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Muzzling Sex Education on Anything but Abstinence

By SAMUEL G. FREEDMAN Published: July 19, 2006

FOR much of this spring, a sex education bill called the Healthy Teens Act was sailing through the New York State Legislature. It passed the Assembly in April by a vote of 126 to 15. The Senate's Health Committee approved it the next month by a vote of 15 to 2. It had bipartisan support, with a Republican as sponsor in the Senate, and endorsements from groups as safely mainstream as the League of Women Voters and the Y.W.C.A. of Greater New York.

Those credentials were no coincidence. The bill had been written with an eye toward achieving a moderate consensus on a chronically divisive issue. If passed into law, the measure would not have mandated sex education in public schools, only made it possible for districts that chose to offer such a curriculum to apply for financial aid from the state. The bill did not even allocate any money for the grants.

Yet the bill never became law, never even made it to a floor vote. It sat in the Senate's Finance Committee, which got it from the Health Committee, until the Legislature adjourned in June. Privately, even some of the religious and conservative groups that had lobbied against it were surprised, albeit delighted, by its abrupt change of fortune.

The demise of the bill, though, makes plenty of sense when understood in a national context. This piece of legislation provided just one more front in a much larger political, cultural and scientific battle between proponents of sex education that teaches abstinence only, led by the Bush administration, and those who want classes to deal with contraception also.

As the Healthy Teens Act was faltering, similar bills were being denied floor votes in Illinois and Minnesota, states that, like New York, are far from strongholds of the religious right. While about two-thirds of states require public schools to teach about H.I.V. and sexually transmitted diseases, fewer than half mandate sex education, and most stress abstinence, according to a survey by the Guttmacher Institute, a research group.

"An ideological push and a billion bucks creates a wave," said William Smith, the vice president of public policy for the Sexuality Information and Education Council of the United States, a sexual-health advocacy organization.

What Mr. Smith referred to is a trend toward federal financing of abstinence-only education that began in the early 1980's but gathered money and momentum as part of the welfare-reform law passed in 1996. That statute provided \$250 million over five years to courses that had the "exclusive purpose" of promoting abstinence. The pace of federal spending on abstinence-only education grew to \$80 million annually by the last budget of the Clinton administration, and to \$170 million by 2005, according to a report by Representative Henry A. Waxman, a California Democrat.

New York State offers evidence of how the money tail wags the educational dog. In the 2005-6 fiscal year, the state received \$3.7 million in money for abstinence-only programs from Washington, which it had to augment with \$2.6 million more of its own. Even though New York schools must provide education about H.I.V. and AIDS, they do not have to offer broader sex education.

"I look at this as a father and an uncle," said Nicholas A. Spano, a Republican state senator from Westchester who sponsored the Healthy Teens Act in the upper chamber, while Richard N. Gottfried, a Manhattan Democrat, did so in the Assembly. "I have two children. I'm the oldest of 16 children. I have 34 nieces and nephews. And why should we not teach our kids in an age-appropriate way about sex education? Abstinence

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could be part of the curriculum, but not the whole curriculum.”

Senator Spano’s argument had its opponents, most notably the New York State Catholic Conference. In a formal memo, it assailed the bill for supporting a “failed philosophy of sex education.” The conference raised the specter of classes being “turned into preparatory courses on casual sexual intercourse, with encouragement to use birth control.”

That contention hardly qualified as a new line of debate. What is different now is the broader dispute, inextricably bound up with national partisan politics, about whether abstinence-only programs work. This dispute is the ambient radiation around the Healthy Teens Act and its failure.

AS abstinence-only programs have become more common, rates of teenage pregnancy and out-of-wedlock childbirth in the United States have indeed dropped — by one-third for girls ages 15 to 19 in the years from 1991 through 2003. In New York State, rates not only of teen pregnancy and birth but also of most sexually transmitted diseases have been declining.

But two prominent researchers in adolescent sexuality, Peter Bearman of [Columbia](#) and Hannah Brueckner of [Yale](#), found a more complex picture. While teenagers who took virginity pledges as part of abstinence-only programs started sexual activity later and had fewer partners than did other peers, they were just as likely to contract sexually transmitted diseases, the scholars concluded. These young people also tended not to use contraceptives if they became sexually active, and engaged in oral and anal intercourse in the belief such that activity did not violate the virginity pledge.

The State Senate’s leaders are not saying why they dropped the Healthy Teens Act. State Senator Owen H. Johnson, chairman of the Finance Committee, did not respond to repeated calls to his office. Matthew Walter, the assistant press secretary to the Senate majority, said the bill was “under review,” adding, “At some point, we’ll be back in session and make a determination on where we’re going.”

Put another way, one might say the decision has already been made, and the determination was to go nowhere.

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