

ABSTINENCE-ONLY

Now more than ever,

it is crucial for

Americans to support

our constitutionally

protected freedoms.
So why is the

U.S. government

supporting censorship

at school?

EDUCATION?

Hundreds of millions in federal

and state dollars have already been

spent on “abstinence-only sex

education” in public schools, and

more may soon be on the way.

Abstinence-only programs

withhold vital health information.

Doctors and other health

professionals object to them

because they don't provide

students with an adequate

education about ways to avoid

sexually transmitted diseases

and unwanted pregnancies.

Parents overwhelmingly support

giving students more, not less,

sex and health education.

The National Coalition Against Censorship (NCAC) is an alliance of national non-profit organizations, including religious, educational, professional, artistic, labor and civil liberties groups. United by a conviction that freedom of thought, inquiry, and expression are essential to a free society, NCAC educates about the dangers of censorship and how to oppose it.

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Abstinence-only education is more concerned with “abstinence” than with “education.” Many programs

In a free democratic society, sex

were developed by religious groups

education shouldn’t be censored.

whose views on sexuality are not

The government has no business

shared by other religious and non-

restricting access to knowledge.

religious people. These programs

People have different values,

are promoted in an effort to impose

traditions, and religious beliefs.

one set of values on all.

Public schools serve everyone.

They should educate and inform,

not censor what students

NCAC opposes abstinence-only programs.

may learn.

They put more than young people’s

welfare at risk. They also endanger free

speech and religious tolerance.

ABSTINENCE-ONLY EDUCATION?

AS INDIVIDUALS AND ORGANIZATIONS COMMITTED to the First Amendment and freedom of thought, inquiry, and speech, we oppose censorship as an affront to a core constitutional principle: that government may not control what individuals read, see, hear, think, and say. This principle is particularly critical in the educational setting, since the classroom is, in the words of the Supreme Court, “peculiarly the ‘marketplace of ideas.’”

We therefore are deeply concerned about publicly-funded sexuality education programs that restrict students’ access to information and limit learning to one “approved” message about human sexuality. While the stated goals of the program, reducing non-marital sexual activity and teen pregnancy, may appeal to some, such goals can be better achieved through educational programs that do not resort to government censorship, but respect freedom of speech and access to information.

The “abstinence education” provision in federal law is expected to come up for congressional reauthorization. It is therefore particularly important that legislators, educators, policy-makers, parents, students and others understand the threat it poses to important First Amendment principles:

ABSTINENCE-ONLY EDUCATION IS CENSORSHIP

Federal law specifies that the “exclusive purpose” of abstinence-only programs must be to teach “*that a mutually faithful monogamous relationship in the context of marriage is the expected standard of human sexual activity*” and “*that sexual activity outside of the context of marriage is likely to have harmful psychological and physical effects.*”

Students in abstinence-only programs receive **only** information consistent with the abstinence-until-marriage message. Instead of a comprehensive review of the facts about contraception, safer sex practices, and sexuality, they often receive false and exaggerated information about contraceptive failure and are told that contraceptives undermine romance

and spontaneity. They typically learn about homosexuality only in the context of HIV/AIDS. Abortion is presented as morally wrong and physically and emotionally dangerous. In some programs, fetuses are referred to as “babies.”

The result of this focus on abstinence-until-marriage has been widespread censorship of sexual information. Material on contraception, sexually transmitted disease, and sexual orientation has been razored out of textbooks. Articles about sexuality have been censored in the student press. Teachers have been warned against talking about certain topics, and cannot answer students’ questions fully or candidly. Some have been disciplined or threatened with lawsuits for speaking frankly about sexual matters. Many teachers understandably avoid discussing sexuality at all.

ABSTINENCE-ONLY EDUCATION AFFRONTS THE PRINCIPLE OF CHURCH-STATE SEPARATION.

Like efforts to discourage the teaching of evolution, abstinence-only education is promoted by religious groups and individuals in an attempt to impose their own beliefs on all students in public schools. The curricula used in many abstinence-only programs were developed by religious groups whose views on sexual orientation, non-marital sex, contraception, and abortion are not shared by other religions and non-religious people. Parents may be unaware that their children are being indoctrinated into beliefs to which they do not subscribe and which are presented as facts. The Constitution forbids the promotion or preference of any religious perspective in a public institution, and public schools must address the educational needs of *all* students.

ABSTINENCE-ONLY EDUCATION SILENCES SPEECH ABOUT SEXUAL ORIENTATION.

Abstinence-only education excludes information and

A JOINT STATEMENT

discussion about gay and lesbian sexuality. With its emphasis on marriage as the “expected standard of human sexual activity” and its statement that “sexual activity outside of the context of marriage is likely to have harmful psychological and physical effects,” abstinence-only education reflects hostility to the very notion of same-sex relationships and stigmatizes students who are, or are thought to be, gay or lesbian.

CENSORSHIP OF SEX EDUCATION IS INEFFECTIVE AND UNNECESSARY.

The evidence shows that providing students uncensored access to comprehensive sex education does not promote sexual activity. And there is little evidence that abstinence-only education is effective in achieving its stated goals of reducing non-marital sex and teen pregnancy rates. Moreover, students who receive uncensored comprehensive sex education, which includes but is not limited to information about abstinence, are more likely than students who do not receive this education to practice safer sex more consistently if they do become sexually active.



The vast majority of parents want their children to receive comprehensive sex education which includes, but is not limited to, information about abstinence. This includes parents who believe that sexual activity outside of marriage is wrong and harmful, and those who do not. Because religious teachings, cultural traditions, and attitudes about sexual morality vary widely, it is particularly important to protect discussion and debate. Government censorship of disfavored ideas is incompatible with this essential aspect of the democratic process. Even if abstinence-only programs could be shown to have any benefit, we would still oppose substituting government control over information and ideas, for the right of individuals to learn, think and speak freely.

ORGANIZATIONS ENDORSING THE JOINT STATEMENT AGAINST ABSTINENCE-ONLY EDUCATION:

ACT UP/New York
Advocates for Youth
American Association of Sex Educators, Counselors and Therapists
American Booksellers Foundation for Free Expression
American Civil Liberties Union
American Foundation for AIDS Research
American Medical Student Association
Americans for Democratic Action
Americans United for Separation of Church & State
Association of Reproductive Health Professionals
Boston Coalition for Freedom of Expression
Boston Women’s Health Book Collective
Catholics for a Free Choice
Center for Reproductive Law & Policy
Center for Women Policy Studies
Feminists for Free Expression
First Amendment Project
Gay-Straight Alliance Network
Interfaith Working Group
International Women’s Health Coalition
Justice & Witness Ministries, United Church of Christ
Lambda Legal Defense & Education Fund
Mass MIC (Massachusetts Music Industry Coalition)
Monroe Citizens for Public Education and Religious Liberty
Mothers’ Voices
National Abortion and Reproductive Rights Action League
National Coalition Against Censorship
National Education Association
National Family Planning & Reproductive Health Association
National Network for Youth
National Women’s Health Network
NOW Legal Defense & Education Fund
Online Policy Group
Parents, Families and Friends of Lesbians and Gays
People for the American Way
Physicians for Reproductive Choice & Health
Planned Parenthood Federation of America
ProChoice Resource Center
Sexuality Information & Education Council of the US
Society for the Scientific Study of Sexuality
Third Wave Foundation
Unitarian Universalist Association
Urban Justice Center, Lesbian and Gay Youth Project
Women’s Committee of 100
World Association for Sexology

ABSTINENCE-ONLY EDUCATION?

ABSTINENCE-ONLY EDUCATION is one of the religious right's greatest victories. But it is only one tactic in a broader, longer-term strategy. Since the early 1980s, the "family values" movement has won the collaboration of governments and public institutions, from Congress to local school boards, in abridging students' constitutional rights. Schools now block student access to sexual information in class, at the school library, and through the public library's Internet portals. They violate students' free speech rights by censoring student publications of articles referring to sexuality. In abstinence-only classes, instructors force-feed students religious ideology that condemns homosexuality, masturbation, abortion, and sometimes even contraception.

BACKGROUND.

In 1981, Congress passed the Adolescent Family Life Act, also known as the "chastity law," which funded educational programs to "promote self-discipline and other prudent approaches" to adolescent sex, or "chastity education." Grant applications to create such programs poured in, and the dollars poured out—to churches and religious conservatives nationwide. The ACLU challenged AFLA in court, calling it a Trojan horse smuggling the values of the Christian

Right—particularly its opposition to abortion—to public-school children at public expense: a classic affront to the principle of separation of church and state.¹

A dozen years later, the Supreme Court held that funded programs must delete direct references to religion (for instance, the suggestion that students take Christ on a date as chaperone), and the granting process was reined in. But it was too late. Some of the biggest federal grant recipients, including Sex Respect and Teen-Aid, had already turned their curricula into robust for-profit businesses. Christian fundamentalist groups, which built much of that infrastructure, remain among the most vehement opponents of comprehensive sexuality education today.

In 1996, Congress struck again, attaching a provision to welfare legislation that established a federal program to fund programs teaching abstinence-until-marriage exclusively. Approximately \$100 million, including matching state funds, is spent annually on state programs that have as their "exclusive purpose, teaching the social, psychological, and health gains to be realized by abstaining from sexual activity."

Congress is poised to re-authorize funding for abstinence-only education, and a similar trend is also

¹ Marjorie Heins, *Not in Front of the Children: "Indecency," Censorship, and the Innocence of Youth* (Chapter 6, "The Ideological Minefield: Sexuality Education") (NY: Hill and Wang) (2001); Diana Jean Schemo, "Sex Education With Just One Lesson: No Sex," *New York Times*, 12/28/00; Priscilla Pardini, "Federal Law Mandates 'Abstinence-Only Sex Ed: Fundamentalists Successfully Pushed Stealth Legislation," *Rethinking Schools*, Summer 1998; Jodie Levin-Epstein, "Fact Sheet: 'Abstinence Unless Married' Education," Center for Law and Social Policy, Nov. 1998 (www.clasp.org/pubs/abstinenceunlessmarried.htm). See also Arthur Allen, "Does 'Safe Sex' Really Exist?" *Salon*, 7/21/00 (www.salon.com/health/feature/2000/07/21/safe_sex/index.html); Arthur Allen, "Foil-Wrapped Folly," *Salon*, 7/24/00 (www.salon.com/health/feature/2000/07/24/condom/index.html), Sharon Lerner, "Just Say No To Sex; Just Say Yes To Big Bucks," *Salon*, 9/23/99 (www.salon.com/health/feature/1999/09/23/abstinence/index.html).

² "Diocese Will Lead Classes on Abstinence," *Helena Independent Record* (Mont.), 1/15/00; "Abstinence Program's 'Project Reality' Training is May 6," *Bayou Catholic Shriever* (La.), 5/4/00; additional information on practices in Louisiana provided by the ACLU of Louisiana.

³ "Valentine's Day Kick Off True Love Waits Campaign," *Mercury Register* (Orville, Cal.), 1/26/00; M. Neill, "544 High School Students Make Promise of Abstinence," *The Times* (Cullman, Ala.), 2/18/00; J. Gish, "No Sex, Please, We're Teens," *Evening Sun* (Hanover, Pa.), 2/7/00; H. Todd, "Abstinence Workshop Insertion Criticized," *Herald Zeitung* (New Braunfels, Tex.), 8/8/99.

⁴ Martha Quillen, "Franklin Schools Slice Sex-Ed Chapters Out of Health Books," *The News & Observer* (Raleigh, N.C.) 9/25/97; "Lynchburg School Board Will Censor Illustration in Anatomy Textbook," Associated Press, 9/6/00 (AP-ES-09-06-00 1233EDT).

WHY 1ST AMENDMENT SUPPORTERS SHOULD OPPOSE IT

apparent at the state level, where legislatures are copying the federal abstinence-only statute, often adding explicit prior-restraint provisions. A recent proposal in New Jersey, for instance, would impose close surveillance on teaching materials—and teachers. Even if they don't pass, these bills have a censorial and chilling effect. Utah's governor vetoed a similar bill in that state, but directed state agencies to monitor sex-ed programs for "inappropriate" language and subject matter.

Here are a few examples of the problems created by the abstinence-only approach to sex "education":

➤ **PUBLIC FUNDS GO TO RELIGIOUS INSTITUTIONS FOR ANTI-SEX EDUCATION.** In Montana, the Catholic diocese of Helena received \$14,000 from the state's Department of Health & Human Services for classes in the "Assets for Abstinence." In Louisiana, a network of pastors is bringing the abstinence-only message to religious congregations with public funds, and the Governor's Program on Abstinence is appointing regional coordinators and other staff members from such religious organizations as the Baptist Collegiate Ministries, Rapides Station Community Ministries, Diocese of Lafayette, Revolution Ministries, Caring to Love

Ministries, All Saints Crusade Foundation, Concerned Christian Women of Livingston, Catholic Charities, Christian Counseling Center, and Community Christian Concern.²

➤ **PUBLIC SCHOOLS HOST "CHASTITY" EVENTS.** In California, Pennsylvania, Alabama, and many other states, schools regularly host chastity pledges and rallies on school premises during school hours. During these rituals, students often pledge "to God" that they will remain abstinent until they marry.³

➤ **TEXTBOOKS ARE CENSORED.** The school board in Franklin County, North Carolina, ordered three chapters literally sliced out of a ninth-grade health textbook because the material did not adhere to state law mandating abstinence-only education. The chapters covered AIDS and other STDs, marriage and partnering, and contraception. In Lynchburg, Virginia, school board members refused to approve a high-school science textbook unless an illustration of a vagina was covered or cut out.⁴

➤ **CRUCIAL HEALTH PROGRAMS ARE CANCELED.** In response to a petition from 28 parents, a

⁵ Jon Craig, "Parents' Objections Cancel AIDS Program," *Post-Standard* (Syracuse, NY), 10/11/97; "Group Calls for Halt on HIV/AIDS Program Due to Explicit Material," *News Leader* (Rochelle, Ill.), 10/1/00.

⁶ Russ Pulley and Robert Carroll, "Discussion in Health Class Draws Parental Complaint," *Kansas City Star*, 2/22/98; "Belton Teacher Placed on Leave," *Star-Herald* (Belton, Mo.), 2/26/98; Mike Berry, "Condom Video Gets High School Teacher Suspended," *Orlando Sentinel*, 2/11/99.

⁷ Reynolds Holding, "Student's Sex Article Prompts Sad Legal Lesson," *San Francisco Chronicle*, 7/2/00; "Feature Up in Smoke When Principal Axes Sex Stories," *Student Press Law Center Report*, Winter 1999-2000, p. 20.

⁸ Holding, *supra* n. 7; Jill Grossman, "Students Fight for Sex Education," *The Westsider* (Mar. 19 - 25, 1998); "Nurses

Drop 'Crazy' Sex-Ed Program," *Rocky Mountain News* (Denver, Colo.), 3/18/99. For an assessment of teen's knowledge about sexuality, see Michael Carrera, et al., "Knowledge about Reproduction, Contraception, and Sexually Transmitted Infections among Young Adolescents in American Cities," *Social Policy*, Spring 2000.

⁹ Diana Jean Schemo, "Sex Education With Just One Lesson: No Sex," *New York Times*, 12/28/00, A1.

¹⁰ Kaiser Family Foundation, *Sex Education in America: A View from Inside the Nation's Classrooms* (Menlo Park, CA: The Kaiser Family Foundation, 2000); "Fact Sheet: Public Support for Sexuality Education," *SIECUS Report*, June/July 2000; Douglas Kirby, "Sexuality and Sex Education at Home and School," *Adolescent Medicine: State of the Art Reviews* 10 (2), 195-209, June 1999 (Philadelphia: Hanley & Belfus, Inc.)

ABSTINENCE-ONLY EDUCATION?

highly regarded comprehensive AIDS- prevention presentation for high-school students in the Syracuse, New York, area, given by the local AIDS Task Force, was canceled for future students. In Illinois, critics blasted a Centers for Disease Control program, called “Reducing the Risk,” because they claim it is inconsistent with an abstinence-only message.⁵

≈ **SEX-ED TEACHERS ARE DISCIPLINED FOR DOING THEIR JOBS.** In Belton, Missouri, a seventh-grade health teacher was suspended when a parent complained that she had discussed “inappropriate” sexual matters in class. The teacher had answered a student’s query about oral sex. In Orlando, Florida, a teacher was suspended when he showed a student-made videotape called *Condom Man and his K-Y Commandos*, about preventing AIDS transmission.⁶

≈ **TEACHERS ARE THREATENED WITH LAWSUITS; STUDENT JOURNALISTS INTIMIDATED.** In Granite Bay, California, an article in the student paper prompted charges that a sex-ed teacher engaged in “sexual misconduct” and threats of

a lawsuit against the teacher and the paper’s faculty adviser. The article took the position that newly mandated abstinence-only education was doing nothing to stop either sexual activity or widespread sexual ignorance among students. In Santa Clarita, California, a high school principal censored the student paper from printing an article entitled “Sex: Raw and Uncensored.” The article was actually about the benefits of abstinence and methods of safe sex.⁷

≈ **STUDENTS SUFFER FROM IGNORANCE.** Comprehensive sex education is becoming the exception rather than the rule; as a result, more students lack basic information. In Granite Bay, one student asked where his cervix was, and another inquired if she could become pregnant from oral sex. Students in New York City protested that the increased focus on abstinence-only has curtailed access to education about HIV/AIDS. The Colorado Council of Black Nurses decided to return \$16,000 in abstinence-only funding, because the program “was just too restrictive. It did not teach responsible sexual behavior.”⁸

¹¹ Jodi Wilgoren, “Abstinence is Focus of U.S. Sex Education,” *New York Times*, 12/15/99; *American Medical News*, 1/17/00 (www.ama-assn.org/sci-pubs/amnews/pick_00/hlsa0117.htm); J. E. Darroch, et al., “Changing Emphases in Sexuality Education in U.S. Secondary Public Schools, 1988 - 1999,” *Family Planning Perspectives*, vol. 32, no. 5, pp. 204-11, 265 (Sept./Oct. 2000).

¹² Douglas Kirby, “Effective Approaches to Reducing Adolescent Unprotected Sex, Pregnancy, and Childbearing,” Report to the Surgeon General, July 2000; Douglas Kirby, “Sexuality and Sex Education at Home and School,” *Adolescent Medicine: State of the Art Reviews*, 10 (2), 195-209, June 1999 (Philadelphia: Hanley & Belfus, Inc.); John B. Jemmott, et al., “Abstinence and Safer Sex HIV Risk-Reduction Interventions for African-American Adolescents, A Randomized Trial” *JAMA*, 279(19), 1529-1536 (1998); National Abortion and Reproductive Rights Action League, “Teens in Crisis: A Comprehensive Strategy to Protect Adolescent Health,” May 1998

(www.naral.org/mediaresources/fact/teens_crisis.html); Lisa Rabasca, “Not Enough Evidence to Support ‘Abstinence-Only,’” *APA Monitor*, 30 (11), Dec. 1999.

¹³ Alan Guttmacher Institute (2/24/00) “United States and the Russian Federation Lead the Developed World in Teenage Pregnancies,” summarizing Suseela Singh and Jacqueline E. Darroch, “Adolescent Pregnancy and Childbearing: Levels and Trends in Developed Countries,” *Family Planning Perspectives* (Jan./Feb. 2000). See also Ammie Feijoo and Sue Alford, “Adolescent Sexual Health in Europe and the U.S.—Why the Difference?” *Transitions* 11 (3), March 2000; Anke A Ehrhardt, “Editorial: Our View of Adolescent Sexuality—A Focus on Risk Behavior Without the Developmental Context,” *Am. J. Pub. Health*, 86 (11), 1523-1525, Nov. 1996.

¹⁴ National Institutes of Health, NIH Consensus Statement, *Interventions to Prevent HIV Risk Behaviors*, Vol. 15, No. 2, Feb. 11 - 13, 1997, pp. 15 - 16.

WHY 1ST AMENDMENT SUPPORTERS SHOULD OPPOSE IT

FACTS.

≈ **OVER A FIVE-YEAR PERIOD ENDING IN 2002, APPROXIMATELY \$500 MILLION IN FEDERAL AND STATE MATCHING FUNDS WILL HAVE BEEN SPENT ON ABSTINENCE-ONLY EDUCATION.**

Because of the requirement that states match federal funds for abstinence-only programs, state dollars that previously supported comprehensive sexuality education, which includes but is not limited to abstinence-education, have been diverted to abstinence-only programs.⁹

≈ **THE VAST MAJORITY OF AMERICAN PARENTS SUPPORT COMPREHENSIVE SEX EDUCATION.**

According to a recent study by the Kaiser Family Foundation, most parents want their children to receive a variety of information on subjects including contraception and condom use, sexually transmitted disease, sexual orientation, safer-sex practices, abortion, communications and coping skills, and the emotional aspects of sexual relationships. Given the choice, only 1% to 5% of parents remove their children from comprehensive sex education courses.¹⁰

≈ **FEWER THAN HALF OF PUBLIC SCHOOLS IN THE U.S. NOW OFFER INFORMATION ON HOW TO OBTAIN BIRTH CONTROL,**

and only a third include discussion of abortion and sexual orientation in their curricula. A large nationally representative survey of middle- and high-school teachers published in *Family Planning Perspectives* reported that 23% of teachers in 1999 taught abstinence as the *only* means of STD and pregnancy prevention, compared with 2% in 1988. The study's authors attributed the change to the heavy promotion of abstinence—not sound educational principles.¹¹

≈ **ABSTINENCE-ONLY SEX EDUCATION DOESN'T WORK.** There is little evidence that teens who

participate in abstinence-only programs abstain from intercourse longer than others. When they do become sexually active, though, they often fail to use condoms or other contraceptives. Meanwhile, students in comprehensive sex education classes do not engage in sexual activity more often or earlier, but do use contraception and practice safer-sex more consistently when they become sexually active.¹²

≈ **THE U.S. HAS THE HIGHEST RATE OF TEEN PREGNANCY IN THE DEVELOPED WORLD,**

and American teens are contracting HIV faster than almost any other demographic group. The teen pregnancy rate in the U.S. is at least twice that in Canada, England, France, and Sweden, and 10 times that in the Netherlands. Experts cite restrictions on teens' access to comprehensive sexuality education, contraception, and condoms in the U.S., along with the widespread American attitude that a healthy adolescence should exclude sex. By contrast, the "European approach to teenage sexual activity, expressed in the form of widespread provision of confidential and accessible contraceptive services to adolescents, is...a central factor in explaining the more rapid declines in teenage childbearing in northern and western European countries."¹³

≈ **EVERY REPUTABLE SEX-ED ORGANIZATION IN THE U.S., AS WELL AS PROMINENT HEALTH ORGANIZATIONS INCLUDING THE AMERICAN MEDICAL ASSOCIATION, HAVE DENOUNCED ABSTINENCE-ONLY SEX ED.**

And a 1997 consensus statement from the National Institutes of Health concluded that legislation discouraging condom use on the ground that condoms are ineffective "places policy in direct conflict with science because it ignores overwhelming evidence....Abstinence-only programs cannot be justified in the face of effective programs and given the fact that we face an international emergency in the AIDS epidemic."¹⁴

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FOR MORE INFORMATION

THE FOLLOWING ORGANIZATIONS can provide more information about abstinence education and comprehensive sexuality education.

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www.advocatesforyouth.org
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AMERICAN SCHOOL HEALTH ASSOCIATION (ASHA)

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7263 State Road 43 P.O. Box 708
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E-MAIL: asha@ashaweb.org

CENTER FOR LAW AND SOCIAL POLICY (CLASP)

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1616 P Street, N.W., Suite 150
Washington, DC 20036
PHONE: 202/328-5140
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CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC)

www.cdc.gov
1600 Clifton Road
Atlanta, GA 30333
PHONE: 800/311-3435
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ETR ASSOCIATES

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KAISER FAMILY FOUNDATION

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NATIONAL ABORTION AND REPRODUCTIVE RIGHTS ACTION LEAGUE (NARAL)

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NATIONAL CAMPAIGN TO PREVENT TEEN PREGNANCY

www.teenpregnancy.org
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PLANNED PARENTHOOD FEDERATION OF AMERICA (PPFA)

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SEXUALITY INFORMATION AND EDUCATION COUNCIL OF THE UNITED STATES (SIECUS)

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