

The SIECUS State Profiles



NORTH DAKOTA

NORTH DAKOTA'S SEX ED SNAPSHOT

THE STATE OF SEX EDUCATION

Advocates in North Dakota have faced a continuous uphill battle in advancing sex education since the implementation of the [2012 abstinence-based sex education requirement](#). While legislators successfully passed [House Bill 1237](#), which establishes a task force to further prevent the sexual abuse of children through at least five different initiatives, one of which includes increased sexual abuse prevention education for young people, a significant amount of the legislature has actively opposed advancing sex education curriculum in North Dakota. 89 legislators, with the support of members from the Concerned Women of America and the Family Planning Alliance of North Dakota, have routinely expressed their displeasure regarding a partnership between North Dakota State University and Planned Parenthood. The partnership provides comprehensive educational programming to educators and young people across the state in communities and schools, and some legislators have discussed cutting state funds to the university in the amount that they provide to Planned Parenthood. This partnership provides essential medically accurate training and instruction to educators, parents, and young people, and any effort to limit the programs or cut funding to the programs must be closely monitored. Advocates are continuing to monitor actions related to sex education and prepare for 2021's legislative session.

Because North Dakota schools are able to establish their own sex education policies within the guidelines provided through the [North Dakota Health Education Content Standards](#), school districts are left to decide what quality of sex education they provide to youth. 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. While many schools often reach out to Local Public Health Units, some of which are Title X clinics, to provide sex education, some districts rely entirely on abstinence-only programming. In order to address this gap in education, organizations such as Planned Parenthood North Central States provide five different sex education programs directed towards young people, parents, and educators. Local school boards have also worked with organizations such as the North Dakota Women's Network to successfully remove abstinence only policies in their district.

Advocates report that the biggest barrier to sex education is a lack of information regarding comprehensive sex education, largely fueled by misinformation spread by opposition groups such as the Concerned Women of America and the Family Planning Alliance of North Dakota. They have also identified a disconnect between what North Dakota residents want, versus the restrictive positions many legislators have taken. Despite lackluster legislative support for advancing sex education, [89 percent of parents](#) think that sex education should include instruction on abstinence in addition to pregnancy and STD prevention.

Right now, advocates can take action to address these barriers and improve access to sex education for young people in their district. Advocates can contact their schools to determine what topics are missing from sex education curriculum, such as information on sexual orientation and gender identity or consent. Advocates can also ensure that sex education curriculum is culturally responsive to the needs of youth of color and Native youth in particular. Advocates can then vocalize the urgent need for advancing sex education requirements in their community. While advocates are waiting for the 2021 legislative session to convene, they can partake in local efforts to dispel myths related to comprehensive sex education and support local and state efforts to advance sex education in North Dakota. 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

- North Dakota schools are required to teach sex education.
 - Curriculum is not required to be comprehensive.
 - Curriculum must be abstinence-based and identify the health gains associated with abstaining from sexual activity until marriage.
- Curriculum is not required to include instruction on sexual orientation or gender identity. However, the [North Dakota Health Education Content Standards](#) include discussion of sexual orientation in their definition of sexuality.
- Curriculum is not required to include instruction on consent.
- North Dakota statute has no standard regarding the ability of parents and guardians to remove their children from sex education instruction.
- North Dakota has no standard regarding medically accurate sex education 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 North Dakota’s profile.

2019 Legislative Session

[House Bill 1237](#), (passed):

- Establishes a task force on the prevention of sexual abuse of children that will focus on increasing sexual abuse prevention education for tribal and nontribal children and adults, increase data collection, supporting resource development for investigations and prosecutions of child sexual abuse, and increasing trauma-informed services for survivors and families. The task force shall develop proposals for specific statutory changes, which may include developing resources for students.

[House Bill 1277](#), (failed):

- Sought to require health curriculum related to sexual health to include medically accurate and age-appropriate instruction on sexual abuse.

MORE ON SEX ED IN NORTH DAKOTA

STATE LAW

As a result of [North Dakota Century Code Title 15.1-21-24](#), beginning July 1, 2012, every school district, both public and non-public, is required to include instruction on abstinence in its health education curriculum. Each school district needs to ensure that the portion of its health curriculum related to sexual health includes instruction pertaining to “the risks associated with adolescent sexual activity and the social, psychological, and physical health gains to be realized by abstaining from sexual activity before and outside of marriage”

STATE STANDARDS

The [North Dakota Health Education Content Standards](#), published by the North Dakota Department of Public Instruction, establish benchmarks for health instruction at all grade levels. For example, in grades 3-5, students are expected to be able to “Explain the stages of social, emotional, physical, and mental growth and development in humans from infancy to late adulthood,” including puberty. The standards address “sexual behavior” beginning in grade 6. The alignment of a school district’s health curriculum with the 2018 *North Dakota Health Education Content Standards* is intended to be used as assurance that schools are in compliance with the law.

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 healthcare 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. North Dakota’s 2021 session convenes January 5, 2021.

2019 SESSION: ADJOURNED APRIL 26

TITLE	DESCRIPTION	STATUS
HOUSE BILL 1237	ESTABLISHES A TASK FORCE ON THE PREVENTION OF SEXUAL ABUSE OF CHILDREN THAT WILL FOCUS ON INCREASING SEXUAL ABUSE PREVENTION EDUCATION FOR TRIBAL AND NONTRIBAL CHILDREN AND ADULTS, INCREASE DATA COLLECTION, SUPPORTING RESOURCE DEVELOPMENT FOR INVESTIGATIONS AND PROSECUTIONS OF CHILD SEXUAL ABUSE, AND INCREASING TRAUMA-INFORMED SERVICES FOR SURVIVORS AND FAMILIES. THE TASK FORCE SHALL DEVELOP PROPOSALS FOR SPECIFIC STATUTORY CHANGES, WHICH MAY INCLUDE DEVELOPING RESOURCES FOR STUDENTS.	ENACTED
HOUSE BILL 1277	REQUIRES HEALTH CURRICULUM RELATED TO SEXUAL HEALTH TO INCLUDE MEDICALLY ACCURATE AND AGE-APPROPRIATE INSTRUCTION ON SEXUAL ABUSE.	FAILED TO PASS THE HOUSE
HOUSE BILL 1336	REQUIRES PHYSICIANS TO INFORM PATIENTS OF THE POTENTIAL TO REVERSE THE EFFECTS OF ABORTION-INDUCING DRUGS.	ENACTED
HOUSE BILL 1546	PROHIBITS “DISMEMBERMENT” ABORTION EXCEPT IN THE CASE OF A MEDICAL EMERGENCY.	ENACTED

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 North Dakota'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 North Dakota as [reported](#) for the 2017–2018 school year.

Reported teaching all 20 critical sexual health education topics

- 15.1% of North Dakota secondary schools taught students all 20 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 28.6% of North Dakota secondary schools taught students all 20 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

- 73.6% of North Dakota secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 6, 7, or 8.
- 79.9% of North Dakota 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

- 57.5% of North Dakota 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.
- 74.2% of North Dakota 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

- 81.8% of North Dakota 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.
- 81.5% of North Dakota 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

- 69.9% of North Dakota 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.
- 71.6% of North Dakota 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

- 15.1% of North Dakota secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 28.6% of North Dakota 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

- 33.5% of North Dakota secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 6, 7, or 8.
- 54.7% of North Dakota 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

- 35.6% of North Dakota secondary schools taught students about sexual orientation in a required course in any of grades 6, 7, or 8.
- 43.7% of North Dakota 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

- 38.5% of North Dakota secondary schools taught students about gender roles, gender identity, or gender expression in a required course in any of grades 6, 7, or 8.
- 46.1% of North Dakota 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

- 44.8% of North Dakota 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](#).