

# State Profiles

## Florida State Profile



### Florida's State of Sex Ed

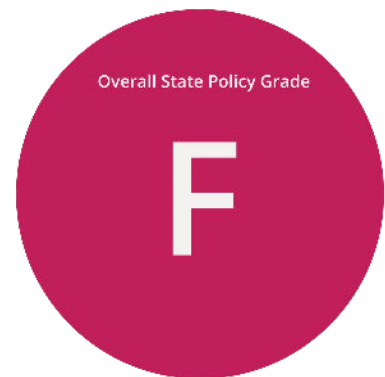
Some sex education is required by proxy via mandated state health education standards in Florida and Florida law does specify certain curriculum requirements if sex education is taught. As Florida schools are not required to explicitly provide sex education to students, school districts are left to decide what, if any, type of sex education they provide to youth.



Sex Ed Requirement



Sex Ed Content



Overall State Policy Grade

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[Current Requirement](#)

## Current Requirements At glance

- Florida schools are not required to teach sex education. However, they **are** required to teach health education that includes instruction on “the consequences of teenage pregnancy” and some aspects of sex education.
- Curriculum is not required to align with the [National Sex Education Standards](#).
- The curriculum must include the benefits of abstinence as the “expected standard.”
- The curriculum must teach prevention of child sexual abuse, exploitation, and trafficking but is not required to include instruction on consent.
- Florida has no regulation regarding medically accurate sex education instruction.
- Schools in Florida may also choose to provide instruction on HIV/AIDS
- If a school chooses to teach further instruction on HIV/AIDS, instruction must emphasize the benefits of heterosexual marriage and must be age and developmentally appropriate.
- 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.

## RECENT LEGISLATION SHAPING THE STATE LANDSCAPE

Advocates have been fighting a fierce and uphill battle to defend against attacks on public education and sex education in Florida in recent years. In the past legislative cycles, there has been a concerted push by legislators at the local, state, and federal level to restrict sex education and other inclusive forms of public education through the introduction of bills that target the rights of young

people, especially LGBTQIA youth. In addition, past legislation has targeted inclusive and affirming spaces within schools through bills that target transgender student athletes's participation and access to bathrooms. Meanwhile, access to abortion care after the Supreme Court's Dobbs decision has also added pressure on reproductive health care and rights in a state where fundamental rights are being actively denied. This upcoming legislative session will be no exception.

In 2023, [HB 1069](#) was enacted which takes last year's "Don't Say Gay" law, discussed further below, a step further and bans any classroom discussion of or instruction on sexual orientation and gender identity before eighth grade. It also prohibits school staff from using the correct pronouns of a student in accordance with their gender identity. Additionally, it allows for policies that censor books in school libraries and requires all reproductive health education material to be department-approved. This means that reproductive health education material can be changed depending on the stance of the current Florida administration's stance on sex education, due to positions within the Department of Education being appointed by the Governor.

In 2022, advocates attempted to introduce sex education bills [House Bill 1409](#) and [Senate Bill 1936](#) to require schools that provide sex education to teach comprehensive and culturally responsive instruction. Unfortunately, these efforts failed. Instead, advocates were forced to fight against an onslaught of opposing legislation. [Senate Bill 1842](#) sought to shift Florida's current [opt-out policy to opt-in](#), which would create an additional barrier to accessing sex education. In addition, numerous "parental rights" bills were introduced as part of the opposition's multi-fronted attack on public education by stigmatizing vital and important curriculum, including sex education, and requiring additional, unnecessary procedures for consent, review of instructional materials, and advanced notification. One such was [Senate Bill 1834/House Bill 1557](#), famously known as Florida's "Don't Say Gay" bill, was signed into law by Governor Ron DeSantis on March 28th, 2022. This new law now prohibits classroom discussion on sexual orientation and gender identity in kindergarten through third grade, and is already creating widespread confusion and harm across the state. These bills reflect the breadth of challenges faced by advocates in Florida.

Indeed, this legislation comes on the heels of the enactment of multiple bills restricting sex education in 2021. Florida enacted the restrictive [House Bill 241](#), which mandates that school districts enact a procedure for parents to object to

instructional materials on the basis of morality, sex, religion, or perceived harm. This law also requires prior parental notification of instruction and the development of a procedure for parents to opt their children out of sex education. This bill reinforces stigma and shame surrounding the provision of school-based sex education, inciting fear and concern in parents about critical and necessary instruction that their children receive. Florida also enacted a similar bill, [House Bill 545](#), which mandates school districts notify parents of the right to remove their children from sex education and provide the opportunity for parents to review instructional materials. The law mandates that all sex education instructional materials be annually approved by the district school board in an open notice public meeting. Additionally, Florida enacted [House Bill 519](#) in 2021, some aspects of which advance sex education and some of which restrict it. The bill requires K-12 health education to be age-appropriate, developmentally appropriate, and include instruction on the prevention of child sexual abuse if taught. However, the law also requires curriculum to include an awareness of the benefits of abstinence as the expected standard, along with the consequences of teenage pregnancy.

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. Local control over sex education presents unique challenges that have resulted in a glaring disparity regarding the quality of sex education that students receive. While some school districts have implemented comprehensive curriculum, others have failed to provide quality sex education, if at all. Further, advocates in Florida also worry about providing complete control to the Florida Department of Education to oversee sex education, as many report the current administration being both anti-sex education and anti-LGBTQIA+. This unique situation allows for the implementation of policies and curriculum that stigmatize marginalized youth, such as students of color and LGBTQIA+ youth, and presents further challenges in ensuring that low income districts have access to the resources needed to implement sex education. Additionally, state statute mandates that HIV/AIDS instruction emphasize the benefits of heterosexual marriage, which is particularly harmful to vulnerable LGBTQIA+ youth. Advocates also describe recent efforts in Florida to ban books, restrict gender affirming care, and target transgender students. To address this gap in education, the Florida Healthy Youth Alliance, composed of dedicated health professionals, provides accurate information, resources and guidance on medically accurate, inclusive, trauma-informed, and culturally competent sexual health education based on research and best practices.

Right now, advocates are urgently needed to 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 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. Advocates are encouraged to take action on pending legislation that seeks to advance or restrict the principles of sex education.

For a current overview of pending legislation, see table below. Community members should contact their representatives to discuss the critical need for statewide sex education requirements that prioritize healthy youth sexual development and to push for legislation that requires an honest, inclusive, accurate, and fact-based curriculum be taught in public schools, including in sex education.. Advocates are encouraged to use the SIECUS [Community Action Toolkit](#) to guide local efforts to advance sex education, to get involved with the Florida Healthy Youth Alliance advocacy efforts, and to reach out to [EducateUs](#) to get connected to local advocacy groups.

## [More on sex ed in Florida...](#)

### **State Law: A Closer Look**

Florida law has more laws prohibiting topics from being taught in sex education than requiring topics to be taught. [Florida Statute 48-1003.42](#) states that public schools must teach “comprehensive health education” that includes prevention of child sexual abuse, exploitation, and human trafficking. Public schools must teach students in grades 7 through 12 instruction on teen dating violence and abuse while students in grades 6 through 12 must be instructed on “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.”

Florida Statute 48-1003.46 states that each district school board may provide instruction in acquired immune deficiency syndrome education as a specific area of health education. Such instruction may include, but is not limited to, the known modes of transmission, signs and symptoms, risk factors associated with acquired immune deficiency syndrome, and means used to control the spread of acquired immune deficiency syndrome. Such instruction shall:

1. 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;
2. Emphasize that abstinence from sexual activity is a certain way to avoid out-of-wedlock pregnancy, STIs, including AIDS and other associated health problems;
3. 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
4. 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.

In 2023, HB 1069 was enacted into law and is part of Florida Statutes 1003.42 and states that reproductive health education instructional material must be department-approved, leaving it upon the jurisdiction of the current administration.

## State Standards

Florida standards, titled *Sunshine State Standards for Health Education*, were revised in 2021. 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 Legislation

State legislative activity related to sex education does not take place in isolation from the broader embroiled political and policy climate. In 2022, Florida was on the frontlines of a national wave of attacks on the rights of lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQAI+) individuals, attempts to restrict or prohibit instruction on “divisive concepts” such as “Critical Race Theory” (which is not taught in public schools), and efforts to limit access to abortion care and other reproductive healthcare services swept the country in an effort to prevent students from receiving sex education and accessing sexual and reproductive healthcare services. Below are highlights of current legislative activity related to these topics. **Florida’s 2024 annual legislative session convenes January 9, 2024.**

## 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](#). At the time of publication, the 2021 YRBS data was not made available yet.

## Florida School Health Profiles Data

In 2022, the Centers for Disease Control and Prevention (CDC) released the 2020 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 22 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 2019–2020 school year.

### **Reported teaching all 22 critical sexual health education topics**

- 25.1% of Florida secondary schools taught students all 22 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 45.7% of Florida secondary schools taught students all 22 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**

- 68.5% 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.
- 81.5% 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**

- 66.4% 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.
- 76.5% 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**

- 70.2% 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.
- 77.1% 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**



- 56.1% 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.
- 72.0% 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**

- 42.1% of Florida secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 53.6% 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**

- 51.1% 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.
- 68.0% 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 diversity of sexual orientations and gender identities**

- 45.5% of Florida secondary schools taught students about diversity of sexual orientations and gender identities in a required course in any of grades 6, 7, or 8.
- 73.7% of Florida secondary schools taught students about diversity of sexual orientations and gender identities in a required course in any of grades 9, 10, 11, or 12.

### **Reported teaching about how gender roles and stereotypes affect goals, decision-making, and relationships**

- 48.2% of Florida secondary schools taught students about gender roles and stereotypes in a required course in any of grades 6, 7, or 8.
- 61.8% of Florida secondary schools taught students about gender roles and stereotypes 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**

- 53.2% 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](#).**

