

# State Profiles

## Virginia State Profile



### Virginia's State of Sex Ed

Virginia schools are **not** required to teach sex education (also known as family life education). However, if they choose to teach sex education they **may** follow the Family Life Education Guidelines and Standards of Learning developed by the Virginia Board of Education.

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Sex Ed Requirement



Sex Ed Content



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## Current Requirement

- This curriculum is not required to align with the [National Sex Education Standards](#) and must emphasize abstinence.
- Certain topics of the Family Life Education Guidelines and Standards of Learning must be taught, if family life education is provided, such as dating violence, violence prevention, consent, and personal boundaries.
- The curriculum is not required to include instruction on sexual orientation or gender identity.
- Parents or guardians may remove their students from any class. [This is referred to as an “opt-out” policy.](#)

## RECENT LEGISLATION SHAPING THE STATE LANDSCAPE

Advocates have experienced a reduced ability to advance sex education legislation in Virginia after the 2021 midterm elections resulted in a divided government, with many anti-sex ed candidates being elected. Despite this limitation, advocates and coalition groups such as the Virginia Coalition for Sex Ed Reform (VACSER) continue to build community support in advancing sex education requirements statewide with the goal of advancing a sex education mandate.

In 2019, Virginia advocates saw an abundance of successful legislation which passed measures requiring Family Life Education to ensure instruction on personal privacy, consent and sexual harassment, human trafficking, and female genital mutilation in sex education curriculum. Similarly, a series of bills enacted in 2020 established several new policies for family life education curriculum including requiring the Department of Education to develop guidelines for implementing the curriculum for young people with disabilities and adding instruction on healthy relationships to the curriculum, overall.

In the 2022 legislative session, there were many efforts to restrict instruction on sex education. One such bill, [Senate Bill 656](#), was enacted and requires schools to establish a policy for informing parents of students enrolled in a course where instructional material may include “sexually explicit content” or “sexual misconduct”. Additionally, it allows parents to review said material and schools to provide an alternative to this material if a parent requests for their student. While appearing to increase “parental rights”, bills like [SB 656](#), in fact, stigmatize the vital and important information provided under sex education and infringe upon young people’s right to access this education to help them make healthy, informed decisions for themselves. Further, the majority of parents and guardians along with the general public overwhelmingly support access to school-based sex education. Other regressive pieces of legislation include [House Bill 786](#), [House Bill 1009](#), [House Bill 1007](#), [House Bill 785](#), [House Bill 789](#) , and [House Bill 1347](#). While ultimately unsuccessful, these bills represent some of the many challenges faced by advocates in Virginia’s legislative landscape. Further, advocates expect additional aggressive legislative attacks in upcoming legislative sessions on sexual and reproductive rights in a state that is experiencing an onslaught of bills related to the treatment of transgender youth and their families and protections for LGBTQIA youth, overall.

Contrastingly, advocates in Virginia helped champion the introduction of progressive bills such as [House Bill 1215](#), introduced by Delegate Margaret Ransone. This enacted bill requires physical education classes offered in seventh and eighth grade to include a curriculum on personal safety training consisting of safety awareness, social media education, and self defense tactics. Further, [House Bill 1023](#) introduced by Delegate Elizabeth Guzman was also enacted. This bill will allow for Family Life Education to include instruction on human trafficking prior to high school.

Since Virginia schools are not required to provide sex education to students, schools are left to decide what type of sex education—if any at all—they teach young people. 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 LGBTQ youth, and presents further challenges in ensuring that low income districts have access to the resources needed to implement sex education. Advocates report that it is difficult to identify the content that students are

learning in Virginia because schools are not required to report what curriculum they implement if they choose to teach sex education.

Students have recently **called out** the problematic nature of requiring sex education classes to be sex-segregated in school districts such as Fairfax County. This effectively excludes transgender and non-binary students.

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 sex education 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, and connect with advocates such as the **Virginia Coalition for Sex Ed Reform (VACSER)**. Advocates are also 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 must continue to contact their representatives to discuss the critical need for updating the Family Life Education Guidelines and Standards of Living and requiring sex education in all Virginia schools. 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 other local advocacy groups.

## **More on sex ed in Virginia...**

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

Virginia mandates health education, but sex education is not required. However, **Virginia Code Annotated §§ 22.1-200, 22.1-207.1 and 22.1-207.2** state that all family life education programs that are offered must meet or exceed the “requirements of the [State] Board of Education.” Virginia gives permission for local school boards to develop family life education programs with the “goals of reducing the incidence of pregnancy and sexually transmitted diseases [STDs] and substance abuse among teenagers.”

According to **Virginia Code Annotated § 22.1-207.1:1**, “any family life education curriculum offered by a local school division shall require the Standards of

Learning objectives related to dating violence and the characteristics of abusive relationships to be taught at least once in middle school and at least twice in high school.” The curriculum shall incorporate age-appropriate and evidence-based elements on prevention of dating violence, domestic abuse, sexual harassment, including sexual harassment using electronic means, and sexual violence. Additionally, family life education curriculum may incorporate age-appropriate elements of effective and evidence-based programs on child sexual abuse, child abduction, human trafficking, the harmful effects of female genital mutilation, the importance of personal privacy and personal boundaries, and the law and meaning of consent.

The law states that parents or guardians may remove their students from any class. This is referred to as an “opt-out” policy.

## State Standards

The state Board of Education’s *Family Life Education Board of Education Guidelines and Standards of Learning for Virginia Public Schools* for grades K–12 suggest programs be age-appropriate and address:

[T]he benefits, challenges, responsibilities, and value of marriage for men, women, children, and communities; abstinence education; the value of postponing sexual activity; the benefits of adoption as a positive choice in the event of an unwanted pregnancy; human sexuality; human reproduction; dating violence, the characteristics of abusive relationships, steps to take to deter sexual assault, and the availability of counseling and legal resources, and, in the event of such sexual assault, the importance of immediate medical attention and advice, as well as the requirements of the law; the etiology, prevention, and effects of STDs; and mental health education and awareness.

Virginia also offers *Health Education Standards of Learning for Virginia Public Schools*, which are separate from the Family Life Standards mentioned above. This is consistent with the separation between health education and family life education present in the related statutes. Therefore, the health education standards do not mention anything regarding human immunodeficiency virus (HIV), STDs, pregnancy, contraception, or related sexual health topics.

# 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. **Virginia’s 2023 annual session convenes on January 11, 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 Virginia’s Youth Risk Behavior Survey (YRBS) results, [click here](#). At the time of publication, the 2021 YRBS data was not made available yet.

## Virginia School Health Profiles Data

In 2022, the Centers for Disease Control and Prevention (CDC) released the 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 Virginia as [reported](#) for the 2019–2020 school year.

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

- 18.9% of Virginia secondary schools taught students all 22 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 40.5% of Virginia 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**

- 31.4% of Virginia secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 6, 7, or 8.
- 53.3% of Virginia 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**

- 27.3% of Virginia 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.
- 49.6% of Virginia 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**

- 66.6% of Virginia 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.
- 78.8% of Virginia 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**

- 69.1% of Virginia 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.
- 75.2% of Virginia 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**

- 32.2% of Virginia secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 55.8% of Virginia 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**

- 66% of Virginia secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 6, 7, or 8.
- 78% of Virginia 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**

- 61.8% of Virginia secondary schools taught students about sexual orientation and gender identity in a required course in any of grades 6, 7, or 8.
- 78% of Virginia 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**

- 52.5% of Virginia secondary schools taught students about gender roles and stereotypes in a required course in any of grades 6, 7, or 8.
- 69% of Virginia 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**

- 46.1% of Virginia 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](#).**

