



## Health and Sex Education in Texas: A Troubled History

The State Board of Education (SBOE) has authority to establish curriculum standards – the Texas Essential Knowledge and Skills, or TEKS – that Texas public schools must teach and students must master. Because the Texas market is so large, publishers often write their textbooks to conform to the TEKS and then also sell those textbooks in other states. The SBOE’s adoptions of curriculum standards and textbooks for health – which includes sex education – have sparked heated debates over the years.

### 1994-95

Social conservatives on and off the SBOE demanded that publishers make hundreds of changes to proposed health textbooks in 1994. They argued that sex education information was suggestive, embarrassing or otherwise inappropriate for teens. One publisher ultimately withdrew its textbook from consideration for adoption rather than make all of the demanded changes. Among the censored information in those textbooks:

- Medically accurate information on the effectiveness of condoms and other methods of STI prevention;<sup>i</sup>
- Illustrations of male and female genitalia and reproductive organs as well as breast and testicular self-exams for cancer detection;<sup>ii</sup>
- Information in teacher editions noting that 72 percent of U.S. high school students reported have had sexual intercourse (highlighting the need for sex education);<sup>iii</sup>
- Factual information about sexual activity that could allow HIV transmission;<sup>iv</sup>
- Basic information about topics such as the development of sexual feelings,<sup>v</sup> nocturnal emissions,<sup>vi</sup> and female sexual organs;<sup>vii</sup>
- Information about sexual orientation, including in teacher editions and ancillary instructional materials, such as a resource titled “When Someone You Know Is Gay”;<sup>viii</sup>
- Phone numbers for STI and AIDS helplines in teacher editions;<sup>ix</sup>
- One publisher agreed to add to its high school health textbook the claim that first trimester abortions (or miscarriage) increase the incidence of breast cancer.<sup>x</sup> Long promoted by anti-abortion activists, this claim is false.<sup>xi</sup>

### 1997-98

Following the firestorm over health textbooks in 1994, the SBOE overhauled the health curriculum standards in 1997-98. The new standards overwhelmingly emphasized abstinence. But sex education opponents still objected to the inclusion of a single standard calling for students to analyze the effectiveness of contraception.<sup>xii</sup> They argued the standard violated state law allowing school districts to decide whether to teach about contraception. Texas Attorney General Dan Morales in January 1998, however, held that the board had the authority to include the standard but that school districts could decide whether or not to teach the information.<sup>xiii</sup> The standards – still in place today – include nothing regarding sexual orientation or gender identity and expression.

## **2004**

Likely recalling what happened in 1994, publishers in 2004 largely self-censored their new textbooks submitted for adoption in Texas. Abstinence-only student editions, still in Texas classrooms, include no information helping students master the 1998 standard on analyzing the effectiveness of barrier contraception and other methods of disease prevention. One publisher failed to include using condoms in a list of eight strategies for avoiding sexually transmitted infections, but the list did urge students to “get plenty of rest” so that they could “think clearly.”<sup>xiv</sup> Another publisher actually listed both “protected and unprotected sex” as “high-risk” behaviors.<sup>xv</sup>

Under pressure from social conservatives on and off the SBOE, publishers agreed that their textbooks would define and present marriage as only a union of one man and one woman.<sup>xvi</sup> Some board members also insisted that the textbooks include information disparaging homosexuality and describing gay people as “more prone to self-destructive behaviors like depression, illegal drug use and suicide.”<sup>xvii</sup> Publishers resisted this latter demand. On the other hand, the textbooks were virtually silent on the topics of sexual orientation and gender identity and expression.

## **2009 and 2017**

The Texas Freedom Network Education Fund published in-depth studies of materials Texas public school districts use for sex education.<sup>xviii</sup> The reports revealed numerous problems with abstinence-only policies and instructional materials throughout the state. Among the findings:

- Promoting the falsehood that condoms and other methods of contraception and disease prevention are ineffective, thus discouraging students from using such methods
  - Requiring teachers to present using contraception as a “high-risk” behavior
  - Teaching the falsehood that latex condoms have naturally occurring holes that allow HIV to pass through
  - Insisting to students that “sooner or later, birth control will fail”
- Employing fear- and shame-based instructional strategies
  - Telling students that sexual activity can lead them to suicide
  - Warning that sex outside of marriage makes one dirty, diseased, emotionally troubled and unwanted, destroying the ability to form healthy relationships later in life
- Teaching stereotypes and misinformation about gender and sexual assault
  - Teaching that boys heat up quickly (like microwaves) and girls take more time (like crockpots), leaving girls responsible for being sexual gatekeepers
  - Suggesting that girls who have sex are manipulative and unworthy of respect
  - Promoting the dangerous idea that girls can be responsible for sexual assault because of the way they dress or because they otherwise lead boys on
- Disparaging gay people or otherwise ignoring LGBTQ+ people altogether
  - Years after the Supreme Court struck down sodomy laws, still teaching that same-gender sexual relationships are illegal
  - Barring teachers from teaching anything suggesting “homosexuality as a normal or acceptable lifestyle”

- <sup>i</sup> Filing from publisher Holt, Rinehart and Winston for *Health* textbook. Publisher ultimately chose to withdraw textbook from consideration for adoption.
- <sup>ii</sup> Multiple publishers, including Holt, Rinehart and Winston for *Health* textbook (ultimately withdrawn) and Prentice Hall for *Health Skills for Wellness* textbook
- <sup>iii</sup> Filing from publisher Holt, Rinehart and Winston for *Health* textbook (ultimately withdrawn)
- <sup>iv</sup> Filing from publisher Holt, Rinehart and Winston for *Health* textbook. Publisher ultimately chose to withdraw textbook from consideration for adoption. Filing from publisher Prentice Hall for *Health Skills for Wellness* ancillary materials
- <sup>v</sup> Filing from publisher West for *Making Life Choices* textbook
- <sup>vi</sup> Filing from publisher Prentice Hall for *Health Skills for Wellness* textbook
- <sup>vii</sup> Filing from publisher Prentice Hall for *Health Skills for Wellness* textbook
- <sup>viii</sup> Filing from publisher Heath for *Perspectives on Health Perspectives on Health* textbook. Filing from publisher Prentice Hall for *Health Skills for Wellness* textbook. Filing from publisher Holt, Rinehart and Winston for *Health* textbook (ultimately withdrawn)
- <sup>ix</sup> Filing from publisher Glencoe for changes to its textbook *Health: A Guide to Wellness* textbook. Filing from publisher Prentice Hall for *Health Skills for Wellness* textbook.
- <sup>x</sup> Filing from publisher Glencoe for changes to its textbook *Health: A Guide to Wellness* textbook
- <sup>xi</sup> <https://ww5.komen.org/BreastCancer/Table25Abortionandbreastcancerrisk.html>
- <sup>xii</sup> Texas Essential Knowledge and Skills, Health 1, Grades 9-10, <http://ritter.tea.state.tx.us/rules/tac/chapter115/ch115c.html#115.32>
- <sup>xiii</sup> Texas Attorney General Opinion DM-465, January 9, 1998, <https://www2.texasattorneygeneral.gov/opinions/opinions/48morales/op/1998/pdf/dm0465.pdf>
- <sup>xiv</sup> Publisher Holt, Rinehart and Winston's *Lifetime Health* textbooks
- <sup>xv</sup> Publisher Glencoe's *Health* textbook
- <sup>xvi</sup> "Health Textbooks in Texas to Change Wording About Marriage," New York Times (Associated Press article), November 6, 2004, <https://www.nytimes.com/2004/11/06/us/health-textbooks-in-texas-to-change-wording-about-marriage.html>
- <sup>xvii</sup> Materials on file at TFNEF
- <sup>xviii</sup> *Just Say Don't Know: Sexuality Education in Texas Public Schools*, TFNEF, 2009, [http://tfn.org/cms/assets/uploads/2015/11/SexEdRort09\\_web.pdf](http://tfn.org/cms/assets/uploads/2015/11/SexEdRort09_web.pdf), and *Conspiracy of Silence: Sexuality Education in Texas Public Schools*, TFNEF, 2017, <http://a.tfn.org/sex-ed/tfn-sex-ed-report-2016-web.pdf>