

■ Sex and HIV Education

BACKGROUND: Beginning in the 1970s, concerns over teen pregnancy– and later HIV/AIDS– galvanized widespread public support for sex education in schools. Most states today have a policy requiring HIV education, usually in conjunction with broader sex education. Meanwhile, as debate over the relative merits of abstinence-only-until-marriage versus more comprehensive approaches has intensified, states have enacted a number of specific content requirements. This brief summarizes state-level sex and HIV education policies, as well as specific content requirements, based on a review of state laws, regulations and other legally binding policies.

HIGHLIGHTS:

General Requirements: Sex Education and HIV Education

- 22 states and the District of Columbia mandate sex education.
 - 20 states and the District of Columbia mandate both sex education and HIV education.
 - 2 states only mandate sex education.
- 33 states and the District of Columbia mandate HIV education; of these states, 13 mandate only HIV education.
- 27 states and the District of Columbia mandate that, when provided, sex and HIV education programs meet certain general requirements.
 - 13 states require that the instruction be medically accurate.
 - 26 states and the District of Columbia require that the information be appropriate for the students' age.
 - 8 states require that the program must provide instruction that is appropriate for a student's cultural background and not be biased against any race, sex or ethnicity.
 - 2 states prohibit the program from promoting religion.
- 37 states and the District of Columbia require school districts to involve parents in sex education, HIV education or both.
 - 22 states and the District of Columbia require that parents be notified that sex education or HIV education will be provided.
 - 3 states require parental consent for students to participate in sex education or HIV education.
 - 35 states and the District of Columbia allow parents to remove their children from instruction.



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125 Maiden Lane
New York, NY 10038
212.248.1111
www.guttmacher.org
info@guttmacher.org

1301 Connecticut Avenue, N.W.
Washington, DC 20036
202.296.4012
www.guttmacher.org
policy@guttmacher.org

HIGHLIGHTS:

Content Requirements When Sex Education is Taught

- 18 states and the District of Columbia require that information on contraception be provided.
- 37 states require that information on abstinence be provided.
 - 25 states require that abstinence be stressed.
 - 12 states require that abstinence be covered.
- 19 states require that instruction on the importance of engaging in sexual activity only within marriage be provided.
- 13 states require discussion of sexual orientation.
 - 9 states require that discussion of sexual orientation be inclusive.
 - 4 states require only negative information on sexual orientation.
- 13 states require the inclusion of information on the negative outcomes of teen sex and pregnancy.
- 27 states and the District of Columbia require the provision of information about skills for healthy sexuality (including avoiding coerced sex), healthy decision making and family communication when.
 - 20 states and the District of Columbia require that sex education include information about skills for avoiding coerced sex.
 - 20 states require that sex education include information on making healthy decisions around sexuality.
 - 11 states require that sex education include instruction on how to talk to family members, especially parents, about sex.

Content Requirements When HIV Education is Taught

- 19 states require information on condoms or contraception.
- 39 states require that abstinence be included.
 - 27 states require that abstinence be stressed.
 - 12 states require that abstinence be covered.

CONTINUED

GENERAL REQUIREMENTS: SEX AND HIV EDUCATION

STATE	SEX EDUCATION* MANDATED	HIV EDUCATION MANDATED	WHEN PROVIDED, SEX OR HIV EDUCATION MUST:				PARENTAL ROLE		
			Be Medically Accurate	Be Age Appropriate	Be Culturally Appropriate and Unbiased	Cannot Promote Religion	Notice	Consent	Opt- Out
Alabama		X		X					X
Arizona				X			HIV	Sex	HIV
Arkansas									
California		X	X	X	X	X	X		X
Colorado			X	X	X		X		X
Connecticut		X							X
Delaware	X	X							
Dist. of Columbia	X	X		X			X		X
Florida				X					X
Georgia	X	X					X		X
Hawaii			X	X					
Idaho									X
Illinois [†]		X	X	X					X
Indiana		X							
Iowa	X	X	X	X	X		X		X
Kentucky	X	X							
Louisiana				X		X	X		X
Maine	X	X	X	X					X
Maryland	X	X							X
Massachusetts							X		X
Michigan		X	X [‡]	X			X		X
Minnesota	X	X							X
Mississippi ^Ω	X			X			X		X
Missouri		X		X			X		X
Montana	X	X							
Nevada	X	X		X			X	X	
New Hampshire		X							X
New Jersey	X	X	X	X	X		X		X
New Mexico	X	X							X
New York		X		HIV					HIV
North Carolina	X	X	X	X					
North Dakota	X								
Ohio	X	X							X
Oklahoma		X					X		X
Oregon	X	X	X	X	X		X		X
Pennsylvania		X		HIV			X		HIV
Rhode Island	X	X	X	X	X				X
South Carolina	X	X		X			X		X
Tennessee	X ^Ψ	X		HIV					X
Texas				X			X		X
Utah ^ξ	X	X	X		X		X	X	
Vermont	X	X		X					X
Virginia				X			X		X
Washington		X	X	X	X		X		X
West Virginia	X	X					X		X
Wisconsin		X					X		X
TOTAL	22+DC	33+DC	13	26+DC	8	2	22+DC	3	35+DC

* Sex education typically includes discussion of STIs.

† Sex education is not mandatory, but health education is required and it includes medically accurate information on abstinence.

‡ Sex education “shall not be medically inaccurate.”

Ω Localities may include topics such as contraception or STIs only with permission from the State Department of Education.

Ψ Sex education is required if the pregnancy rate for 15-17 teen women is at least 19.5 or higher.

ξ State also prohibits teachers from responding to students’ spontaneous questions in ways that conflict with the law’s requirements.

CONTINUED

CONTENT REQUIREMENTS FOR SEX* AND HIV EDUCATION

STATE	WHEN PROVIDED, SEX EDUCATION MUST								WHEN PROVIDED, HIV EDUCATION MUST	
	Include Information on:					Include Life Skills for:			Include Information on:	
	Contra-ception	Abstinence	Importance of Sex Only Within Marriage	Sexual Orientation	Negative Outcomes of Teen Sex	Avoiding Coercion	Healthy Decision -making	Family Commun-ication	Condoms	Abstinence
Alabama	X	Stress	X	Negative	X	X			X	Stress
Arizona		Stress		φ	X	X				Stress
Arkansas		Stress	X			X				Stress
California	X	Cover		Inclusive			X	X	X	Cover
Colorado	X	Cover		Inclusive		X	X	X	X	Cover
Delaware	X	Stress		Inclusive		X	X		X	Stress
Dist. of Columbia	X					X				
Florida		Stress	X		X					Stress
Georgia		Stress	X		X					Cover
Hawaii	X	Cover							X	Stress
Illinois	X	Stress	X		X	X			X	Stress
Indiana		Stress	X							Stress
Iowa				Inclusive						
Kentucky		Cover			X		X			Cover
Louisiana		Stress	X							Stress
Maine	X	Stress					X	X	X	Stress
Maryland	X	Cover				X	X		X	Cover
Michigan		Stress	X		X	X	X			Stress
Minnesota		Cover					X			Cover
Mississippi ^Ω	‡	Stress	X		X	X				Stress
Missouri		Stress	X		X	X	X			Stress
Montana		Cover								Cover
New Hampshire										Cover
New Jersey	X	Stress		Inclusive			X		X	Stress
New Mexico	X	Cover		Inclusive		X	X	X	X	Stress
New York									X	Stress
North Carolina	X	Stress	X			X	X	X	X	Stress
North Dakota		Cover								
Ohio		Stress	X		X					Stress
Oklahoma		Stress		φ					X	Cover
Oregon	X	Stress		Inclusive		X	X	X	X	Stress
Pennsylvania										Stress
Rhode Island	X	Stress		Inclusive		X	X		X	Stress
South Carolina	X	Stress	X	Negative						Stress
Tennessee		Stress	X		X	X	X	X		Stress
Texas		Stress	X	Negative	X	X	X		X	Stress
Utah ^ξ		Stress	X	Negative		X	X	X		Stress
Vermont	X	Cover				X	X	X	X	Cover
Virginia	X	Cover	X			X		X	X	Cover
Washington	X	Stress		Inclusive			X	X	X	Stress
West Virginia	X	Cover	X		X	X	X		X	Cover
Wisconsin		Stress	X							Stress
TOTAL	18+DC		19	12	13	20+DC	20	11	20	

* Sex education typically includes discussion of STIs.

φ If HIV education is taught in Arizona it cannot “promote” a “homosexual lifestyle” or portray homosexuality in a positive manner. Mandated HIV education in Oklahoma teaches that among other behaviors that “homosexual activity” is considered to be “responsible for contact with the AIDS virus.”

Ω Localities may include topics such as contraception or STIs only with permission from the State Department of Education.

ξ State also prohibits teachers from responding to students’ spontaneous questions in ways that conflict with the law’s requirements.

FOR MORE INFORMATION:

For information on state legislative and policy activity, click on Guttmacher's [Monthly State Update](#), for state-level policy information see Guttmacher's [State Policies in Brief](#) series, and for information and data on reproductive health issues, go to Guttmacher's [State Center](#). To see state-specific reproductive health information go to Guttmacher's [Data Center](#), and for abortion specific information click on [State Facts About Abortion](#). To keep up with new state relevant data and analysis sign up for the [State News Quarterly Listserv](#).

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