



Healthy Youth Act Frequently Asked Questions

In September 2008, the Healthy Youth Act went into effect. This law relates to medically and scientifically accurate sexual health education in schools. The law is also known as the Healthy Youth Act (HYA).

What are the requirements of the Healthy Youth Act?

The Healthy Youth Act does not mandate schools to provide sexual health education. However, if a school does provide such instruction the school **must assure that the instruction:**

- Is medically and scientifically accurate.
- Is age appropriate.
- Is appropriate for students regardless of gender, race, disability status, or sexual orientation.
- Includes information about abstinence **and** other methods of preventing unintended pregnancy and sexually transmitted diseases.
- Is consistent with the 2005 *Guidelines for Sexual Health and Disease Prevention*.

What if our school district is still in the process of identifying the program/s and materials to be used after September 1, 2008?

Districts can implement their adopted program/s and materials anytime during the year. The law does not allow for continued use of programs that are not in compliance with the law after that date.

What does 'medically and scientifically accurate' mean?

Medically and scientifically accurate means information that is verified or supported by research in compliance with scientific methods, is published in peer reviewed journals, and is recognized as accurate by objective professional organizations and agencies with expertise in the field of sexual health, including the American College of Obstetricians and Gynecologists, the Washington State Department of Health (DOH), and the Centers for Disease Control and Prevention (CDC).

How can schools know if their materials are medically and scientifically accurate?

OSPI strongly encourages districts to utilize the expertise of the Department of Health in determining medical and scientific accuracy. Materials can be submitted directly to:

Adolescent Pregnancy Prevention Coordinator
Washington State Department of Health
PO Box 47880
Olympia, WA 98504-7880
360/586-7868 (fax)

How and when do schools have to provide instruction on abstinence and other methods of preventing unintended pregnancy and sexually transmitted diseases?

Districts that choose to provide sexual health education must ensure that, *in the K-12 life of a child*, instruction on abstinence as well as methods of contraception and disease prevention are included. This means that students must receive instruction that clearly identifies abstinence as the most effective method of preventing sexually transmitted diseases and pregnancy **and** instruction on the names and effectiveness rates of all FDA approved contraceptives. The law does not mandate when instruction on contraceptives must occur, nor does it stipulate that detailed step-by-step instruction on the proper use of contraceptives must be included.

Can outside abstinence speakers provide presentations in schools?

Schools may offer presentations on abstinence in a separate session as long as the presentations are preceded or followed with instruction regarding other methods of birth control and disease prevention **and** as long as all information is medically and scientifically accurate.

How can schools determine if their sexual health curriculum is consistent with the 2005 guidelines?

Districts are strongly encouraged to utilize the curriculum planning guide located on the Sexuality/Health and Fitness page of the OSPI website to assess the comprehensive nature of their sexual health curriculum, to determine where gaps exist, and to identify resources to fill those gaps.

Do schools have to use a specific curriculum?

No. The OSPI and state Department of Health (DOH) conducted a review of commonly used sexual health education programs in Washington schools. The review was based on the 2005 Guidelines for Sexual Health and Disease Prevention, produced by OSPI and DOH. Reviewed curricula were also reviewed for medical and scientific accuracy. This list and the findings from the review process can be found on both agencies' websites.

Can schools use the KNOW curriculum by itself and be compliant with the HYA?

No. The KNOW curriculum is an excellent tool for HIV prevention education, but it does not provide adequate content to meet the content criteria outlined in the 2005 Guidelines. Schools that use the KNOW curriculum to satisfy the requirements of the AIDS Omnibus Act of 1988, who also wish to provide sexual health education, should supplement the curriculum with other materials to be in compliance with the Healthy Youth Act.

Can schools use materials that have not been reviewed by OSPI and DOH?

Yes, however all curriculum materials (including speakers) must comply with the requirements of the Healthy Youth Act. Schools are strongly urged to utilize the expertise of DOH to determine medical and scientific accuracy and to use the planning guide on OSPI's website to assess consistency with the 2005 Guidelines.

Can parents review sexual health education materials?

Yes. At least one month before teaching a program in sexual health education, schools must provide notice to parents of the planned instruction and the availability of materials for inspection.

Can students be excused from sexuality education instruction?

Yes. Parents who wish to excuse their child from planned instruction in sexual health education may do so by submitting a written request. Parents should contact their school or district for the specific procedure.

Does the Healthy Youth Act supersede the AIDS Omnibus Act of 1988?

No. Schools must work to balance both laws in the provision of sexual health education and HIV prevention education.

Who is responsible for implementing the Healthy Youth Act?

Implementation of the Healthy Youth Act is a partnership between the OSPI and the Washington State DOH. Each agency plays a different role in supporting schools with regard to the Healthy Youth Act. OSPI is required by law to annually update the list of reviewed curriculum. DOH is available for technical assistance related to medical and scientific accuracy. OSPI and DOH coordinate closely to implement the HYA and to provide support to districts. Materials that have been reviewed by DOH will be forwarded to OSPI for inclusion in the annual curriculum review. The next annual review is scheduled for March 2009.

For more information regarding sexuality education programs in Washington Schools, contact Lesley Eicher, Health and Sexuality Education Program Supervisor, at 360/725-6364, lesley.eicher@k12.wa.us, or TTY 360/664-3631.