

# Sex Ed State Law and Policy Chart

SIECUS State Profiles: July 2022



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I.

# Introduction

A patchwork of laws relating to sex education exist across the country, with varying requirements. In some states, this has meant a lack of access to sex education or certain components of sex education, and in many other states no access to comprehensive sexuality education for young people. In response to the lack of uniformity in laws and policies regarding sex education across the nation, the following series of tables has been developed to assist with clarifying the state of sex education, HIV/STI instruction, and healthy relationships instruction in the United States.

- 29** states and the District of Columbia require sex education.
- 38** states require HIV education.
- 30** states require schools to emphasize the importance of abstinence when sex education or HIV/STI instruction is provided.
- 16** states provide abstinence-only sex education.
- 19** states require instruction on condoms or contraception when sex education or HIV/STI instruction is provided.
- 13** states do not require sex ed or HIV/STI instruction to be any of the following: age-appropriate, medically accurate, culturally responsive, or evidence-based/evidence-informed.

- 13** states require sex education or HIV/STI instruction to include information on consent.
- 10** states require culturally responsive sex education and HIV/STI instruction.
- 9** states have policies that include affirming sexual orientation instruction on LGBQ identities or discussion of sexual health for LGBTQ youth.
- 6** states explicitly require instruction that discriminates against LGBTQ+ people.
- 5** states have laws requiring comprehensive sex education (CSE).\*

\*Of these states, **3** states require comprehensive sex education to be taught in all schools. **2** states require sex education curriculum to be comprehensive, if it is taught in schools.

## II.

# How to Read These Tables

In general, these tables address whether states must provide sex education, HIV/STI instruction, and/or healthy relationships instruction in the United States; the quality of that education; what topics are included; and the rights parents and guardians may have regarding their children receiving such education. Each of the numbered headings below correspond to their respectively numbered tables. For additional context, please refer to the footnotes at the end of each table.

PHOTO BY  
JESWIN THOMAS

## 1. Requirements and quality of education

This first table outlines which states mandate sex education, HIV/STI instruction, and/or healthy relationships instruction. The checkmarks with an asterisk (\*) indicate that the mandate is either found in the state's administrative laws, regulations, or rules; policies; or curriculum standards. Still, these requirements have the full force and effect of law. Additionally, this table notes whether the education must be age-appropriate, evidence-based, culturally responsive, and/or medically accurate, when taught in the state.

To be clear, these quality standards may apply even if the type of education is not mandated. In other words, if a school elects to teach at least one of the three types of education tracked, then it must adhere to additional requirements.

**a. Medically accurate sex education:** verified or supported by the weight of research conducted in compliance with accepted scientific methods and published in peer-reviewed journals, if applicable, or comprising information recognized as accurate, objective, and complete. Some state definitions of "medically accurate" require that the department

of health review the material for accuracy, others will mandate that curriculum be based on information from "published authorities upon which medical professionals rely."

- b. Age appropriate:** suitable to particular ages or age groups of children and adolescents, based on the typical developing cognitive, emotional, and behavioral capacity typical for the age or age group.
- c. Culturally responsive:** affirming of culturally diverse individuals, families, and communities in an inclusive, respectful, and effective manner; including materials and instruction that are inclusive of race, ethnicity, language, cultural background, religion, gender, gender identity, sexual orientation, and different abilities.
- d. Evidence based:** require curriculum to be based on proven, accredited publications and authorities that demonstrates the success or failure of specific initiatives.



## 2. Additional requirements – Sex education or HIV/STI instruction

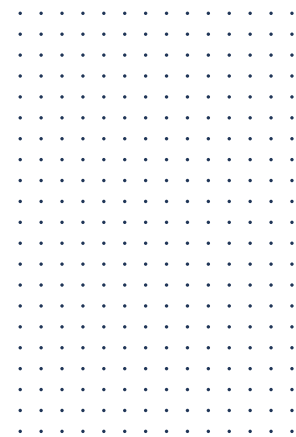
This table describes the requirements to which a school must adhere if it elects to provide sex education or HIV/STI instruction. These additional requirements fall into several distinct categories:

- **Inclusion, or lack thereof, of lesbian, gay, bisexual, transgender, or queer (LGBTQ) people** – Language surrounding LGBTQ people varies tremendously in states’ education laws across the country. These laws can be categorized as being either “inclusive,” “neutral,” or “discriminatory” toward LGBTQ people. Cells that are blank indicate states that do not have any explicit language concerning LGBTQ people, instruction, or materials. The language also differentiates between sexual orientation and gender identity.
  - **Inclusive laws on sexual orientation** are those that include affirming instruction on lesbian, gay, bisexual, and queer (LGBQ identities) and discussion of sexual health for LGBQ youth.
  - **Inclusive laws on gender identity** require sex education curriculum to include instruction on the emotional, behavioral and cultural characteristics attached to a person’s assigned biological sex. Gender can be understood to have several components, including gender identity, gender expression and gender roles.
  - **Neutral laws on sexual orientation** include information on LGBQ identities or mention LGBQ identities, but neither affirm the unique needs of LGBQ youth or intentionally discriminate against LGBQ youth.
  - **Neutral laws on gender identity** include instruction on the emotional, behavioral and cultural characteristics attached to a person’s assigned biological sex, but neither affirm the unique needs of young people beyond the binary including but not limited to gender nonconforming, transgender, and gender expansive youth, or intentionally discriminate against these youth.
- **Discriminatory laws on sexual orientation** require sex education curriculum to include discriminatory, stigmatizing, shame based, or medically inaccurate information about sexual orientation. In addition to classifying laws that prohibit sex educators from “promoting homosexuality” (commonly referred to as ‘no promo homo laws’) as discriminatory, SIECUS considers additional factors for classification. These factors include requirements that instruction promote “honor and respect for monogamous, heterosexual marriage” and/or “benefits of monogamous, heterosexual marriage.”
- **Discriminatory laws on gender identity** require sex education curriculum to include instruction on the emotional, behavioral and cultural characteristics attached to a person’s assigned biological sex. Gender can be understood to have several components, including gender identity, gender expression and gender role.
- **Abortion as outcome of pregnancy (negative, affirming, or prohibited)** – States have different requirements regarding discussion of abortion in sex education classes. Some state laws prohibit instruction on abortion or require inclusion of medically inaccurate information written to dissuade students from viewing abortion as an acceptable outcome of pregnancy, while curricula that are affirming of abortion promote or include instruction that is medically accurate, unbiased information about abortion as a valid outcome of pregnancy.

- **Abstinence** – The extent that states require abstinence to be covered varies.
  - **Abstinence Included:** Policies require that sex education curriculum includes instruction on abstinence in addition to providing instruction on additional methods of pregnancy prevention and contraception.
  - **Abstinence Stressed:** Policies require that sex education curriculum only include abstinence or emphasize abstinence as the main way to avoid pregnancy and sexually transmitted infections.
- **Contraception covered (limited or expansive)** – The extent that states require contraception to be covered varies.
  - **Limited** includes teaching methods such as condoms and vaguely mentions the concepts of contraception but does not go into detail. Some require that contraception is covered but emphasize the failure rate of various forms of contraception rather than its use.
  - State laws that require **expansive contraception** education include many if not all FDA-approved forms of contraception, including long-acting reversible contraception and condoms, and how to use the various forms.
- **Marriage promotion** – There are state laws containing language that require teachers to promote marriage—described explicitly as heterosexual and monogamous in many states—during sex education and HIV/STI instruction. Many of these laws perpetuate the misconception that marriage is the only way to prevent unintended pregnancies and HIV/STIs. However, this is a misguided belief that contributes to both the stigma and isolation

of married people who do have unintended pregnancies or contract HIV/STIs and the fallacy that unintended pregnancies and HIV/STIs are nonexistent or disappear in a marriage.

- **Healthy relationships instruction** – For this category, healthy relationships instruction includes instruction on communication skills, decision-making skills, violence prevention, child sexual abuse, consent, or sex trafficking. These columns in the table indicate which states require at least one component of healthy relationships instruction as part of mandated sex education or HIV/STI instruction and comprehensive healthy relationships instruction.
  - **Some healthy relationships:** mentioned healthy relationships teaching but does not go into detail about what is included in the lesson (requires a unit on healthy relationships).
  - **Detailed healthy relationships:** fully and clearly specifies instruction and what students will receive. May include the time limits, and clearly articulate definitions so that instruction is not ambiguous.



- **Instruction implementation requirements –** Quality sex education is provided by well-trained educators, therefore tracking which states require schools to include some sort of teacher training is critical. States had three different types of teacher training requirements and sometimes required more than one type.

- **Provide teacher training –** These types of laws require schools to provide or make available in-service teacher training for school officials, including administrators and teachers. It is often unclear whether attendance of school officials for trainings is mandated.
- **Require a certificate or expertise to teach –** These types of laws require teachers or guest speakers and educators to possess a valid certificate to teach the specific health education course. Some laws require guest speakers to have expertise in health education to teach.

- **Require teachers to attend training –** Many laws require school officials to attend teacher training on relevant health education topics.

The teacher training requirement in this table specifically refers to sex education or HIV/STI instruction. For further information on teacher training requirements specifically for healthy relationships topics and instruction, please see table three.







### 3. Additional requirements – Healthy relationships instruction

The third table tracks each state's laws surrounding healthy relationships instruction, including which topics must be taught and whether the state requires a teacher training component, if healthy relationships topics are provided by the school. This table tracks two types of healthy relationships instruction – (1) topics required by the states' sex education and HIV/STI instruction laws and (2) healthy relationships instruction laws that are standalone from sex education and HIV/STI instruction. As there are some states that do not require sex education or HIV/STI instruction, but do require a type of healthy relationships instruction, this table reflects those differences. This table does not track which healthy relationships topics are mandated by law, but rather which topics are required to be taught if some sort of healthy relationships instruction is required, either through a standalone law or as part of the state's sex education or HIV/STI instruction law.

### 4. Parent/Guardian notification

This final table indicates whether there is an opportunity for parents or guardians to either opt-out of or opt-in to each type of instruction on behalf of their children. It also indicates if there is language in the law that requires schools to either make the materials available for public view or for parents/guardians to review. Under an opt-in policy, teachers need written permission from a parent or guardian before a student can attend a sex education class. Most states and school districts rely instead on opt-out policies for sex education, which automatically enroll all students, but allow parents to remove their children from instruction without penalty. Opt-out policies usually require school districts to send written notification to parents before sex education lessons are taught, including information on what is being taught and who will be teaching the class. It is then the responsibility of parents to inform the school district in writing if they do not wish their child to attend those lessons. ■



III.

# From Policy to Practice



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MAPBOX

### An Overview of Comprehensive Sex Education:

Comprehensive sex education (CSE) programs aim to build knowledge and skills in human development, relationships, decision-making, communication, and how to access to sexual and reproductive health services. Ideally, according to the National Sex Education Standards (NSES), this education should begin in kindergarten and continue through 12th grade. This education is intended to be age-appropriate, medically-accurate, evidence-based, and culturally responsive. Further, instruction also includes topics such as sexual assault, violence prevention, mental health, sexual behavior, sexual orientation, gender identity, race, ethnicity, and the impact of media and societal norms.

### Additional characteristics of CSE programs according to the NSES include:

- Provides knowledge and skills that will promote health-enhancing behaviors and decisions
- Addresses individual and group norms, stereotypes, and beliefs surrounding health behaviors
- Focuses on positive reinforcement of healthy attitudes and behaviors and increasing personal perception of risk behaviors
- Incorporates strategies that are trauma-informed, culturally responsive, inclusive, sex positive, and rooted in justice and equity
- Encourage parent-child communication and parental engagement
- Includes lesson plan and pedagogical techniques for educators and administrators to facilitate implementation

These are the values and topic areas used by advocates to advance policies that support the future of America and the human rights of the young people in the United States.





## How to use this resource to enact change:

### If you are a policy maker:

- Fund and/or support comprehensive sexuality education programs. Ensure policies for sex education will equip young people with the knowledge, skills, attitudes, and values they have a right to and need to lead healthy lives. Reject harmful programs that do not include information that is age-appropriate, medically accurate, and culturally appropriate.
- Develop sex education policies that align with the National Sexuality Education Standards.
- Work to remove state-level legal and policy barriers to LGBTQ-inclusive sex education in schools and require LGBTQ-inclusive programs.
- Require parental opt-out policies, rather than opt-in policies.
- Eliminate funding and/or support for abstinence-only-until-marriage (AOUM) or sexual risk avoidance (SRA) programs, which are harmful and ineffective.

### If you are an advocate:

- Advocate for comprehensive sexuality education programs that honor and respect the rights of young people, providing them with the tools they need to lead healthy lives.
- Require sex education and HIV/STI instruction to be age-appropriate, medically accurate, and culturally appropriate.
- Ensure teachers providing sex education receive ongoing training on HIV/STIs, healthy relationships, and consent.
- Work to remove state-level legal and policy barriers to LGBTQ-inclusive sex education in schools and require LGBTQ-inclusive programs.
- Form coalitions with parents, educators, policy makers, and young people to improve sex education in your state and your school district. ■

IV.

# State Law and Policy Charts



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DELIA GIANDEINI



# 1. Requirements and Quality of Education

S = Sex Education  
 HIV = HIV/STI Education  
 HR = Healthy Relationships Education

State	Sex education mandated	HIV/STI education mandated	Some healthy relationship content mandated	Detailed healthy relationship education mandated	If sex education, HIV/STI instruction, or healthy relationships instruction is provided, then instruction must be...			
					Age-appropriate	Evidence-based	Culturally appropriate	Medically accurate
Alabama		✓	✓		S, HIV, HR			S, HIV
Alaska			✓		HR			
Arizona			✓		HIV			HIV
Arkansas		✓	✓		HR	HR		HR
California	✓	✓		✓	S, HIV, HR		S, HIV, HR	S, HIV, HR
Colorado				✓	S, HIV, HR	S, HIV, HR	S, HIV, HR	S, HIV, HR
Connecticut		✓						
Delaware	✓*	✓*	✓					
D.C.	✓*	✓*	✓*		S, HIV, HR	S, HIV, HR		
Florida	✓	✓	✓		S, HIV			
Georgia	✓	✓						
Hawaii	✓*	✓*		✓*	S, HIV, HR			S, HIV, HR
Idaho								
Illinois		✓		✓	S, HIV, HR	S, HIV, HR	S, HIV, HR	S, HIV, HR
Indiana		✓				HR		
Iowa	✓	✓	✓		S, HIV, HR	S, HIV, HR	S, HIV, HR	S, HIV, HR
Kansas	✓*							
Kentucky	✓*	✓*	✓*		HR			
Louisiana								S, HIV, HR
Maine	✓	✓	✓		S, HIV, HR			S, HIV, HR
Maryland	✓*	✓*		✓	HR			
Massachusetts			✓				S	
Michigan		✓	✓		S, HIV, HR			S <sup>^</sup> , HIV <sup>^</sup> , HR <sup>^</sup>



# 1. Requirements and Quality of Education (cont.)

S = Sex Education  
 HIV = HIV/STI Education  
 HR = Healthy Relationships Education

State	Sex education mandated	HIV/STI education mandated	Some healthy relationship content mandated	Detailed healthy relationship education mandated	If sex education, HIV/STI instruction, or healthy relationships instruction is provided, then instruction must be...			
					Age-appropriate	Evidence-based	Culturally appropriate	Medically accurate
Minnesota	✓	✓						
Mississippi	✓				S			
Missouri		✓	✓		S, HIV, HR			S, HIV, HR
Montana	✓*	✓*	✓*					
Nebraska			✓		HR			
Nevada	✓	✓			S			
New Hampshire	✓*	✓	✓*					
New Jersey	✓*	✓*	✓		S, HIV, HR		S, HIV, HR	S, HIV, HR
New Mexico	✓*	✓		✓	HIV, HR			
New York		✓*			HIV			
North Carolina	✓	✓	✓		S, HIV, HR	S, HIV, HR		S, HIV, HR
North Dakota	✓	✓						
Ohio	✓	✓	✓		HR			
Oklahoma		✓						HIV
Oregon	✓	✓		✓	S, HIV, HR	S, HIV, HR	S, HIV, HR	S, HIV, HR
Pennsylvania		✓	✓		HIV			
Rhode Island	✓*	✓	✓		S, HIV, HR		S, HIV, HR	S, HIV, HR
South Carolina	✓	✓	✓		S, HIV, HR			
South Dakota								
Tennessee	✓	✓	✓		S, HIV, HR		HIV	S, HIV, HR
Texas	✓*	✓*		✓	S, HIV			
Utah	✓	✓	✓		HR			S, HIV, HR
Vermont	✓	✓		✓	S, HR			

S = Sex Education  
 HIV = HIV/STI Education  
 HR = Healthy Relationships Education

# 1. Requirements and Quality of Education (cont.)

State	Sex education mandated	HIV/STI education mandated	Some healthy relationship content mandated	Detailed healthy relationship education mandated	If sex education, HIV/STI instruction, or healthy relationships instruction is provided, then instruction must be...			
					Age-appropriate	Evidence-based	Culturally appropriate	Medically accurate
Virginia			✓		S, HIV, HR	HR		S, HIV, HR
Washington	✓	✓		✓	S, HIV, HR	S, HIV, HR	S, HIV, HR	S, HIV, HR
West Virginia	✓ *	✓	✓					
Wisconsin		✓						
Wyoming								

\* Policies included in the table are state laws and state-wide rules, regulations, or standards that have the force of law. For a complete explanation of each state's sex education, HIV/STI instruction, and healthy relationships instruction policies, please refer to the law and policy section of each State Profile.

+ Evidence-informed programs use the best available research and practice knowledge to guide program design and implementation; however, due to a number of factors such as lack of funding, evidence-informed programs have not received the level of evaluation that evidence-based programs have received.

Φ Source: Guttmacher Institute. (2020, February). *Sex and HIV Education*. Retrieved from <https://www.guttmacher.org/state-policy/explore/sex-and-hiv-education>.

^ Michigan law states that material and instruction in the sex education curriculum that discusses sex shall not be medically inaccurate.



## 2. Additional Requirements – Sex Education or HIV/STI Instruction

State	If sex education or HIV/STI instruction is provided, then it must...						
	Stress or cover...		Be inclusive, neutral, or discriminatory toward LGBTQ people	Abortion as outcome of pregnancy (prohibit, negative, or affirming)	Promote heterosexual marriage	Include healthy relationships instruction ~	
	Abstinence	Contraception (expansive, limited)				Some	Detailed
Alabama	Stress	Cover, limited				✓	
Alaska						✓	
Arizona	Stress				✓	✓	
Arkansas	Stress			Prohibit		✓	
California	Cover	Cover, expansive	Inclusive		✓		✓
Colorado	Cover	Cover, expansive	Inclusive	Affirming			✓
Connecticut	Cover	Cover, expansive	Inclusive	Prohibit		✓	
Delaware	Stress					✓	
D.C.	Cover	Cover, expansive	Inclusive	Affirming		✓	
Florida	Stress		Discriminatory		✓	✓	
Georgia	Stress				✓	✓	
Hawaii	Stress	Cover, expansive					✓
Idaho	Stress					✓	
Illinois	Cover	Cover, expansive	Inclusive	Negative			✓
Indiana	Stress				✓	✓	
Iowa			Neutral			✓	
Kansas						✓	
Kentucky	Stress				✓		
Louisiana	Stress		Discriminatory *	Prohibit	✓	✓	
Maine	Stress	Cover, expansive				✓	
Maryland	Cover	Cover, expansive	Inclusive			✓	

## 2. Sex Education or HIV/STI Instruction (cont.)

State	If sex education or HIV/STI instruction is provided, then it must...						
	Stress or cover...		Be inclusive, neutral, or discriminatory toward LGBTQ people	Abortion as outcome of pregnancy (prohibit, negative, or affirming)	Promote heterosexual marriage	Include healthy relationships instruction ~	
	Abstinence	Contraception (expansive, limited)				Some	Detailed
Massachusetts							
Michigan	Stress			Prohibit	✓	✓	
Minnesota	Cover						
Mississippi	Stress		Discriminatory	Prohibit	✓	✓	
Missouri	Stress	Cover, expansive			✓	✓	
Montana						✓	
Nebraska						✓	
Nevada						✓	
New Hampshire	Cover					✓	
New Jersey	Stress	Cover, expansive	Inclusive			✓	
New Mexico	Stress (HIV), Cover (Sex Ed)	Cover, expansive	Neutral			✓	
New York	Stress (HIV)						
North Carolina	Stress	Cover, expansive	Discriminatory		✓	✓	
North Dakota	Cover				✓		
Ohio	Stress				✓	✓	
Oklahoma	Stress		Discriminatory			✓	
Oregon	Stress	Cover, expansive	Inclusive				✓
Pennsylvania	Stress (HIV)						
Rhode Island	Stress	Cover, expansive	Inclusive			✓	
South Carolina	Stress	Cover, limited		Prohibit	✓	✓	

## 2. Sex Education or HIV/STI Instruction (cont.)

State	If sex education or HIV/STI instruction is provided, then it must...						
	Stress or cover...		Be inclusive, neutral, or discriminatory toward LGBTQ people	Abortion as outcome of pregnancy (prohibit, negative, or affirming)	Promote heterosexual marriage	Include healthy relationships instruction ↗	
	Abstinence	Contraception (expansive, limited)				Some	Detailed
South Dakota	Cover					✓	
Tennessee	Stress				✓	✓	
Texas	Stress	Cover, limited	Discriminatory		✓	✓	
Utah	Stress				✓	✓	
Vermont	Cover	Cover, limited		Affirming			✓
Virginia	Cover	Cover, limited			✓	✓	
Washington	Stress	Cover, limited	Inclusive				✓
West Virginia	Cover	Cover, limited			✓	✓	
Wisconsin	Stress						
Wyoming						✓	

↗ This section tracks whether there is a healthy relationships instruction component if sex education or HIV/STI instruction is provided. Healthy relationships instruction in this guide refers to instruction in at least one of the following categories: communication skills, decision-making skills, violence prevention, child sex abuse, consent, characteristics of a healthy relationship, and sex trafficking. Violence prevention instruction refers only to prevention of violence in the context of relationships or sexual violence, such as domestic abuse/violence, dating abuse/violence, intimate partner violence, sexual abuse and assault, rape, unwanted sexual advances, and child abuse.

\* Louisiana Statue prohibits instruction that utilizes any sexually explicit materials depicting male or female homosexual activity.

📌 Source: Guttmacher Institute. (2017, October). *Sex and HIV Education*. Retrieved from <https://www.guttmacher.org/state-policy/explore/sex-and-hiv-education>.

### 3. Additional Requirements – Healthy Relationships Instruction

State	If healthy relationships instruction is provided, then it must...				
	Include a teacher training requirement ◊	Teach about...			
		Communication skills	Decision-making skills	Violence prevention	Consent °
Alabama	1	✓	✓	✓	
Alaska	1, 2, 3			✓	
Arizona			✓	✓	
Arkansas			✓	✓	
California°	1, 2, 3	✓	✓	✓	✓
Colorado		✓	✓	✓	✓
Connecticut	1		✓	✓	
Delaware	1, 3	✓	✓	✓	✓
D.C.	1, 3		✓	✓	✓
Florida			✓	✓	
Georgia	1			✓	
Hawaii		✓	✓	✓	
Idaho			✓		
Illinois	1			✓	✓
Indiana				✓	
Iowa	1			✓	
Kansas					
Kentucky		✓	✓		
Louisiana	1	✓	✓	✓	
Maine		✓	✓	✓	
Maryland	1, 3		✓	✓	✓

### 3. Healthy Relationships Instruction (cont.)

State	If healthy relationships instruction is provided, then it must...				
	Include a teacher training requirement ◊	Teach about...			
		Communication skills	Decision-making skills	Violence prevention	Consent °
Massachusetts					
Michigan ^	1, 2	✓*	✓	✓*	
Minnesota					
Mississippi				✓	
Missouri	1, 3		✓	✓	✓
Montana		✓	✓		
Nebraska	1			✓	
Nevada		✓	✓		
New Hampshire		✓		✓	
New Jersey		✓	✓	✓	✓
New Mexico		✓	✓	✓	
New York	1, 3				
North Carolina	1	✓	✓	✓	
North Dakota					
Ohio	1, 3			✓	
Oklahoma					✓
Oregon	1, 3	✓	✓	✓	✓
Pennsylvania					
Rhode Island	1	✓	✓	✓	
South Carolina				✓	✓
South Dakota					

### 3. Healthy Relationships Instruction (cont.)

State	If healthy relationships instruction is provided, then it must...				
	Include a teacher training requirement <sup>◇</sup>	Teach about...			
		Communication skills	Decision-making skills	Violence prevention	Consent <sup>°</sup>
Tennessee		✓	✓	✓	
Texas	1, 3	✓	✓	✓	
Utah*	1	✓	✓	✓	
Vermont		✓	✓	✓	
Virginia		✓ <sup>Φ</sup>	✓	✓	✓
Washington	1	✓	✓	✓	✓
West Virginia		✓	✓	✓	
Wisconsin				✓	
Wyoming		✓			

- ◇ This indicates whether schools in the state must: 1) provide teacher training, 2) require a certificate or expertise to teach, and/or 3) require teachers to attend training. For more information, please refer to the introduction portion of this document.
- ° Definitions of consent vary across legislative texts; however, California's legislative definition is the most explicit and concise, defining consent as the affirmative, conscious, and voluntary agreement to engage in sexual activity.
- ^ Michigan requires that instruction teaches students how to say “no” to sexual advances and that it is wrong to take advantage of, harass, or exploit another person sexually, teaches respect for self and others and how to set limits and recognize dangerous environments, and include information clearly informing students that having sex or sexual contact with an individual under the age of 16 is a crime.
- \* Utah requires that “refusal skills” be taught in health education classes.
- Φ Source: Guttmacher Institute. (2017, October). *Sex and HIV Education*. Retrieved from <https://www.guttmacher.org/state-policy/explore/sex-and-hiv-education>.



## 4. Parent/Guardian Notification

S = Sex Education  
HIV = HIV/STI Education  
HR = Healthy Relationships Education  
LGBTQ+ = Sexual Orientation & Gender

State	If sex education, HIV/STI instruction, healthy relationships instruction, or instruction on sexual orientation and gender identity is provided, then it must provide parent/guardian notification		
	Opt-in	Opt-out	Must make materials available
Alabama		HIV	
Alaska		HR	S
Arizona	S, HIV		S, HR
Arkansas	LGBTQ+	HR	HR
California		S, HIV, HR	
Colorado		S, HIV, HR	S, HIV, HR
Connecticut		S, HIV	HIV
Delaware			
D.C.		S, HIV	S, HIV
Florida		S, HIV	S, HIV
Georgia		S, HIV	
Hawaii		S, HIV, HR	S, HIV, HR
Idaho		S	
Illinois		S, HIV, HR	S, HIV, HR
Indiana ^		S, HR	S, HR
Iowa		S, HIV, HR	S, HIV, HR
Kansas	S, HIV, HR *	S, HIV, HR	
Kentucky			
Louisiana		S, HIV	S, HIV, HR
Maine		S, HIV	
Maryland		S, HIV	S, HIV, HR
Massachusetts		S, HIV	S, HIV

## 4. Parent/Guardian Notification (cont.)

S = Sex Education     HR = Healthy Relationships Education  
HIV = HIV/STI Education     LGBTQ+ = Sexual Orientation & Gender

State	If sex education, HIV/STI instruction, healthy relationships instruction, or instruction on sexual orientation and gender identity is provided, then it must provide parent/guardian notification		
	Opt-in	Opt-out	Must make materials available
Michigan		<span style="color: orange;">S</span>	<span style="color: orange;">S</span> , <span style="color: green;">HR</span>
Minnesota		<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>
Mississippi ×	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>
Missouri		<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	<span style="color: orange;">S</span>
Montana		<span style="color: orange;">S</span>	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>
Nebraska			<span style="color: green;">HR</span>
Nevada	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span>		<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>
New Hampshire		<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	
New Jersey		<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	<span style="color: green;">HR</span>
New Mexico		<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	
New York		<span style="color: red;">HIV</span>	<span style="color: red;">HIV</span>
North Carolina +	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>
North Dakota			
Ohio	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> °	<span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	<span style="color: green;">HR</span>
Oklahoma		<span style="color: orange;">S</span> , <span style="color: red;">HIV</span>	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span>
Oregon		<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>
Pennsylvania		<span style="color: red;">HIV</span>	<span style="color: red;">HIV</span>
Rhode Island		<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>
South Carolina		<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>
South Dakota			
Tennessee	<span style="color: blue;">LGBTQ+</span>	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span> , <span style="color: green;">HR</span>	<span style="color: orange;">S</span>
Texas	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span>	<span style="color: orange;">S</span> , <span style="color: red;">HIV</span>	



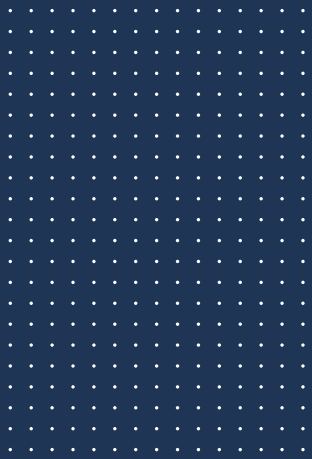
## 4. Parent/Guardian Notification (cont.)

**S** = Sex Education  
**HIV** = HIV/STI Education

**HR** = Healthy Relationships Education  
**LGBTQ+** = Sexual Orientation & Gender

State	If sex education, HIV/STI instruction, healthy relationships instruction, or instruction on sexual orientation and gender identity is provided, then it must provide parent/guardian notification		
	Opt-in	Opt-out	Must make materials available
Utah	S, HIV		S, HIV
Vermont		HIV	
Virginia		S, HIV, HR	S, HIV, HR
Washington		HIV	
West Virginia		HIV	HIV
Wisconsin		S, HIV	S, HIV
Wyoming			

- \* Kansas local school districts are required to determine if they wish to offer an opt-in or opt-out policy.
- ^ Indiana requires schools to make two attempts to receive written parental permission in order for students to participate in sex education. If permission is not confirmed or denied after two attempts, students are automatically enrolled, and parents may subsequently withdraw students from instruction.
- × Mississippi requires schools to “inform the parents of their right to request the inclusion of their child” in sex education instruction and that, “upon the request of any parent, the school shall excuse the parent’s child from such instruction or presentation.”
- + North Carolina requires local boards of education to adopt policies that provide opportunities “either for parents and legal guardians to consent or for parents and legal guardians to withhold their consent to the students’ participation” in any part of the North Carolina School Health Education Program.
- Educators in Ohio are required to obtain parental consent if additional instruction is provided outside of the mandated sex education topics



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