

112TH CONGRESS
1ST SESSION

S. 1782

To provide for the reduction of unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 2, 2011

Mr. LAUTENBERG (for himself, Mr. KERRY, Mr. MENENDEZ, Mr. BLUMENTHAL, Mr. AKAKA, Mr. FRANKEN, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for the reduction of unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Real Education for
5 Healthy Youth Act of 2011”.

6 **SEC. 2. PURPOSES; SENSE OF CONGRESS.**

7 (a) **PURPOSE.**—The purposes of this Act are—

1 (1) to provide young people with comprehensive
2 sex education that—

3 (A) provides the information and skills
4 young people need to make informed, respon-
5 sible, and healthy decisions in order to become
6 sexually healthy adults and have healthy rela-
7 tionships;

8 (B) provides information about the preven-
9 tion of unintended pregnancy, sexually trans-
10 mitted infections, including HIV, sexual assault,
11 dating violence, bullying, and harassment; and

12 (C) promotes and upholds the rights of
13 young people to information in order to make
14 healthy and responsible decisions about their
15 sexual health; and

16 (2) in order to provide the comprehensive sex
17 education described in paragraph (1), to provide in-
18 creased resources for sex education programs that—

19 (A) are evidence-based, having been proven
20 through rigorous evaluation to change sexual
21 behavior or incorporate characteristics of effec-
22 tive programs;

23 (B) cover a broad range of topics, includ-
24 ing medically accurate, complete, age and devel-
25 opmentally appropriate information about all

1 the aspects of sex needed for a complete sex
2 education program, including—

3 (i) anatomy and physiology;

4 (ii) growth and development;

5 (iii) healthy relationships;

6 (iv) the prevention of unintended
7 pregnancy and sexually transmitted infec-
8 tions, including HIV, through abstinence
9 and contraception;

10 (v) gender, gender identity, and sexual
11 orientation; and

12 (vi) protection from dating violence,
13 sexual assault, bullying, and harassment;

14 (C) are gender- and gender identity-sen-
15 sitive, emphasizing the importance of equality
16 and the social environment for achieving sexual
17 and reproductive health and overall well-being;

18 (D) promote educational achievement, crit-
19 ical thinking, decisionmaking, self-esteem, and
20 self-efficacy;

21 (E) help develop healthy attitudes and in-
22 sights necessary for understanding relationships
23 between oneself and others and society;

24 (F) foster leadership skills and community
25 engagement by—

1 (i) promoting principles of fairness,
2 human dignity, and respect; and

3 (ii) engaging young people as partners
4 in their communities; and

5 (G) are culturally and linguistically appro-
6 priate, reflecting the diverse circumstances and
7 realities of young people.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that—

10 (1) federally funded sex education programs
11 should aim to—

12 (A) reduce unintended pregnancy and sex-
13 ually transmitted infections, including HIV;

14 (B) promote safe and healthy relation-
15 ships;

16 (C) use, and be informed by, the best sci-
17 entific information available;

18 (D) be built on characteristics of effective
19 programs;

20 (E) expand the existing body of evidence
21 on comprehensive sex education programs
22 through program evaluation;

23 (F) expand training programs for teachers
24 of comprehensive sex education;

1 (G) build on the personal responsibility
2 education programs funded under section 513
3 of the Social Security Act (42 U.S.C. 713) and
4 the President's Teen Pregnancy Prevention pro-
5 gram, funded under title II of the Consolidated
6 Appropriations Act, 2010 (Public Law 111-
7 117; 123 Stat. 3253); and

8 (H) promote and uphold the rights of
9 young people to information in order to make
10 healthy and responsible decisions about their
11 sexual health; and

12 (2) no Federal funds should be used for health
13 education programs that—

14 (A) deliberately withhold life-saving infor-
15 mation about HIV;

16 (B) are medically inaccurate or have been
17 scientifically shown to be ineffective;

18 (C) promote gender stereotypes;

19 (D) are insensitive and unresponsive to the
20 needs of sexually active adolescents;

21 (E) are insensitive and unresponsive to the
22 needs of lesbian, gay, bisexual, or transgender
23 youth; or

24 (F) are inconsistent with the ethical im-
25 peratives of medicine and public health.

1 **SEC. 3. GRANTS FOR COMPREHENSIVE SEX EDUCATION**
2 **FOR ADOLESCENTS.**

3 (a) PROGRAM AUTHORIZED.—The Secretary, in co-
4 ordination with the Director of the Office of Adolescent
5 Health, shall award grants, on a competitive basis, to eligi-
6 ble entities to enable such eligible entities to carry out pro-
7 grams that provide adolescents with comprehensive sex
8 education, as described in subsection (f).

9 (b) DURATION.—Grants awarded under this section
10 shall be for a period of 5 years.

11 (c) ELIGIBLE ENTITY.—In this section, the term “el-
12 igible entity” means a public or private entity that focuses
13 on adolescent health or education or has experience work-
14 ing with adolescents, which may include—

15 (1) a State educational agency;

16 (2) a local educational agency;

17 (3) a tribe or tribal organization, as defined in
18 section 4 of the Indian Self-Determination and Edu-
19 cation Assistance Act (25 U.S.C. 450b);

20 (4) a State or local department of health;

21 (5) a State or local department of education;

22 (6) a nonprofit organization;

23 (7) a nonprofit or public institution of higher
24 education; or

25 (8) a hospital.

1 (d) APPLICATIONS.—An eligible entity desiring a
2 grant under this section shall submit an application to the
3 Secretary at such time, in such manner, and containing
4 such information as the Secretary may require, including
5 the evaluation plan described in subsection (g)(1).

6 (e) PRIORITY.—In awarding grants under this sec-
7 tion, the Secretary shall give priority to eligible entities
8 that—

9 (1) are State or local public entities, with an
10 additional priority for State or local educational
11 agencies; and

12 (2) address health disparities among young peo-
13 ple that are at highest risk for not less than 1 of
14 the following:

15 (A) Unintended pregnancies.

16 (B) Sexually transmitted infections, includ-
17 ing HIV.

18 (C) Dating violence and sexual assault.

19 (f) USE OF FUNDS.—

20 (1) IN GENERAL.—Each eligible entity that re-
21 ceives a grant under this section shall use grant
22 funds to carry out a program that provides adoles-
23 cents with comprehensive sex education that—

24 (A) replicates evidence-based sex education
25 programs;

1 (B) substantially incorporates elements of
2 evidence-based sex education programs; or

3 (C) creates a demonstration project based
4 on generally accepted characteristics of effective
5 sex education programs.

6 (2) CONTENTS OF SEX EDUCATION PRO-
7 GRAMS.—The sex education programs funded under
8 this section shall include curricula and program ma-
9 terials that address—

10 (A) abstinence and delaying sexual initi-
11 ation;

12 (B) the health benefits and side effects of
13 all contraceptive and barrier methods as a
14 means to prevent pregnancy and sexually trans-
15 mitted infections, including HIV;

16 (C) healthy relationships, including the de-
17 velopment of healthy attitudes and skills nec-
18 essary for understanding—

19 (i) healthy relationships between one-
20 self and family, others, and society; and

21 (ii) the prevention of sexual abuse,
22 teen dating violence, bullying, harassment,
23 and suicide;

24 (D) healthy life skills including goal-set-
25 ting, decisionmaking, interpersonal skills (such

1 as communication, assertiveness, and peer re-
2 fusal skills), critical thinking, self-esteem and
3 self-efficacy, and stress management;

4 (E) how to make responsible decisions
5 about sex and sexuality, including—

6 (i) how to avoid, and how to avoid
7 making, unwanted verbal, physical, and
8 sexual advances; and

9 (ii) how alcohol and drug use can af-
10 fect responsible decisionmaking;

11 (F) the development of healthy attitudes
12 and values about such topics as adolescent
13 growth and development, body image, gender
14 roles and gender identity, racial and ethnic di-
15 versity, and sexual orientation; and

16 (G) referral services for local health clinics
17 and services where adolescents can obtain addi-
18 tional information and services related to sexual
19 and reproductive health, dating violence and
20 sexual assault, and suicide prevention.

21 (g) EVALUATION; REPORT.—

22 (1) INDEPENDENT EVALUATION.—Each eligible
23 entity applying for a grant under this section shall
24 develop and submit to the Secretary a plan for a rig-
25 orous independent evaluation of such grant program.

1 The plan shall describe an independent evaluation
2 that—

3 (A) uses sound statistical methods and
4 techniques relating to the behavioral sciences,
5 including random assignment methodologies,
6 whenever possible;

7 (B) uses quantitative data for assessments
8 and impact evaluations, whenever possible; and

9 (C) is carried out by an entity independent
10 from such eligible entity.

11 (2) SELECTION OF EVALUATED PROGRAMS;
12 BUDGET.—

13 (A) SELECTION OF EVALUATED PRO-
14 GRAMS.—The Secretary shall select, at random,
15 a subset of the eligible entities that the Sec-
16 retary has selected to receive a grant under this
17 section to receive additional funding to carry
18 out the evaluation plan described in paragraph
19 (1).

20 (B) BUDGET FOR EVALUATION ACTIVI-
21 TIES.—The Secretary, in coordination with the
22 Director of the Office of Adolescent Health,
23 shall establish a budget for each eligible entity
24 selected under subparagraph (A) for the costs

1 of carrying out the evaluation plan described in
2 paragraph (1).

3 (3) FUNDS FOR EVALUATION.—The Secretary
4 shall provide eligible entities who are selected under
5 paragraph (2)(A) with additional funds, in accord-
6 ance with the budget described in paragraph (2)(B),
7 to carry out and report to the Secretary on the eval-
8 uation plan described in paragraph (1).

9 (4) PERFORMANCE MEASURES.—The Secretary,
10 in coordination with the Director of the Centers for
11 Disease Control and Prevention, shall establish a
12 common set of performance measures to assess the
13 implementation and impact of grant programs fund-
14 ed under this section. Such Performance measures
15 shall include—

16 (A) output measures, such as the number
17 of individuals served and the number of hours
18 of service delivery;

19 (B) outcome measures, including measures
20 relating to—

21 (i) the knowledge that youth partici-
22 pating in the grant program have gained
23 about—

24 (I) adolescent growth and devel-
25 opment;

- 1 (II) relationship dynamics;
- 2 (III) ways to prevent unintended
3 pregnancy and sexually transmitted
4 infections, including HIV; and
- 5 (IV) sexual health;
- 6 (ii) the skills that adolescents partici-
7 pating in the grant program have gained
8 regarding—
- 9 (I) negotiation and communica-
10 tion;
- 11 (II) decisionmaking and goal-set-
12 ting;
- 13 (III) interpersonal skills and
14 healthy relationships; and
- 15 (IV) condom use; and
- 16 (iii) the behaviors of adolescents par-
17 ticipating in the grant program, including
18 data about—
- 19 (I) age of first intercourse;
- 20 (II) number of sexual partners;
- 21 (III) condom and contraceptive
22 use at first intercourse;
- 23 (IV) recent condom and contra-
24 ceptive use; and

1 (V) dating abuse and lifetime his-
2 tory of domestic violence, sexual as-
3 sault, dating violence, bullying, har-
4 assment, and stalking.

5 (5) REPORT TO THE SECRETARY.—Eligible en-
6 tities receiving a grant under this section who have
7 been selected to receive funds to carry out the eval-
8 uation plan described in paragraph (1), in accord-
9 ance with paragraph (2)(A), shall collect and report
10 to the Secretary—

11 (A) the results of the independent evalua-
12 tion described in paragraph (1); and

13 (B) information about the performance
14 measures described in paragraph (2).

15 (6) EFFECTIVE PROGRAMS.—The Secretary, in
16 coordination with the Director of the Centers for
17 Disease Control and Prevention, shall publish on the
18 website of the Centers for Disease Control and Pre-
19 vention, a list of programs funded under this section
20 that the Secretary has determined to be effective
21 programs.

22 **SEC. 4. GRANTS FOR COMPREHENSIVE SEX EDUCATION AT**
23 **INSTITUTIONS OF HIGHER EDUCATION.**

24 (a) PROGRAM AUTHORIZED.—The Secretary, in co-
25 ordination with the Office of Adolescent Health and the

1 Secretary of Education, shall award grants, on a competi-
2 tive basis, to institutions of higher education to enable
3 such institutions to provide young people with comprehen-
4 sive sex education, described in subsection (e)(2), with an
5 emphasis on reducing HIV, other sexually transmitted in-
6 fections, and unintended pregnancy through instruction
7 about—

- 8 (1) abstinence and contraception;
- 9 (2) reducing dating violence, sexual assault,
10 bullying, and harassment;
- 11 (3) increasing healthy relationships; and
- 12 (4) academic achievement.

13 (b) DURATION.—Grants awarded under this section
14 shall be for a period of 5 years.

15 (c) APPLICATIONS.—An institution of higher edu-
16 cation desiring a grant under this section shall submit an
17 application to the Secretary at such time, in such manner,
18 and containing such information as the Secretary may re-
19 quire.

20 (d) PRIORITY.—In awarding grants under this sec-
21 tion, the Secretary shall give priority to an institution of
22 higher education that—

- 23 (1) has an enrollment of needy students as de-
24 fined in section 318(b) of the Higher Education Act
25 of 1965 (20 U.S.C. 1059e(b));

1 (2) is a Hispanic-serving institution, as defined
2 in section 502(a) of such Act (20 U.S.C. 1101a(a));

3 (3) is a Tribal College or University, as defined
4 in section 316(b) of such Act (20 U.S.C. 1059c(b));

5 (4) is an Alaska Native-serving institution, as
6 defined in section 317(b) of such Act (20 U.S.C.
7 1059d(b));

8 (5) is a Native Hawaiian-serving institution, as
9 defined in section 317(b) of such Act (20 U.S.C.
10 1059d(b));

11 (6) is a Predominately Black Institution, as de-
12 fined in section 318(b) of such Act (20 U.S.C.
13 1059e(b));

14 (7) is a Native American-serving, nontribal in-
15 stitution, as defined in section 319(b) of such Act
16 (20 U.S.C. 1059f(b));

17 (8) is an Asian American and Native American
18 Pacific Islander-serving institution, as defined in
19 section 320(b) of such Act (20 U.S.C. 1059g(b)); or

20 (9) is a minority institution, as defined in sec-
21 tion 365 of such Act (20 U.S.C. 1067k), with an en-
22 rollment of needy students, as defined in section 312
23 of such Act (20 U.S.C. 1058).

24 (e) USES OF FUNDS.—

1 (1) IN GENERAL.—An institution of higher edu-
2 cation receiving a grant under this section may use
3 grant funds to integrate issues relating to com-
4 prehensive sex education into the academic or sup-
5 port sectors of the institution of higher education in
6 order to reach a large number of students, by car-
7 rying out 1 or more of the following activities:

8 (A) Developing educational content for
9 issues relating to comprehensive sex education
10 that will be incorporated into first-year orienta-
11 tion or core courses.

12 (B) Developing and employing schoolwide
13 educational programming outside of class that
14 delivers elements of comprehensive sex edu-
15 cation programs to students, faculty, and staff.

16 (C) Creating innovative technology-based
17 approaches to deliver sex education to students,
18 faculty, and staff.

19 (D) Developing and employing peer-out-
20 reach and education programs to generate dis-
21 cussion, educate, and raise awareness among
22 students about issues relating to comprehensive
23 sex education.

24 (2) CONTENTS OF SEX EDUCATION PRO-
25 GRAMS.—Each institution of higher education’s pro-

1 gram of comprehensive sex education funded under
2 this section shall include curricula and program ma-
3 terials that address information about—

4 (A) safe and responsible sexual behavior
5 with respect to the prevention of pregnancy and
6 sexually transmitted infections, including HIV,
7 including through—

8 (i) abstinence;

9 (ii) a reduced number of sexual part-
10 ners; and

11 (iii) the use of condoms and contra-
12 ception;

13 (B) healthy relationships, including the de-
14 velopment of healthy attitudes and insights nec-
15 essary for understanding—

16 (i) relationships between oneself, fam-
17 ily, partners, others, and society; and

18 (ii) the prevention of sexual abuse,
19 dating violence, bullying, harassment, and
20 suicide; and

21 (C) referral services to local health clinics
22 where young people can obtain additional infor-
23 mation and services related to sexual and repro-
24 ductive health, dating violence and sexual as-
25 sault, and suicide prevention.

1 (3) OPTIONAL COMPONENTS OF SEX EDU-
2 CATION.—Each institution of higher education’s pro-
3 gram of comprehensive sex education may also in-
4 clude information and skills development relating
5 to—

6 (A) how to make responsible decisions
7 about sex and sexuality, including—

8 (i) how to avoid, and avoid making,
9 unwanted verbal, physical, and sexual ad-
10 vances; and

11 (ii) how alcohol and drug use can af-
12 fect responsible decisionmaking;

13 (B) healthy life skills, including—

14 (i) goal-setting and decisionmaking;

15 (ii) interpersonal skills, such as com-
16 munication, assertiveness, and peer refusal
17 skills;

18 (iii) critical thinking;

19 (iv) self-esteem and self-efficacy; and

20 (v) stress management;

21 (C) the development of healthy attitudes
22 and values about such topics as body image,
23 gender roles and gender identity, racial and eth-
24 nic diversity, and sexual orientation; and

1 (D) the responsibilities of parenting and
2 the skills necessary to parent well.

3 (f) EVALUATION; REPORT.—The requirements de-
4 scribed in section 3(g) shall also apply to eligible entities
5 receiving a grant under this section in the same manner
6 as such requirements apply to eligible entities receiving
7 grants under section 3.

8 **SEC. 5. GRANTS FOR PRE-SERVICE AND IN-SERVICE TEACH-**
9 **ER TRAINING.**

10 (a) PROGRAM AUTHORIZED.—The Secretary, in co-
11 ordination with the Director of the Centers for Disease
12 Control and Prevention and the Secretary of Education,
13 shall award grants, on a competitive basis, to eligible enti-
14 ties to enable such eligible entities to carry out the activi-
15 ties described in subsection (f).

16 (b) DURATION.—Grants awarded under this section
17 shall be for a period of 5 years.

18 (c) ELIGIBLE ENTITY.—In this section, the term “el-
19 igible entity” means—

20 (1) a State educational agency;

21 (2) a local educational agency;

22 (3) a tribe or tribal organization, as defined in
23 section 4 of the Indian Self-Determination and Edu-
24 cation Assistance Act (25 U.S.C. 450b);

25 (4) a State or local department of health;

1 (5) a State or local department of education;

2 (6) a nonprofit institution of higher education;

3 (7) a national or statewide nonprofit organiza-
4 tion that has as its primary purpose the improve-
5 ment of provision of comprehensive sex education
6 through effective teaching of comprehensive sex edu-
7 cation; or

8 (8) a consortium of nonprofit organizations that
9 has as its primary purpose the improvement of pro-
10 vision of comprehensive sex education through effec-
11 tive teaching of comprehensive sex education.

12 (d) APPLICATION.—An eligible entity desiring a
13 grant under this section shall submit an application to the
14 Secretary at such time, in such manner, and containing
15 such information as the Secretary may require.

16 (e) AUTHORIZED ACTIVITIES.—

17 (1) REQUIRED ACTIVITY.—Each eligible entity
18 receiving a grant under this section shall use grant
19 funds to train targeted faculty and staff, in order to
20 increase effective teaching of comprehensive sex edu-
21 cation for elementary school and secondary school
22 students.

23 (2) PERMISSIBLE ACTIVITIES.—Each eligible
24 entity receiving a grant under this section may use
25 grant funds to—

1 (A) strengthen and expand the eligible en-
2 tity's relationships with—

3 (i) institutions of higher education;

4 (ii) State educational agencies;

5 (iii) local educational agencies; or

6 (iv) other public and private organiza-
7 tions with a commitment to comprehensive
8 sex education and the benefits of com-
9 prehensive sex education;

10 (B) support and promote research-based
11 training of teachers of comprehensive sex edu-
12 cation and related disciplines in elementary
13 schools and secondary schools as a means of
14 broadening student knowledge about issues re-
15 lated to human development, relationships, per-
16 sonal skills, sexual behavior, sexual health, and
17 society and culture;

18 (C) support the dissemination of informa-
19 tion on effective practices and research findings
20 concerning the teaching of comprehensive sex
21 education;

22 (D) support research on—

23 (i) effective comprehensive sex edu-
24 cation teaching practices; and

1 (ii) the development of assessment in-
2 struments and strategies to document—

3 (I) student understanding of
4 comprehensive sex education; and

5 (II) the effects of comprehensive
6 sex education;

7 (E) convene national conferences on com-
8 prehensive sex education, in order to effectively
9 train teachers in the provision of comprehensive
10 sex education; and

11 (F) develop and disseminate appropriate
12 research-based materials to foster comprehen-
13 sive sex education.

14 (3) SUBGRANTS.—Each eligible entity receiving
15 a grant under this section may award subgrants to
16 nonprofit organizations, State educational agencies,
17 or local educational agencies to enable such organi-
18 zations or agencies to—

19 (A) train teachers in comprehensive sex
20 education;

21 (B) support Internet or distance learning
22 related to comprehensive sex education;

23 (C) promote rigorous academic standards
24 and assessment techniques to guide and meas-

1 ure student performance in comprehensive sex
2 education;

3 (D) encourage replication of best practices
4 and model programs to promote comprehensive
5 sex education;

6 (E) develop and disseminate effective, re-
7 search-based comprehensive sex education
8 learning materials;

9 (F) develop academic courses on the peda-
10 gogy of sex education at institutions of higher
11 education; or

12 (G) convene State-based conferences to
13 train teachers in comprehensive sex education
14 and to identify strategies for improvement.

15 **SEC. 6. REPORT TO CONGRESS.**

16 (a) IN GENERAL.—Not later than 1 year after the
17 date of the enactment of this Act, and annually thereafter
18 for a period of 5 years, the Secretary shall prepare and
19 submit to the appropriate committees of Congress a report
20 on the activities to provide adolescents and young people
21 with comprehensive sex education funded under this Act.

22 (b) REPORT ELEMENTS.—The report described in
23 subsection (a) shall include—

24 (1) a statement of whether the Secretary has
25 met the purposes described in section 2; and

1 (2) information about—

2 (A) the number of eligible entities and in-
3 stitutions of higher education that are receiving
4 grant funds under sections 3 and 4 of this Act;

5 (B) the specific activities supported by
6 grant funds awarded under sections 3 and 4 of
7 this Act;

8 (C) the number of adolescents served by
9 grant programs funded under section 3;

10 (D) the number of young people served by
11 grant programs funded under section 4; and

12 (E) the status of program evaluations de-
13 scribed under sections 3 and 4 of this Act.

14 **SEC. 7. NONDISCRIMINATION.**

15 Programs funded under this Act shall not discrimi-
16 nate on the basis of actual or perceived sex, race, color,
17 ethnicity, national origin, disability, sexual orientation,
18 gender identity, or religion. Nothing in this Act shall be
19 construed to invalidate or limit rights, remedies, proce-
20 dures, or legal standards available to victims of discrimi-
21 nation under any other Federal law or any law of a State
22 or a political subdivision of a State, including title VI of
23 the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.),
24 title IX of the Education Amendments of 1972 (20 U.S.C.
25 1681 et seq.), section 504 of the Rehabilitation Act of

1 1973 (29 U.S.C. 794), the Americans with Disabilities Act
2 of 1990 (42 U.S.C. 12101 et seq.), and section 1557 of
3 the Patient Protection and Affordable Care Act (42
4 U.S.C. 18116).

5 **SEC. 8. LIMITATION.**

6 No Federal funds provided under this Act may be
7 used for health education programs that—

8 (1) deliberately withhold life-saving information
9 about HIV;

10 (2) are medically inaccurate or have been sci-
11 entifically shown to be ineffective;

12 (3) promote gender stereotypes;

13 (4) are insensitive and unresponsive to the
14 needs of sexually active youth or lesbian, gay, bisex-
15 ual, or transgender youth; or

16 (5) are inconsistent with the ethical imperatives
17 of medicine and public health.

18 **SEC. 9. AMENDMENTS TO OTHER LAWS.**

19 (a) AMENDMENT TO THE PUBLIC HEALTH SERVICE
20 ACT.—Section 2500 of the Public Health Service Act (42
21 U.S.C. 300ee) is amended—

22 (1) by striking subsection (c); and

23 (2) by redesignating subsection (d) as sub-
24 section (c).

1 (b) AMENDMENTS TO THE ELEMENTARY AND SEC-
2 ONDARY EDUCATION ACT OF 1965.—Section 9526(a) of
3 the Elementary and Secondary Education Act of 1965 (20
4 U.S.C. 7906(a)) is amended—

5 (1) in paragraph (2) by inserting “or” after the
6 semicolon;

7 (2) in paragraph (3) by striking “; or” and in-
8 serting a period; and

9 (3) by striking paragraph (4).

10 **SEC. 10. DEFINITIONS.**

11 In this Act:

12 (1) ESEA DEFINITIONS.—The terms “elemen-
13 tary school”, “local educational agency”, “secondary
14 school”, and “State educational agency” have the
15 meanings given the terms in section 9101 of the Ele-
16 mentary and Secondary Education Act of 1965 (20
17 U.S.C. 7801).

18 (2) AGE AND DEVELOPMENTALLY APPRO-
19 PRIATE.—The term “age and developmentally appro-
20 priate” means suitable for a particular age or age
21 group of children and adolescents, based on devel-
22 oping cognitive, emotional, and behavioral capacity
23 typical for that age or age group.

24 (3) ADOLESCENTS.—The term “adolescents”
25 means individuals who are ages 10 through 19 at

1 the time of commencement of participation in a pro-
2 gram supported under this Act.

3 (4) CHARACTERISTICS OF EFFECTIVE PRO-
4 GRAMS.—The term “characteristics of effective pro-
5 grams” means the aspects of evidence-based pro-
6 grams, including development, content, and imple-
7 mentation of such programs, that—

8 (A) have been shown to be effective in
9 terms of increasing knowledge, clarifying values
10 and attitudes, increasing skills, and impacting
11 upon behavior; and

12 (B) are widely recognized by leading med-
13 ical and public health agencies to be effective in
14 changing sexual behaviors that lead to sexually
15 transmitted infections, including HIV, unin-
16 tended pregnancy, and dating violence and sex-
17 ual assault among young people.

18 (5) COMPREHENSIVE SEX EDUCATION.—The
19 term “comprehensive sex education” means a pro-
20 gram that—

21 (A) includes age- and developmentally ap-
22 propriate, culturally and linguistically relevant
23 information on a broad set of topics related to
24 sexuality including human development, rela-
25 tionships, decisionmaking, communication, ab-

1 stinance, contraception, and disease and preg-
2 nancy prevention;

3 (B) provides students with opportunities
4 for developing skills as well as learning informa-
5 tion;

6 (C) is inclusive of lesbian, gay, bisexual,
7 transgender, and heterosexual young people;
8 and

9 (D) aims to—

10 (i) provide scientifically accurate and
11 realistic information about human sexu-
12 ality;

13 (ii) provide opportunities for individ-
14 uals to understand their own, their fami-
15 lies', and their communities' values, atti-
16 tudes, and insights about sexuality;

17 (iii) help individuals develop healthy
18 relationships and interpersonal skills; and

19 (iv) help individuals exercise responsi-
20 bility regarding sexual relationships, which
21 includes addressing abstinence, pressures
22 to become prematurely involved in sexual
23 intercourse, and the use of contraception
24 and other sexual health measures.

1 (6) EVIDENCE-BASED PROGRAM.—The term
2 “evidence-based program” means a sex education
3 program that has been proven through rigorous eval-
4 uation to be effective in changing sexual behavior or
5 incorporates elements of other sex education pro-
6 grams that have been proven to be effective in
7 changing sexual behavior.

8 (7) INSTITUTION OF HIGHER EDUCATION.—The
9 term “institution of higher education” has the
10 meaning given the term in section 101 of the Higher
11 Education Act of 1965 (20 U.S.C. 1001).

12 (8) MEDICALLY ACCURATE AND COMPLETE.—
13 The term “medically accurate and complete”, when
14 used with respect to a sex education program, means
15 that—

16 (A) the information provided through the
17 program is verified or supported by the weight
18 of research conducted in compliance with ac-
19 cepted scientific methods and is published in
20 peer-reviewed journals, where applicable; or

21 (B)(i) the program contains information
22 that leading professional organizations and
23 agencies with relevant expertise in the field rec-
24 ognize as accurate, objective, and complete; and

1 (ii) the program does not withhold infor-
2 mation about the effectiveness and benefits of
3 correct and consistent use of condoms and
4 other contraceptives.

5 (9) SECRETARY.—The term “Secretary” means
6 the Secretary of Health and Human Services.

7 (10) YOUNG PEOPLE.—The term “young peo-
8 ple” means individuals who are ages 10 through 24
9 at the time of commencement of participation in a
10 program supported under this Act.

11 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated to carry out
13 this Act such sums as may be necessary.

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