

2022 State of Sex Education Legislative Look-Ahead

Updated January 2022



SIECUS
SEX ED FOR SOCIAL CHANGE



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I.

Introduction

As 2022 state legislative sessions begin to convene, sex education advocates continue to push for advanced sex education legislation across the nation, facing both opposition and increased support.



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SURFACE



The education system nationwide is still recovering from the continuation of the coronavirus pandemic that has thus far resulted in the deaths of over 800,000 Americans.

The completion of the first year of the Biden-Harris administration has created a positive shift in several departmental positions, including the introduction of a new Secretary of Education. As classes resumed in-person instruction across the country, school-based sex education has come to the forefront of parents, youth, educators, and advocates minds alike. Unfortunately, there have been efforts from organizations targeting instruction on concepts such as Critical Race Theory, in addition to comprehensive sex education, that would further impede education that young people receive. As a result, a slew of newly enacted bills that restrict the advancement of quality sex education have been introduced. As schools begin the return to classroom instruction, it is increasingly important for legislators and advocates to monitor upcoming legislative sessions for opportunities to advance sex education and protect its accessibility. Similarly, other opportunities to support progressive legislation in sexual and reproductive health beyond the scope of sex education will likely occur.

Advancing sex education is essential for young people to have the knowledge to access the care they need to make decisions about their bodies and futures a reality.

The introduction of the [Real Education and Access for Healthy Youth Act \(S. 1689 /H.R. 3312\)](#) by Senator Cory Booker, Senator Mazie Hirono, Representative Barbara Lee, and Representative Alma Adams in Congress has set the tone for advancing national legislation towards comprehensive sex education for adolescents and young adults across the country. At the time of this publication, there were 13 co-sponsors in the Senate and 78 co-sponsors in the House, due to the combined advocacy of national sex education advocates, SIECUS, and over 80 Sex Education Policy Action Council members during the 2021 Sex Ed on the Hill Convening. With increasing recognition, the bill has the potential to advance and fund comprehensive and evidence-based sex education programs and end investments into abstinence-only until marriage (AOUM) programs that have been re-branded under the misnomer of “sexual risk avoidance.” ■



II.

2021 Legislative Wrap-Up

The [2021 Sex Ed State Legislative Mid-Year Report](#) identified 124 bills that were introduced or carried over from the previous legislative session related to sex education. Of these, **16** were enacted into law in **11** different states.



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In Alabama, [HB 385](#) was enacted, which required sex education to be medically accurate and shift from emphasizing “self control and ethical behavior” to the importance of delaying sexual activity and avoiding risky sexual behavior. It also removed the requirement for the materials to contain false and stigmatizing information about LGBTQ+ identities. While still emphasizing abstinence as the preferred option, the new law shifts sex education curriculum in Alabama from abstinence-only to abstinence-plus, encompassing information about contraception. Additionally, the use of terminology such as “self control and ethical behavior” exemplify a shift from using shame-based language in regards to sex education.



In Arizona, [HB 2035](#) was enacted, which requires parents *opt* their children *into* sex education at schools. This can [create more unnecessary obstacles](#) for students in accessing sex education. Further, the law stipulates that sex education cannot be taught prior to fifth grade and requires additional curriculum approval guidelines prior to being taught.



In Florida, [HB 241](#) was enacted, establishing the Parent’s Bill of Rights. The newly enacted bill allows for parents to review and object to instructional material, including sex education curricula. Additionally, the law re-emphasizes the process for parents to opt their child out of sex education by requiring notification prior to instruction. It requires healthcare providers to obtain parental consent before providing care to minors. [HB 519](#) was also enacted, requiring all K-12 health education to be age-appropriate, developmentally appropriate, and include instruction on child sexual abuse. Additionally, it requires instructional materials to emphasize the benefits of abstinence as the expected standard and the consequences

of teenage pregnancy. Florida also enacted [HB 545](#), which mandates that every school district notify parents of their right to opt their children out of sex education instruction and review the curriculum prior to its provision. The law mandates that sex education curriculum be annually reviewed and approved by the district school board in a public meeting.



In Illinois, [SB 818](#), the Keeping Youth Safe and Healthy Act (a modified version of the Healthy Youth Act) was enacted, requiring educators that provide sex education to teach comprehensive instruction that is evidenced-based, medically accurate, age-appropriate, culturally responsive, inclusive, and trauma-informed.



In Montana, [SB 99](#) was enacted, requiring schools to provide prior written notification to parents and guardians regarding the provision of sex education and the option to opt their children out of the instruction. The law also bars any individual or entity affiliated with the provision of abortion care from providing school-based sex education.



In North Dakota, [SB 2311](#) was enacted, mandating an evidence-based online virtual mental health and suicide prevention simulation training program for students.



In Oklahoma, [SB 89](#) was enacted, requiring health education that includes instruction on physical, mental, social, emotional, and intellectual health to be taught in public schools. Advocates are working to ensure sex education is provided in schools under this mandate.



In Ohio, [HB 110](#) was passed as a budget appropriations act, allocating \$2 million to abstinence-only education. This bill includes various mandates restricting education and reproductive health services. Mandates include a parental opt-in if additional sex education is provided beyond stated topics and an annual audit of sex education curriculum across the state.



In Rhode Island, [HB 6469](#) was enacted, amending the definition of dating violence within dating violence education to expand the scope of instruction and require schools to collect data of dating violence among students.



In Tennessee, [HB 529/SB 1229](#) was enacted, requiring schools to notify parents prior to the provision of any instruction on sexual orientation or gender identity

and allowing for them to opt their child out from such instruction. [SB 1360](#) was also enacted, allowing for local education agencies to provide family life education. Additionally, [HB 577/SB 1392](#) was enacted, requiring the local board of education to review and approve instruction on contraception to ensure it is medically accurate, age-appropriate, in compliance with state laws and standards, and available for parental review.



In Texas, [HB 1525](#), a school funding bill, was enacted, requiring schools to obtain parental consent prior to providing sex education instruction through an opt-in mechanism.



Since the publication of the SIECUS mid-year report, **4** more bills have been introduced in **2** different states related to sex education. Thus far, none of these have been enacted into law.



In California, [SB 170](#) was introduced, which would provide \$600,000 to support existing CSE programs and \$77,000 for school resources that support LGBTQ+ students.



In Massachusetts, [S 2541](#) (formerly S 2534, S 2495) was introduced. If enacted, this would establish the “Healthy Youth Act” which would advance sex education by ensuring that all sex education taught in the Commonwealth’s public schools meets important standards, including being age-appropriate, based in evidence, LGBTQ+ affirming, and teaching consent.

Beyond bills directly impacting sex education, **14 bills** related to abortion have been introduced thus far in five different states: California, Illinois, Ohio, Texas, and Wisconsin. Of these bills, eleven are restrictive, either prohibiting abortion, prohibiting medication abortion, or prohibiting telehealth abortion. Ohio’s [HB 480](#) mimics the private-enforcement mechanism created in Texas’ [SB 8](#), incentivizing private citizens to sue anyone involved in the process of getting an abortion after cardiac activity of the fetus has been detected (generally around six weeks of gestation). The Supreme Court has since [upheld](#) SB 8, paving the way for similar bills to be introduced.

13 bills relating to LGBTQ+ issues have been introduced thus far in six different states.

The majority of these bills are regressive, with five banning gender-affirming medical care or classifying it as child abuse, two prohibiting efforts to outlaw conversion therapy, and one requiring parental notification of instruction if sexual orientation or gender identity is taught. Five of the bills were progressive, focusing on anti-discrimination efforts.

3 bills were introduced in three different states that expand education and support resources for child abuse, family violence, and dating violence.

8 bills were introduced in four different states that SIECUS considers “divisive concept” bills. Divisive concept bills are pieces of legislation that are designed to erode the public education system and impede opportunities to create a more inclusive and affirmatively diverse society. In the [2021 Sex Ed State Legislative Mid-Year Report](#), SIECUS highlighted increasing attacks on both Critical Race Theory and comprehensive sex education under the guise of “parental rights” and “divisive concept” bills. While not directly related to teaching sex education, it is important for SIECUS and sex education advocates to be aware of and work to defeat bills that broadly categorize certain education programs as “divisive”. Of these 8 bills, half were regressive, prohibiting education on Critical Race Theory or racial equity, and the other half were progressive, advancing anti-racist efforts or curriculum. One of the regressive bills, North Dakota’s [HB 1508](#), has been enacted. ■

III.

Fiscal Year 2021: Federal Appropriations for Adolescent Sexual Health Programs

In December 2020, Congress passed the “Consolidated Appropriations Act, 2021” which funded the fiscal year through September 2021. The current fiscal year began in October.

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LAGOS TECHIE



While a formally designated federal funding stream for comprehensive sex education programs does not exist, programs such as the Personal Responsibility Education Program (PREP) and the Teen Pregnancy Prevention Program (TPPP) that fund medically accurate and evidence-based sex education initiatives were reauthorized through this bill.

These funding programs are then able to offer competitive grants in different states which can increase accessibility to sex education programming in states that may not have such programming to begin with. TPPP was level funded by \$101 million and PREP was reauthorized until 2023 with annual funding of \$75 million. Further, Congress also funded CDC's Division of Adolescent and School Health at \$15.2 million, which supports the implementation and assessment of the Youth Risk Behavior Survey (YRBS) data.

However, funding was also increased to \$75 million for the Title V Sexual Risk Avoidance Education Program and Sexual Risk Avoidance Education Program which promote harmful and stigmatizing abstinence-only-until-marriage (AOUM) programming. Such programming has been empirically disproven in preventing STIs and lowering unintended teen pregnancy rates, among other sexual and reproductive health outcomes.

These programs fail to adequately prepare young people in making healthy, conscious, and informed decisions about their bodies, relationships, and futures.

Nonetheless, federal funding of PREP, TPPP, and DASH are not substantial enough to ensure that all young people have access to advanced sex education. Thus, it is important for advocates to support the advancement of the [Real Education and Access for Healthy Youth Act](#), which would provide grant funding to organizations, schools, and institutions that provide comprehensive sex education to young people, especially marginalized youth such as young racialized people(s), LGBTQ+ youth, and youth with disabilities. ■



IV.

Impact of the 2021 Off-Year Elections on the Sex Ed Policy Landscape



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GAYATRI MALHOTRA

Federal

During the past year's off-year elections there were six special elections for vacancies in the U.S. House of Representatives. Two of these, Ohio's 11th and 15th congressional districts, took place on November 2nd, 2021. As of December 2021, one more election is slated to take place for Florida's 20th Congressional District. This may offer a shift in perspectives and impact how lawmakers respond to upcoming legislation surrounding sex education and access to reproductive and sexual health care for young people.

House of Representatives

The House welcomed six new legislators this year, many of whom have advocated for improved access to health care services and its increased affordability and quality, along with topics rooted in social justice. Representative Melanie Stansbury (NM-01) and Representative Troy Carter (LA-02) have expressed commitment towards advocating for gender equity, reproductive rights, and LGBTQ+ rights. Representative Shontel Brown (OH-11) is also a leading advocate in framing racism as a public health concern, an essential topic in culturally responsive sex education.

While these new members of Congress seek to promote progressive policies to protect sexual and reproductive health for youth and young adults, the attack on sexual and reproductive rights carries on with the signing in of other members of Congress that have expressed their commitment to limiting access to abortion care and protecting the Hyde Amendment, such as Representative Julia Letlow (LA-05), Representative Mike Carey (OH-15), and Representative Jake Ellzey (TX-06).



State & Local

State legislators and governors are in a unique position to enact legislation that will ensure advanced sex education is provided to young people.

Two gubernatorial races took place this year in New Jersey and Virginia. The results of the Virginia gubernatorial race, in particular, have presented a significant threat. The incoming Youngkin administration has raised their opposition to the provision of Critical Race Theory in the classroom and their strong support of parental oversight of school curriculum, which could have negative implications for sex education. Additionally, Youngkin opposes access to abortion care and favors furthering restrictions on the essential procedure.

Nonetheless, 2021 elections were also notable for many historic firsts for people of color and LGBTQ+ people in local government (Yurcaba, 2021; Nashrulla, 2021). In Boston, Massachusetts,

Michelle Wu was the first woman and person of color elected as mayor. Elaine O' Neal became Durham, North Carolina's first Black woman to be mayor. Shahana Hanif became the first Muslim woman to be elected to New York City Council, joining many firsts for Muslims this election. Crystal Hudson and Kristin Richardson Jordan became the first Black, out LGBTQ women to be elected to New York City Council as well. In Ohio, Dion Manley became the first transgender person to be elected into office after winning the Gahanna-Jefferson school board election.

Sex education was highlighted as an issue in many school board elections. In Worcester, MA, school committee candidates who had voted to implement a comprehensive K-12 sex ed curriculum earlier in the year faced a well-funded and organized effort to unseat them. Nevertheless, they emerged victorious, with all pro-sex-education incumbents re-elected and two new pro-sex-education members elected to the two open seats. The election of such individuals in state and local government shows promise for future advocacy for progressive legislation. ■



v.

Looking Ahead to 2022



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KELLY SIKKEMA

Federal Funding for Sex Ed in 2022

SIECUS and our fellow advocates continue to push for the finalized plan for appropriations for the 2022 fiscal year, which began October 1, 2021. Currently, the appropriations bill is under consideration in the Senate, after passing the House. While funding for Sexual Risk Avoidance Education (SRAE) programs was included within the President's budget request for the upcoming fiscal year, the House and Senate have proposed excluding these programs from their appropriations bills entirely. If approved, this would mark an end to federal funding for harmful AOUM programming. Conversely, the proposed budgets for TPPP, and DASH show an increase in funding for both programs. These potential funding increases will ensure that young people have increased access to sex education programming that is medically accurate and evidence-based. Advocates can also make federal funding for more advanced sex education programs a reality for youth across the country through the passage of [REAHYA](#).

For detailed information on proposed federal funding and an overview of past year's funding, check out the forthcoming Federal Programs Funding Chart.

Redistricting

Based on the results of the 2020 Census, 14 states have completed the redrawing of their congressional maps, also known as **redistricting**. Through this process, legislative districts are drawn to ensure equal representation at the local, state, and national level as state representation may increase or decrease in Congress based upon census results. Because of this process, some districts may lose or gain population, which changes allocation of seats in Congress. This process can be obstructed through **gerrymandering**, when one political entity may redraw their district to increase the power of their respective political party.

Current redistricting efforts could present issues in upcoming legislative cycles to pass progressive legislation. These efforts, however, can be overturned in court if found to be unconstitutional. Gerrymandering can particularly disadvantage minority communities, despite the Voting Rights Act of 1965 prohibiting redistricting that dilutes the votes of communities of color. While breaking up a district to dilute representation on the basis of color is illegal, proving the intent to do so in a lawsuit is difficult. Partisan gerrymandering cannot be blocked by federal courts and an entity arguing that racial gerrymandering has taken place must have evidence that the intent was not simply based on partisanship.

Currently, many of the congressional maps that have been introduced for approval during the redistricting process illustrate the risk of solidifying increasing partisanship in states. For example, states such as North Carolina and Ohio have drawn maps that are increasingly biased on the lines of partisanship although these efforts are likely to be challenged in court (Bycoffe & Best, 2021). These efforts have the potential to impact the upcoming policy landscape for years to come by disadvantaging marginalized communities and complicating the process of passing progressive legislation.



2022 State Legislative Calendar

Forty-six state legislatures hold regular sessions annually. The other four states—Montana, Nevada, North Dakota, and Texas—meet in odd-numbered years. Nine state legislatures have full-time legislators, meaning that the legislature meets throughout the year. All other legislators are considered part-time as they only meet for a portion of the year. Below is the 2022 state legislative calendar.

State	Convenes	Adjourns	Notes
Alabama	Jan. 11, 2022	Apr. 25, 2022	
Alaska	Jan. 19, 2022	May 15, 2022	Full-time legislature
Arizona	Jan. 10, 2022	Apr. 23, 2022	
Arkansas	Jan. 10, 2022	Apr. 14, 2022	
California	Jan. 3, 2022	Nov. 30, 2022	Full-time legislature
Colorado	Jan. 12, 2022	May 7, 2022	
Connecticut	Feb. 9, 2022	May 4, 2022	
Delaware	Jan. 11, 2022	Jun. 30, 2022	
District of Columbia	Jan. 2, 2022	Dec. 31, 2022	
Florida	Jan. 11, 2022	Mar. 11, 2022	
Georgia	Jan. 11, 2022	Mar. 31, 2022	
Hawaii	Jan. 17, 2022	May 7, 2022	Full-time legislature
Idaho	Jan. 10, 2022	Mar. 13, 2022	
Illinois	Jan. 12, 2022	Jan. 11, 2023	Full-time legislature
Indiana	Jan. 12, 2022	Jan. 11, 2023	
Iowa	Jan. 10, 2022	Apr. 19, 2022	
Kansas	Jan. 10, 2022	Apr. 10, 2022	
Kentucky	Jan. 4, 2022	Mar. 30, 2022	
Louisiana	Mar. 14, 2022	Jun. 6, 2022	
Maine	Jan. 5, 2022	Jun. 17, 2022	
Maryland	Jan. 12, 2022	Apr. 11, 2022	
Massachusetts	Jan. 5, 2022	Jan. 2, 2023	Full-time legislature
Michigan	Jan. 13, 2021	Dec. 31, 2022	Full-time legislature
Minnesota	Jan. 31, 2022	May 23, 2022	

State	Convenes	Adjourns	Notes
Mississippi	Jan. 4, 2022	Apr. 30, 2022	
Missouri	Jan. 5, 2022	May 14, 2022	
Montana	Does not convene in even-numbered years		
Nebraska	Jan. 5, 2022	May 31, 2022	
Nevada	Does not convene in even-numbered years		
New Hampshire	Jan. 5, 2022	Jun. 30, 2022	
New Jersey	Jan. 11, 2022	Jan. 10, 2023	
New Mexico	Jan. 17, 2022	Mar. 18, 2022	
New York	Jan. 5, 2022	Jun. 10, 2022	Full-time legislature
North Carolina	Jan. 19, 2022	Jun. 30, 2022	
North Dakota	Does not convene in even-numbered years		
Ohio	Jan. 4, 2022	Dec. 31, 2022	Full-time legislature
Oklahoma	Feb. 7, 2022	May 27, 2022	
Oregon	Feb. 1, 2022	Mar. 7, 2022	
Pennsylvania	Apr. 1, 2022	Nov. 30, 2022	Full-time legislature
Puerto Rico	Jan. 11, 2021	Dec. 31, 2024	
Rhode Island	Jan. 4, 2022	Jun. 30, 2022	
South Carolina	Jan. 11, 2022	Jun. 15, 2022	
South Dakota	Jan. 11, 2022	Mar. 10, 2022	
Tennessee	Jan. 11, 2022	Mar. 28, 2022	
Texas	Does not convene in even-numbered years		
Utah	Jan. 18, 2022	Mar. 4, 2022	
Vermont	Jan. 4, 2022	May 28, 2022	
Virginia	Jan. 12, 2022	Mar. 12, 2022	
Virgin Islands	Jan. 10, 2022	--	Full-time legislature
Washington	Jan. 10, 2022	Mar. 18, 2022	
West Virginia	Jan. 12, 2022	Mar. 12, 2022	
Wisconsin	Jan. 18, 2022	Jan. 2, 2023	Full-time legislature
Wyoming	Jan. 11, 2022	Mar. 1, 2022	

State Legislation to Look Out For in 2022

Each legislative cycle, SIECUS monitors proposed legislation on a variety of topics that may impact both education of and access to sexual and reproductive health and services.

In addition, SIECUS tracks legislation related to intersecting issues of racial justice, LGBTQ+ rights, gender-based violence, and many others.

This year, SIECUS anticipates an increase in so-called “parental rights” and “divisive concept” bills. These bills are not only insidious on their own but also are the result of efforts from social conservatives to increase parental opposition to social equity and inclusion programs, under the guise of “parental rights”, in schools. These demands for “parental rights” often include the ability to object to sex education curriculum alongside instruction that involves the teaching of “divisive concepts” such as Critical Race Theory, inclusion and affirmation of LGBTQ identities, or gender equity. SIECUS will continue to expand the conversation on these organized efforts to inform advocates on how to defend against attacks on the education system. Ultimately, these efforts are all implicated in preventing young people from learning content that helps them make healthy, informed decisions and from building community with others around them.

The following bills, which may either limit or advance the aforementioned issues, exemplify the trends SIECUS has identified coming into the 2022 legislative session. While not an exhaustive list of all monitored legislation, this includes bills

that have been either prefiled for the upcoming legislative sessions or introduced in the previous 2021 legislative sessions.

Abuse and Violence Prevention



In Mississippi, [HB 356](#) was introduced and, if enacted, would require school districts to educate students on dating violence and healthy relationships and develop a policy on dating violence.



In New Mexico, [HB 44](#) was introduced by Representative Elizabeth Thomson. If enacted, it would require schools to adopt policies and procedures addressing affirmative consent, prevention of sexual assault, domestic violence, dating violence, and harassment and stalking.



In Pennsylvania, [SB 785](#) was introduced by State Senator Judith Schwank. If enacted, it would mandate dating violence education in schools.



In Rhode Island, [HB 6667](#) was introduced and, if enacted, would require schools to adopt trauma-informed policy and practices to create a school climate where all students feel safe and supported.



In Wisconsin, [SB 746/AB 764](#) was introduced and, if enacted, would require child sexual abuse prevention education in kindergarten to sixth grade.

Abortion



In Alabama, [HB 23](#) was introduced, and if enacted, would ban abortion after the detection of a fetal heartbeat among other abortion restrictions.



In Florida, [HB 167](#) was introduced by Representative Webster Barnaby. If successful, it will prohibit abortion after a physician detects a fetal heartbeat.



In Illinois, [HB 4221](#) was filed by Representative Barbara Hernandez and would create the Pregnancy Center Disclosure Act. If enacted, this bill would ensure that crisis pregnancy centers provide disclaimers to clients that they are not a licensed medical facility and have no licensed medical providers on staff. This would protect individuals seeking reproductive health services from mistakenly going to a fake health clinic. Additionally, [HB 4378](#) was introduced and, if enacted, would require providers to send parental notification prior to performing abortion care for minors.



In Indiana, [HB 1282](#) was authored by Representative Curt Nisly and would create the Protection of Life Act. If enacted, this legislation would repeal many statutes recognizing and regulating abortion care and would ban abortion care on the basis of fetal personhood.



In Kentucky, [BR 826](#) was introduced by Representative Mary Marzian. If enacted, this bill would protect the right to access sexual and reproductive health services such as contraception and abortion. The bill states that every individual has the right to choose or refuse contraception, sterilization, to carry a pregnancy to term, give birth to a child, or terminate a pregnancy.



In Michigan, [HB 5542/SB 732](#), titled the Reproductive Health Act, was filed. If enacted, the bill would establish the right to abortion and other related reproductive rights. Further, [SB 760](#) would prohibit abortion on basis of disability, sex, and race.



In Missouri, [HB 1868](#) was introduced by Representative Emily Weber. If enacted, would create the “Respect Peoples Abortion Decisions Act”. This measure would protect the right to abortion care and ensure protection from criminal sentencing. Conversely, [SB 778](#) was introduced and, if enacted, would prohibit abortion after the detection of a fetal heartbeat. Additionally, [SB 699](#) was introduced which, if enacted, would abolish the right to abortion care and would change the system for parental notification prior to instruction on human sexuality from an “opt-out” to “opt-in”.



In Nebraska, [LB 781](#) was introduced by Representative Julie Slama. If enacted, the legislation would prohibit abortion after the detection of a fetal heartbeat.



In New Hampshire, a series of abortion-related bills, [HB 1477](#) and [SB 436](#) have been prefled which would respectively restrict and advance abortion access. Additionally, [HB 1080](#) was introduced and would allow physicians to object to participating in the provision of abortion, contraception, and sterilization. This would also allow physicians who do so to refrain from advising or referring patients on the basis of seeking abortion care.



In South Carolina, [H 4568](#) was prefled by Representative Melissa Oremus. If enacted, the legislation would require providers to provide medically inaccurate information regarding “abortion reversal”.



In Washington, [HB 1851](#) was introduced and, if enacted, would protect the right to abortion and expand access by allowing other advanced practice clinicians to be able to provide abortion care. Additionally, it would amend the law to include gender-neutral language to reflect the needs of all individuals who may need abortion care.



In Wisconsin, [AB 713](#) was introduced and, if enacted, would protect the right to abortion and eliminate certain regulations that limit abortion in the state.

LGBTQ Rights



In Alabama, [SB 5](#) was introduced and, if enacted, would prohibit medical professionals from providing gender-affirming care to minors.



In Arizona, [HB 2011](#) was introduced by Representative John Kavanaugh. If enacted, it would require parental consent for students to participate in any school organizations involving “sexuality, gender, and gender identity” including clubs such as gender-sexuality or gay-straight alliances (GSA).



In Florida, [HB 211](#) was introduced and, if enacted, would prohibit health practitioners from providing gender-affirming care to minors. Further, [SB 1834](#) was introduced by State Senator Dennis Baxley. If enacted, it would, among other restrictions, prohibit classroom discussions on sexual orientation and gender identity in primary grade levels.



In Indiana, [SB 34](#) was introduced and, if enacted, would add sexual orientation and gender identity under classes protected by the anti-discrimination policy in education.



In Kentucky, [HB 12](#) was introduced and, if enacted, would prohibit conversion therapy.





In Missouri, [HB 1845](#) was introduced by Representative Martha Stevens. If enacted, it would mandate the department of elementary and secondary school education to work with LGBTQ+ advocacy groups to create an inclusive curriculum for schools to adopt, if they choose, that would highlight the history and accomplishments of LGBTQ+ social movements and individuals.



In New Jersey, [A 5961](#) seeks to establish a commission on Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning Affairs. This would assist in expanding services such as health care for LGBTQ+ youth and adults, and recommend protections from discrimination and inequity across various sectors.



In South Dakota, [HB 1005](#) was introduced and, if enacted, would constitute a “bathroom bill” targeted at transgender students, allowing for students to file a suit with their school district if that respective district allows for transgender students to use the restroom or other public accommodations that match their gender.

Parental Rights



In Florida, [SB 1684](#) was introduced and, if enacted, would create a procedure for parents to take action on any perceived infringement on their parental right to direct the upbringing, education, and health care of their child. Additionally, [HB 1305](#) was introduced and, if enacted, would require schools to obtain parental consent prior to instruction on reproductive health, and further, change the definition of what is considered “obscene material” for instructional purposes.



In Missouri, [HB 1858](#) was introduced by Representative Ben Baker. If enacted, the bill would create the Parents Bill of Rights Act of 2022 which would allow for parents to review all school curriculum, among other rights. Additionally, [HB 1755](#), [HB 1474](#), [SB 810/HB 1995](#), [SB 653](#), [SB 647](#), [HB 2068](#), and [HB 2294](#) were introduced and, if are enacted, would increase parental involvement in the school system and create procedures to allow for objection to instructional material.





In New Hampshire, [LSR 2022-2089](#) was prefiled and, if enacted, would establish a parental bill of rights.



In New Jersey, [S 4234](#) was introduced by Representative Kristin Corrado and Representative Tony Bucco and, if enacted, would also create a parental bill of rights that would allow for parents to object to instructional material in sex education and emphasizes their ability to take their child out of sex education.



In Oklahoma, [SB 1142](#) was introduced and, if enacted, would allow for certain books to be banned from school libraries based upon parental objection.



In South Carolina, [H 4555/S 900](#) was introduced and, if enacted, would establish a “parental bill of rights” which emphasizes a procedure for parents to object to instructional material and emphasizes their ability to remove their children from comprehensive sex education.

Racial Equity



In Alabama, [HB 8](#) and [HB 11](#) were prefiled and, if enacted, would both seek to prohibit education on “divisive concepts” related to race or sex such as Critical Race Theory.



In Arkansas, [SB 12](#) was introduced and if enacted, would prohibit instruction on “divisive concepts” related to race or sex in schools.



In Florida, [HB 57](#) and [SB 242](#) were introduced. If enacted, they would prohibit the instruction of divisive concepts to employees of various agencies. Conversely, [SB 490](#) would require instruction on the history of Asian Americans and Pacific Islanders in addition to other required subjects in schools.



In Indiana, [HB 1178](#) was introduced by Representative Vanessa Summers. If enacted, it would require implicit bias training in any hospital or clinics providing pregnancy-related services.



In Kentucky, [BR 437](#) was introduced by Representative Attica Scott. If enacted, it would require public middle and high school instruction on the history of racism in the United States.



In Mississippi, [HB 437](#) was introduced and, if enacted, would prohibit instruction on Critical Race Theory in public schools.



In Missouri, [HB 1835](#) was introduced which, if enacted, would prohibit the instruction of “divisive concepts” in schools. Additionally, [HB 1815](#) was prefiled by Representative Nick Schroer and, if enacted, would prohibit public schools from instructing on Critical Race Theory.



In New Jersey, [A 6089](#) was introduced. If enacted, it would require candidates for teaching certification to complete mandatory anti-racism in education training.



In South Carolina, [H 4605](#) was introduced by Representative Lin Bennett. If enacted, it would prohibit instruction on “divisive concepts”

related to race, in addition to prohibiting instruction on sexuality, gender identity, sexual orientation, or related topics.

Sex Education



In Alaska, [SB 157](#) was introduced and, if enacted, would require comprehensive sexual health education to be a part of the health and personal safety curriculum for K-12 schools.



In Florida, [SB 1842](#) was introduced by Representative Dennis Baxley. If enacted, it would require schools to notify and obtain written parental consent prior to instruction on reproductive health or sexually transmitted infections. This would effectively change Florida’s system for enrollment for sex education instruction from an [opt-out to opt-in policy](#). Conversely, [HB 1409](#) was introduced which would create the Florida Healthy Adolescent Act. If enacted, this would require schools to provide sex education that is comprehensive, age-appropriate, medically accurate, and would reinforce the current opt-out policy.



In Georgia, [HB 857](#) was introduced and, if enacted, would require that sex education and AIDS prevention courses are age-appropriate and include instruction on consent among other requirements.



In Indiana, [HB 1047](#) was introduced. If enacted, it would require sexual health education to be both medically accurate and developmentally appropriate for the curriculum to be “comprehensive”.



In Kentucky, [HB 13](#) was introduced and, if enacted, would require instruction on healthy relationships. This would include content on human development, consent, gender stereotypes, contraception, STI prevention, and resources for navigating one’s sexual and reproductive health.



In Maryland, [HB 194](#) was introduced by Representative Emily Shetty and, if enacted, would require instruction on sexting as a part of the family life and human sexuality curriculum in public schools.



In Missouri, [HB 1752](#) was introduced by Representative Chuck Basye. If enacted, it would require for sex education instruction to emphasize abstinence and the negative consequences of adolescent sexual activity. It would also allow schools to separate classrooms based on gender for sex education instruction.

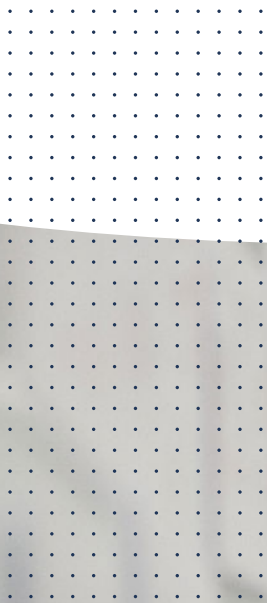


Sex Education Policy Action Council

The Sex Education Policy Action Council (SEPAC) is a collective of sex education advocacy organizations, researchers, school health professionals, and state employees across the nation, driven by a shared goal of advancing comprehensive sex education in their communities.

In 2022, SIECUS and EducateUS staff will continue to work diligently with SEPAC state partners on a variety of key initiatives to advance sex education. For example, in Massachusetts, The Healthy Youth Coalition—a SEPAC member—is working hard to make sure their Healthy Youth Act is enacted into law this session. SIECUS is supporting their efforts by circulating action alerts and lifting up their messaging, while EducateUS is helping them prepare for opposition on the school-board level to come once the state bill is finally enacted.

To learn more about SEPAC and how to join, visit www.sexedcouncil.org.



2022 State Advocacy Tools

As states resume their legislative sessions, advocates may face unique challenges in advancing legislation surrounding sex education, access to health services, and other intersecting issues.

Similarly, there will be many opportunities to advance our mission of sex education for social change.

The following tools may be utilized to advance sex education and other intersecting policies in your community and state.

- [Community Action Toolkit](#) provides advocates with a guide on how to build support for advanced sex education in your communities, help implement policies, and promote effective and evidence based sex education programs that affirm young people's right to education that empowers them to make healthy choices for oneself. This toolkit can be used by parents, teachers, students, health professionals, community or faith leaders, and anyone who is pushing for sex education reform.



- The [Model Sex Ed Legislation](#) is a framework developed by SIECUS and partners such as Advocates for Youth, the American Civil Liberties Union (ACLU), and Planned Parenthood Federation of America. This model policy assists policy makers in constructing policies that establish or amend comprehensive sex education for youth in schools. For more information regarding the model Healthy Youth Act, please contact Alison Macklin, Policy and Advocacy Director, at amacklin@siecus.org.
- [National Standards for Sex Education](#), most recently updated in 2020, was developed by the Future of Sex Education (FoSE) initiative—comprised of Advocates for Youth, Answer, and SIECUS: Sex Ed for Social Change. This resource can help guide advocates considering sex education curricula to implement in their local schools and community centers. The goal of this publication is to provide clear, consistent, and straight-forward guidance on the essential, minimum, core content, and skills needed for sex education to be effective for K-12 students. More specifically, the National Standards for Sex Education address the inconsistent implementation of sex education across the country and the lack of time allotted to such curriculum. This resource serves as a means of helping educators improve current sex education curriculum.
- [Professional Learning Standards for Sex Education \(PLSSE\)](#) is a toolkit that provides guidance to school administrators and classroom educators about the content, skills, and professional disposition needed to implement sex education effectively. The PLSSE can help educators stay up-to-date on content and teaching methods, as both information related to sex and research on best practices are frequently changing.
- [Using Outside Speakers to Provide Sex Education](#) is a tool for school administrators and educators to use to determine:
 - What sex education best prepares students to make informed decisions about their sexual health over their lifetimes
 - Who should provide that sex education
 - How to select and vet outside speakers: what to look for, and what to avoid
 - How to work with outside speakers and ensure adherence to state and local laws and guidelines

Technical assistance can be provided by SIECUS to interested organizations and parties in regards to policy and sex ed advocacy on local, state, and national levels.

Contact Us! →

Partnership with EducateUS

SIECUS is proud to have partnered with activist and author Jaclyn Friedman, whose work has popularized the concept of affirmative consent, to launch EducateUS: SIECUS in Action, the first national 501(c)4 advocacy organization dedicated to advancing comprehensive sex education policy.

SIECUS and EducateUS share the same fundamental goals and analysis. As affiliated organizations, they will remain institutionally and legally separate, while exponentially expanding the capacity and effectiveness of both efforts. ■

As a social welfare organization, EducateUS will engage more directly in electoral advocacy, and has plans to lead a bold shift to increase the effectiveness of the sex education movement's narratives about the power and purpose of sex education. Moreover, EducateUS will power up on-the-ground efforts led by grassroots changemakers in their own communities, work towards changing policy at the state and local level, and innovate new legal strategies to pursue every student's human right to a fact-based, shame-free, comprehensive education.



VI.

Conclusion

2022 is a year of opportunity to bring back sex education legislation to the forefront of advocacy work at the local, state, and federal level.



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JOSE MARIA SAVA

While the opposition's efforts are significant and their tactics involve influencing sex education through other related bills, advocates will have the opportunity to advance sex education in their region and support progressive policymaking on all fronts whilst working alongside their partners nationwide.

According to [Guttmacher Institute](#), between 2011–2015 and 2015–2019, only half of adolescents received sex education that meets the minimum standard according to national goals (Lindberg & Kantor, 2021). We need, and must, do better to ensure young people receive the comprehensive instruction they deserve. Young people nationwide need advanced instruction that allows them to make informed decisions about their sexual and reproductive health and their future, and we can help make this a reality in 2022. By continually advocating for comprehensive sex education on all levels, we are getting closer to making sex education for all young people a reality and eliminating barriers in their access of this information, care, and education. ■

For additional assistance with advancing sex education in your community during the 2022 legislative session, please contact the team at SIECUS by emailing info@siecus.org.

To learn more about how you or your organization can be involved in sex ed advocacy, visit our [SEPAC](#) website.



VI.

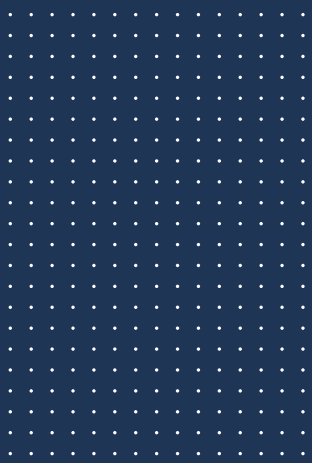
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