

The SIECUS State Profiles



Hawaii

HAWAII'S SEX ED SNAPSHOT

THE STATE OF SEX EDUCATION

Advocates have successfully worked to advance sex education in Hawaii over the past five years, most recently culminating in the introduction of a series of bills ([House Bill 385](#) and [House Bill 386](#)) that sought to advance requirements and include instruction on sexual abuse. Unfortunately, both bills failed to pass.

In light of the coronavirus pandemic, the move to virtual learning has reduced the likelihood that young people will receive sex education. In addition, the state Legislature's move to a digital platform has also reduced the ability for advocates to provide their input on legislation concerning sex education and reproductive health care services. Advocates report that sex education is not currently a priority for virtual instruction, and educators are not prepared to teach it in a virtual manner. To advance sex education, it's critical that the pandemic is resolved so that in-person instruction may resume.

After years of dedicated campaigning from advocates, the State Board of Education voted to remove Hawaii's "[opt-in](#)" policy and [update](#) Hawaii's sex education requirements in 2015. The policy requires schools to provide sex education that is medically accurate, age appropriate, and culturally responsive. Despite this success, advocates report that the policy is not yet fully implemented in Hawaii schools and that the Department of Education has not taken steps to secure necessary resources, including funds for curricula or additional training for educators. As a result, advocates are working hard to get the Department of Education to report its progress in implementing the 2015 sex education policy to the legislature.

In 2019, Hawaii joined eight states in refusing funding from the Title X Family Planning Program after the Trump administration began enforcing a [domestic gag rule](#). As a result, many advocates have shifted attention away from sex education to focus efforts on ensuring Hawaii's family planning clinics are able to continue providing the comprehensive sexual and reproductive health care that Hawaiians need. However, as part of their efforts to maintain these necessary services, Hawaiians should remain vigilant in advancing sex education as well. When young people receive comprehensive sex education, they are able to develop an understanding, early on, of how and why access to this type of care is essential for any community.

Hawaii schools are now required to teach sex education that is age appropriate, medically accurate and includes instruction on abstinence, contraception, and methods to prevent unintended pregnancy and sexually transmitted infections (STIs), including human immunodeficiency virus (HIV). However, curriculum is not required to be comprehensive or to include instruction on sexual orientation or gender identity. Mandating local control over sex education presents unique challenges that have resulted in a glaring disparity regarding the quality of sex education that students receive. Such discretion allows for the implementation of policies and curriculum that stigmatize marginalized youth, such as students of color and LGBTQ youth, and presents further challenges in ensuring that low income districts have access to the resources needed to implement

comprehensive sex education. Advocates believe that the Department of Education is not prioritizing sex education, which has resulted in delayed implementation of the newly mandated sex education requirements.

Right now, advocates can take action to ensure young people in their community have access to quality sex education. After contacting their local schools, advocates can determine what topics are currently missing from the sex education curriculum, such as legally mandated medically accurate and culturally responsive curriculum in addition to instruction on topics such as healthy relationships and consent. Further, advocates can contact their representatives to discuss the critical need for the Department of Education to support schools in implementing the current sex education requirements and passing legislation that further advances sex education in Hawaii. Advocates are encouraged to use the SIECUS [Community Action Toolkit](#) to guide local efforts to advance sex education.

STATE SEX EDUCATION POLICIES AND REQUIREMENTS AT A GLANCE

- Hawaii schools are required to teach sex education.
 - Curriculum is not required to be comprehensive.
 - Curriculum must include instruction on abstinence.
- Curriculum is not required to include instruction on sexual orientation or gender identity.
- Curriculum is not required to include instruction on consent. However, instruction must help students develop relationships and communication skills to form healthy relationships that are based on mutual respect and affection and are free from violence, coercion and intimidation.
- Parents and guardians can remove their children from sex education. [This is referred to as an “opt-out” policy.](#)
- Curriculum must be medically accurate.

STATE HOUSE HIGHLIGHTS

This section highlights sex education bills that were introduced during the 2020 state legislative session as well as bills that have been introduced thus far in 2021. These proposed bills provide a brief overview of both recent and current legislative action taken to advance or restrict sex education. For a more comprehensive look at relevant legislation concerning sex education and related topics such as reproductive health care, LGBTQ rights, and HIV/AIDS, continue reading on to the “State Legislative Activity” section of Hawaii’s profile.

2021 Legislative Session

[House Bill 1306](#) (pending): Aims to require schools to provide developmentally appropriate instruction on recognizing sexual violence.

2020 Legislative Session

[House Bill 385](#) (failed): If successful, will require sex education curriculum to include instruction on healthy relationships, communicating with parents and guardians about sexuality, and critical thinking. The bill will also ensure curriculum does not discriminate on the basis of sex, race, ethnicity, national origin, disability, religion, sexual orientation, or gender identity. In addition, this bill allows teachers to answer any questions from students in good faith and establishes minimum education and training requirements for educators.

[House Bill 386](#) (failed): If successful, will establish the Erin’s Law taskforce and require the Department of Health to establish a program to provide instruction on sexual abuse and sex trafficking prevention education for

students as well as training for school staff. An [identical companion bill](#) has been introduced in the Hawaii Senate.

House Bill 743 (failed): If successful, would have required schools to provide parents or guardians with advanced written notification if “controversial issues” were to be taught.

MORE ON SEX ED IN HAWAII

State Law

Sexual health education is mandated in Hawaii as of 2015. The Hawaii State Board of Education was [established by the Hawaii State Constitution](#), which grants the board power to formulate and establish statewide educational policy. On June 16, 2015, Hawaii’s [Board of Education policy](#) was updated to read, “the Department of Education shall provide sexual health education to include age appropriate, medically accurate health education that includes education on abstinence, contraception, and methods of infection prevention to prevent unintended pregnancy and sexually transmitted infection (STI), including human immunodeficiency virus (HIV).” It further encourages students to communicate with their parents and/or guardians about sexuality and stresses that abstinence “from sexual intercourse is the surest way to prevent unintended pregnancies, [STIs] such as HIV/[acquired immunodeficiency syndrome] (AIDS), and consequent emotional distress.” Hawaii’s education policy [103-8](#) further states that birth control devices may be discussed during human reproduction studies. However, “the distribution of condoms and other prophylactic devices to students shall be prohibited in the classroom, on the school campus, or at any school-related activities.”

Hawaii does [not require](#) parental permission for students to participate in sexuality or HIV/AIDS education, but they may remove their children from the course. [This is referred to as an “opt-out” policy.](#)

State Standards

Hawaii’s [Content and Performance Standards](#) for health courses state that sexual health should be addressed, and the standards inform schools about which content areas must be covered. However, the standards do not give curricula guidelines or go into detail regarding what topics should be discussed. Examples provided in the standards include that the student should be able to identify “when and how to access health services (e.g., teen pregnancy, sexually transmitted disease (STD) testing, and mental health services).” Seven approved curricula are listed [online](#).

STATE LEGISLATIVE ACTIVITY

State legislative activity related to sex education does not take place in isolation from the broader embroiled political and policy climate. Attacks on the rights of lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQ) individuals, and efforts to limit access to abortion care and other reproductive health care services prevent students from receiving comprehensive sex education and accessing sexual and reproductive health care services. Below are highlights of current legislative activity related to these topics. **Hawaii's 2021 session convened on January 20, 2021.**

TITLE	DESCRIPTION	STATUS
HOUSE BILL 11	REQUIRES STANDARDS BASED CURRICULUM TO BE NONDISCRIMINATORY WITH REGARD TO RACE, ETHNICITY,	REFERRED TO THE HOUSE COMMITTEES ON EDUCATION; FINANCE (2021)

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	SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, SEX, COLOR, RELIGION, ANCESTRY, OR DISABILITY.	
<u>HOUSE BILL 478</u>	PERMITS MINORS TO CONSENT TO CARE RELATED TO THE DIAGNOSIS OR TREATMENT OF HIV.	INTRODUCED (2021)
<u>HOUSE BILL 1306</u>	REQUIRES SCHOOLS TO PROVIDE DEVELOPMENTALLY APPROPRIATE INSTRUCTION ON RECOGNIZING SEXUAL VIOLENCE.	REFERRED TO THE HOUSE COMMITTEES ON FINANCE; EDUCATION (2021)
<u>SENATE BILL 25</u>	PERMITS MINORS TO CONSENT TO CARE RELATED TO THE DIAGNOSIS OR TREATMENT OF HIV.	REFERRED TO THE SENATE COMMITTEE ON JUDICIARY (2021)
<u>SENATE BILL 841</u>	PROHIBITS ABORTION IF THE FETUS IS CAPABLE OF FEELING PAIN.	REFERRED TO THE SENATE COMMITTEE ON JUDICIARY (2021)
<u>HOUSE BILL 385</u>	REQUIRES SEX EDUCATION CURRICULUM TO INCLUDE INSTRUCTION ON HEALTHY RELATIONSHIPS, COMMUNICATING WITH PARENTS AND GUARDIANS ABOUT SEXUALITY, AND CRITICAL THINKING. ENSURES CURRICULUM DOES NOT DISCRIMINATE ON THE BASIS OF SEX, RACE, ETHNICITY, NATIONAL ORIGIN, DISABILITY, RELIGION, SEXUAL ORIENTATION, OR GENDER IDENTITY. ADDITIONALLY, THIS BILL ALLOWS TEACHERS TO ANSWER ANY QUESTION IN GOOD FAITH AND ESTABLISHES MINIMUM EDUCATION AND TRAINING REQUIREMENTS FOR EDUCATORS.	DIED IN THE HOUSE (2020)
<u>HOUSE BILL 386</u>	ESTABLISHES THE ERIN'S LAW TASK FORCE AND REQUIRE THE DEPARTMENT OF EDUCATION TO IMPLEMENT A SEXUAL ABUSE PREVENTION PROGRAM FOR STUDENTS AND PROVIDE TRAINING TO SCHOOL TEACHERS AND STAFF.	DIED IN THE HOUSE (2020)
<u>HOUSE BILL 743</u>	REQUIRES SCHOOLS TO PROVIDE PARENTS AND GUARDIANS ADVANCE WRITTEN NOTICES OF INSTRUCTION, PROVISION OF MATERIALS, OR ACTIVITIES THAT ADDRESS CONTROVERSIAL ISSUES.	DIED IN THE HOUSE (2020)
<u>HOUSE BILL 674</u>	PROHIBITS LICENSED PROFESSIONALS FROM ENGAGING OR ATTEMPTING TO ENGAGE IN GENDER IDENTITY CHANGE EFFORTS IN ADDITION TO SEXUAL ORIENTATION CHANGE EFFORTS.	DIED IN THE SENATE (2020)
<u>HOUSE BILL 2481</u>	REQUIRES ALL EDUCATIONAL AND RECREATIONAL FACILITIES TO ESTABLISH A BULLYING PREVENTION POLICY THAT INCLUDES BULLYING BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY	DIED IN THE HOUSE (2020)
<u>SENATE BILL 202</u>	PERMITS A MINOR TO CONSENT TO MEDICAL CARE RELATED TO THE PREVENTION OF HIV.	DIED IN THE HOUSE COMMITTEE ON JUD/HLT,FIN (2020)

LEGISLATIVE KEY

SEX EDUCATION
REPRODUCTIVE HEALTH CARE
SEXUAL ORIENTATION AND GENDER IDENTITY
HIV/AIDS (THAT IMPACTS YOUTH)

YOUTH SEXUAL HEALTH DATA

Young people are more than their health behaviors and outcomes. While data can be a powerful tool to demonstrate the sex education and sexual health care needs of young people, it is important to be mindful that these behaviors and outcomes are impacted by systemic inequities present in our society that affect an individual's sexual health and well-being. To learn more about Hawaii's Youth Risk Behavior Survey (YRBS) results, [click here](#)

STATE SCHOOL HEALTH PROFILES DATA

In 2019, the Centers for Disease Control and Prevention (CDC) released the School Health Profiles, which measure school health policies and practices and highlight which health topics were taught in schools across the country. Since the data were collected from self-administered questionnaires completed by schools' principals and lead health education teachers, the CDC notes that one limitation of the School Health Profiles is bias toward the reporting of more positive policies and practices. In the School Health Profiles, the [CDC identifies 20 sexual health education topics](#) as critical for ensuring a young person's sexual health. Below are key instruction highlights for secondary schools in Hawaii as [reported](#) for the 2017–2018 school year.

Reported teaching all 20 critical sexual health education topics

- 25.4% of Hawaii secondary schools taught students all 20 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 59.5% of Hawaii secondary schools taught students all 19 critical sexual health education topics in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about the benefits of being sexually abstinent

- 61.5% of Hawaii secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 6, 7, or 8.
- 88.4% of Hawaii secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 9, 10, 11, or 12.

Reported teaching how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy

- 53.9% of Hawaii secondary schools taught students how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy in a required course in any of grades 6, 7, or 8.
- 79.6% of Hawaii secondary schools taught students how to access valid and reliable information, products, and services related to HIV, other STDs, and pregnancy in a required course in any of grades 9, 10, 11, or 12.

Reported teaching how to create and sustain healthy and respectful relationships

- 64.1% of Hawaii secondary schools taught students how to create and sustain healthy and respectful relationships in a required course in any of grades 6, 7, or 8.

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- 92.7% of Hawaii secondary schools taught students how to create and sustain healthy and respectful relationships in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about preventive care that is necessary to maintain reproductive and sexual health

- 53.9% of Hawaii secondary schools taught students about preventive care that is necessary to maintain reproductive and sexual health in a required course in any of grades 6, 7, or 8.
- 79.6% of Hawaii secondary schools taught students about preventive care that is necessary to maintain reproductive and sexual health in a required course in any of grades 9, 10, 11, or 12.

Reported teaching how to correctly use a condom

- 39.6% of Hawaii secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 77.3% of Hawaii secondary schools taught students how to correctly use a condom in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about methods of contraception other than condoms

- 48.6% of Hawaii secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 6, 7, or 8.
- 83.5% of Hawaii secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about sexual orientation

- 36.8% of Hawaii secondary schools taught students about sexual orientation in a required course in any of grades 6, 7, or 8.
- 74.3% of Hawaii secondary schools taught students about sexual orientation in a required course in any of grades 9, 10, 11, or 12.

Reported teaching about gender roles, gender identity, or gender expression

- 38.6% of Hawaii secondary schools taught students about gender roles, gender identity, or gender expression in a required course in any of grades 6, 7, or 8.
- 71.1% of Hawaii secondary schools taught students about gender roles, gender identity, or gender expression in a required course in any of grades 9, 10, 11, or 12.

Reported providing curricula or supplementary materials relevant to lesbian, gay, bisexual, transgender, or questioning (LGBTQ) youth

- 49.4% of Hawaii secondary schools provided students with curricula or supplementary materials that included HIV, STD, or pregnancy prevention information relevant to LGBTQ youth.

Visit the CDC's [School Health Profiles](#) report for additional information on school health policies and practices.

The quality of sex education taught often reflects funding available for sex education programs.

To learn more about federal funding streams, [click here](#).