

Comprehensive Sex Education Would Put Adolescents & Teens At Risk

Applicable Bills: **House Bill 879, Senate Bill 1182**

Existing state law requires public schools to teach “that abstinence from sexual activity outside of marriage is the expected standard for all school age children.”¹ HB 879 and SB 1182 would eliminate abstinence until marriage as the primary focus and replace it with requirements that would promote condoms and contraceptives, affirm “alternative” sexual activity, eliminate local control, and forfeit over \$1.2 million in federal abstinence education funds.

BACKGROUND: Over a decade ago, the North Carolina General Assembly passed legislation to require public schools to teach abstinence until marriage education.² This education:

- a. Teaches that abstinence from sexual activity outside of marriage is the expected standard for all school-age children;
- b. Presents techniques and strategies to deal with peer pressure and offers positive reinforcement;
- c. Presents reasons, skills, and strategies for remaining or becoming abstinent from sexual activity;
- d. Teaches that abstinence from sexual activity is the only certain means of avoiding out-of-wedlock pregnancy, sexually transmitted diseases when transmitted through sexual contact, including HIV/AIDS, and other associated health and emotional problems;
- e. Teaches that a mutually faithful monogamous heterosexual relationship in the context of marriage is the best lifelong means of avoiding sexually transmitted diseases, including HIV/AIDS;
- f. Teaches the positive benefits of abstinence until marriage and the risks of premarital sexual activity;
- g. Provides opportunities that allow for interaction between the parent or legal guardian and the student;
- h. Provides factually accurate biological or pathological information that is related to the human reproductive system.³

In addition, North Carolina’s abstinence until marriage education law served as the model for the creation of the federal Title V abstinence until marriage education grant program.⁴

ABSTINENCE UNTIL MARRIAGE vs. COMPREHENSIVE SEX EDUCATION:

Effective abstinence until marriage education programs have as their primary focus instruction on “the positive benefits of abstinence until marriage and the risks of premarital sexual activity.”⁵ Comprehensive sex education programs, often called “abstinence-plus,” may include a minimal abstinence education component (often less than five percent of the materials⁶) but typically present abstinence as only one of a variety of methods of avoiding unwanted pregnancy and sexually transmitted diseases.

Abstinence until marriage education programs provide factual information about the effectiveness and failure rates of condoms and contraceptives, while comprehensive sex education programs promote the use of condoms and contraceptives and often affirm high-risk sexual activity (including homosexuality, bisexuality, non-intercourse sexual activity, etc.) as normal and acceptable.

Abstinence Until Marriage Education Works: Since 1990, the adolescent pregnancy rate in North Carolina has dropped over 40 percent.⁷ In addition, over ten scientific evaluations show that authentic abstinence until marriage programs are effective at reducing sexual activity and other high-risk behaviors among teenagers and delaying the onset of sexual activity.⁸

It is well documented that when abstinence education is correctly implemented, it is found to be highly effective in delaying teen sex, reducing teen pregnancy, and curtailing the spread of sexually transmitted diseases and AIDS. An article in the Journal of the American Medical Association shows that “abstinence pledge” programs are dramatically effective in reducing sexual activity

among teenagers in grades 7 through 12.⁹ Based on a large national sample of adolescents, the study concludes that adolescents who reported having taken a pledge to remain a virgin were at a significantly lower risk of sexual debut at an early age. A Heritage Foundation study found that adolescents who took a virginity pledge are 25 percent less likely to have an STD as young adults, when compared with non-pledgers who are identical in race, gender, and family background.¹⁰ It is also important to note that teens who abstain from sex are less likely to be depressed and to attempt suicide, less likely to contract STDs, become pregnant, and live in poverty as adults. They are more likely to do well in high school and go to college, and more likely to have stable and enduring marriages as adults.¹¹

BILL ANALYSIS:

House Bill 879 and Senate Bill 1182 would eliminate abstinence until marriage as the primary focus in North Carolina and replace it with comprehensive sex education. In fact, this legislation **would prohibit public schools** that have taught abstinence until marriage education under the current law for over a decade from teaching a true abstinence education curriculum in the future.

Promotion of condoms and contraceptives: This proposal would eliminate the current requirement that instruction on the effectiveness and failure rates of condoms and contraceptives be presented in light of “**actual use among adolescent populations.**” The elimination of this language would allow the teaching of clinical failure rates, which assume proper usage 100 percent of the time. Because actual use failure rates among adolescents are significantly higher than clinical failure rates, students would be misled about the effectiveness of condoms and contraceptives and would be given a false sense of security about using them.

In addition, these bills would require information to be presented to students, as early as the seventh grade, on **ALL** FDA approved methods of preventing pregnancy and “reducing the risk” of contracting sexually transmitted diseases, including: male condoms, female condoms, emergency contraception, diaphragms, cervical caps, sponges, spermicides, oral contraceptives, skin patches, vaginal contraceptive rings, contraceptive injections, implanted contraceptives, intrauterine devices, and surgical sterilization.¹²

Promotion of “alternative” sexual behaviors and relationships: HB 879 and SB 1182 would eliminate the requirement to teach, “a **mutually faithful monogamous heterosexual relationship in the context of marriage** is the best lifelong means of avoiding sexually transmitted diseases, including HIV/AIDS.”¹³ Instead, these bills would require teaching, “respect for marriage and **committed relationships,**” a much broader focus that would allow for homosexual, bisexual, and multi-partner relationships to be presented on a footing equal to marriage. This is made even more clear by provisions in the bill directing that “instruction and materials shall not reflect or promote bias against any person on the basis of...**sexual orientation, gender identity...**” and that “instruction and materials shall be appropriate for use with students of all races, genders, **sexual orientations,** ethnic and cultural backgrounds, and with students with disabilities.”

Eliminates local control: The current abstinence until marriage education law accommodates school systems that wish to provide an expanded curriculum that includes comprehensive sex education. To do so, these systems must hold a public hearing and make the objectives and materials of the program available for public review 30 days before and after the hearing.¹⁴ To-date, only about 10 of the 115 local schools systems have opted for an expanded curriculum,¹⁵ indicating that the vast majority of local boards of education are pleased with the existing law.

HB 879 and SB 1182 would force school systems to teach comprehensive sex education and would eliminate any opportunity for school systems to continue teaching only abstinence until marriage. In addition, these bills force school systems to only offer parents an “opt-out” option if they do not want their child in the program. The current law allows local school boards to decide whether to offer an “opt-in” or an “opt-out” policy.¹⁶

North Carolina will forfeit over \$1.2 million in federal abstinence education funds: HB 879 and SB 1182 will eliminate the ability of public schools to utilize the more than \$1.2 million in federal Title V funds the state receives annually for abstinence until marriage education. The federal Title V abstinence education grant program was modeled after North Carolina's abstinence until marriage education law and includes specific guidelines for the use of those funds. According to the federal law, the term "abstinence education" means an educational or motivational program that "has as its **exclusive purpose**, teaching the social, psychological, and health gains to be realized by abstaining from sexual activity."¹⁷ (Emphasis added.) The law also requires instruction that "teaches abstinence from sexual activity outside marriage as the expected standard for all school age children."¹⁸ While North Carolina's existing abstinence until marriage education law complies with these requirements, the proposed changes in HB 879 and SB 1182 would conflict with the federal law and force the state to forfeit these funds.

As further evidence of the conflict between this proposal and the current state and federal laws, these bills direct schools to: "(1) terminate the contract of the outside consultant; (2) prohibit noncompliant school personnel from program instruction; or (3) take other appropriate action necessary to ensure compliance with [the proposed law]." Oftentimes, local school systems use the federal Title V funds to hire consultants to teach abstinence until marriage programs or to purchase abstinence until marriage curricula that are then taught by school personnel. This language appears to be aimed at ending this practice in the public schools.

ACTION NEEDED:

Vote "NO" on House Bill 879 and Senate Bill 1182.

¹ North Carolina General Statute §115C-81(e1)(4)a.

² Chapter 534, 1995 Session Laws, North Carolina General Assembly.

³ North Carolina General Statute §115C-81(e1)(4).

⁴ Public Law 104-193 §912.

⁵ North Carolina General Statute §115C-81(e1)(4).

⁶ Shannan Martin, Robert Rector, and Melissa G. Pardue, *Comprehensive Sex Education vs. Authentic Abstinence: A Study of Competing Curricula*, The Heritage Foundation, 2004.

⁷ North Carolina State Advisors on Adolescent Sexual Health (SAASH), *The State of Adolescent Sexual Health North Carolina*, 2004.

⁸ Robert E. Rector, *The Effectiveness of Abstinence Education Programs in Reducing Sexual Activity Among Youth*, The Heritage Foundation, April, 2002.

⁹ Michael Resnick, M.D., et al., *Protecting Adolescents from Harm: Findings from the National Longitudinal Study on Adolescent Health*, Journal of the American Medical Association, Vol. 278, September 10, 1997.

¹⁰ Robert Rector and Kirk A. Johnson, Ph.D., *Adolescent Virginity Pledges, Condom Use, and Sexually Transmitted Diseases Among Young Adults*, The Heritage Foundation, June 14, 2005.

¹¹ Robert Rector and Kirk A. Johnson, Ph.D., *Teenage Sexual Abstinence and Academic Achievement*, Paper Presented at the Ninth Annual Abstinence Clearinghouse Conference, August 2005.

¹² *Birth Control Guide*, U.S. Food and Drug Administration, <http://www.fda.gov/Fdac/features/1997/babytabl.html>

¹³ North Carolina General Statute §115C-81(e1)(4)e.

¹⁴ North Carolina General Statute §115C-81(e1)(6).

¹⁵ *Bach, Rebecca, The State of Sex Education in North Carolina: Is Abstinence-Only Education Working?*, *Sociation Today*, Volume 4, Number 1, 2006.

¹⁶ North Carolina General Statute §115C-81(e1)(7).

¹⁷ Public Law 104-193 §912.

¹⁸ *Ibid.*