

112TH CONGRESS  
1ST SESSION

# H. R. 3324

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

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2011

Ms. LEE of California (for herself, Mr. MCGOVERN, Ms. SLAUGHTER, Mr. ACKERMAN, Ms. SCHAKOWSKY, Mrs. MALONEY, Mr. FATTAH, Mr. GRIJALVA, Mr. JACKSON of Illinois, Ms. HIRONO, Mr. LARSEN of Washington, Mr. CLAY, Ms. CHU, Ms. NORTON, Mr. TOWNS, Ms. MOORE, Ms. CLARKE of New York, Ms. DEGETTE, Mr. RUSH, Mr. CONYERS, Mr. LEWIS of Georgia, Mr. HOLT, Mr. QUIGLEY, Mr. HASTINGS of Florida, Ms. WOOLSEY, Mr. BLUMENAUER, and Ms. DELAURO) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## 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,*

1 **SECTION 1. SHORT TITLE.**

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

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

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

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

8 (A) provides the information and skills  
9 young people need to make informed, respon-  
10 sible, and healthy decisions in order to become  
11 sexually healthy adults and have healthy rela-  
12 tionships;

13 (B) provides information about the preven-  
14 tion of unintended pregnancy, sexually trans-  
15 mitted infections, including HIV, sexual assault,  
16 dating violence, bullying, and harassment; and

17 (C) promotes and upholds the rights of  
18 young people to information in order to make  
19 healthy and responsible decisions about their  
20 sexual health; and

21 (2) in order to provide the comprehensive sex  
22 education described in paragraph (1), to provide in-  
23 creased resources for sex education programs that—

24 (A) are evidence-based, having been proven  
25 through rigorous evaluation to change sexual

1 behavior or incorporate characteristics of effective programs;  
2

3 (B) cover a broad range of topics, including medically accurate, complete, age and developmentally appropriate information about all the aspects of sex needed for a complete sex education program, including—  
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5  
6  
7

8 (i) anatomy and physiology;

9 (ii) growth and development;

10 (iii) healthy relationships;

11 (iv) the prevention of unintended pregnancy and sexually transmitted infections, including HIV, through abstinence and contraception;  
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15 (v) gender, gender identity, and sexual orientation; and  
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17 (vi) protection from dating violence, sexual assault, bullying, and harassment;  
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19 (C) are gender- and gender identity-sensitive, emphasizing the importance of equality and the social environment for achieving sexual and reproductive health and overall well-being;  
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21  
22

23 (D) promote educational achievement, critical thinking, decisionmaking, self-esteem, and self-efficacy;  
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25

1 (E) help develop healthy attitudes and in-  
2 sights necessary for understanding relationships  
3 between oneself and others and society;

4 (F) foster leadership skills and community  
5 engagement by—

6 (i) promoting principles of fairness,  
7 human dignity, and respect; and

8 (ii) engaging young people as partners  
9 in their communities; and

10 (G) are culturally and linguistically appro-  
11 priate, reflecting the diverse circumstances and  
12 realities of young people.

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

15 (1) federally funded sex education programs  
16 should aim to—

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

19 (B) promote safe and healthy relation-  
20 ships;

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

23 (D) be built on characteristics of effective  
24 programs;

1 (E) expand the existing body of evidence  
2 on comprehensive sex education programs  
3 through program evaluation;

4 (F) expand training programs for teachers  
5 of comprehensive sex education;

6 (G) build on the personal responsibility  
7 education programs funded under section 513  
8 of the Social Security Act (42 U.S.C. 713) and  
9 the President's Teen Pregnancy Prevention pro-  
10 gram, funded under title II of the Consolidated  
11 Appropriations Act, 2010 (Public Law 111-  
12 117; 123 Stat. 3253); and

13 (H) promote and uphold the rights of  
14 young people to information in order to make  
15 healthy and responsible decisions about their  
16 sexual health; and

17 (2) no Federal funds should be used for health  
18 education programs that—

19 (A) deliberately withhold life-saving infor-  
20 mation about HIV;

21 (B) are medically inaccurate or have been  
22 scientifically shown to be ineffective;

23 (C) promote gender stereotypes;

24 (D) are insensitive and unresponsive to the  
25 needs of sexually active adolescents;

1           (E) are insensitive and unresponsive to the  
2           needs of lesbian, gay, bisexual, or transgender  
3           youth; or

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

6 **SEC. 3. GRANTS FOR COMPREHENSIVE SEX EDUCATION**  
7 **FOR ADOLESCENTS.**

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

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

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

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 organization;

3 (7) a nonprofit or public institution of higher  
4 education; or

5 (8) a hospital.

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

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

14 (1) are State or local public entities, with an  
15 additional priority for State or local educational  
16 agencies; and

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

20 (A) Unintended pregnancies.

21 (B) Sexually transmitted infections, includ-  
22 ing HIV.

23 (C) Dating violence and sexual assault.

24 (f) USE OF FUNDS.—

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

5                   (A) replicates evidence-based sex education  
6                   programs;

7                   (B) substantially incorporates elements of  
8                   evidence-based sex education programs; or

9                   (C) creates a demonstration project based  
10                  on generally accepted characteristics of effective  
11                  sex education programs.

12           (2) CONTENTS OF SEX EDUCATION PRO-  
13           GRAMS.—The sex education programs funded under  
14           this section shall include curricula and program ma-  
15           terials that address—

16                   (A) abstinence and delaying sexual initi-  
17                   ation;

18                   (B) the health benefits and side effects of  
19                   all contraceptive and barrier methods as a  
20                   means to prevent pregnancy and sexually trans-  
21                   mitted infections, including HIV;

22                   (C) healthy relationships, including the de-  
23                   velopment of healthy attitudes and skills nec-  
24                   essary for understanding—

1 (i) healthy relationships between one-  
2 self and family, others, and society; and

3 (ii) the prevention of sexual abuse,  
4 teen dating violence, bullying, harassment,  
5 and suicide;

6 (D) healthy life skills including goal-set-  
7 ting, decisionmaking, interpersonal skills (such  
8 as communication, assertiveness, and peer re-  
9 fusal skills), critical thinking, self-esteem and  
10 self-efficacy, and stress management;

11 (E) how to make responsible decisions  
12 about sex and sexuality, including—

13 (i) how to avoid, and how to avoid  
14 making, unwanted verbal, physical, and  
15 sexual advances; and

16 (ii) how alcohol and drug use can af-  
17 fect responsible decisionmaking;

18 (F) the development of healthy attitudes  
19 and values about such topics as adolescent  
20 growth and development, body image, gender  
21 roles and gender identity, racial and ethnic di-  
22 versity, and sexual orientation; and

23 (G) referral services for local health clinics  
24 and services where adolescents can obtain addi-  
25 tional information and services related to sexual

1           and reproductive health, dating violence and  
2           sexual assault, and suicide prevention.

3           (g) EVALUATION; REPORT.—

4           (1) INDEPENDENT EVALUATION.—Each eligible  
5           entity applying for a grant under this section shall  
6           develop and submit to the Secretary a plan for a rig-  
7           orous independent evaluation of such grant program.  
8           The plan shall describe an independent evaluation  
9           that—

10           (A) uses sound statistical methods and  
11           techniques relating to the behavioral sciences,  
12           including random assignment methodologies,  
13           whenever possible;

14           (B) uses quantitative data for assessments  
15           and impact evaluations, whenever possible; and

16           (C) is carried out by an entity independent  
17           from such eligible entity.

18           (2) SELECTION OF EVALUATED PROGRAMS;  
19           BUDGET.—

20           (A) SELECTION OF EVALUATED PRO-  
21           GRAMS.—The Secretary shall select, at random,  
22           a subset of the eligible entities that the Sec-  
23           retary has selected to receive a grant under this  
24           section to receive additional funding to carry

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

3 (B) BUDGET FOR EVALUATION ACTIVITIES.—The Secretary, in coordination with the  
4 Director of the Office of Adolescent Health,  
5 shall establish a budget for each eligible entity  
6 selected under subparagraph (A) for the costs  
7 of carrying out the evaluation plan described in  
8 paragraph (1).  
9

10 (3) FUNDS FOR EVALUATION.—The Secretary  
11 shall provide eligible entities who are selected under  
12 paragraph (2)(A) with additional funds, in accord-  
13 ance with the budget described in paragraph (2)(B),  
14 to carry out and report to the Secretary on the eval-  
15 uation plan described in paragraph (1).

16 (4) PERFORMANCE MEASURES.—The Secretary,  
17 in coordination with the Director of the Centers for  
18 Disease Control and Prevention, shall establish a  
19 common set of performance measures to assess the  
20 implementation and impact of grant programs fund-  
21 ed under this section. Such Performance measures  
22 shall include—

23 (A) output measures, such as the number  
24 of individuals served and the number of hours  
25 of service delivery;

1 (B) outcome measures, including measures  
2 relating to—

3 (i) the knowledge that youth partici-  
4 pating in the grant program have gained  
5 about—

6 (I) adolescent growth and devel-  
7 opment;

8 (II) relationship dynamics;

9 (III) ways to prevent unintended  
10 pregnancy and sexually transmitted  
11 infections, including HIV; and

12 (IV) sexual health;

13 (ii) the skills that adolescents partici-  
14 pating in the grant program have gained  
15 regarding—

16 (I) negotiation and communica-  
17 tion;

18 (II) decisionmaking and goal-set-  
19 ting;

20 (III) interpersonal skills and  
21 healthy relationships; and

22 (IV) condom use; and

23 (iii) the behaviors of adolescents par-  
24 ticipating in the grant program, including  
25 data about—

- 1 (I) age of first intercourse;  
2 (II) number of sexual partners;  
3 (III) condom and contraceptive  
4 use at first intercourse;  
5 (IV) recent condom and contra-  
6 ceptive use; and  
7 (V) dating abuse and lifetime his-  
8 tory of domestic violence, sexual as-  
9 sault, dating violence, bullying, har-  
10 assment, and stalking.

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

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

19 (B) information about the performance  
20 measures described in paragraph (2).

21 (6) EFFECTIVE PROGRAMS.—The Secretary, in  
22 coordination with the Director of the Centers for  
23 Disease Control and Prevention, shall publish on the  
24 website of the Centers for Disease Control and Pre-  
25 vention, a list of programs funded under this section

1       that the Secretary has determined to be effective  
2       programs.

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

5       (a) PROGRAM AUTHORIZED.—The Secretary, in co-  
6       ordination with the Office of Adolescent Health and the  
7       Secretary of Education, shall award grants, on a competi-  
8       tive basis, to institutions of higher education to enable  
9       such institutions to provide young people with comprehen-  
10      sive sex education, described in subsection (e)(2), with an  
11      emphasis on reducing HIV, other sexually transmitted in-  
12      fections, and unintended pregnancy through instruction  
13      about—

- 14                   (1) abstinence and contraception;  
15                   (2) reducing dating violence, sexual assault,  
16      bullying, and harassment;  
17                   (3) increasing healthy relationships; and  
18                   (4) academic achievement.

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

21      (c) APPLICATIONS.—An institution of higher edu-  
22      cation desiring a grant under this section shall submit an  
23      application to the Secretary at such time, in such manner,  
24      and containing such information as the Secretary may re-  
25      quire.

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

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

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

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

11 (4) is an Alaska Native-serving institution, as  
12 defined in section 317(b) of such Act (20 U.S.C.  
13 1059d(b));

14 (5) is a Native Hawaiian-serving institution, as  
15 defined in section 317(b) of such Act (20 U.S.C.  
16 1059d(b));

17 (6) is a Predominately Black Institution, as de-  
18 fined in section 318(b) of such Act (20 U.S.C.  
19 1059e(b));

20 (7) is a Native American-serving, nontribal in-  
21 stitution, as defined in section 319(b) of such Act  
22 (20 U.S.C. 1059f(b));

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

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

5           (e) USES OF FUNDS.—

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

13                   (A) Developing educational content for  
14                   issues relating to comprehensive sex education  
15                   that will be incorporated into first-year orienta-  
16                   tion or core courses.

17                   (B) Developing and employing schoolwide  
18                   educational programming outside of class that  
19                   delivers elements of comprehensive sex edu-  
20                   cation programs to students, faculty, and staff.

21                   (C) Creating innovative technology-based  
22                   approaches to deliver sex education to students,  
23                   faculty, and staff.

24                   (D) Developing and employing peer-out-  
25                   reach and education programs to generate dis-

1           cussion, educate, and raise awareness among  
2           students about issues relating to comprehensive  
3           sex education.

4           (2) CONTENTS OF SEX EDUCATION PRO-  
5           GRAMS.—Each institution of higher education’s pro-  
6           gram of comprehensive sex education funded under  
7           this section shall include curricula and program ma-  
8           terials that address information about—

9                   (A) safe and responsible sexual behavior  
10                  with respect to the prevention of pregnancy and  
11                  sexually transmitted infections, including HIV,  
12                  including through—

13                           (i) abstinence;

14                           (ii) a reduced number of sexual part-  
15                          ners; and

16                           (iii) the use of condoms and contra-  
17                          ception;

18                   (B) healthy relationships, including the de-  
19                  velopment of healthy attitudes and insights nec-  
20                  essary for understanding—

21                           (i) relationships between oneself, fam-  
22                          ily, partners, others, and society; and

23                           (ii) the prevention of sexual abuse,  
24                          dating violence, bullying, harassment, and  
25                          suicide; and

1 (C) referral services to local health clinics  
2 where young people can obtain additional infor-  
3 mation and services related to sexual and repro-  
4 ductive health, dating violence and sexual as-  
5 sault, and suicide prevention.

6 (3) OPTIONAL COMPONENTS OF SEX EDU-  
7 CATION.—Each institution of higher education’s pro-  
8 gram of comprehensive sex education may also in-  
9 clude information and skills development relating  
10 to—

11 (A) how to make responsible decisions  
12 about sex and sexuality, including—

13 (i) how to avoid, and avoid making,  
14 unwanted verbal, physical, and sexual ad-  
15 vances; and

16 (ii) how alcohol and drug use can af-  
17 fect responsible decisionmaking;

18 (B) healthy life skills, including—

19 (i) goal-setting and decisionmaking;

20 (ii) interpersonal skills, such as com-  
21 munication, assertiveness, and peer refusal  
22 skills;

23 (iii) critical thinking;

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

25 (v) stress management;

1 (C) the development of healthy attitudes  
2 and values about such topics as body image,  
3 gender roles and gender identity, racial and eth-  
4 nic diversity, and sexual orientation; and

5 (D) the responsibilities of parenting and  
6 the skills necessary to parent well.

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

12 **SEC. 5. GRANTS FOR PRE-SERVICE AND IN-SERVICE TEACH-**  
13 **ER TRAINING.**

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

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

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

24 (1) a State educational agency;

25 (2) a local educational agency;

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

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

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

6           (6) a nonprofit institution of higher education;

7           (7) a national or statewide nonprofit organiza-  
8 tion that has as its primary purpose the improve-  
9 ment of provision of comprehensive sex education  
10 through effective teaching of comprehensive sex edu-  
11 cation; or

12           (8) a consortium of nonprofit organizations that  
13 has as its primary purpose the improvement of pro-  
14 vision of comprehensive sex education through effec-  
15 tive teaching of comprehensive sex education.

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

20       (e) AUTHORIZED ACTIVITIES.—

21           (1) REQUIRED ACTIVITY.—Each eligible entity  
22 receiving a grant under this section shall use grant  
23 funds to train targeted faculty and staff, in order to  
24 increase effective teaching of comprehensive sex edu-

1 cation for elementary school and secondary school  
2 students.

3 (2) PERMISSIBLE ACTIVITIES.—Each eligible  
4 entity receiving a grant under this section may use  
5 grant funds to—

6 (A) strengthen and expand the eligible en-  
7 tity’s relationships with—

8 (i) institutions of higher education;

9 (ii) State educational agencies;

10 (iii) local educational agencies; or

11 (iv) other public and private organiza-  
12 tions with a commitment to comprehensive  
13 sex education and the benefits of com-  
14 prehensive sex education;

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

23 (C) support the dissemination of informa-  
24 tion on effective practices and research findings

1 concerning the teaching of comprehensive sex  
2 education;

3 (D) support research on—

4 (i) effective comprehensive sex edu-  
5 cation teaching practices; and

6 (ii) the development of assessment in-  
7 struments and strategies to document—

8 (I) student understanding of  
9 comprehensive sex education; and

10 (II) the effects of comprehensive  
11 sex education;

12 (E) convene national conferences on com-  
13 prehensive sex education, in order to effectively  
14 train teachers in the provision of comprehensive  
15 sex education; and

16 (F) develop and disseminate appropriate  
17 research-based materials to foster comprehen-  
18 sive sex education.

19 (3) SUBGRANTS.—Each eligible entity receiving  
20 a grant under this section may award subgrants to  
21 nonprofit organizations, State educational agencies,  
22 or local educational agencies to enable such organi-  
23 zations or agencies to—

24 (A) train teachers in comprehensive sex  
25 education;

1 (B) support Internet or distance learning  
2 related to comprehensive sex education;

3 (C) promote rigorous academic standards  
4 and assessment techniques to guide and meas-  
5 ure student performance in comprehensive sex  
6 education;

7 (D) encourage replication of best practices  
8 and model programs to promote comprehensive  
9 sex education;

10 (E) develop and disseminate effective, re-  
11 search-based comprehensive sex education  
12 learning materials;

13 (F) develop academic courses on the peda-  
14 gogy of sex education at institutions of higher  
15 education; or

16 (G) convene State-based conferences to  
17 train teachers in comprehensive sex education  
18 and to identify strategies for improvement.

19 **SEC. 6. REPORT TO CONGRESS.**

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

1 (b) REPORT ELEMENTS.—The report described in  
2 subsection (a) shall include—

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

5 (2) information about—

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

9 (B) the specific activities supported by  
10 grant funds awarded under sections 3 and 4 of  
11 this Act;

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

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

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

18 **SEC. 7. NONDISCRIMINATION.**

19 Programs funded under this Act shall not discrimi-  
20 nate on the basis of actual or perceived sex, race, color,  
21 ethnicity, national origin, disability, sexual orientation,  
22 gender identity, or religion. Nothing in this Act shall be  
23 construed to invalidate or limit rights, remedies, proce-  
24 dures, or legal standards available to victims of discrimi-  
25 nation under any other Federal law or any law of a State

1 or a political subdivision of a State, including title VI of  
2 the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.),  
3 title IX of the Education Amendments of 1972 (20 U.S.C.  
4 1681 et seq.), section 504 of the Rehabilitation Act of  
5 1973 (29 U.S.C. 794), the Americans with Disabilities Act  
6 of 1990 (42 U.S.C. 12101 et seq.), and section 1557 of  
7 the Patient Protection and Affordable Care Act (42  
8 U.S.C. 18116).

9 **SEC. 8. LIMITATION.**

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

12 (1) deliberately withhold life-saving information  
13 about HIV;

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

16 (3) promote gender stereotypes;

17 (4) are insensitive and unresponsive to the  
18 needs of sexually active youth or lesbian, gay, bisex-  
19 ual, or transgender youth; or

20 (5) are inconsistent with the ethical imperatives  
21 of medicine and public health.

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

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

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

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

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

8 (1) in paragraph (2) by inserting “or” after the  
9 semicolon;

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

12 (3) by striking paragraph (4).

13 **SEC. 10. DEFINITIONS.**

14 In this Act:

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

21 (2) AGE AND DEVELOPMENTALLY APPRO-  
22 PRIATE.—The term “age and developmentally appro-  
23 priate” means suitable for a particular age or age  
24 group of children and adolescents, based on devel-

1       oping cognitive, emotional, and behavioral capacity  
2       typical for that age or age group.

3           (3) ADOLESCENTS.—The term “adolescents”  
4       means individuals who are ages 10 through 19 at  
5       the time of commencement of participation in a pro-  
6       gram supported under this Act.

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

12           (A) have been shown to be effective in  
13      terms of increasing knowledge, clarifying values  
14      and attitudes, increasing skills, and impacting  
15      upon behavior; and

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

22           (5) COMPREHENSIVE SEX EDUCATION.—The  
23      term “comprehensive sex education” means a pro-  
24      gram that—

1 (A) includes age- and developmentally ap-  
2 propriate, culturally and linguistically relevant  
3 information on a broad set of topics related to  
4 sexuality including human development, rela-  
5 tionships, decisionmaking, communication, ab-  
6 stinence, contraception, and disease and preg-  
7 nancy prevention;

8 (B) provides students with opportunities  
9 for developing skills as well as learning informa-  
10 tion;

11 (C) is inclusive of lesbian, gay, bisexual,  
12 transgender, and heterosexual young people;  
13 and

14 (D) aims to—

15 (i) provide scientifically accurate and  
16 realistic information about human sexu-  
17 ality;

18 (ii) provide opportunities for individ-  
19 uals to understand their own, their fami-  
20 lies', and their communities' values, atti-  
21 tudes, and insights about sexuality;

22 (iii) help individuals develop healthy  
23 relationships and interpersonal skills; and

24 (iv) help individuals exercise responsi-  
25 bility regarding sexual relationships, which

1 includes addressing abstinence, pressures  
2 to become prematurely involved in sexual  
3 intercourse, and the use of contraception  
4 and other sexual health measures.

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

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

16 (8) MEDICALLY ACCURATE AND COMPLETE.—  
17 The term “medically accurate and complete”, when  
18 used with respect to a sex education program, means  
19 that—

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

1           (B)(i) the program contains information  
2           that leading professional organizations and  
3           agencies with relevant expertise in the field rec-  
4           ognize as accurate, objective, and complete; and

5           (ii) the program does not withhold infor-  
6           mation about the effectiveness and benefits of  
7           correct and consistent use of condoms and  
8           other contraceptives.

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

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

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

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

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