE.	DIED IN THE SENATE COMMITTEE ON EDUCATION
<a href="#">SENATE BILL 982</a>	REQUIRES SCHOOLS TO PROVIDE INSTRUCTION ON HUMAN TRAFFICKING WITHIN THEIR HEALTH EDUCATION CURRICULUM.	DIED IN THE SENATE COMMITTEE ON APPROPRIATIONS
<a href="#">SENATE BILL 1454</a>	REQUIRES SCHOOLS TO NOTIFY PARENTS AND GUARDIANS OF STUDENTS ENROLLED IN A COURSE THAT WILL TEACH SEX EDUCATION OF THE CURRICULUM CONTENT AT LEAST TEN DAYS PRIOR TO WHEN THE MATERIALS WILL BE USED. PARENTS MUST PROVIDE WRITTEN APPROVAL FOR THE STUDENT TO BE INCLUDED IN INSTRUCTION ON SEX EDUCATION.	DIED IN THE SENATE COMMITTEE ON EDUCATION
<a href="#">SENATE BILL 1726</a>	ESTABLISHES A PROGRAM TO ALLOW FOR PARENTS TO BE NOTIFIED OF INFORMATION RELATING TO THE HEALTH, WELL-BEING, AND EDUCATION OF THEIR CHILDREN. SOUGHT TO ALLOW PARENTS AND GUARDIANS TO REMOVE THEIR STUDENT FROM ANY PORTION OF THE SCHOOL DISTRICT’S COMPREHENSIVE HEALTH EDUCATION THAT RELATES TO SEX EDUCATION, AMONG ALL OTHER OBJECTED CLASSROOM MATERIALS AND ACTIVITIES.	DIED IN THE SENATE COMMITTEE ON JUDICIARY

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<a href="#">SENATE BILL 1774</a>	PROHIBITS PHYSICIANS FROM PERFORMING OR INDUCING AN ABORTION ON A MINOR WITHOUT WRITTEN CONSENT FROM A PARENT OR GUARDIAN UNLESS IN THE CASE OF A MEDICAL EMERGENCY AND ESTABLISHES THE RIGHT FOR THE MINOR TO PETITION THE COURT TO OBTAIN AN ABORTION WITHOUT PARENTAL CONSENT.	DIED IN THE SENATE COMMITTEE ON JUDICIARY
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**LEGISLATIVE KEY**

<p><b>SEX EDUCATION</b>  <b>REPRODUCTIVE HEALTH CARE</b>  <b>SEXUAL ORIENTATION AND GENDER IDENTITY</b>  <b>HIV/AIDS (THAT IMPACTS YOUTH)</b></p>
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**YOUTH SEXUAL HEALTH DATA**

Young people are more than their health behaviors and outcomes. While data can be a powerful tool to demonstrate the sex education and sexual health care needs of young people, it is important to be mindful that these behaviors and outcomes are impacted by systemic inequities present in our society that affect an individual’s sexual health and well-being. To learn more about Florida’s Youth Risk Behavior Survey (YRBS) results, [click here](#).

**FLORIDA SCHOOL HEALTH PROFILES DATA**

In 2019, the Centers for Disease Control and Prevention (CDC) released the School Health Profiles, which measure school health policies and practices and highlight which health topics were taught in schools across the country. Since the data were collected from self-administered questionnaires completed by schools’ principals and lead health education teachers, the CDC notes that one limitation of the School Health Profiles is bias toward the reporting of more positive policies and practices. In the School Health Profiles, the [CDC identifies 20 sexual health education topics](#) as critical for ensuring a young person’s sexual health. Below are key instruction highlights for secondary schools in Florida as reported for the 2017–2018 school year.

Reported teaching all 20 critical sexual health education topics

- 31.5% of Florida secondary schools taught students all 20 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 50.0% of Florida secondary schools taught students all 20 critical sexual health education topics in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about the benefits of being sexually abstinent

- 66.9% of Florida secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 6, 7, or 8.
- 85.6% of Florida secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 9, 10, 11, or 12.

Reported teaching how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy

- 63.3% of Florida secondary schools taught students how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy in a required course in any of grades 6, 7, or 8.
- 84.5% of Florida secondary schools taught students how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy in a required course in any of grades 9, 10, 11, or 12.

Reported teaching how to create and sustain healthy and respectful relationships

- 66.7% of Florida secondary schools taught students how to create and sustain healthy and respectful relationships in a required course in any of grades 6, 7, or 8.
- 88.1% of Florida secondary schools taught students how to create and sustain healthy and respectful relationships in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about preventive care that is necessary to maintain reproductive and sexual health

- 58.5% of Florida secondary schools taught students about preventive care that is necessary to maintain reproductive and sexual health in a required course in any of grades 6, 7, or 8.
- 81.0% of Florida secondary schools taught students about preventive care that is necessary to maintain reproductive and sexual health in a required course in any of grades 9, 10, 11, or 12.

Reported teaching how to correctly use a condom

- 41.4% of Florida secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 65.1% of Florida secondary schools taught students how to correctly use a condom in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about methods of contraception other than condoms

- 47.9% of Florida secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 6, 7, or 8.
- 73.1 % of Florida secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about sexual orientation

- 43.7% of Florida secondary schools taught students about sexual orientation in a required course in any of grades 6, 7, or 8.
- 63.5% of Florida secondary schools taught students about sexual orientation in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about gender roles, gender identity, or gender expression

- 42.5% of Florida secondary schools taught students about gender roles, gender identity, or gender expression in a required course in any of grades 6, 7, or 8.
- 61.7% of Florida secondary schools taught students about gender roles, gender identity, or gender expression in a required course in any of grades 9, 10, 11, or 12.



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Reported providing curricula or supplementary materials relevant to lesbian, gay, bisexual, transgender, or questioning (LGBTQ) youth

- 53.4% of Florida secondary schools provided students with curricula or supplementary materials that included HIV, STD, or pregnancy prevention information relevant to LGBTQ youth.

Visit the CDC's [School Health Profiles](#) report for additional information on school health policies and practices.

**The quality of sex education taught often reflects funding available for sex education programs.**

**To learn more about federal funding streams, [click here](#).**