

The SIECUS State Profiles



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NEW HAMPSHIRE'S SEX ED SNAPSHOT

THE STATE OF SEX EDUCATION

Advocates have worked diligently to advance sex education in New Hampshire, despite recent efforts to restrict current statewide requirements. In 2017, [House Bill 103](#), sponsored by Representative Victoria Sullivan, was signed into law requiring school districts to provide two weeks' notice to parents and guardians prior to teaching course material related to human sexuality. Those who opposed the bill, including the National Coalition Against Censorship, reported that the legislation would likely encourage further objection to course materials related to human sexuality by parents and ["undermine the quality of sex education in 'New Hampshire.'" Advocates report that they are experiencing a significant challenge in passing statewide measures to advance sex education, demonstrating the important role of local action to improve the quality of sex education that young people receive in the state.](#)

In 2019, legislators passed [Senate Bill 263](#), prohibiting discrimination against students in public schools based on their age, sex, gender identity, sexual orientation, race, color, marital or familial status, disability, religion, or national origin. While this bill does not specifically concern sex education instruction, it marks a significant step forward in recognizing that curriculum should not inadvertently exclude the needs of marginalized young people, including young people of color, LGBTQ youth, or young people with disabilities.

Since New Hampshire schools are only required to provide instruction on sexually transmitted diseases (STDs), including HIV/AIDS, healthy relationships, growth and development, and pregnancy prevention, school districts are left to decide what further sex education they provide to youth. While advocates report that some districts, such as the Manchester school board, are campaigning for advanced sex education standards, the quality of instruction in New Hampshire schools varies greatly depending on each district.

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.

To address the current gaps in education, advocates including Planned Parenthood Northern New England facilitate a [Peer Education Program](#) for youth ages 14-18. They also support New Hampshire schools in answering questions related to sexuality and sexual health and provide curriculum such as [Get Real](#) to ensure youth receive medically accurate, age-appropriate instruction.

Right now, advocates can take action to ensure young people in their community have access to quality sex education. After contacting the local school board of education, advocates can determine what topics are

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missing from current lesson plans, such as culturally responsive curriculum that addresses the unique needs of youth of color and LGBTQ young people, instruction on the full range of contraceptive options, or ensuring instruction is medically accurate. Further, advocates can contact their representatives to discuss the critical need for advanced statewide sex education requirements. Advocates are encouraged to use the [SIECUS Community Action Toolkit](#) to guide local efforts.

STATE SEX EDUCATION POLICIES AND REQUIREMENTS AT A GLANCE

- New Hampshire schools are required to teach sex education.
 - Curriculum is not required to be comprehensive. However, the [Health Education Curriculum Guidelines](#) asserts that comprehensive school health education furthers the goal of education and a productive society.
 - New Hampshire has no statute regarding instruction on abstinence. However, the *Health Education Curriculum Guidelines* emphasizes abstinence as the most effective prevention method.
- Curriculum is not required to include instruction on sexual orientation or gender identity.
- Curriculum is not required to include instruction on consent. However, curriculum must include instruction on dating violence and date rape.
- Parents or Guardians may remove their children from sex education instruction based on religious objections. [This is referred to as an “opt-out” policy.](#)
- New Hampshire has no standard regarding medically accurate sex education instruction.

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 New Hampshire’s profile.

No bills have been introduced concerning sex education to date.

MORE ON SEX ED IN NEW HAMPSHIRE

STATE LAW

In New Hampshire, according to [Revised Statutes §§ 186:11](#) and [189:10](#), local school boards must “ensure that health education [is] taught to pupils as part of the basic curriculum” and “that all studies prescribed by the state board of education are thoroughly taught, especially physiology, hygiene, and health and physical education as they relate to the effects of ... human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases [STDs] on the human system.” The Department of Education is required to develop curriculum frameworks that address those subjects and provide information on HIV/AIDS to all public and private schools to assist them in developing courses and programs.

Additionally, [Revised Statutes § 193-E:2-a](#) specifies that “public schools and public academies shall adhere to the standards identified” for health education. The standards, which were defined and identified as the school approval standards beginning in the school year 2008-2009, cover “kindergarten through twelfth grade and shall clearly set forth the opportunities to acquire the communication, analytical and research skills and competencies, as well as the substantive knowledge expected to be possessed by students at the various grade levels.”

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State law requires “school districts to adopt a policy allowing an exception to a particular unit of health or sex education instruction based on religious objections.” [This is referred to as an “opt-out” policy.](#) As of 2017, New Hampshire law requires school districts or classroom teachers to provide a minimum of two weeks advance notice to parents prior to instruction of human sexuality or human sexual education.

STATE STANDARDS

New Hampshire produced the [Health Education Curriculum Guidelines](#) in 2003. The guidelines specify that in elementary school, instruction on family life and sexuality should cover: families and relationships, growth and development, and HIV/AIDS (including explaining that HIV is not transmitted through casual contact and discussing the importance of having compassion for people with HIV/AIDS). In middle school, this instruction should cover: families and relationships, growth and development, sexual behavior, HIV and other STD prevention, and pregnancy prevention. In high school, this instruction should cover: families and relationships (including violence and date rape), sexual behavior, HIV and other STD prevention, and pregnancy prevention. The guidelines state that abstinence is the most effective means of preventing pregnancy, HIV, and other STDs.

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. **New Hampshire's 2021 session convened on January 6, 2021**

TITLE	DESCRIPTION	STATUS
HOUSE BILL 68	PROHIBITS MEDICAL PROFESSIONALS FROM PROVIDING GENDER AFFIRMING CARE TO MINORS.	PUBLIC HEARING (2021)
HOUSE BILL 434	PROHIBITS THE USE OF PUBLIC FUNDS FOR PERFORMING OR ASSISTING IN AN ABORTION IN WHICH IT IS NOT A MEDICAL EMERGENCY.	REFERRED TO THE HOUSE COMMITTEE ON JUDICIARY (2021)
HOUSE BILL 596	PROHIBITS THE STATE FROM FUNDING CERTAIN ABORTIONS. ESTABLISHES THE NEW HAMPSHIRE FOSTER CARE AND ADOPTION INITIATIVE FUND.	REFERRED TO THE HOUSE COMMITTEE ON JUDICIARY (2021)
HOUSE BILL 622	PROHIBITS ABORTION ONCE IT IS DETERMINED A FETUS IS VIABLE.	REFERRED TO THE HOUSE COMMITTEE ON JUDICIARY (2021)
HOUSE BILL 625	PROHIBITS ABORTION IF THE GESTATIONAL AGE IS AT LEAST 24 WEEKS.	REFERRED TO THE HOUSE COMMITTEE ON JUDICIARY (2021)
HOUSE BILL 1251	ATHLETIC TEAMS OR SPORTS SPONSORED BY A PRIMARY OR SECONDARY SCHOOL OR INSTITUTION OF HIGHER EDUCATION THAT ARE DESIGNATED FOR "FEMALES, WOMEN, OR GIRLS" ARE ONLY OPEN TO STUDENTS OF "THE FEMALE SEX."	FAILED TO PASS THE HOUSE (2020)
HOUSE BILL 1475	PROHIBITS ABORTION AFTER A FETAL HEARTBEAT IS DETECTED.	FAILED TO OUT OF COMMITTEE (2020)

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<u>HOUSE BILL 1404</u>	PERMITS PHYSICIANS TO PROVIDE HIV/AIDS TREATMENT TO MINORS WITHOUT PARENTAL CONSENT. PERMITS PHYSICIANS TO FILL PRESCRIPTIONS FOR PRE-EXPOSURE PROPHYLAXIS IN ACCORDANCE WITH THIS POLICY.	FAILED TO PASS THE SENATE (2020)
<u>HOUSE BILL 1640</u>	AMENDS NEW HAMPSHIRE STATUTE TO REMOVE THE ABILITY OF MINORS TO OBTAIN AN ABORTION WITH JUDICIAL CONSENT IF PARENTAL CONSENT IS NOT RECEIVED.	REFERRED TO THE HOUSE COMMITTEE ON JUDICIARY
<u>HOUSE BILL 1678</u>	PROHIBITS ABORTION BASED ON THE SEX OF THE FETUS, IF THE FETUS HAS BEEN OR WILL POTENTIALLY BE DIAGNOSED WITH DOWN SYNDROME, OR IF THE FETUS HAS A GENETIC ABNORMALITY.	FAILED TO PASS OUT OF COMMITTEE (2020)
<u>SENATE BILL 480</u>	ATHLETIC TEAMS OR SPORTS SPONSORED BY A PRIMARY OR SECONDARY SCHOOL OR INSTITUTION OF HIGHER EDUCATION THAT ARE DESIGNATED FOR "FEMALES, WOMEN, OR GIRLS" ARE ONLY OPEN TO STUDENTS OF "THE FEMALE SEX."	LAI D ON TABLE CONSENT LIST AND LAID ON TABLE IN THE SENATE COMMITTEE ON EDUCATION AND WORKFORCE DEVELOPMENT (2020)
<u>SENATE BILL 515</u>	REQUIRES PUBLIC SCHOOLS TO IMPLEMENT A POLICY THAT GUIDES THE DEVELOPMENT OF A PLAN TO PREVENT DISCRIMINATION; REQUIRING SCHOOLS TO IMPLEMENT FACULTY TRAINING, EDUCATION FOR STUDENTS ON THE IMPORTANCE OF DISCRIMINATION-FREE LEARNING ENVIRONMENTS, AND IDENTIFYING A STAFF MEMBER OR STAFF MEMBERS TO REPORT INSTANCES OF DISCRIMINATION TO.	LAI D ON TABLE CONSENT LIST AND LAID ON TABLE IN THE SENATE COMMITTEE ON EDUCATION AND WORKFORCE DEVELOPMENT (2020)

LEGISLATIVE KEY

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

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 New Hampshire'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

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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 New Hampshire as reported for the 2017–2018 school year.

Reported teaching all 20 critical sexual health education topics

- 16.8% of New Hampshire secondary schools taught students all 20 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 64.4% of New Hampshire 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

- 71.2% of New Hampshire secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 6, 7, or 8.
- 96.5% of New Hampshire 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

- 63.3% of New Hampshire 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.
- 96.5% of New Hampshire 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

- 75.5% of New Hampshire 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.
- 100% of New Hampshire 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

- 61.2% of New Hampshire 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.
- 93.1% of New Hampshire 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

- 25.6% of New Hampshire secondary schools taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 88.0% of New Hampshire 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

- 48.9% of New Hampshire secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 6, 7, or 8.

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- 94.7% of New Hampshire 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

- 38.2% of New Hampshire secondary schools taught students about sexual orientation in a required course in any of grades 6, 7, or 8.
- 77.9% of New Hampshire 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

- 42.8% of New Hampshire secondary schools taught students about gender roles, gender identity, or gender expression in a required course in any of grades 6, 7, or 8.
- 73.0% of New Hampshire 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

- 54.9% of New Hampshire 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](#).