

TENNESSEE STATE PROFILE

Prepared with an interest in protecting the health and innocence of children, this profile provides an overview of sex education in Tennessee, 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 TENNESSEE

LEGISLATIVE REQUIREMENTS	YES	NO	N/A	LEGISLATIVE CODE
Sex Education Required		X		49.6.1302
Sex Education Optional	X			49.6.1304, 49.6.1008.a
If/When Provided, Sexual Education Must:				
Be Medically Accurate*	X			49.6.1304.a.4
Be Age Appropriate	X			49.6.1304.a
Be Evidence-based			X	
Be Culturally Appropriate and Unbiased			X	
Reference/Stress Abstinence**	X			49.6.1008.a, 49.6.1304.a.1
Include HIV Education/AIDS	X			49.6.1008.a, 49.6.1304.a.10
Be LGBTQ Inclusive		X		49.6.1304.a.3, 49.6.1304.a.5, 49.6.1304.b.1
Include Safety Against Sexual Abuse	X			49.6.1304.a.13, SB1510
Parental Role in Sexual Education:				
Parents Must be Notified			X	
Parent Involvement			X	
Access to Review Curriculum	X			49.6.1305.a.2
Opt-In			X	
Opt-Out Option	X			49.6.1305.b

*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/tennessee or by emailing StopCSE@FamilyWatch.org.



II. TENNESSEE SEX EDUCATION FEDERAL FUNDING PROFILE

Federal Government Programs and Grants Awarded for Tennessee

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.

- Tennessee received DASH funds totaling \$453,750 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.”

- Tennessee received PREP funds totaling \$962,052 in fiscal year 2017.ⁱ

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.

- Tennessee 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.**

- Tennessee received a Title V award totaling \$1,654,551 in fiscal year 2017.ⁱⁱ

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)

- Tennessee received \$4,229,999. in funding for years 2015-2019.ⁱⁱⁱ



III. FEDERALLY FUNDED SEX EDUCATION PROGRAMS IN TENNESSEE

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 www.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 Tennessee

Funding Source	Program or Curriculum	Funding Recipient
DASH	Health Education Curriculum Analysis Tool	Shelby County Board of Education
TPPP	Be Proud! Be Responsible!	Centerstone of Tennessee, Inc. Le Bonheur Community Health and Well-Being
TPPP	Making a Difference!	Centerstone of Tennessee, Inc.
TPPP	Sexual Health and Adolescent Risk Prevention (SHARP)	Centerstone of Tennessee, Inc.
TPPP	Teen Outreach Program (TOP)	Douglas Cherokee Economic Authority (DCEA)
PREP	Teen Outreach Program (TOP)	The Tennessee Department of Children's Services
PREP	Sisters Saving Sisters	The Tennessee Department of Children's Services
PREP	Sexual Health and Adolescent Risk Prevention (SHARP)	The Tennessee Department of Children's Services
TITLE V	Choosing the Best	The Tennessee Department of Health, Division of Family Health and Wellness
TITLE V	Think on Point	The Tennessee Department of Health, Division of Family Health and Wellness
TITLE V	Promoting Health Among Teens (PHAT)	The Tennessee Department of Health, Division of Family Health and Wellness
TITLE V	Life on Point	The Tennessee Department of Health, Division of Family Health and Wellness
TITLE V	Michigan Model for Health	The Tennessee Department of Health, Division of Family Health and Wellness

See 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 TENNESSEE SEX EDUCATION LEGISLATION & GUIDELINES

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

**According to (date) Tennessee Education Code Title 49^{iv}
49-6-1008^v**

AIDS education programs -- Prevention of AIDS or other sexually transmitted diseases.

- **(a)** All material that includes information pertaining to the prevention of acquired immune deficiency syndrome (AIDS) or other sexually transmitted diseases that is written, published, distributed or used by any public entity or is paid for, in whole or in part, with any public moneys, and that is directed to children in kindergarten through grade twelve (K-12), shall place primary emphasis on abstinence from premarital intimacy and on the avoidance of drug abuse in controlling the spread of AIDS.
- **(b)** Adoption of any program of AIDS education shall be permissive and shall not be required in any LEA until adopted by the local board of education.

49-6-1302. Curriculum for family life education

- Each LEA that offers a program, course or instruction in sex education shall locally develop and adopt a family life curriculum
- Prior to adopting a family life curriculum adopted by the LEA or the state board of education, each LEA shall conduct at least one public hearing, at which time the program shall be explained to members of the public and the public shall have the opportunity to speak and express their opinions and concerns.
- Each LEA shall undertake appropriate measures to ensure and maintain the highest level of community and parental support for family life

49-6-1304 Family life instruction^{vi}

A family life curriculum shall, to the extent that the topic and the manner of communication is age-appropriate:

- Emphatically promote only sexual risk avoidance through abstinence, regardless of a student's current or prior sexual experience;
- Encourage sexual health by helping students understand how sexual activity affects the whole person including the physical, social, emotional, psychological, economic and educational consequences of nonmarital sexual activity;
- Teach the positive results of avoiding sexual activity, the skills needed to make healthy decisions, the advantages of and skills for student success in pursuing educational and life goals, the components of healthy relationships, and the social science research supporting the benefits of reserving the expression of human sexual activity for marriage;
- Provide factually and medically-accurate information;
- Teach students how to form pro-social habits that enable students to develop healthy relationships, create strong marriages, and form safe and stable future families;
- Encourage students to communicate with a parent, guardian, or other trusted adult about sex or other risk behaviors;

- Assist students in learning and practicing refusal skills that will help them resist sexual activity;
 - Address the benefits of raising children within the context of a marital relationship and the unique challenges that single teen parents encounter in relation to educational, psychological, physical, social, legal, and financial factors;
 - Discuss the interrelationship between teen sexual activity and exposure to other risk behaviors such as smoking, underage drinking, drug use, criminal activity, dating violence, and sexual aggression;
 - Educate students on the age of consent, puberty, pregnancy, childbirth, sexually transmitted diseases, including but not limited to HIV/AIDS, and the financial and emotional responsibility of raising a child;
 - Teach students how to identify and form healthy relationships, and how to identify and avoid unhealthy relationships; and
 - inform students concerning the process of adoption and its benefits. The state board of education, with the assistance of the department of education, shall develop guidelines for appropriate kindergarten through grade twelve (K-12) instruction on adoption, what adoption is, and the benefits of adoption. The guidelines shall be distributed by the department of education to each LEA by the start of the 2015-2016 school year.
- Instruction of the family life curriculum shall not:
 - Promote, implicitly or explicitly, any gateway sexual activity or health message that encourages students to experiment with noncoital sexual activity;
 - Provide or distribute materials on school grounds that condone, encourage or promote student sexual activity among unmarried students;
 - Display or conduct demonstrations with devices specifically manufactured for sexual stimulation; or
 - Distribute contraception on school property; provided, however, that medically-accurate information about contraception and condoms may be provided so long as it is presented in a manner consistent with the preceding provisions of this part and clearly informs students that while such methods may reduce the risk of acquiring sexually transmitted diseases or becoming pregnant, only abstinence removes all risk.

Parental Rights^{vii}

- The parent or legal guardian shall have the right to examine the grade level instructional materials and confer with the student's instructor, school counselor or principal, as designated by the LEA, regarding any or all portions of family life.
- A parent or guardian who wishes to excuse a student from any portion of family life shall submit a request, in writing, to the student's instructor, school counselor, or principal. A parent or guardian who wishes to excuse a student from all portions of family life shall submit a request in writing to the student's principal. A student who is excused from any or all portions of family life shall not be penalized for grading purposes if the student satisfactorily performs alternative health lessons.

According to SB1510 enacted April 2018^{viii}

AMENDMENT #4 replaces this bill's extension of immunity for instructors or organizations providing instruction on child sexual abuse. Under this amendment, immunity will extend to instruction provided by instructors employed by an LEA-approved organization, or by LEA-approved instructors, that is limited to the detection, intervention, prevention, and treatment of child sexual abuse, including such abuse that may occur in the home, in accordance with present law concerning:

(1) A comprehensive approach for the detection, intervention, prevention, and treatment of child sexual abuse;

(2) Curriculum materials to assist instructional personnel in providing instruction through a multi-disciplinary approach on the detection, intervention, prevention and treatment of child sexual abuse; and

(3) The prohibition against utilizing the services of any individual or organization to assist in teaching family life if that individual or organization endorses student non-abstinence as an appropriate or acceptable behavior, or if that individual or organization promotes gateway sexual activity.

This amendment specifies that any LEA-approved organization, instructor employed by an LEA-approved organization, or LEA-approved instructor who promotes any gateway sexual activity, demonstrates sexual activity, or teaches student non-abstinence as an appropriate or acceptable behavior, as prohibited under law, will be subject to a cause of action by a parent or legal guardian.

Age of Majority^{ix} =

Based on Tennessee law, anyone under the age of 18 is considered a minor, while those 18 years old and older are considered adults.

Age of Consent^x =

In Tennessee, the age when children can legally consent or agree to sex is 18.



IV. PARENTAL RIGHTS AT RISK IN TENNESSEE

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 Tennessee may consent to and receive:

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

In Tennessee, parental consent is required for:

- Abortion services



VI. NEWS HEADLINES FROM TENNESSEE

June 19, 2018 – “Who Gets Credit For Tennessee's Huge Drop In Teen Pregnancy?”
<http://www.nashvillepublicradio.org/post/who-gets-credit-tennessees-huge-drop-teen-pregnancy#stream/0>

April 14, 2018 – “Conservatives are shocked — shocked! — that a college has sex education” <https://www.lgbtqnation.com/2018/04/conservatives-shocked-shocked-college-sex-education/>

January 13, 2018 - “Bill aims to end barriers to teaching sex abuse education in Tennessee public schools”
<https://www.tennessean.com/story/news/politics/2018/01/11/sex-abuse-education-tennessee-law-public-schools/1022415001/>

May 3, 2017 - “The Gateway Law: Is It Really Effective? - And Response”
<http://www.chattanoogan.com/2017/5/3/347312/The-Gateway-Law-Is-It-Really-Effective.aspx>



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/tennessee



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/
2. Watch the “War Against Children” documentary and share this link to the documentary with your friends and neighbors at 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/tennessee to connect.



IX. RESOURCES

- Tennessee Education Code 49 - <https://advance.lexis.com/container?config=014CJAA5ZGVhZjA3NS02MmMzLTRIZWQtOGJiNC00YzQ1MmZINzc2YWYKAFBvZENhdGFsb2e9zYpNUjTRaIWVfyrur9ud&crd=1bdaa0ce-13cc-4e7f-9762-3559b9533d44>
- Tennessee Code on Aids Education
 - https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=3276407d-9f0d-4502-9c41-c057a8564e93&title=49-6-1008.+AIDS+education+programs+--+Prevention+of+AIDS+or+other+sexually+transmitted+diseases.&nodepath=%2FROOT%2FABX%2FABXAAG%2FABXAAGAAK%2FABXAAGAAKAAI&nodeid=ABXAAGAAKAAI&config=025054JABIOTJjNmlyNi0wYjI0LTrjZGEtYWE5ZC0zNGFhOWNhMjFINDgKAFBvZENhdGFsb2cDFQ14bX2GfyBTaI9WcPX5&pddocfullpath=%2Fshared%2Fdocument%2Fstatutes-legislation%2Furn%3AcontentItem%3A4X55-GPS0-R03K-X4HD-00008-00&ecomp=kgc_kkk&prid=b2f0d011-ba4b-4d8f-80af-d1c1053e71fb
- Tennessee Code on Sexual/Family Life Education - https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=c28d1565-ccff-4d58-bda7-524dd1127f61&title=49-6-1304.+Family+life+instruction.&nodepath=%2FROOT%2FABX%2FABXAAG%2FABXAAGAA%2FABXAAGAAKAAI&nodeid=ABXAAGAAKAAI&config=025054JABIOTJjNmlyNi0wYjI0LTrjZGEtYWE5ZC0zNGFhOWNhMjFINDgKAFBvZENhdGFsb2cDFQ14bX2GfyBTaI9WcPX5&pddocfullpath=%2Fshared%2Fdocument%2Fstatutes-legislation%2Furn%3AcontentItem%3A560K-S7X0-R03J-T2R9-00008-00&ecomp=kgc_kkk&prid=1bdaa0ce-13cc-4e7f-9762-3559b9533d44
- Tennessee Legislation - <http://www.legislature.state.tn.us/>
- U.S. 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

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
- 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



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 www.stopcse.org/tennessee 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

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ⁱ U.S. Department of Health and Human Services <https://www.acf.hhs.gov/fysb/resource-library/search#?area%5B1981%5D=1981&type%5B5168%5D=5168&sort=recent&ajax=1>

ⁱⁱ U.S. Department of Health and Human Services <https://www.acf.hhs.gov/fysb/resource-library/search#?area%5B1981%5D=1981&type%5B5168%5D=5168&sort=recent&ajax=1>

ⁱⁱⁱ <https://www.hhs.gov/ash/oah/grant-programs/teen-pregnancy-prevention-program-tpa/about/index.html>

^{iv} Tennessee Education Code 49 -

<https://advance.lexis.com/container?config=014CJAA5ZGVhZjA3NS02MmMzLTRlZWQtOGJjNC00YzQ1MmZlNzYyYkFvZlZlZGFsb2E9ZyYpNUJlRlRlVWVfYXVud&crd=1bdaa0ce-13cc-4e7f-9762-3559b9533d44>

^v Tennessee Code on Aids Education

https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=3276407d-9f0d-4502-9c41-c057a8564e93&title=49-6-1008.+AIDS+education+programs+--+Prevention+of+AIDS+or+other+sexually+transmitted+diseases.&nodepath=%2FROOT%2FABX%2FABXAAG%2FABXAAGAAK%2FABXAAGAAKAAI&nodeid=ABXAAGAAKAAI&config=025054JABIOTJjNmlyNi0wYjI0LTRjZGtYWE5ZC0zNGFhOWNhMjFINDgKAFBvZENhdGFsb2cDFQ14bX2GfyBTal9WcPX5&pddocfullpath=%2Fshared%2Fdocument%2Fstatutes-legislation%2Furn%3AcontentItem%3A4X55-GPS0-R03K-X4HD-00008-00&ecomp=kgc_kkk&prid=b2f0d011-ba4b-4d8f-80af-d1c1053e71fb

^{vi} Tennessee Code on Sexual/Family Life Education

https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=c28d1565-ccff-4d58-bda7-524dd1127f61&title=49-6-1304.+Family+life+instruction.&nodepath=%2FROOT%2FABX%2FABXAAG%2FABXAAGAAN%2FABXAAGAANAAE&nodeid=ABXAAGAANAAE&config=025054JABIOTJjNmlyNi0wYjI0LTRjZGtYWE5ZC0zNGFhOWNhMjFINDgKAFBvZENhdGFsb2cDFQ14bX2GfyBTal9WcPX5&pddocfullpath=%2Fshared%2Fdocument%2Fstatutes-legislation%2Furn%3AcontentItem%3A560K-S7X0-R03J-T2R9-00008-00&ecomp=kgc_kkk&prid=1bdaa0ce-13cc-4e7f-9762-3559b9533d44

^{vii} https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=cbd8fde7-7098-4a86-aa23-96e67bb25aee&title=49-6-1305.+Notification+of+parents+and+legal+guardians+--+Excusing+students+from+family+life+instruction.&nodepath=%2FROOT%2FABX%2FABXAAG%2FABXAAGAAN%2FABXAAGAANAFAF&nodeid=ABXAAGAANAFAF&config=025054JABIOTJjNmlyNi0wYjI0LTRjZGtYWE5ZC0zNGFhOWNhMjFINDgKAFBvZENhdGFsb2cDFQ14bX2GfyBTal9WcPX5&pddocfullpath=%2Fshared%2Fdocument%2Fstatutes-legislation%2Furn%3AcontentItem%3A560K-SGR0-R03J-S2RC-00008-00&ecomp=kgc_kkk&prid=1bdaa0ce-13cc-4e7f-9762-3559b9533d44

^{viii} <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB1510>

^{ix} <http://statelaws.findlaw.com/family-laws/legal-ages.html>

^x <https://www.legalmatch.com/law-library/article/age-of-consent-by-state.html?intakeredesigned=1>