

# State Profiles

## Montana State Profile



### Montana's State of Sex Ed

Montana schools **are** required by proxy to teach sex education due to mandated health education standards.

[Download Scorecard](#)

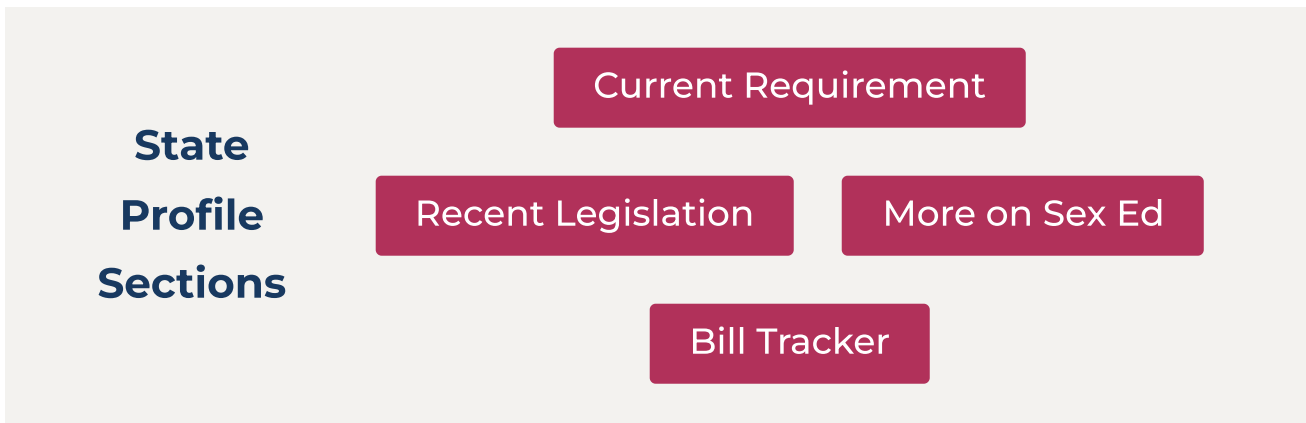


Sex Ed Requirements



Sex Ed Content





## Current Requirements At glance

- Montana statute has no standard regarding abstinence instruction.
- Curriculum is not required to include instruction on sexual orientation or gender identity.
- Curriculum is not required to include instruction on consent.
- Schools must give written notification to a parent or guardian at least 48 hours prior to providing sex education that covers the basic content and the right to remove their children from such instruction. **This is known as an “opt-out” requirement.**
- School districts are required to make all curriculum used in the district’s or school’s human sexuality instruction available for public inspection prior to the use of the materials in actual instruction.
- Montana statute has no regulation regarding medically accurate sex education instruction.

## RECENT LEGISLATION SHAPING THE STATE LANDSCAPE

Advocates have focused on working at the local level to advance sex education in Montana over the past decade, despite efforts to restrict young people’s access to sex education and reproductive health services. The most recent of these reductive efforts was **Senate Bill 99**, introduced by Senator Cary Smith (R-27) and enacted on April 30, 2021. The law requires parents or guardians to receive written notification from schools before students receive sex education and the right to remove their children from such instruction. Further, the law prohibits school districts from receiving sex education instruction from any person or entity affiliated with providing abortion care.

While Montana schools are required to teach sex education, state statute provides little guidance as to what content or curriculum should be used. As a result, school districts are left to decide what type of instruction 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 across the state. Such discretion allows for the implementation of policies and curriculum that stigmatize marginalized youth, such as students of color and LGBTQAI+ youth, and presents further challenges in ensuring that low income districts have access to the resources needed to implement sex education. Youth of color, and Native youth in particular, face unique challenges and systematic barriers in Montana schools.

Since 2016, EmpowerMT, Planned Parenthood of Montana (PPMT), Missoula City-County Relationship Violence Services, and Missoula Forum for Children and Youth have formed a [coalition](#) to provide sex education to Missoula middle school students. These local efforts demonstrate the desire for sex education despite the lack of a statewide mandate. 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 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. 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. Advocates can also contact their representatives to discuss the critical need for advancing such requirements. Advocates are encouraged to use the SIECUS [Community Action Toolkit](#) to guide local efforts to advance sex education and to reach out to [EducateUs](#) to get connected to local advocacy groups.

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

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

[Montana Code Annotated § 20-2-121](#) requires the board of public education to adopt content standards for school districts to follow in their curriculum

development, and Administrative Rule [10.55.905](#) states that “health enhancement” is a required subject for graduation. [Montana Administrative Rule §§ 10.53.101](#) requires schools to use the content standards for the health enhancement graduation requirement. [Administrative Rules §§ 10.53.701-709](#) codify the health content standards into law. Montana 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.

## 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, 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. **Montana’s 2023 biennial session convenes on January 02, 2023.**

## 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 Montana’s Youth Risk Behavior Survey (YRBS) results, [click here](#). At the time of publication, the 2021 YRBS data was not made available yet.

## Montana 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 Montana as reported for the 2019–2020 school year.

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

- 15.6% of Montana secondary schools taught students all 22 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 37.1% of Montana 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**

- 69.4% of Montana secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 6, 7, or 8.
- 100% of Montana 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**

- 71.2% of Montana 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.
- 88.7% of Montana 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**

- 80.1% of Montana 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.

- 92.1% of Montana 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**

- 54.4% of Montana 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.
- 72.2% of Montana 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**

- 32.5% of Montana secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 57.1% of Montana 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**

- 49.5% of Montana secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 6, 7, or 8.
- 73.8% of Montana 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 and gender identity**

- 40.1% of Montana secondary schools taught students about sexual orientation and gender identity in a required course in any of grades 6, 7, or 8.
- 56.8% of Montana secondary schools taught students about sexual orientation and gender identity 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**

- 51.9% of Montana secondary schools taught students about gender roles and stereotypes in a required course in any of grades 6, 7, or 8.
- 63.5% of Montana 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**

- 37.3% of Montana 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](#).**

