

SEX EDUCATION LAW

20 U.S.C. 7906, Prohibitions

None of the funds authorized under this chapter shall be used:

1. To develop or distribute materials, or operate programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual;
2. To distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds;
3. To provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or
4. To operate a program of contraceptive distribution in schools.

20 U.S.C. 7906, Local control

Nothing in this section shall be construed to:

1. Authorize an officer or employee of the Federal Government to mandate, direct, review, or control a State, local educational agency, or school's instructional content, curriculum, and related activities;
2. Limit the application of the General Education Provisions Act [20 U.S.C.1221 et seq.];
3. Require the distribution of scientifically or medically false or inaccurate materials or to prohibit the distribution of scientifically or medically true or accurate materials; or
4. Create any legally enforceable right.

State Requirements

15.1-21-24. Health curriculum - Content.

Beginning July 1, 2012, each school district and nonpublic school shall ensure that the portion of its health curriculum which is related to sexual health includes instruction pertaining to the risks associated with adolescent sexual activity and the social, psychological, and physical health gains to be realized by abstaining from sexual activity before and outside of marriage.