

State Profiles

Nebraska State Profile



Nebraska's State of Sex Ed

Nebraska schools are not required to teach sex education. Schools that choose to provide any human sexuality instruction are required to follow an abstinence-only approach.

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Sex Ed Requirements



Sex Ed Content



Current Requirements

- 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, the 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 regulation regarding medically accurate sex education instruction.

RECENT LEGISLATION SHAPING THE STATE LANDSCAPE

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, advocates in Nebraska are facing significant efforts to limit sex education with the introduction of [Legislative Bill 768](#) in 2022. Introduced by Senator Joni Albrecht (R-17), the bill would have severely limited schools' ability to teach sex education by prohibiting the State Board of Education from developing, approving, distributing, adopting, or promoting academic content standards for subjects other than reading, writing, mathematics, science and social studies. This bill and other similar legislation was ultimately unsuccessful.

At the statewide level, in September 2019, 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. Then, in Summer 2020, the Nebraska Department of Education teamed up with educators to develop the first [Nebraska Health Education Standards](#). Unfortunately, this process was [indefinitely paused](#) in September 2021 due to significant conservative attacks and pushback on the efforts despite a [recent survey of Nebraska youth](#) asserting just one in three LGBTQAI+ youth feel affirmed in their home. Additional [youth data](#) from Nebraska indicates young people desire more school-based sex education, with 40% currently reporting feeling unsafe in classrooms due to the way sex education is currently taught. The introduction of bills like Legislative Bill 768 appear to be another conservative attack to legislatively impede youth in Nebraska from accessing essential information on sexual orientation, gender identity, consent, and healthy relationships.

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. The postponement of the Nebraska Health Education Standards allows districts to maintain local power to **develop and adopt their own standards**, a practice unfair to young people who go to school in districts with insufficient sex education requirements. 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 LGBTQAI+ youth, and presents further challenges in ensuring that low income districts have access to the resources needed to implement sex education.

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 **2020 report** found that Black youth experience chlamydia infection rates more than seven times higher than white youth, and more than twice the rate experienced by American Indian youth, who experience the second highest rate of infection. 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 socio-economic structures these young people experience.

Despite the presence of organizations invested in advancing sex education across the state, advocates note that the lack of a unified effort is one of the major barriers to advancing sex education in Nebraska. Further, advocates report a need for increased support for advancing sex education from district boards of education and an increased ability to dispel myths and concerns regarding quality and inclusive sex education.

Right now, advocates can take action to ensure young people in their community have access to quality sex education. Advocates can determine what topics are missing from sex education instruction, such as instruction on consent, sexual orientation and gender identity, and contraceptives, and contact their local school board members. They can also 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. Further, advocates can contact their representatives to discuss the critical need for advancing sex education. 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 to advance sex education and to reach out to [EducateUs](#) to get connected to local advocacy groups.

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

State Law: A Closer Look

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.”

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 engaged a group of educators (teachers, administrators, ESU staff, postsecondary representatives) in **developing Nebraska Health Education standards** to create a framework for K-12 health education. A first draft was released in March 2021 with a **second draft** released in July 2021. The Nebraska Board of Education voted to pause the process in September 2021. With statewide conversations around health education standards continuing, advocates have the opportunity to advocate for more inclusive standards in Nebraska. The SIECUS **Community Action Toolkit** is an essential resource for advocates to get started championing comprehensive and inclusive sex education standards.

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. **Nebraska’s 2023 session convenes on January 04, 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 Nebraska's Youth Risk Behavior Survey (YRBS) results, [click here](#). At the time of publication, the 2021 YRBS data was not made available yet.

Nebraska 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 Nebraska as reported for the 2019–2020 school year.

Reported teaching all 22 critical sexual health education topics

- 20.7% of Nebraska secondary schools taught students all 22 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 30.8% of Nebraska 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

- 56.3% 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.
- 81.6% 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

- 51.2% 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 6, 7, or 8.
- 81.8% 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

- 56.4% 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.
- 78.4% 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.

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

- 49.1% 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.
- 73.3% 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

- 26.9% of Nebraska secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 39.2% 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

- 38.7% 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.

- 59.2% 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 and gender identity

- 33.5% of Nebraska secondary schools taught students about sexual orientation and gender identity in a required course in any of grades 6, 7, or 8.
- 49.8% of Nebraska 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

- 39.7% of Nebraska secondary schools taught students about gender roles and stereotypes in a required course in any of grades 6, 7, or 8.
- 58.6% of Nebraska 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

- 40.4% 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](#).

