

# DELAWARE STATE PROFILE

Prepared with an interest in protecting the health and innocence of children, this profile provides an overview of sex education in Delaware, including:

- I. Chart showing [legal requirements for sex education](#) in this state
- II. [Profile of federal funding](#) the state has been awarded for sex education
- III. Chart of federally funded [programs/curricula used in state schools](#)
- IV. Overview of the state's [sex education legislation/guidelines](#)
- V. List of [how parental rights are being undermined](#) in this state
- VI. [News articles](#) regarding sex education in the state
- VII. [Opt-out form](#) to protect your child from comprehensive sexuality education (CSE)
- VIII. Suggestions for how you can [help protect child health and stop CSE](#)
- IX. [Resources](#) for up-to-date information about sex education in this state
- X. Contact information to [connect with others](#) who are concerned about this issue.



## I. LEGAL REQUIREMENTS FOR SEX EDUCATION IN DELAWARE

LEGISLATIVE REQUIREMENTS	YES	NO	N/A	LEGISLATIVE CODE
Sex Education Required	X			14-851 (1.1.4, 1.1.3)
Sex Education Optional				
<b>If/When Provided, Sexual Education Must:</b>				
Be Medically Accurate*			X	
Be Evidence-based			X	
Be Age Appropriate			X	
Be Culturally Appropriate and Unbiased			X	
Reference/Stress Abstinence**				14-851 (1.1.4)
Include HIV Education				14-851 (1.1.4)
Be LGBTQ Inclusive			X	
Include safety against sexual abuse			X	
<b>Parental Role in Sexual Education:</b>				
Parents must be notified/involved	X			14-851 (1.1.2)
Opt-In			X	
Opt-Out Option			X	

\*See each state's definition of "medically accurate."

\*\*While requirement may say "abstinence-based" or to "stress abstinence" as the standard, many CSE programs only mention abstinence in passing; they don't establish abstinence as the expected standard and fail to emphasize abstinence as the only sure way to protect against pregnancy and sexually transmitted diseases, including AIDS.

**Note:** This state profile has been prepared by Family Watch International and the Protect Child Health Coalition. While the information provided is as accurate as possible and is updated annually, **check the Resources listed below for any updates.** Also, **please alert us** if you are aware of any changes, proposed legislation or issues regarding CSE that may be occurring in your state by completing the contact form at [StopCSE.org/Delaware](http://StopCSE.org/Delaware) or by emailing [StopCSE@FamilyWatch.org](mailto:StopCSE@FamilyWatch.org).



## II. DELAWARE SEX EDUCATION FEDERAL FUNDING PROFILE

### Federal Government Programs and Grants Awarded for Delaware

**WARNING:** *While grant requirements may state that curricula/programs are to be “evidence based” or “medically accurate” in order to receive funding, research shows that, often, funds go to curricula/programs that are ineffective (See SexEdReport.org). In addition, content analyses show that many programs (Link to harmful CSE elements chart) normalize teen sex, encourage sexual pleasure-seeking, condone early sexual debut and promote high-risk sexual behaviors. It is important to look at the actual content of every curricula rather than relying on labels assigned to them.*

**DASH—Division of Adolescent and School Health**, a division of the Centers for Disease Prevention (CDC), works with community partners to provide training and resource development for so-called “HIV, STD, and pregnancy prevention” programs in school-based and community settings.

- Delaware received DASH funds totaling \$400,000 in fiscal year 2016.

**PREP—The Personal Responsibility Education Programs**, under the Family and Youth Services Bureau (FYSB), provides grants for sex education programs that are sometimes called “abstinence plus” programs and that focus on “both abstinence and contraception.”

- Delaware received PREP funds totaling \$250,000 in fiscal year 2017.

**SRAE—Sexual Risk Avoidance Education** grants go to curricula/programs that emphasize risk avoidance and teach youth to voluntarily refrain from non-marital sexual activity and other risky behaviors. Note: See warning above.

- Delaware received NO SRAE program funds in 2016.

**Title V—The TITLE V State Abstinence Education Grant Program** funds abstinence education and mentoring to promote abstinence. However, note that at least one Title V program promotes promiscuity as healthy and normal. As noted above, **it is important to look at the actual content of the curricula.**

- Delaware received NO Title V award in fiscal year 2017.

**TPP**—The **Teen Pregnancy Prevention** program, through the Office of Adolescent Health (OAH), funds comprehensive sex education programs for children aged 10 to 19. Note: Research shows that most TPP programs are ineffective at reducing pregnancy rates and some even increase risk. (See [SexEdReport.org](http://SexEdReport.org))

- Delaware received NO TPP funding for years 2015-2019.<sup>i</sup>



### III. FEDERALLY FUNDED SEX EDUCATION PROGRAMS IN DELAWARE

**Note:** Programs in **red** text have been analyzed and found to contain harmful content for children. Programs not in red may or may not have harmful content.

See examples exposing harmful content in various CSE curricula and materials at [stopcse.org/cse-materials-index/](http://stopcse.org/cse-materials-index/). For example, the analysis of [Making a Difference](#), shows CSE programs sexualize children and encourage promiscuity and risky sexual behavior, typically without providing medically accurate information about the long-term risks associated with early sexual debut and experimentation.

#### Federally Funded Sex Education Programs / Curricula in Delaware

Funding Source	Program or Curriculum	Funding Recipient
DASH		Delaware Department of Health and Social Services
PREP	<b>Making Proud Choices!</b>	Planned Parenthood of Delaware
PREP	<b>Be Proud! Be Responsible!</b>	Planned Parenthood of Delaware

See [stopcse.org/cse-materials-index/](http://stopcse.org/cse-materials-index/) for a menu of examples and analyses exposing the harmful elements to children of specific curricula and other CSE materials.



## IV. OVERVIEW OF DELAWARE SEX EDUCATION LEGISLATION & GUIDELINES

The following laws and guidelines apply to sex education and how sex education is taught in Delaware.

According to 2015 Delaware DDE Title 14 (up to date 2018)

- **851 1.1.4 regulation<sup>ii</sup>** There must be Inclusion of a comprehensive sexuality education and an HIV prevention program that stresses the benefits of abstinence from high risk behaviors.<sup>iii</sup>

According to the 2011 Delaware Adolescent Sexual Health State Plan<sup>iv</sup> (Delaware Health and Social Services - Division of Public Health)

- Supports establishing and following a rigorous and effective Sexual Health Plan.
- Indicate that Teen Pregnancy can be reduced by encouraging consistent contraceptive use, increasing reproductive health education and service.
- Indicate that the rates of sexually transmitted infection are reduced by increasing birth control knowledge, condom negotiation skills and encouraging abstinence and STI testing.
- School-Based Health Clinics are located in every school district in Delaware. (Seven medical vendors were responsible for administering SBHC services at twenty-eight sites throughout Delaware from 2011-2016)
  - Reproductive health services (i.e. family planning, gynecological care, contraceptives, etc.) are not provided at any SBHC in Delaware
- Strategies the DHSS wants to use to reduce pregnancy\*
  - Develop state and local infrastructure that sustains the delivery of sexuality education programs in middle and high schools as well as reproductive health services such as applying for funds to fortify clinics and organizational structure
  - Support and expand the implementation of evidence-based sexuality education and access programs throughout the state
  - Increase adolescent access to high-quality, age-appropriate and readily available reproductive health care, including contraception by increasing and improving family planning services and available contraception to all youth
  - Create and promote opportunities and connections for youth and adults by engaging them as partners in decision-making.
  - Employ multiple methods of sexuality education to reach youth. The topic of sexual health is generally taught for one semester or less in health class, which is only available in one grade throughout school. Employ multiple approaches to increase access to education through the use of trained peer educators to spread consistent and accurate information throughout both rural and urban areas.
  - 6) High quality reproductive health services need to be implemented, improved and accessible, in terms of both transportation and cost in communities. Reproductive health care services must offer a nonjudgmental, culturally competent, age-appropriate and friendly environment to encourage youth and adults to seek services and more importantly RETURN for follow-up care

- **Making Proud Choices!** (available through the Alliance for Adolescent Pregnancy Prevention (AAPP) and administered by Christiana Care Health Services (CCHS) and Planned Parenthood of Delaware (PPDE)) will target adolescents ages 11 – 13, while the program **Be Proud! Be Responsible!** will target adolescents ages 14 – 19.\*\*
- DPH intends to target adolescents aged 11 to 19 years of age.

\*Note: The strategies that Delaware Health and Social Services suggests will help to reduce pregnancy rates among youth include using funds to “fortify clinics,” and to implement and improve “high quality reproductive health services.” These are couched ways to refer to abortion clinics and making abortions available in what they call “nonjudgmental, culturally competent, age-appropriate and friendly environment to encourage youth and adults to seek services.” Fortifying and improving abortion services may reduce pregnancy rates, but not in a healthy way for young people

\*\*Listed among the strategies to reduce pregnancy is the CSE program, Making Proud Choices! which is administered by Planned Parenthood of Delaware. See the index

There is no law for opt-in or opt out parental permission for students to participate in sexuality or HIV/AIDS education. There is no guideline for parents to be involved with school curriculum.

Regulation 225 – Anti-discrimination

### **State will not move forward with current proposed anti-discrimination regulation**

**UPDATE:** Thursday, Aug. 2, 2018 - The Delaware Department of Education announced on Thursday that it will not be moving forward to finalize the current proposed version of Regulation 225. The department received more than 6,000 comments in response to the revised proposed 225 Prohibition of Discrimination Regulation, which was published in the June Register of Regulations. Those comments now are available online for public review [here](#).

The Delaware Department of Education

“Recent court decisions have raised important legal questions regarding this issue, and the significant public comments make clear we still haven’t struck the right balance,” Secretary of Education Susan Bunting said. “For those reasons, we’re not going to finalize the current proposed version of the regulation.”

#### **Age of Majority =**

Based on Delaware law, anyone under the age of 18 is considered a minor, while those 18 years old and older are considered adults.<sup>v</sup>

#### **Age of Consent =**

In Delaware, the age when children can legally consent or agree to sex is 18.<sup>vi</sup>



## V. PARENTAL RIGHTS AT RISK IN DELAWARE

Warning! Most CSE programs put parental rights at risk by either encouraging or requiring that parents not be notified and/or by instructing children how to access such things as abortion, contraception and other so-called health services **without parental notification or consent.**

It is particularly dangerous to encourage students in this way, particularly considering the fact the laws often support what is being taught in CSE programs. For example:

Without notifying or receiving consent from their parents, minor children in Delaware may consent to and receive:

- All contraceptive services\*
- All STI (sexually transmitted infection) services\*
- All prenatal care services\*
- All adoption services

\*Health care providers may inform the minor's parents, but are not required to.

In Delaware, parental consent is required for:

- Abortion services for women younger than 16.



## VI. NEWS HEADLINES FROM DELAWARE

**Feb. 20, 2018 - “Delaware may let students ‘choose’ their race, gender without parental consent,” Fox News, <http://www.foxnews.com/us/2018/02/20/delaware-may-let-students-choose-their-race-gender-without-parental-consent.html>**

**Nov. 1, 2017 – “Proposed Education Regulation 225 Will Allow Delaware Students To ‘Self-Identify’ Their Gender and Race Without Parent’s Knowledge Or Consent”**  
<https://www.delawarefamilies.org/blog-regulation-255>

**July 10, 2017 – “Delaware Governor Aims to Make Local Schools More LGBTQ Inclusive”**  
<https://www.hrc.org/blog/delaware-governor-aims-to-make-local-schools-more-lgbtq-inclusive>



## VII. OPT-OUT FORM

By signing a parental non-consent form, also known as an opt-out form, parents can protect their children from being subjected to harmful CSE programs. Download and print the provided form and modify it as needed (see included instructions). Sign it and take it to your child's school, and ask that it be put on file as part of your child's permanent record and that all teachers and instructors be notified.

A sample opt-out form, provided by Liberty Counsel, along with instructions for use, can be found at: [StopCSE.org/Delaware](http://StopCSE.org/Delaware)



## VIII. GET INVOLVED TO STOP CSE

**You can get involved to stop CSE and protect the health and innocence of children** across the U.S. and in countries around the world:

1. Sign the Stop CSE petition at [stopcse.org/petition/](http://stopcse.org/petition/)
2. Watch the "War Against Children" documentary and share this link to the documentary with your friends and neighbors at [stopcse.org/film/](http://stopcse.org/film/)
3. Connect with others in your state who are working to Stop CSE in your schools to see how you can get involved. Go to [StopCSE.org/Delaware](http://StopCSE.org/Delaware) to connect.



## IX. RESOURCES

- Delaware Legislation - <http://legis.delaware.gov/>
- Delaware Title 14 (Education)- <http://delcode.delaware.gov/title14/>
- Delaware K to 12 Comprehensive Health Education Program - <http://regulations.delaware.gov/AdminCode/title14/800/851.shtml#TopOfPage>
- More info on the School Based Health Care centers in Delaware (2011-2016) [http://bidcondocs.delaware.gov/HSS/HSS\\_11013\\_Addend2-REV.pdf](http://bidcondocs.delaware.gov/HSS/HSS_11013_Addend2-REV.pdf)
- Legislation websites by state - <https://www.congress.gov/state-legislature-websites>

- U.S. Department of Health and Human Resource TPPP page - <https://www.hhs.gov/ash/oah/grant-programs/teen-pregnancy-prevention-program-tpp/current-grantees/index.html>
- U.S. Department of Health and Human Resource other state funding - <https://www.acf.hhs.gov/fysb/resource-library/search#?area%5B1981%5D=1981&type%5B5168%5D=5168&sort=recent&ajax=1>
- TPPP Funding - <https://www.hhs.gov/ash/oah/grant-programs/teen-pregnancy-prevention-program-tpp/about/index.html>
- Abstinence Education Grant Program Medical Accuracy Guide - [https://www.acf.hhs.gov/sites/default/files/fysb/medical\\_accuracy\\_aegp.pdf](https://www.acf.hhs.gov/sites/default/files/fysb/medical_accuracy_aegp.pdf)
- Division of Public Health: Delaware Adolescent Sexual Health State Plan - <http://dhss.delaware.gov/dph/chca/files/deyouthshsp.pdf>

Additional Resources:

- DOCUMENTARY: *The War on Children: The Comprehensive Sexuality Education Agenda* (FWI Documentary) – <https://stopcse.org>
- STUDY: Re-Examining the Evidence: School-based Comprehensive Sex Education in the United States (IRE Study) – [www.sexedreport.org](http://www.sexedreport.org)
- REPORT: An Evidence-Based Response to a Critique of Abstinence Education (IRE Report) - [https://www.comprehensivesexualityeducation.org/wp-content/uploads/IRE\\_Response\\_To\\_Santelli\\_Article\\_4-20-18.pdf](https://www.comprehensivesexualityeducation.org/wp-content/uploads/IRE_Response_To_Santelli_Article_4-20-18.pdf)



## X. CONNECT WITH OTHERS

Let us put you in contact with other people and organizations who are actively involved in helping to protect the health and innocence of children.

Fill out the contact form on [stopcse.org/delaware](http://stopcse.org/delaware) or email us your name, city, state, school district, and any questions or concerns you may have and we will put you in contact with people from your state or one of our national representatives.

Email Address: [StopCSE@familywatch.org](mailto:StopCSE@familywatch.org)



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- i <https://www.hhs.gov/ash/oah/grant-programs/teen-pregnancy-prevention-program-tpp/about/index.html>
- ii Title 14 Education <http://delcode.delaware.gov/title14/>
- iii Delaware Sexual Education legislation  
<http://regulations.delaware.gov/AdminCode/title14/800/851.shtml#TopOfPage>
- iv Delaware of Health and Social Services <http://dhss.delaware.gov/dph/chca/files/deyouthshsp.pdf>
- v Age of Majority <http://statelaws.findlaw.com/family-laws/legal-ages.html>
- vi Age of Consent <https://www.legalmatch.com/law-library/article/age-of-consent-by-state.html?intakeredesigned=1>