

Sexual Health Education

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The Current Policy

Tennessee Code Ann. S49-6-1302 et seq.

- Current policy states that in Tennessee, no sexual education of any type is required in schools until a county exceeds 19.5% pregnancies per 1,000 teenagers, ages 15-17, in the county.
- Only then is a “family-life curriculum” implemented, which uses abstinence-only education.
- Students are able to opt out of the course if parental consent is given.

*We are advocating for change to this policy to implement a **holistic** sexual education in high schools which includes education on healthy relationships, sexual assertiveness, contraceptives, consent, as well as abstinence.*

Why is this important?

Current Sex Education

Although it does appear that abstinence delays sexual activity in teenagers, teenagers still lack the knowledge of STI's and having safe sex, which can affect them later in life.

According to the Guttmacher Institute, the accuracy of nationally implemented sex education consisted of

- 26 states with instruction being age appropriate,
- 13 states were considered to be medically accurate, and
- 8 states had material on family life education that was presented with race and gender bias and
 - 2 states had information that implemented based off religiosity .

Individuals who oppose comprehensive sex education were those from religious affiliation and political orientation (“State Policy Updates,” 2019).

Historical Context

Initiatives during the 1920's-1960's

- From the 1920's- 1930's, a number of soldiers with venereal disease returned from the First World War. This was the first time the government decided to push for sex education in schools to decrease the spreading of this disease (Dowden, 2018, pg. 120).

During the 1960's, The United States had a change in adolescent freedom. Conservatives and liberal political parties began to form cultural wars. Conservatives believed that teaching about sex in schools would encourage teenagers to engage in sexual activities. The government finally decided to ensure that abstinence-only approaches remained dominant through federal laws and funding allocations (pg. 122).

In present day, sex education programs in the United States have remained largely abstinence-only similar to the 1960's curriculum.

Currently happening with
policy

Amendments to Senate Bill 3310/ House Bill 3621

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 3310 – HB 3621

April 2, 2012

SUMMARY OF AMENDMENTS (015171, 015967, 015968): Deletes all language after the enacting clause. Deletes Tenn Code Ann. § 49-6-1005 and Tenn. Code Ann. Title 49, Chapter 6, Part 13. Defines "abstinence," "abstinence-based or abstinence-centered," "abstinence-centered education," "abstinence-centered curriculum," "age-appropriate," "evidence-based approach," "family life education," "gateway sexual activity," "medically accurate," "puberty," "risk avoidance," "sexual activity," "sexual contact," "sexual intercourse," and "sexually transmitted disease." Requires family life education to begin in the ninth grade except in local education agencies (LEAs), beginning in the 1991-1992 school year, that are in counties with a pregnancy rate of 19.5 per 1,000 females ages 15 to 17. LEAs shall devise, adopt, and implement a family life education program. Requires the State Board of Education to develop a family life curriculum for LEAs that do not adopt their own program. Requires the LEA to conduct at least one public meeting each September prior to adopting a family life curriculum.

Authorizes the LEA to use a qualified health care professional or social worker to help teach the family life curriculum, but prohibits the LEA from utilizing the services of any individual or group that endorses student non-abstinence or promotes gateway sexual activity. Sets out what should be included in a family life program. Requires the LEA to notify parents or legal guardians at least 30 days prior to commencement of instruction that their student will be present for instruction in sex education; that the LEA will be using a family life curriculum that meets the requirements of state law; and that the parent has the right to examine grade level materials and to confer with the appropriate school personnel regarding any or all portions of family life. Authorizes parents to opt their students out of all or a portion of the family life curriculum by sending a written request to the student's instructor, counselor, or principal. Students who are excused from all or a portion of the family life curriculum shall not be penalized for grading purposes provided that the student performs alternative health lessons satisfactorily.

Authorizes parents and legal guardians to file a complaint with the director of schools upon their belief that the teacher, instructor, or representative of an organization has not complied with the requirements of the new Tenn. Code Ann. § 49-6-1306. Requires the director of schools to investigate the complaint and make a report to the local school board. Requires the local school board to file a report with the Commissioner of Education who, in turn, is required to file an annual report with the Chairs of the Education Committees of the General Assembly. Creates a cause of action by a parent or legal guardian against an instructor or organization that promotes gateway sexual activity or demonstrates sexual activity but excludes instruction by teachers employed by the LEA. Authorizes a civil fine up to \$500 if the parent or guardian is the prevailing party. Imposes a one-year statute of limitations to bring such an action. A civil cause of action is not applicable in cases where any teacher, instructor, or organization, that answers

SB 3310 – HB 3621

in good faith, any question or a series of questions germane to the course material asked of the instructor and initiated by a student or students enrolled in the course.

States that notwithstanding any law to the contrary, and regardless of the title or designated name of the particular class or course, any instruction in sex education or sexual activity shall comply with the provisions of the proposed bill. Indicates that nothing in the section shall be construed to prohibit the scientific study of the sexual reproductive system through coursework in biology, physiology, anatomy, health, or physical education.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Unchanged from the original fiscal note.

Assumptions applied to amendments:

- Family Life is currently required for high school graduation.
- Based on information provided by the Department of Education, all LEAs should be offering family life education curriculum. Any modification to current sex education curricula will result in a not significant increase in local expenditures.
- The Department of Education recommends the Michigan Model Comprehensive Health Education Curriculum and guidelines to LEAs that contact the Department's Office of Coordinated School Health. The Michigan Model is a K-12 curriculum that is closely aligned with the state's current Health Education Standards which includes Family Life.
- The state will not be required to develop a new research-based curriculum but will continue to recommend the Michigan Model to an LEA that does not develop its own curriculum. The Department of Education estimates that the cost to develop a new curriculum would be significant.
- Any increase in local expenditures to hold public meetings, make reports as necessary, and keep required consent forms will be not significant.
- Any civil suit brought by parents or guardians of students will not involve LEAs.
- Any increase in local expenditures to notify parents that their student will be taking sex education and to receive and process written requests to opt out will be not significant.
- Any increase in permissive local expenditures to bring in an outside organization or individual to help teach family life curriculum will be not significant.

SB 3310 – HB 3621

2

Amendments

An ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, relative to family life instruction was to be taken effect July 1, 2012.

One of the amendments to SB-3310 HB-3621 included the age in which the teenagers had to be for the family life programs to be taught. It was previously from 11-18, and in 2012, the number changed to 15-17. This makes it harder to reach the 19.5% pregnancies per 1,000 teenagers (Tennessee General Assembly).

Another amendment to this bill is including the definitions of important words that are found in the bill. For example,

(A) "Abstinence-based" or "abstinence-centered" means an approach that promotes sexual risk avoidance, or primary prevention, and teaches vital life skills that empower youth to identify healthy and unhealthy relationships, accurately understand sexually transmitted diseases and contraception, set goals, make healthy life decisions, and build character;

(B) Abstinence-centered education is a holistic approach that addresses the physical, social, emotional, psychological, economic and educational consequences of nonmarital sexual activity;

TN-Education Committee

Hamilton County:

- Senator Bo Watson, (R) Part of Hamilton County
- Senator Todd Gardenhire (R) Part of Hamilton/Bradley County

Tennessee House Standing Committee for Education:

- Mark White-R is Chair
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Tennessee Senate Standing Committee for Education

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Our Proposal

Proposed Change

- This project strives to promote a more comprehensive sexual education curriculum.
- Changes to this include incorporating education on healthy relationships, contraceptives, sexual assertiveness, STI prevention, as well as the benefits of being abstinent in Tennessee high schools.
- Another aspect of this proposed change is educating parents, schools, and the community on the benefit of having a more age appropriate comprehensive sexual education in Tennessee.



Reasons to Support



- Lower statistics of teenage pregnancy rates in Tennessee.
- Decrease the rate of students contracting Sexually Transmitted Infections.
- Students will be correctly educated on safe sex practices.
- Increase in awareness of unprotected sex among teenagers.
- Teach sexual assertiveness at a younger age.
- Students will be provided on what a healthy relationship should look like.

Potential Opposition

- Many people believe the following when it comes to comprehensive sexual education:
 - Children will develop early sexual thoughts and actions.
 - This curriculum infringes on religious beliefs.
 - Sex education promotes sex before marriage.
 - This goes against cultural traditions and norms.





Would you prefer for your son or daughter to first learn about topics such as contraceptives and STI's through their friends or from a health professional?

As of 2016 Tennessee has ranked number 10 out of 50 states for the highest pregnancy rates (U.S Department of Health and Human Services, 2016)

Combining efforts with members in our communities who strive to We will be able to provide students with the necessary knowledge to increase their awareness of healthy sex by advocating for a sexual education program that encompasses preventative and protective choices.

References

- Party affiliation among adults in Tennessee by political ideology - Religion in America: U.S. Religious Data, Demographics and Statistics. (2015). Retrieved from <https://www.pewforum.org/religious-landscape-study/compare/party-affiliation/by/political-ideology/among/state/tennessee/>.
- Schwadel, P., & Smith, G. A. (2019). Evangelical approval of Trump remains high, but other religious groups are less supportive. Retrieved from <https://www.pewresearch.org/fact-tank/2019/03/18/evangelical-approval-of-trump-remains-high-but-other-religious-groups-are-less-supportive/>.
- Santelli, J. S., Grilo, S. A., Choo, T. H., Diaz, G., Walsh, K., Wall, M., ... Mellins, C. A. (2018). Does Sex Education Before College Protect Students from Sexual Assault in College?. *PloS one*, 13(11), e0205951. doi:10.1371/journal.pone.0205951
- Tennessee General Assembly (2019). Retrieved from: <http://www.capitol.tn.gov/>
- U.S. Department of Health and Human Services. (2016). Tennessee Adolescent Reproductive Health Facts. Retrieved from <https://www.hhs.gov/ash/oah/facts-and-stats/national-and-state-data-sheets/adolescent-reproductive-health/tennessee/index.html>