



## **Abstinence Education Is Still Required to Be Taught in North Carolina Schools; Comprehensive Sex Education Is Not**

---

Applicable Bill: **House Bill 88**

---

***Despite claims to the contrary, HB 88—Healthy Youth Act, does not prevent abstinence until marriage education from being taught in North Carolina schools. True, the new law opens the door for anti-abstinence education groups that promote the use of condoms to get into classrooms and promote “safer” sex, BUT it is not mandated.***

***The future of abstinence education depends on two factors: (1) the willingness and ability of educators to teach the new law’s requirements in a manner that does not promote sexual activity; and (2) the willingness of school districts, communities and parents to continue to support the teaching of abstinence programs.***

### ***NEW REQUIREMENTS OF THE LAW***

1. The name of the program has been changed from “abstinence until marriage” to “reproductive health and safety education.” Sex education instructors, however, must continue to teach that abstinence from sexual activity outside of marriage is the expected standard of behavior for all school-age children, including that “sexual activity within the context of a faithful heterosexual marriage relationship is the best and healthiest means of avoiding a myriad of negative physical and psychological consequences.”
2. Instructors must teach awareness and risk reduction of sexual assault and abuse. This should be taught in the context of a focus on healthy relationships.
3. Instructors must teach about sexually transmitted diseases (STDs), including Human Papillomavirus (HPV), how they are transmitted and not transmitted, their rates of infection, and their negative effects. The students must be provided with information on groups that conduct STD testing and treatment.
4. Instructors must teach students about the “effectiveness and safety” of all FDA-approved methods that reduce the transmission of STDs and the risk of pregnancy.
5. Local boards of education shall adopt policies to allow a parent or guardian to withdraw their child from the newest required instruction. See North Carolina General Statutes (NCGS) 115C-81(e1)(4a).

AND:

***NORTH CAROLINA LAW STILL REQUIRES:***

1. All instruction on contraceptives or prophylactics must include their effectiveness and failure rates in actual use among adolescent populations, and clearly explain the difference between risk reduction and risk elimination through abstinence. NCGS 115C-81(e1)(8).
2. The information on groups that conduct STD testing does not have to include organizations that distribute contraceptives or perform abortions. Many Pregnancy Resource Centers that are licensed to operate as medical facilities also offer STD testing.
3. Any information provided to minors about abortion services or where to get contraceptives can be provided “only in accordance with a local board’s policy regarding parental consent.” NCGS 115C-81(e1)(8).
4. North Carolina law prohibits the distribution of contraceptives, including condoms, on school property. NCGS 115C-81(e1)(9).
5. Local boards of education “shall adopt policies to provide opportunities either for parents and legal guardians to consent or for parents and legal guardians to withhold their consent to the student’s participation in any or all of the programs.” NCGS 115C-81(e1)(7). Although this language has been understood to mean that parents can withdraw their children from any or all of the programs, the clear and plain meaning of this language is that policies of every board of education can and should require parental consent for student participation.

***CHALLENGE FOR PARENTS:***

***Critics of abstinence education argue that it does not teach about contraceptives and therefore can no longer be taught in North Carolina schools. In fact, contraceptives have been discussed in abstinence programs by comparing their effectiveness and failure rates with the effectiveness of abstinence in preventing pregnancy and sexually transmitted diseases.***

***The critical fight at the local level will now be not only WHAT will be taught, but WHO will teach it. Will sex education be taught by well-trained abstinence educators who are able to factually present the contraceptive information without promoting teen sexual activity? Or will it be taught by condom distributors and abortion providers who profit from teen sexual activity?***