

The SIECUS State Profiles



UTAH

UTAH'S SEX ED SNAPSHOT

THE STATE OF SEX EDUCATION

Advocates in Utah have made incremental progress in advancing sex education requirements across the state over the past four years. In 2016, legislators successfully passed [Senate Bill 196](#), sponsored by Senator Stuart Adams, which removed sex education requirements that prohibited instructors from discussing homosexuality in a positive manner. The legislation was passed as settlement to avoid court proceedings after Equality Utah sued the state's school board and three school districts, asking a federal judge to strike down the discriminatory measure. In 2018, legislators passed [House Bill 286](#), sponsored by Representative Justin Fawson, which requires sex education curriculum to include instruction on refusal skills and the harmful effects of pornography. While this bill passed, additional legislation that would require more comprehensive sex education requirements that include instruction on consent did not. In 2019, legislators passed [House Bill 71](#), sponsored by Representative Raymond Ward, which allows educators to provide instruction on the medical characteristics and effectiveness of contraceptive methods. However, educators are not permitted to advocate for or encourage the use of contraceptive methods.

The Utah State Board of Education updated the [Utah Core State Standards for Health Education](#) in 2019 after a collaborative campaign among advocates and provided further guidance on instruction concerning affirmative consent, contraceptive methods, reproductive conditions and diseases, relationship violence prevention, and identifying accurate and credible sources of information about sexual health. The standards will be fully implemented during the 2020-2021 school year. Despite these significant advancements in sex education, opposition groups including the Utah Eagle Forum and Pro-Life Utah routinely take action to restrict sex education, including opposing measures to include instruction on consent and emergency contraception in sex education instruction. Further, the Utah Eagle Forum and Pro-Life Utah have opposed the ability of educators to answer "spontaneous questions" related to sex education curriculum and the inclusion of Planned Parenthood and LGBT Pride Centers on sexual health resource guides for young people. Advocates at the Planned Parenthood Association of Utah, ACLU of Utah, Alliance for a Better Utah, and SMART Kids Utah are currently collaborating with the Utah Democratic Party to advance comprehensive sex education requirements during the 2020 legislative session.

While schools in Utah are required to teach sex education, Local Education Agencies (LEAs) establish their own standards for sex education in schools. 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.

Students in Utah [report](#) that curriculum often fails to include instruction on contraceptive options and even basic anatomy. To address this gap in education, Planned Parenthood Association of Utah offers a variety of year-round programs, one-day workshops, and a series of sex education classes.

Advocates report that the biggest barriers include: a lack of a monitoring system to ensure districts follow updated sex education requirements; a unified opposition made up of parents, stakeholders, and legislators; and a lack of data concerning the sexual behavior of youth in Utah. Further, advocates are aware that numerous topics continue to be excluded from sex education instruction, including instruction on consent and culturally responsive instruction that addresses the needs of youth of color and LGBTQ youth.

Right now, advocates can take action to ensure young people in their community have access to quality sex education. A [recent poll](#) revealed that 68 percent of respondents support offering sex education beyond abstinence-only curriculum, demonstrating a unique opportunity to stimulate community support for advancing sex education in the state. After contacting their Local Education Agency, 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 can contact their representatives to discuss the critical need for advancing comprehensive sex education requirements. 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

- Utah schools are required to teach sex education.
 - Curriculum is not required to be comprehensive.
 - Curriculum must stress abstinence.
- 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 refusal skills.
- Parents or guardians must give written permission in order for a student to participate in any form of sex education. [This is referred to as an “opt-in” policy.](#)
- Curriculum must be medically accurate.

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 Utah’s profile.

Last Updated April 8, 2020

2019 Legislative Session

House Bill 71, (passed):

- Allows sex education instruction to include information about the medical characteristics and effectiveness of contraceptive methods or devices. Educators may not advocate for or encourage the use of contraceptive methods.

MORE ON SEX ED IN UTAH

STATE LAW

Utah Code ([§ 53G-10-402](#), [Administrative Code §§ R277-474](#), and [R277-700](#)) mandates the State Board of Education to establish curriculum requirements for grades 8–12 on the prevention of communicable diseases. This instruction must stress “the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods for preventing certain communicable diseases, and [the importance of] personal skills that encourage individual choice of abstinence and fidelity.”

Among other limitations on what can be taught, the Utah Code states that “[a]t no time may instruction be provided, including responses to spontaneous questions raised by students, regarding any means or methods that facilitate or encourage the violation of any state or federal criminal law by a minor or an adult.”

However, educators are permitted to respond to spontaneous questions for the purpose of “providing accurate data or correcting inaccurate or misleading information or comments made by students in class regarding sex education.”

Utah Code, effectively amended in May 2019 to remove language that prohibited “the advocacy of sexual activity outside of marriage,” further requires that materials used for instruction in health not include:

- I. the intricacies of intercourse, sexual stimulation, or erotic behavior;
- II. the advocacy of premarital or extra marital sexual activity; or
- III. the advocacy or encouragement of the use of contraceptive methods or devices.

Further, Utah Code was [amended](#) to require the teaching of “refusal skills” and “the harmful effects of pornography” in health instruction. The Utah Code [requires](#) that each newly hired or newly assigned educator who teaches or who will be teaching any part of a sex education class must attend a state-sponsored course offered annually that outlines the state-designed curriculum and Utah Code regarding the teaching of human sexuality. In addition, the Utah Code was [amended](#) in March 2019 to allow health education instruction to “include information about the medical characteristics, effectiveness, limitations, and risks of contraceptive methods or devices.”

Parents or guardians must give [written permission](#) in order for a student to participate in any form of sex education. [This is referred to as an “opt-in” policy.](#)

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STATE STANDARDS

The [*Elementary Core Curriculum: Responsible Healthy Lifestyles 3–6*](#) and [*Secondary Health Core Curriculum: The Road to Healthy Behaviors 7-12*](#), which are suggested education standards produced by the Utah State Office of Education, provide greater detail regarding topics to be included based on grade levels. The *Elementary Core Curriculum* states that in grades 3–6, students should receive disease prevention and human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS) education. According to the *Secondary Health Core Curriculum*, students should receive instruction that abstinence is the best way to prevent unintended pregnancy and sexually transmitted infections (STIs) beginning in grade 7. Furthermore, instructors are told that a “strong abstinence message has *always been* and *will continue to be* an expected element” (emphasis in original) of sex education. Schools are not required to follow this framework. However, local school districts must establish a curriculum materials review committee. Curricula must be adopted after “[an open and regular](#)” school board meeting in which parents and guardians have an opportunity to testify. Beginning in the 2020-2021 school year, the updated [*Utah Core State Standards for Health Education*](#) will be fully implemented in all schools and outline standards related to sex education.

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. Utah’s 2020 session convened January 27, 2020.

2019 SESSION: ADJOURNED MARCH 14, 2019

TITLE	DESCRIPTION	STATUS
HOUSE BILL 71	AMENDS UTAH CODE TO PERMIT SEX EDUCATION INSTRUCTION TO INCLUDE INFORMATION ABOUT THE MEDICAL CHARACTERISTICS AND EFFECTIVENESS OF CONTRACEPTIVE METHODS OR DEVICES.	ENACTED
HOUSE BILL 136	PROHIBITS ABORTION AFTER THE FETUS REACHES 18 WEEKS GESTATIONAL AGE UNLESS IN THE CASE OF A MEDICAL EMERGENCY.	ENACTED
HOUSE BILL 166	PROHIBITS A PATIENT FROM OBTAINING AN ABORTION IF THE SOLE REASON FOR THE ABORTION IS THAT THE FETUS HAS OR MAY HAVE DOWN SYNDROME.	ENACTED
HOUSE BILL 399	PROHIBITS MENTAL HEALTH THERAPISTS FROM PROVIDING CONVERSION THERAPY TO A MINOR.	DIED IN THE HOUSE RULES COMMITTEE

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

Reported teaching all 20 critical sexual health education topics

- No Utah secondary school taught students all 20 critical sexual health education topics in a required course in any of grades 6, 7, or 8.
- 3.9% of Utah 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

- 85% of Utah secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 6, 7, or 8.
- 89.4% of Utah secondary schools taught students about the benefits of being sexually abstinent in a required course in any of grades 9, 10, 11, or 12.

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

- 61.1% of Utah 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.
- 73.5% of Utah 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

- 86.1% of Utah 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.
- 92.2% of Utah 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

- 61.5% of Utah 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.
- 81.9% of Utah 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

- No Utah secondary school taught students how to correctly use a condom in a required course in any of grades 6, 7, or 8.
- 9% of Utah 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

- 14.6% of Utah secondary schools taught students about methods of contraception other than condoms in a required course in any of grades 6, 7, or 8.
- 41.7% of Utah 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

- 6.1% of Utah secondary schools taught students about sexual orientation in a required course in any of grades 6, 7, or 8.
- 11.2% of Utah 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

- 13.8% of Utah secondary schools taught students about gender roles, gender identity, or gender expression in a required course in any of grades 6, 7, or 8.
- 19.5% of Utah 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

- 18.4% of Utah 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](#).