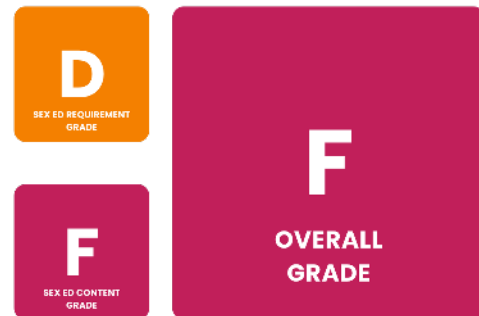




South Dakota State of Sex Ed

Sex education is not required, nor is HIV/STI education. No medical accuracy or age-appropriate requirements. Must stress sexual abstinence via "character development instruction," but no state-level laws on any other aspects of sex education or HIV/STI education.



[View Bill Tracker](#)

Current Requirement

- Sex education is not required
 - Instruction that stresses abstinence must be taught via "character development instruction"
- 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 have encountered a standstill in advancing progressive sex education in South Dakota, as SIECUS has not observed any sex education-specific legislation since 2022. In 2025, however, two bills, [House](#)

[Bill 1171](#) and [House Bill 1172](#), were introduced under the umbrella of “Baby Olivia” legislation that would seek to require misinformed and stigmatizing fetal development instruction, including videos of ultrasounds and animations. While unsuccessful, these bills represent an alarming and growing trend of attacks on both sex education and abortion by perpetuating anti-abortion misinformation and stigma.

Beyond sex education, South Dakota schools continue to be the target for “parental rights” bills that would also impact school libraries and minor consent to health care and anti-transgender youth bills, such as sports bans and medical care bans. In 2022, [Senate Bill 46](#) was enacted and now prohibits schools from allowing transgender athletes to play on teams per their gender identity. In 2023, [House Bill 1080](#) was enacted and prohibits gender affirming care for minors. In 2024, [House Bill 1197](#) was signed into law and requires additional procedures for school libraries to prohibit minors' access to “obscene” materials via computers and requires schools to post this policy on their website and local newspaper. These materials may indirectly include sex education materials or LGBTQIA+ resources. In a positive development, this year, [House Bill 1239](#) amends the previous law by adding a requirement for schools to allow individuals to appeal to the school board to determine whether material is obscene or not, and any determination made by school boards is subject to judicial review.

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.

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 or not sex education is being

taught and what topics are missing from the current instruction, such as instruction on contraception, sexual orientation, gender identity, and STI prevention. Advocates can also focus on ensuring that the curriculum is medically accurate. They can then vocalize the importance of advancing sex education requirements in their community beyond focusing on abstinence. Advocates are encouraged to take action on pending legislation that seeks to advance or restrict the principles of sex education. **South Dakota's 2025 legislative session convened January 14th, 2025, and adjourned March 31st, 2025.**

Further, advocates can contact their representatives to discuss the need for a statewide sex education mandate. Advocates are encouraged to use the [SIECUS Community Action Toolkit](#) to guide local efforts to advance sex education. For more information on getting involved in local and state advocacy for sex education, reach out to our State Policy Action Manager, Miranda Estes (mestes@siecus.org)

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, outline that 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 nor address sexual health concepts. For accreditation, the state standards are required to be followed by law.

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. In recent years, there has been an increase in legislative attacks on the implementation of CDC's Youth Risk Behavior Survey (YRBS) which [tracks six categories of health risk behaviors](#) including sexual health behaviors. **To learn more about South Dakota's 2023 YRBS results, [click here](#).** In 2023, South Dakota participated in high school YRBS data collection only, not middle school.

South Dakota School Health Profiles Data

In 2024, the Centers for Disease Control and Prevention (CDC) released the 2022 [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. **South Dakota did not participate in the School Health Profiles Survey for 2022.**

Visit the CDC's [School Health Profiles](#) 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](#).