

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:35 p.m. on February 21, 2006, in Room 123-S of the Capitol.

Committee members absent: Pat Apple- excused

Committee staff present: Deb Hollon, Kansas Legislative Research Department
Kathie Sparks, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Erick J. Jensen, Ph.D, Sumner Academy of Arts and Science
Dr. Cynthia G. Akagi, Ph.D, Assistant Professor, Health Education, University of Kansas
Chimene C. Schwach, Adolescent Substance Abuse Counselor, Prairie Village
Debra Rukes, Director of Teen Pregnancy Prevention, YWCA of Topeka
Gary Brunk, Executive Director, Kansas Action for Children
Dr. Curt Brungardt, Professor Leadership Studies, Fort Hays State University
Antonina Witt, a senior at Wichita High School East
Stephanie Bell, a senior at Blue Valley North High School
Ginny Krystel, parent and President elect, Blue Valley North Parent Club
Pastor Lisa Schwartz, Unitarian Universalist Fellowship Church, Topeka
Rev. Kirk P. Perucca, Prairie Village
Barbara Holzmark, author, "Human Sexuality and Aids Education Mandate, K-12"
Sandy Pickert, Executive Director, Abstinence Education, Inc., Wichita

SB 508–Human sexuality education programs; Abstinence Plus Education Act

Theresa Kiernan, Revisor of Statutes Office, explained that **SB 508** would establish the Abstinence Plus Education Act, and it would require that school districts provide a comprehensive education program in human sexuality. The programs would emphasize the benefits of abstinence but would provide information about sexually transmitted diseases and infections, especially AIDS. It would require that the programs be age appropriate in instruction. All teachers would be required to hold the appropriate license for instruction. Teachers and building administrators would be required to have appropriate preparation or in-service training designed to develop a basic knowledge of and a sensitivity to the area of human sexuality. The curriculum and materials would be factually and medically accurate and age appropriate. There would be a procedure by which pupils could be excused from participating upon request of a parent or guardian. The curriculum would be written and would be on file at the administrative office of the district and would be available upon request. Nothing in the Act would be construed as endorsing or encouraging the establishment of school based health clinics or the teaching of birth control methods.

Dr. Erick J. Jensen, Ph.D, Sumner Academy of Arts and Science, testified in support of **SB 508**. He noted that, in his 27 years as a teacher, he had heard a plethora of medically inaccurate, nonscientific explanations involving issues in human sexuality. He went on to briefly discuss the reasons he believes Abstinence Plus Education should be made a law. He emphasized that sexuality education should be a central component of programs designed to reduce the prevalence of sexually-related medical problems. (Attachment 1)

Dr. Cynthia G. Akagi, Ph.D, Assistant Health Education Professor at the University of Kansas, testified in support of **SB 508**. She noted that, for almost two decades, sexuality/HIV/AIDS education was mandated in Kansas schools and made significantly positive differences in the health of Kansas youth. She called the Committee's attention to relevant statistics shown in graphs attached to her written testimony. She pointed

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out that the statistics showed that teen pregnancies have declined in the past 13 years, herpes and genital warts are on an increase, one-half of a graduating class is sexually active, and Kansas ranks 34th lowest among states in teen pregnancies. She emphasized that the 13-year decrease in teen pregnancies and gonorrhea clearly showed that mandated abstinence-based sexuality education has been working, but with the increases in other STDs, schools cannot relax their sexuality education efforts. ([Attachment 2](#))

Chimene C. Schwach, a Master's Level Certified Substance Counselor in adolescent treatment, testified in support of **SB 508**. She pointed out that the Abstinence Plus Education Program addresses three key risk factors for teens. She noted that she continued to be amazed by the myths and inaccurate information students have picked up from their peers and the media. She emphasized that the myths indicated the need for medically accurate information presented in a trusted, safe environment. ([Attachment 3](#))

Debra Rukes, Director of the Teen Pregnancy Prevention Program at the Topeka YWCA, testified in support of **SB 508**. She commented that Kansas teens need accurate sexuality education because almost nothing disadvantages a teenager more than an unplanned pregnancy. She emphasized that teenage pregnancy is detrimental for teens, their children, and the community. She noted that research indicated that medically accurate, age-appropriate sexuality education reduces risky sexual behavior among adolescents and that discussions about sex do not increase the frequency of sexual intercourse or the number of partners. ([Attachment 4](#))

Gary Brunk, Executive Director of Kansas Action for Children, testified in support of **SB 508**. He noted that Kansas Action for Children believes that human sexuality education programs in schools are an important component of any successful strategy to reduce teen pregnancy. He pointed out that teen mothers and their children are more likely to be poor, and those children in turn are more likely to be poor as adults. He commented that the good news was that teen births have been declining and that there was every reason to think that teen births could be reduced substantially more. He maintained that the bill was a pro-active effort to ensure that the progress made in reducing teen births is not reversed. ([Attachment 5](#))

Dr. Curt Brungardt, Professor of Leadership Studies at Fort Hays State University, testified in support of **SB 508** as a father of two children. In his opinion, the Abstinence Plus Education Act encourages children to talk to their parents about sex which, in turn, opens the door for parents to talk about their values regarding sex. He supported the provision allowing parents to opt out for their children. He noted that, as a professor, he had the opportunity to see the positive impact that education on any subject has upon developing human beings, and he could think of no instance where more information about a subject was a bad thing. ([Attachment 6](#))

Antonina Witt, a senior at Wichita High School East, testified in support of **SB 508**. She pointed out that teenagers need to learn about sex from other sources than television, music, magazines, and the street. She commented that teenagers often disregard rules. She suggested that, rather than ignoring that disregard, teenagers should be offered medically accurate, factual information through the Abstinence Plus Program, which would help them make smart choices when facing tough decisions. ([Attachment 7](#))

Stephanie Bell, a senior at Blue Valley North High School, testified in support of **SB 508**. She noted that the Abstinence Plus Program provided teenagers a way to combat misinformation about sexuality from their peers, and it was also the most effective way for teenagers to receive accurate information on sexually transmitted diseases and pregnancy. She emphasized that Abstinence Plus would teach teenagers how to become self-respecting, secure individuals who can resist peer pressure in situations that involve sex. ([Attachment 8](#)) In conclusion, Ms. Bell held up a petition in support the bill which had been signed by several teenagers.

Ginny Krystel, a parent and President elect of the Parent Club at Blue Valley North High School, testified in support of **SB 508**. She explained that she provided her child with her moral and religious views about sex, but she felt it was important for her child to receive medically accurate facts too. She noted that she respected a parent's right to opt their child out and that the school offered a form to parents each year for that choice. ([Attachment 9](#))

Lisa Schwartz, Pastor of the Unitarian Universalist Fellowship Church in Topeka, testified in support of **SB**

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508. She noted that she was also the mother of a teenage daughter and that she works with her church's large youth group. She went on to say that she was recently alarmed and frightened when she saw some statistics about teen sex. According to an article in the *New York Times*, about 60 percent of American teenagers report having sex before they are 18. Polls of European and Canadian teens show virtually the same numbers. She commented that she was not really surprised since teens everywhere seem to be surrounded by sexually provocative images that say, just do it. However, she was dismayed as she read further. Even though the rates of teenage sex are the same in the United States as they are in France, American girls are five times as likely to have a baby as French girls, and they are seven times as likely to have an abortion. American teens are 70 times as likely to have gonorrhea as teenagers in the Netherlands, and teens in the United States are five times as likely to have AIDS or HIV than teens in Germany. The vast majority of teens in the United States, Canada, and Western Europe do get sex education in schools, but in the United States there is a difference. Our schools increasingly teach abstinence only sex ed. A nationally recognized teen pregnancy prevention task force recently examined the issue and concluded there are no abstinence only programs that can demonstrate clear evidence that they either delay sex or reduce teen pregnancy, abortion, or disease. At the same time, there is plenty of evidence that Abstinence Plus programs, programs that both encourage abstinence and also provide medically accurate information, delay sexual activity among teens and reduce rates of teen pregnancy, abortion, and sexually transmitted diseases. Pastor Schwartz commented, "This is indeed a family values issue, an issue of equipping Kansas kids with the honest information that they need and the responsible values we promote for all Kansans."

Rev. Kirk P. Perucca, a Presbyterian minister and a resident of Prairie Village, testified in support of **SB 508**. He noted that, from the perspective of the religious community, God gave human beings the gift of human sexuality, and we have a responsibility to use that gift in a manner which reflects the sacredness of our creation. He pointed out that the religious community often just says "no," which does not provide the necessary information to youth regarding sexuality before or after marriage. In his opinion, schools are the best place to ensure access to reliable and credible sexuality information. ([Attachment 10](#))

Barbara Holzmark, author of the "Human Sexuality and AIDS Education Mandate, K-12," testified in support of **SB 508**. As a member of the Governor's Commission on Education for Parenthood from 1985 until 1996 when it was dissolved, she completed a paper which reflected a study of sex education in schools, communities, and homes. She explained that, when she finished compiling data from surveys, her only option was to recommend that a mandate for sex education be proposed to the Kansas State Board of Education. Her committee recommended that sex education programs be developed in local school districts and that the topics covered be age appropriate. The recommendation, which was approved in May of 1987, required that all accredited school systems provide a comprehensive program and that such programs contain information about sexually transmitted diseases and AIDS. In June 2005, the entire mandate expired after accreditation had been lifted from the mandate. She emphasized that **SB 508** was very necessary because it would continue the comprehensive education put in place in 1987. ([Attachment 11](#))

Senator Schodorf called the Committee's attention to the following written testimony in support of **SB 508**: Paula Hatcher, a Nationally Certified School Nurse from Lawrence ([Attachment 12](#)); W. Michael Chittum, Senior Minister at Plymouth Congregational Church in Wichita ([Attachment 13](#)); Sandra Barnett, Executive Director of the Kansas Coalition Against Sexual and Domestic Violence ([Attachment 14](#)); Kathy Cook, Executive Director of Kansas Families United for Public Education ([Attachment 15](#)); a statement from the Kansas Chapter of the American Academy of Pediatrics in Lenexa ([Attachment 16](#)); and Cathy Breidenthal, Executive Director of the YWCA of Greater Kansas City ([Attachment 17](#)).

Sandy Pickert, a registered nurse and the Executive Director of Abstinence Education, Inc., testified in opposition to **SB 508**. She noted that, according to the 2003 Youth Risk Behavior Surveillance, over 52 percent of teens abstain from sexual activity through high school. In addition, she noted that, although teen out-of-wedlock pregnancies are declining, 33 percent of all births in Kansas in 2004 were out-of-wedlock, primarily to 15 to 24 year old mothers, and the sexually transmitted disease rate for Kansas teens is on the rise. She pointed out that research studies have demonstrated that the abstinence only approach is effective. She contended that teens, parents, and society at large are benefitting from the results of this approach. She commented that she had encountered many teens who were frustrated that adults short changed them in their ability to make the healthiest sexual decision to practice abstinence. She maintained that teens who are sexually active need more than the "band aid of a condom." They need to be challenged to consider whether

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or not their behavior is reflecting the best long-term choice, and they need guidance to support changing their behavior if they find their behavior is not the best choice. She contended that mandating by law what is to be taught was not the answer and did not allow the flexibility to meet the standards of all communities. In her opinion, sexuality education was a matter of policy and should be sent back to the State Board of Education to determine. She believed that the most effective policy was to allow parents to assist in the determination of the appropriate school approach to be implemented. (Attachment 18)

For the Committee's information, staff distributed copies of the portion of the rules and regulations for the Kansas Department of Education pertaining to the required programs for accredited schools, which included human sexuality, 91-31-20 (b). Senator Schodorf pointed out that the rules and regulations for human sexuality education programs were the same as the provisions in **SB 508**.

There being no others wishing to testify, the hearing on **SB 508** was closed.

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for February 22, 2006.