

# WEST VIRGINIA STATE PROFILE

Prepared with an interest in protecting the health and innocence of children, this profile provides an overview of sex education in West Virginia, 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 WEST VIRGINIA

LEGISLATIVE REQUIREMENTS	YES	NO	N/A	LEGISLATIVE CODE
Sex Education Required	X			18-2-9(b)
Sex Education Optional				
<b>If/When Provided, Sexual Education Must:</b>				
Be Medically Accurate*			X	
Be Age Appropriate			X	
Be Evidence-based			X	
Be Culturally Appropriate and Unbiased			X	
Reference/Stress Abstinence**			X	
Include HIV Education	X			18-2-9(b.2)
Be LGBTQ Inclusive			X	
Include Safety Against Sexual Abuse			X	
<b>Parental Role in Sexual Education:</b>				
Parents Must be Notified			X	
Parent Involvement			X	
Access to Review Curriculum	X			18-2-9(c)
Opt-In			X	
Opt-Out Option	X			18-2-9(c)

\*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/west-virginia](http://StopCSE.org/west-virginia) or by emailing [StopCSE@FamilyWatch.org](mailto:StopCSE@FamilyWatch.org).



## II. WEST VIRGINIA SEX EDUCATION FEDERAL FUNDING PROFILE

### Federal Government Programs and Grants Awarded for West Virginia

**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](http://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.

- West Virginia received DASH funds totaling \$65,000 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.”

- West Virginia received PREP funds totaling \$247,973 in fiscal year 2017.<sup>i</sup>

**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.

- West Virginia received \$442,019 in 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.**

- West Virginia received a Title V award totaling \$394,324 in fiscal year 2017.<sup>ii</sup>

**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))

- West Virginia received \$1,726,995 in funding for years 2015-2019.<sup>iii</sup>



### III. FEDERALLY FUNDED SEX EDUCATION PROGRAMS IN WEST VIRGINIA

**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/](http://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 West Virginia

FUNDING SOURCE	PROGRAM OR CURRICULUM	FUNDING RECIPIENT
TPPP	Love Notes	Mission West Virginia, Community Action of Southeast West Virginia, Rainelle Medical Center, and Regeneration, Inc.
TPPP	Draw the Line/Respect the Line	Mission West Virginia, Community Action of Southeast West Virginia, Rainelle Medical Center, and Regeneration, Inc.
PREP	Making Proud Choices!	The West Virginia Department of Health and Human Resources
PREP	Reducing the Risk	The West Virginia Department of Health and Human Resources
TITLE V	Promoting Health Among Teens! (PHAT)—Abstinence-Only Intervention	Department of Health and Human Resources, Office of Maternal Child and Family Health
SRAE	Love Notes	Mission West Virginia, Inc. (Mission West)
SRAE	Promoting Health Among Teens! (PHAT)—Abstinence-Only Intervention	Mission West Virginia, Inc. (Mission West)

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 WEST VIRGINIA SEX EDUCATION LEGISLATION & GUIDELINES

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

### According to 2017 West Virginia Education Code Chapter 18<sup>iv</sup> (As of July 2, 2018) Code 18-2-7<sup>v</sup>

The state Board of Education shall prescribe minimum standards in the courses of study to be offered in elementary schools, high schools, vocational schools and in all other kinds, grades and classes of schools or departments thereof, which may now or hereafter be maintained in the state, in whole or in part, from any state fund or funds.

### Code 18-2-9b<sup>vi</sup>

The state board shall cause to be taught in all of the public schools of this state the subject of health education, including instruction in any of the grades six through twelve as considered appropriate by the county board, on:

- The prevention, transmission and spread of acquired immune deficiency syndrome and other sexually transmitted diseases. The course curriculum requirements and materials for the instruction shall be adopted by the state board by rule in consultation with the Department of Health and Human Resources.
- An opportunity shall be afforded to the parent or guardian of a child subject to instruction in the prevention, transmission and spread of acquired immune deficiency syndrome and other sexually transmitted diseases to examine the course curriculum requirements and materials to be used in the instruction. The parent or guardian may exempt the child from participation in the instruction by giving notice to that effect in writing to the school principal.

### 18-28-6<sup>vii</sup> Requirements exclusive

No private, parochial or church school or school operated by any other religious group or body as part of its religious ministry or other nonpublic school which complies with the requirements of this article shall be subject to any other provision of law relating to education except requirements of law respecting fire, safety, sanitation and immunization.

### Age of Majority<sup>viii</sup> =

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

### Age of Consent<sup>ix</sup> =

In West Virginia, the age when children can legally consent or agree to sex is 16.



## V. PARENTAL RIGHTS AT RISK IN WEST VIRGINIA

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 West Virginia may consent to and receive:

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

In West Virginia, parental notice is required for:

- Abortion services



## VI. NEWS HEADLINES FROM WEST VIRGINIA

**August 17, 2017 – “Healthy outcomes complicated by lack of education”**

[http://www.register-herald.com/health/healthy-outcomes-complicated-by-lack-of-education/article\\_b3b50a62-8386-11e7-8131-ebd97efe64e5.html](http://www.register-herald.com/health/healthy-outcomes-complicated-by-lack-of-education/article_b3b50a62-8386-11e7-8131-ebd97efe64e5.html)

**May 21, 2017 - “West Virginia School Rethink Sex Ed”**

<https://www.pbs.org/newshour/show/west-virginia-schools-rethink-sex-ed>



## 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/west-virginia](http://stopcse.org/west-virginia)



## 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/west-virginia](http://stopcse.org/west-virginia) to connect.



## IX. RESOURCES

- West Virginia Education - <http://www.wvlegislature.gov/WVCODE/code.cfm?chap=18&art=1>
- West Virginia Sexual Education guidelines - <http://code.wvlegislature.gov/18-2-9/>
- West Virginia Legislation - <http://www.wvlegislature.gov/>
- 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)

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 [www.stopcse.org/west-virginia](http://www.stopcse.org/west-virginia) 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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<sup>i</sup> 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>

<sup>ii</sup> 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>

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

<sup>iv</sup> <http://www.wvlegislature.gov/WVCODE/code.cfm?chap=18&art=1>

<sup>v</sup> <http://code.wvlegislature.gov/18-2-7/>

<sup>vi</sup> <http://code.wvlegislature.gov/18-2-9/>

<sup>vii</sup> <http://code.wvlegislature.gov/18-28-6/>

<sup>viii</sup> <http://statelaws.findlaw.com/family-laws/legal-ages.html>

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