

# The SIECUS State Profiles



## NEBRASKA

### NEBRASKA'S SEX ED SNAPSHOT

#### THE STATE OF SEX EDUCATION

Advocates have made multiple efforts over the past seven years to advance sex education in Nebraska, including both successful local efforts and unsuccessful statewide efforts. Most recently, the Nebraska Department of Education [revised](#) their *Nondiscrimination and Equitable Educational Opportunities in Schools Position Statement* to be inclusive of a multitude of identities, including sexual orientation and gender identity, race, ethnicity, disability, and economic status in September 2019. Given this revision, advocates are optimistic about future opportunities to advance sex education in Nebraska.

Previously, Senator Ken Haar introduced [Legislative Bill 619](#) in 2013, which sought to require schools to teach age-appropriate and medically accurate sex education that includes, among other topics, instruction on sexually transmitted infections (STIs), abstinence, healthy relationships, and unwanted sexual advances. Legislative Bill 619 also outlined that sex education must be appropriate for students regardless of race, ethnicity, cultural background, sexual orientation, gender identity, disability, or whether or not they are sexually active. While the bill was ultimately unsuccessful, it did not deter local efforts to advance sex education requirements.

In 2016, Omaha Public Schools, Nebraska's largest school district serving over 52,000 students, approved new human growth and development standards that align with the [National Sexuality Education Standards](#) and passed additional standards that same year to establish a non-discrimination statement and include instruction on sexual orientation, gender identity, emergency contraception, abortion, and sex trafficking. While successful with the support of organizations, including the Women's Fund of Omaha, these efforts did not advance without opposition. The Nebraskans for Founders Values actively opposed the district's proposed amendments. They later distributed materials urging community members to oppose the campaign efforts of board members who supported the efforts to advance the sex education requirements in Omaha Public Schools and later ran for reelection and legislative seats in local districts.

Millard Public Schools also implemented [updated sex education standards](#) in 2018. The updated curriculum successfully expanded the range of grades that are required to teach topics related to sex education while maintaining an emphasis on abstinence. However, the requirements fail to include instruction on sexual orientation and gender identity and do not require curriculum to be medically accurate or evidence based. The Millard Public School system is not unique in its approach, as each school district is empowered to decide if and how they provide sex education curriculum.

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Sex education is not currently mandated in Nebraska and schools that choose to teach sex education must emphasize abstinence. Because Nebraska 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.

Advocates report that some youth in Omaha Public Schools receive advanced instruction, including the [Rights, Respect and Responsibility](#) (3Rs) curriculum developed by Advocates for Youth. However, other districts such as Gretna Public Schools, rely on restrictive, abstinence based curriculum such as [Willing to Wait](#). In Nebraska, Black youth in particular face racist, systematic barriers to health care and education that result in disproportionate adverse health outcomes. For example, a [2015 report](#) found that nearly five times more Black youth in Nebraska reported having Chlamydia than the Nebraska average over the span of five years, and over 12 times more than white youth in particular. In addition to ensuring all young people have access to health care and education, requiring sex education to be culturally responsive to the needs of youth of color addresses the additional socioeconomic structures these young people experience.

Advocates report that the state's lackluster sex education requirements have resulted in some students receiving instruction that is not age-appropriate, medically accurate, or inclusive. Students have [reported](#) that there is an increased demand for sex education curriculum in Nebraska schools. To improve access to sexual health knowledge and improve health outcomes for youth in Omaha, the Women's Fund of Omaha established Get Checked Omaha, formerly known as the Adolescent Health Project, in 2015. Get Checked Omaha provides information related to STI prevention, and has compiled maps to identify locations that offer STI testing and free condoms. In addition, the Women's Fund of Omaha oversees Take Control Nebraska, which distributes free birth control statewide. Planned Parenthood North Central States also provides two community sex education programs in Omaha and Lincoln. Despite the presence of organizations invested in advancing sex education across the state, advocates note that the lack of a unified effort to advance sex education requirements is one of the major barriers to advancing sex education in Nebraska.

Right now, advocates can take action to ensure young people in their community have access to quality sex education. After contacting their local school board, advocates can determine what topics are missing from sex education instruction, such as instruction on consent, sexual orientation and gender identity, and contraceptives. They can then vocalize the important need for advancing sex education requirements in their community. Further, advocates can contact their representatives to discuss the critical need for advancing comprehensive sex education requirements. To facilitate these changes, current advocates note that actively participating in local school board elections is critical in ensuring efforts to advance sex education move forward. Advocates are encouraged to use the [SIECUS Community Action Toolkit](#) to guide local efforts.

## STATE SEX EDUCATION POLICIES AND REQUIREMENTS AT A GLANCE

- Nebraska schools are **not** required to teach sex education.
  - If a school chooses to teach sex education, curriculum must emphasize abstinence as the expected standard.
- If a school offers sex education, curriculum is not required to include instruction on sexual orientation or gender identity. However, [all curriculum](#) must be equitable and not discriminate against students based on their sexual orientation or gender expression.
- If a school offers sex education, curriculum is not required to include instruction on consent. However, curriculum must include instruction on identifying characteristics of healthy dating relationships.
- Nebraska has no standard regarding the ability of parents and guardians to remove their children from sex education instruction.
- Nebraska 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 Nebraska profile.

**No bills have been introduced concerning sex education to date.**

## MORE ON SEX ED IN NEBRASKA

### STATE LAW

Nebraska law, [Revised Statutes Chapter 79 Section 712](#), does not require sex education, nor does it limit or prescribe what can be taught in such classes or recommend a specific curriculum.

### STATE STANDARDS

In the [Nebraska Health Education Frameworks](#), the Nebraska State Board of Education supports “an abstinence approach to risk behaviors associated with ... sexual activity” and declares that all “state monies shall be dedicated to abstinence programs.” The board also adopted specific abstinence-only guidelines to be used in any school unit involving family life or sex education. The guidelines include teaching that “abstinence from sexual activity outside marriage is the expected standard for all school-age children” and “a mutually faithful monogamous relationship in the context of marriage is the expected standard of human sexual activity.” The guidelines also note that the best way to develop family life or sex education units is for parents, school boards, and teachers to work together with schools, districts, and communities “so all have a voice in the process and content.”

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Nebraska state law does not require parental permission for students to participate in sex education or human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS) education, nor does it say whether parents or guardians may remove their children from such classes. However, the Board of Education does [recommend](#) that school districts “inform parents of intended activities and permit parents to have their children excluded from the activities.”

In September 2019, the Nebraska State Board of Education [revised](#) their *Nondiscrimination and Equitable Educational Opportunities in Schools* position statement, detailing the Nebraska Department of Education’s commitment to educational equity to students regardless of “age, citizenship status, color, disability, economic status, ethnicity, family mobility, family structure, gender expression, gender identity, genetic information, marital status, national origin, political affiliation, pregnancy, race, religion, sex, sexual orientation, tribal membership, or veteran status.”

The Nebraska Department of Education [plans](#) to begin revising health education standards in the spring of 2020, with the goal of implementing the newly revised standards in the fall of the following year.

### 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. Nebraska’s 2020 session convened January 8, 2020.

#### 2019 SESSION: ADJOURNED MAY 31, 2019

| TITLE                                | DESCRIPTION  | STATUS                                    |
|--------------------------------------|--|---|
| <a href="#">LEGISLATIVE BILL 167</a> | PROHIBITS ACCREDITED PROFESSIONALS FROM PROVIDING CONVERSION THERAPY TO MINORS.  | DIED IN THE SENATE COMMITTEE ON JUDICIARY |
| <a href="#">LEGISLATIVE BILL 168</a> | CLASSIFIES CONVERSION THERAPY AS CHILD ABUSE.  | BILL WITHDRAWN                            |
| <a href="#">LEGISLATIVE BILL 209</a> | REQUIRES PHYSICIANS TO PROVIDE INFORMATION ABOUT CONTINUING A PREGNANCY AFTER TAKING MIFEPRISTONE, THE FIRST PART OF A MEDICATION ABORTION, PRIOR TO PERFORMING AN ABORTION. | ENACTED                                   |

#### LEGISLATIVE KEY

|   |
|---|
| <b>SEX EDUCATION</b><br><b>REPRODUCTIVE HEALTHCARE</b><br><b>SEXUAL ORIENTATION AND GENDER IDENTITY</b><br><b>HIV/AIDS (THAT IMPACTS YOUTH)</b> |
|---|

## 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 Nebraska's Youth Risk Behavior Survey (YRBS) results, [click here](#).

## STATE SCHOOL HEALTH PROFILES DATA

In 2019 the 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 education topics](#) that it believes are critical to a young person's sexual health. Below are key instruction highlights for secondary schools in Nebraska as [reported](#) for the 2017–2018 school year.

### Reported teaching all 20 critical sexual health education topics

- 12.9% of Nebraska secondary schools taught students all 20 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 24.8% of Nebraska 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

- 60.3% of Nebraska secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 6, 7, or 8.
- 81.2% of Nebraska 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

- 52.9% of Nebraska 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.
- 81.2% of Nebraska 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

- 61.7% of Nebraska 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.
- 80.6 of Nebraska 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.

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

- 47.8% of Nebraska 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.
- 64.0% of Nebraska 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

- 32.9% of Nebraska secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 49.9% of Nebraska 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

- 36.3% of Nebraska secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 6, 7, or 8.
- 56.2% of Nebraska 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

- 31.3% of Nebraska secondary schools taught students about sexual orientation in a required course in any of grades 6, 7, or 8.
- 43.8% of Nebraska 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

- 33.0% of Nebraska secondary schools taught students about gender roles, gender identity, or gender expression in a required course in any of grades 6, 7, or 8.
- 42.9% of Nebraska 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.

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

- 44.1% of Nebraska 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](#).**