

Testimony of Lauren Bramwell
OPPOSE HB 249: Sex Education Opt-In Requirement
Before Senate Education Committee
April 7, 2021

The ACLU of Idaho stands before you today in opposition to HB 249 that would require parents to opt-in their child to any public school instruction regarding human sexuality, including limiting instruction on “sexual orientation” or “gender identity” that would prevent schools from discussing any LGBTQ issues without express written permission from parents. This bill will prevent students from having equal access to obtain critical information regarding how to make healthy decisions about sex and sexuality as well as censoring important classroom conversations regarding the full range of human sexuality.

All students should have equal access to educational programs, including sex education programs that offer appropriate educational information based on an individual student’s needs. Our Idaho students will have to face important decisions about relationships, sexuality and sexual behavior. The decisions they make can impact not only their lives, but their well-being and health for years to come.

Guidance from families and schools is key in fostering teenagers' healthy sexual development and responsible behavior. Far more adolescents are sexually active now than was the case in recent decades. 56 percent of boys and 50 percent of girls aged 15-19 report having had sexual intercourse. Rates of sexually transmitted illnesses, including HIV/AIDS infection, are on the rise among teenagers. Yet access to comprehensive sex education can be crucial in giving young people the information and skills they need to make responsible decisions and to protect themselves. However - by requiring the opt-in provision for sex education classes, this bill could deny Idaho students access to critically needed school curriculum that examines such subjects as human development, relationships, personal skills, sexual behavior and health, and society and culture.

Nationwide, we’ve seen the benefits that access to sex education has provided young adults. According to recent data from the Guttmacher Institute, the U.S. pregnancy rate among 15–19-year-olds was at its lowest point in 2013, which is directly attributable to better contraceptive use by young people. Among 15-17 year olds, increased contraceptive use is responsible for 77 percent of the decline and among 18-19 year olds, the decline is entirely attributable to improved contraceptive use.¹ Also, 15-19 year olds who participated in a sex education program that discusses the importance of delaying sex and provides information on prevention use were significantly less likely to report teen pregnancies than those who received either no sex education or attended abstinence only until marriage programs.² And finally, major medical groups, such as the American Medical Association, the American Academy of Pediatrics, the American College of Obstetricians and Gynecologists, and the Society for Adolescent Medicine support programs that discuss sex education³ because of their proven effectiveness in reducing teen pregnancy and the spread of transmitted illnesses.

¹ John S. Santelli, MD, MPH, Laura Duberstein Lindber, PhD, Lawrence B. Finer, PhD, and Susheela Singh, PhD. Explaining Recent Declines in Adolescent Pregnancy in the United States: The Contribution of Abstinence and Improved Contraceptive Use. January 2007. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1716232/>.

² Pamela K. Kohler, RN. et al., Abstinence-Only and Comprehensive Sex Education and the Initiation of Sexual Activity and Teen Pregnancy, *Journal of Adolescent Health*, Spring 2008.

³ American Medical Association, Policy H-170.968 Sexuality Education, Abstinence, and Distribution of Condoms in Schools; American Academy of Pediatrics, Committee on Adolescence, Condom Use By Adolescents, *107 Pediatrics* 1463, 1467 (2001); American College of Obstetricians & Gynecologists, Condom Availability for Adolescents, in *Health Care for Adolescents* (2003); John S. Santelli et al., Abstinence-Only Education Policies and Programs: A Position Paper of the Society of Adolescent Medicine, *38 J. Adolescent Health* 83, 84 (2006).



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We want to ensure that Idaho students have the information they need to make healthy and smart decisions about sex and believe the current opt-out provisions in Idaho law provides ample balance between the need for public education and parental oversight. For these reasons, we urge your “no” vote on HB 249.