

# The SIECUS State Profiles



## VIRGINIA

### VIRGINIA'S SEX ED SNAPSHOT

#### THE STATE OF SEX EDUCATION

Virginia advocates saw an abundance of successful legislation during the 2019 session ([House Bill 45](#), [House Bill 2205](#), [Senate Bill 101](#), [Senate Bill 1141](#), [Senate Bill 1159](#)), passing measures to include instruction on personal privacy, consent and sexual harassment, human trafficking, and female genital mutilation in sex education curriculum. While advocates have been unable to implement a total reform of sex education requirements in recent years, they are hopeful that the new legislature makeup in both the Virginia House and Senate will result in advancing sex education requirements in 2020 to ensure all students receive comprehensive sex education instruction.

Since Virginia schools are not required to provide sex education to students, schools are left to decide what type of sex education—if any at all—they teach young people. 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 report that it is difficult to identify the content that students are learning in Virginia because schools are not required to report what curriculum they implement if they choose to teach sex education.

Students [report](#) that the sex education they receive often lacks sufficient information about contraceptive options, and instead centers an abstinence-based curriculum that utilizes fear tactics in an attempted to influence students to remain abstinent until marriage. Students also noted that curriculum often does not include information on sexual orientation and gender identity and fails to consider the health needs of LGBTQ youth. One [student-conducted survey](#) in a Virginia Beach school found that 71 percent of students did not find their Family Life Education course helpful. To help bridge this gap in education, the Virginia League of Planned Parenthood collaborates with schools, churches, local nonprofits, and community centers to provide comprehensive sex education to over 2,000 students each year.

All schools must follow the [Family Life Education Guidelines and Standards of Learning](#) if they teach sex education and advocates report that these standards influence restrictive and harmful sex education curriculum. The Standards of Learning require curriculum to emphasize abstinence until marriage and fail to include instruction on sexual orientation and gender identity.

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Advocates report that efforts are underway to update the Standards of Learning to ensure schools have a suitable guide when teaching sex education.

Right now, advocates can take action to ensure young people in their community have access to quality sex education. After contacting their local school board, advocates can determine what topics are missing from sex education instruction, such as instruction on consent, sexual orientation and gender identity, and contraceptives. They can then vocalize the important need for advancing sex education requirements in their community. Further, advocates must continue to contact their representatives to discuss the critical need for updating the Family Life Education Guidelines and Standards of Living and requiring comprehensive sex education in all Virginia schools. 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

- Virginia schools are required to teach topics related to sex education as part of their health education program.
  - Curriculum is not required to be comprehensive.
  - Curriculum must emphasize abstinence.
- Curriculum is not required to include instruction on sexual orientation or gender identity.
- Curriculum must include instruction on consent.
- Parents or guardians may remove their students from any class. [This is referred to as an “opt-out” policy.](#)
- Virginia’s Family Life Education Guidelines and Standards of Learning require schools to provide medically accurate instruction.

### STATE HOUSE HIGHLIGHTS

This section highlights sex education bills that were introduced during the 2019 state legislative session as well as bills that have been introduced thus far in 2020. 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 Virginia’s profile.

### 2020 Legislative Session

#### **House Bill 1336**, (pending):

- If successful, will require the Board of Education to develop Standards of Learning that includes instruction with an emphasis on the value of marriage, abstinence education, benefits of adoption for an unwanted pregnancy, human reproduction, dating violence, and characteristics of abusive relationships.

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### 2019 Legislative Session

#### House Bill 44, (failed):

- Sought to require family life education curriculum to include instruction on consent.

#### House Bill 45, (passed):

- Requires family life education curriculum to include age-appropriate and evidence-based instruction on the importance of personal privacy and personal boundaries.

#### House Bill 159, (failed):

- Sought to require schools to implement a comprehensive, sequential family life education curriculum.

#### House Bill 1223, (failed):

- Sought to require schools that provide family life education to include instruction on child abduction, child abuse, and child sexual abuse. [An identical companion bill](#) was introduced in the Senate.

#### House Bill 1693, (failed):

- Sought to require the Department of Education to establish guidelines for individual education program teams to consider the need for age and developmentally appropriate instruction related to sexual health.

#### House Bill 2205, (passed):

- Requires family life education curriculum to include instruction on consent.

#### House Bill 2570, (failed):

- Sought to require parents or guardians to provide written consent for their children to participate in any family life education program. [This is referred to as an “opt-in” policy.](#)

#### Senate Bill 101, (passed):

- Requires family life education curriculum to include age-appropriate and evidence-based instruction on sexual harassment using electronic means, and the prevention of child abduction, sexual exploitation, and abuse.

#### Senate Bill 789, (failed):

- Sought to require family life education curriculum to include instruction on the dangers of using electronic means to engage in sexually explicit communications.

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### Senate Bill 843, (failed):

- Requires family life education curriculum to include medically accurate information on human reproduction.

### Senate Bill 1141, (passed):

- Sought to require family life education curriculum to include instruction on the prevention of human trafficking.

### Senate Bill 1159, (passed):

- Requires family life education curriculum to include age-appropriate and evidence-based instruction on the harmful effects of female genital mutilation.

### Senate Bill 1595, (failed):

- Sought to require the Department of Education to establish guidelines for individual education program teams to consider the need for age-appropriate instruction related to sexual health.

## MORE ON SEX ED IN VIRGINIA

### STATE LAW

Virginia mandates health education, but sex education is not required. However, [Virginia Code Annotated §§ 22.1-200, 22.1-207.1 and 22.1-207.2](#) state that all family life education programs that are offered must meet or exceed the “requirements of the [State] Board of Education.” Virginia gives permission for local school boards to develop family life education programs with the “goals of reducing the incidence of pregnancy and sexually transmitted diseases [STDs] and substance abuse among teenagers.”

According to [Virginia Code Annotated § 22.1-207.1:1](#), “any family life education curriculum offered by a local school division shall require the Standards of Learning objectives related to dating violence and the characteristics of abusive relationships to be taught at least once in middle school and at least twice in high school.” The curriculum shall incorporate age-appropriate and evidence-based elements on prevention of dating violence, domestic abuse, sexual harassment, including sexual harassment using electronic means, and sexual violence. Additionally, family life education curriculum must incorporate age-appropriate elements of effective and evidence-based programs on child sexual abuse, child abduction, human trafficking, the harmful effects of female genital mutilation, the importance of personal privacy and personal boundaries, and the law and meaning of consent.

The law states that parents or guardians may remove their students from any class. [This is referred to as an “opt-out” policy.](#)

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### STATE STANDARDS

The state Board of Education's [\*Family Life Education Board of Education Guidelines and Standards of Learning for Virginia Public Schools\*](#) for grades K–12 suggest programs be age-appropriate and address:

[T]he benefits, challenges, responsibilities, and value of marriage for men, women, children, and communities; abstinence education; the value of postponing sexual activity; the benefits of adoption as a positive choice in the event of an unwanted pregnancy; human sexuality; human reproduction; dating violence, the characteristics of abusive relationships, steps to take to deter sexual assault, and the availability of counseling and legal resources, and, in the event of such sexual assault, the importance of immediate medical attention and advice, as well as the requirements of the law; the etiology, prevention, and effects of STDs; and mental health education and awareness.

Virginia also offers [\*Health Education Standards of Learning for Virginia Public Schools\*](#), which are separate from the Family Life Standards mentioned above. This is consistent with the separation between health education and family life education present in the related statutes. Therefore, the health education standards do not mention anything regarding human immunodeficiency virus (HIV), STDs, pregnancy, contraception, or related sexual health topics.

### 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.

#### 2020 SESSION: CONVENED JANUARY 8, 2020

TITLE	DESCRIPTION	STATUS
<a href="#">HOUSE BILL 386</a>	PROHIBITS CONVERSION THERAPY AND CREATES PENALTIES FOR PERFORMING IT ON MINORS.	REFERRED TO THE HOUSE COMMITTEE ON EDUCATION AND HEALTH
<a href="#">HOUSE BILL 580</a>	EXPANDS DEFINITIONS OF CHILD ABUSE AND NEGLECT TO COVER THREATS AND ACTIONS AGAINST A MINOR BASED ON THEIR SEXUAL ORIENTATION OR GENDER IDENTITY OR THE ATTEMPT TO CHANGE THEM.	HOUSE SUBCOMMITTEE RECOMMENDS LAYING ON THE TABLE
<a href="#">HOUSE BILL 1041</a>	ALLOWS TRANSGENDER INDIVIDUALS TO CHANGE THEIR BIRTH CERTIFICATES TO REFLECT THEIR GENDER IDENTITY AND IF APPLICABLE, NAME CHANGE.	REFERRED TO THE HOUSE COMMITTEE ON EDUCATION AND HEALTH

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<a href="#"><u>HOUSE BILL 1336</u></a>	REQUIRES THE BOARD OF EDUCATION TO DEVELOP STANDARDS OF LEARNING THAT INCLUDES INSTRUCTION WITH AN EMPHASIS ON THE VALUE OF MARRIAGE, ABSTINENCE EDUCATION, BENEFITS OF ADOPTION FOR AN UNWANTED PREGNANCY, HUMAN REPRODUCTION, DATING VIOLENCE, AND CHARACTERISTICS OF ABUSIVE RELATIONSHIPS.	PASSED THE HOUSE- REFERRED TO THE SENATE EDUCATION SUBCOMMITTEE ON PUBLIC EDUCATION
<a href="#"><u>SENATE BILL 21</u></a>	REPEALS THE CODE OF VIRGINIA TO ALLOW MINORS TO OBTAIN AN ABORTION WITHOUT THE CONSENT OF A PARENT.	INCORPORATED BY THE SENATE COMMITTEE ON EDUCATION AND HEALTH- SEE SENATE BILL 733
<a href="#"><u>SENATE BILL 733</u></a>	ELIMINATES THE PROCEDURES AND PROCESSES [INCLUDING THE PERFORMANCE OF AN ULTRASOUND, THE PROVISION OF SPECIFIED INFORMATION, AND THE OFFER TO REVIEW CERTAIN PRINTED MATERIALS] REQUIRED UNDER EXISTING LAW TO EFFECT A PREGNANT PERSON'S INFORMED WRITTEN CONSENT PRIOR TO THE PERFORMANCE OF AN ABORTION.	PASSED THE SENATE- REFERRED TO THE HOUSE COMMITTEE OF COURTS OF JUSTICE

**2019 SESSION: ADJOURNED FEBRUARY 24, 2019**

<b>TITLE</b>	<b>DESCRIPTION</b>	<b>STATUS</b>
<a href="#"><u>HOUSE BILL 44</u></a>	REQUIRES FAMILY LIFE EDUCATION CURRICULUM TO INCLUDE INSTRUCTION ON CONSENT.	DIED IN THE HOUSE COMMITTEE ON EDUCATION
<a href="#"><u>HOUSE BILL 45</u></a>	REQUIRES FAMILY LIFE EDUCATION CURRICULUM TO INCLUDE AGE APPROPRIATE AND EVIDENCE BASED INSTRUCTION ON THE IMPORTANCE OF PERSONAL PRIVACY AND PERSONAL BOUNDARIES.	ENACTED
<a href="#"><u>HOUSE BILL 95</u></a>	CLASSIFIES FEMALE GENITAL MUTILATION AS A CLASS 6 FELONY.	DIED IN THE HOUSE COMMITTEE FOR COURTS OF JUSTICE
<a href="#"><u>HOUSE BILL 159</u></a>	REQUIRES SCHOOLS TO IMPLEMENT A COMPREHENSIVE, SEQUENTIAL FAMILY LIFE EDUCATION CURRICULUM.	DIED IN THE HOUSE COMMITTEE ON EDUCATION
<a href="#"><u>HOUSE BILL 1223</u></a>	REQUIRES SCHOOLS THAT PROVIDE FAMILY LIFE EDUCATION TO INCLUDE INSTRUCTION ON CHILD ABDUCTION, CHILD ABUSE, AND CHILD SEXUAL ABUSE.	DIED IN THE HOUSE COMMITTEE ON EDUCATION
<a href="#"><u>HOUSE BILL 1231</u></a>	ESTABLISHES THE RIGHT OF A PREGNANT PERSON TO OBTAIN AN ABORTION.	DIED IN THE HOUSE COMMITTEE FOR COURTS OF JUSTICE

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<a href="#"><u>HOUSE BILL 1693</u></a>	REQUIRES THE DEPARTMENT OF EDUCATION TO ESTABLISH GUIDELINES FOR INDIVIDUAL EDUCATION PROGRAM TEAMS TO CONSIDER THE NEED FOR AGE AND DEVELOPMENTALLY APPROPRIATE INSTRUCTION RELATED TO SEXUAL HEALTH.	DIED IN THE HOUSE COMMITTEE ON EDUCATION
<a href="#"><u>HOUSE BILL 2205</u></a>	REQUIRES FAMILY LIFE EDUCATION CURRICULUM TO INCLUDE INSTRUCTION ON CONSENT.	ENACTED
<a href="#"><u>HOUSE BILL 2570</u></a>	REQUIRES PARENTS OR GUARDIANS TO PROVIDE WRITTEN CONSENT FOR THEIR CHILDREN TO PARTICIPATE IN ANY FAMILY LIFE EDUCATION PROGRAM.	DIED IN THE SENATE COMMITTEE ON EDUCATION AND HEALTH
<a href="#"><u>SENATE BILL 47</u></a>	CLASSIFIES FEMALE GENITAL MUTILATION AS A CLASS 2 FELONY.	ENACTED
<a href="#"><u>SENATE BILL 101</u></a>	REQUIRES FAMILY LIFE EDUCATION CURRICULUM TO INCLUDE AGE APPROPRIATE AND EVIDENCE BASED INSTRUCTION ON SEXUAL HARASSMENT USING ELECTRONIC MEANS, AND THE PREVENTION OF CHILD ABDUCTION, SEXUAL EXPLOITATION, AND ABUSE.	ENACTED
<a href="#"><u>SENATE BILL 245</u></a>	PROHIBITS LICENSED PROFESSIONALS OR ANY PERSON WHO PROVIDES COUNSELING AS PART OF THEIR PROFESSION FROM ENGAGING IN CONVERSION THERAPY WITH A MINOR.	DIED IN THE SENATE COMMITTEE ON EDUCATION AND HEALTH
<a href="#"><u>SENATE BILL 425</u></a>	REQUIRES SCHOOLS THAT PROVIDE FAMILY LIFE EDUCATION TO INCLUDE INSTRUCTION ON CHILD ABDUCTION, CHILD ABUSE, AND CHILD SEXUAL ABUSE.	INCORPORATED INTO SENATE BILL 101
<a href="#"><u>SENATE BILL 789</u></a>	REQUIRES FAMILY LIFE EDUCATION CURRICULUM TO INCLUDE THE DANGERS OF USING ELECTRONIC MEANS OR SOCIAL MEDIA TO ENGAGE IN SEXUALLY EXPLICIT COMMUNICATIONS.	INCORPORATED INTO SENATE BILL 101
<a href="#"><u>SENATE BILL 843</u></a>	REQUIRES FAMILY LIFE EDUCATION CURRICULUM TO INCLUDE MEDICALLY ACCURATE INFORMATION ON HUMAN REPRODUCTION.	INCORPORATED INTO SENATE BILL 101
<a href="#"><u>SENATE BILL 910</u></a>	ESTABLISHES THE RIGHT OF A PREGNANT PERSON TO OBTAIN AN ABORTION.	DIED IN THE SENATE COMMITTEE ON EDUCATION AND HEALTH
<a href="#"><u>SENATE BILL 1141</u></a>	REQUIRES FAMILY LIFE EDUCATION CURRICULUM TO INCLUDE INSTRUCTION ON THE PREVENTION OF HUMAN TRAFFICKING.	ENACTED
<a href="#"><u>SENATE BILL 1195</u></a>	REQUIRES FAMILY LIFE EDUCATION CURRICULUM TO INCLUDE AGE APPROPRIATE AND EVIDENCE BASED INSTRUCTION ON THE HARMFUL EFFECTS OF FEMALE GENITAL MUTILATION.	ENACTED

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<a href="#">SENATE BILL 1595</a>	REQUIRES THE DEPARTMENT OF EDUCATION TO ESTABLISH GUIDELINES FOR INDIVIDUAL EDUCATION PROGRAM TEAMS TO CONSIDER THE NEED FOR AGE APPROPRIATE INSTRUCTION RELATED TO SEXUAL HEALTH.	DIED IN THE SENATE COMMITTEE ON EDUCATION
<a href="#">SENATE BILL 1637</a>	ESTABLISHES THE RIGHT OF EVERY INDIVIDUAL TO CHOOSE OR REFUSE CONTRACEPTION OR STERILIZATION, CHOOSE TO CARRY A PREGNANCY TO TERM, GIVE BIRTH, OR TERMINATE A PREGNANCY.	DIED IN THE SENATE COMMITTEE ON EDUCATION AND HEALTH

### LEGISLATIVE KEY

<b>SEX EDUCATION</b> <b>REPRODUCTIVE HEALTH CARE</b> <b>SEXUAL ORIENTATION AND GENDER IDENTITY</b> <b>HIV/AIDS (THAT IMPACTS YOUTH)</b>
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## 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 Virginia'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 Virginia as [reported](#) for the 2017–2018 school year.

### Reported teaching all 20 critical sexual health education topics

- 17.2% of Virginia secondary schools taught students all 20 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 27.0% of Virginia secondary schools taught students all 20 critical sexual health education topics in a required course in any of grades 9, 10, 11, or 12.

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### Reported teaching about the benefits of being sexually abstinent

- 83.3% of Virginia secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 6, 7, or 8.
- 93.0% of Virginia 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

- 74.5% of Virginia 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.
- 89.6% of Virginia 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

- 79.6% of Virginia 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.
- 93.0% of Virginia 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

- 63.6% of Virginia 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.
- 88.4% of Virginia 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

- 27.1% of Virginia secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 47.8% of Virginia 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

- 57.2% of Virginia secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 6, 7, or 8.
- 76.5% of Virginia secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 9, 10, 11, or 12.

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### Reported teaching about sexual orientation

- 37.6% of Virginia secondary schools taught students about sexual orientation in a required course in any of grades 6, 7, or 8.
- 45.1% of Virginia 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

- 40.5% of Virginia secondary schools taught students about gender roles, gender identity, or gender expression in a required course in any of grades 6, 7, or 8.
- 51.3% of Virginia 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

- 42.9% of Virginia 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](#).**