

State Profiles

South Dakota State Profile



South Dakota's State of Sex Ed

South Dakota is not required to teach sex education. However, abstinence is included as a topic under the required “character development instruction” mandated by South Dakota statute. Schools are required to provide instruction on disease prevention under the state’s *Health Education Standards*.

[Download Scorecard](#)



Sex Ed Requirement



Sex Ed Content



[Current Requirement](#)

Current Requirement

- Curriculum is required to include instruction on abstinence.
- Curriculum is not required to include instruction on sexual orientation or gender identity.
- Curriculum is not required to include instruction on consent.
- South Dakota's standard regarding the ability of parents and guardians to remove their children from sex education instruction varies by school district.
- South Dakota has no regulation regarding medically accurate sex education.

RECENT LEGISLATION SHAPING THE STATE LANDSCAPE

Advocates continue to face an increasingly uphill battle toward advancing sex education in South Dakota. In 2022, [House Bill 1005](#) was an unsuccessful effort to ban transgender students from using bathroom facilities that match their gender identity. In 2019, [House Bill 1108](#) was introduced in efforts to prohibit instruction on “gender dysphoria” in grades K-7.

Sex education is not currently mandated in South Dakota, but all schools are required to include instruction on abstinence under “character development instruction”. Because South Dakota 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 glaring disparities 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 sex education.

Native Americans account **for more than 10%** of the population in South Dakota, making it one of four states with the highest percentage of Native Americans. Native youth in particular face unique challenges in accessing quality sex education. Native women are **2.5 times more likely** to experience sexual assault compared to non-native women. This disparity demonstrates a critical need for increased access to trauma informed and culturally responsive sex education for Native youth.

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 whether sex education is happening and, if so, what topics are missing from sex education instruction, such as instruction on consent, health relationships, affirming instruction on sexual orientation and gender identity, or contraceptives. Advocates may also focus on advocating for trauma informed, culturally responsive curriculum or curriculum that is medically accurate. They can then vocalize the important need for advancing sex education requirements in their community to ensure young people receive affirming instruction. 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 requirements statewide. 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 South Dakota...

State Law: A Closer Look

South Dakota law (§§ **13-33-1** and **13-33-6.1**) does not specifically mention sex education; however, public schools must substantially conform to the educational standards established by the state Board of Education. Furthermore, the law requires that “character development instruction” be provided in all

schools unless the governing body elects to do otherwise. Character development instruction “impress[es] upon the minds of the students the importance of citizenship, patriotism, honesty, self-discipline, self-respect, sexual abstinence, respect for the contributions of minority and ethnic groups to the heritage of South Dakota, regard for the elderly, and respect for authority.”

State Standards

In March 2018, South Dakota adopted revised *Health Education Standards*, which offer a guide for curricula development but do not provide additional detail on character development instruction. The standards include “comprehend[ing] concepts related to health promotion and disease prevention” and “demonstrate[ing] the ability to practice health-enhancing behaviors and avoid[ing] or reduc[ing] health risk,” but sexuality is not mentioned.

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. **South Dakota’s 2023 annual session convenes on January 10, 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 South Dakota

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

South Dakota 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. Unfortunately, South Dakota **did not** participate in data collection for the 2020 School Health Profiles.

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](#).



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