

Sex and HIV Education

BACKGROUND: Beginning in the 1970s, concerns over AIDS and teen pregnancy 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

- 32 states and the District of Columbia mandate HIV education; the majority also mandate sex education.
 - 12 states mandate only HIV education.
 - 20 states and the District of Columbia mandate both sex education and HIV education.
 - No state mandates only sex education.

- 29 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.
 - 28 states and the District of Columbia require that the information be appropriate for the students' age.
 - 9 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.
 - 21 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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HIGHLIGHTS:

Content Requirements When Sex Education is Taught

- 18 states and the District of Columbia require that information on contraception be provided.
- 36 states require that information on abstinence be provided.
 - 27 states require that abstinence be stressed.
 - 9 states require that abstinence be covered.
- 18 states require that instruction on the importance of engaging in sexual activity only within marriage be provided.
- 12 states require discussion of sexual orientation.
 - 9 states require that discussion of sexual orientation be inclusive.
 - 3 states require only negative information on sexual orientation.
- 13 states require the inclusion of information on the negative outcomes of teen sex and pregnancy.
- 26 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.
 - 19 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

- 20 states require information on condoms or contraception.
- 39 states require that abstinence be included.
 - 28 states require that abstinence be stressed.
 - 11 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
Indiana		X							
Iowa	X	X	X	X	X		X		X
Kentucky	X	X							
Louisiana				X		X			X
Maine	X	X	X	X					X
Maryland	X	X		X					X
Massachusetts							X		X
Michigan		X	X†	X			X		X
Minnesota	X	X							X
Mississippi‡				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					
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	X		HIV					X
Texas				X			X		X
Utah ^Ω	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	X		X		X
TOTAL	20+DC	32+DC	13	28+DC	9	2	21+DC	3	35+DC

* Sex education typically includes discussion of STIs.

† Sex education “shall not be medically inaccurate.”

‡ Localities may omit state-required topics, but may not include material that “contradicts the required components.”

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

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 Communication	Condoms	Abstinence
Alabama	X	Stress	X	Negative	X	X			X	Stress
Arizona		Stress			X	X				Stress
Arkansas		Stress	X							Stress
California	X	Cover		Inclusive			X	X	X	Cover
Colorado	X	Stress				X	X	X		Stress
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		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	Stress					X		X	Cover
Michigan		Stress	X		X	X	X			Stress
Minnesota		Cover					X			Cover
Mississippi [‡]		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
Ohio		Stress	X		X					Stress
Oklahoma		Stress							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				Stress
Texas		Stress	X	Negative	X	X	X		X	Stress
Utah ^Ω		Stress	X			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	X	Stress		Inclusive		X	X	X	X	Stress
TOTAL	18+DC		18	12	13	19+DC	20	11	20	

* Sex education typically includes discussion of STIs.

‡ Localities may omit state-required topics, but may not include material that “contradicts the required components.”

Ω 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](#), and for state-level information and data on reproductive health issues, click on Guttmacher's [State Center](#). To see state-specific abortion information, click on [State Facts About Abortion](#) and Guttmacher's [Data Center](#).

Boonstra HD, [Lemonade from lemons: the Obama Administration's plan for implementing the Title V Abstinence Education Program](#), *Guttmacher Policy Review*, 2010, 13(3):24.

Boonstra HD, [Key questions for consideration as a new federal teen pregnancy prevention initiative is implemented](#), *Guttmacher Policy Review*, 2010, 13(1):2-7.

Boonstra HD, [Advocates call for a new approach after the era of 'abstinence-only' sex education](#), *Guttmacher Policy Review*, 2009, 12(1):6-11.

Masters NT et al., [The opposite of sex? Adolescents' thoughts about abstinence and sex, and their sexual behavior](#), *Perspectives on Sexual and Reproductive Health*, 2008, 40(2):87-93.

Boonstra HD, [Matter of faith: support for comprehensive sex education among faith-based organizations](#), *Guttmacher Policy Review*, 2008, 11(1):17-22.

Constantine NA, Jerman P and Huang AX, [California parents' preferences and beliefs regarding school-based sex education policy](#), *Perspectives on Sexual and Reproductive Health*, 2007, 39(3):167-175.

Kaestle CE and Halpern CT, [What's love got to do with it? Sexual behaviors of opposite-sex couples through emerging adulthood](#), *Perspectives on Sexual and Reproductive Health*, 2007, 39(3):134-140.

Boonstra HD, [The case for a new approach to sex education mounts: will policymakers heed the message?](#) *Guttmacher Policy Review*, 2007, 10(2):2-7.

Lindberg LD, Santelli JS and Singh S, [Changes in formal sex education: 1994-2002](#), *Perspectives on Sexual and Reproductive Health*, 2006, 38(4):182-189.

Dailard C, [Legislating against arousal: the growing divide between federal policy and teenage sexual behavior](#), *Guttmacher Policy Review*, 2006, 9(3):12-16.

Yarber WL et al., [Public opinion about condoms for HIV and STD prevention: a Midwestern state telephone survey](#), *Perspectives on Sexual and Reproductive Health*, 2005, 37(3):148-154.

Eisenberg ME et al., [Parent's beliefs about condoms and oral contraceptives: are they medically accurate?](#) *Perspectives on Sexual and Reproductive Health*, 2004, 36(2):50-57.

Landry DJ et al., [Factors associated with the content of sex education in U.S. public secondary schools](#), *Perspectives on Sexual and Reproductive Health*, 2003, 35(6):261-269.

Dailard C, [Understanding 'abstinence': implications for individuals, programs and policies](#), *Guttmacher Report on Public Policy*, 2003, 6(5):4-6.

The Alan Guttmacher Institute (AGI), [Sex Education: Needs, Programs and Policies](#), New York: AGI, 2003.

Boonstra H, [Legislators craft alternative vision of sex education to counter abstinence-only drive](#), *Guttmacher Report on Public Policy*, 2002, 5(2):1-3.

Sonfield A and Gold RB, [States' implementation of the section 510 abstinence education program, FY 1999](#), *Family Planning Perspectives*, 2001, 33(4):166-171.

Gold RB and Nash E, [State-level policies on sexuality, STD education](#), *Guttmacher Report on Public Policy*, 2001, 4(4):4-7.

Dailard C, [Sex education: politicians, parents, teachers and teens](#), *Guttmacher Report on Public Policy*, 2001, 4(1):9-12.

Darroch JE, Landry DJ and Singh S, [Changing emphases in sexuality education in U.S. public secondary schools, 1988-1999](#), *Family Planning Perspectives*, 2000, 32(5):204-211 & 265.

Landry DJ, Singh S and Darroch JE, [Sexuality education in fifth and sixth grades in U.S. public schools](#), 1999, *Family Planning Perspectives*, 2000, 32(5):212-219.

Lindberg LD, Ku L and Sonenstein F, [Adolescents' reports of reproductive health education, 1988 and 1995](#), *Family Planning Perspectives*, 2000, 32(5):220-226.

Landry DJ, Kaeser L and Richards CL, [Abstinence promotion and the provision of information in public school district sexuality education policies](#), *Family Planning Perspectives*, 1999, 31(6):280-286.

Donovan P, [School-based sexuality education: the issues and challenges](#), *Family Planning Perspectives*, 1998, 30(4):188-193.

Saul R, [Sexuality education advocates lament loss of Virginia's mandate...or do they?](#) *Guttmacher Report on Public Policy*, 1998, 1(3):3-4.