

114TH CONGRESS
2D SESSION

S. 2765

To provide for the overall health and well-being of young people, including the promotion of comprehensive sexual health and healthy relationships, the reduction of unintended pregnancy and sexually transmitted infections (STIs), including HIV, and the prevention of dating violence and sexual assault, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2016

Mr. BOOKER (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. MENENDEZ, Mrs. MURRAY, Mr. SANDERS, Ms. WARREN, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for the overall health and well-being of young people, including the promotion of comprehensive sexual health and healthy relationships, the reduction of unintended pregnancy and sexually transmitted infections (STIs), including HIV, and the prevention of dating violence and sexual assault, 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 2016”.

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

5 (a) PURPOSES.—The purposes of this Act are to pro-
6 vide young people with comprehensive sex education pro-
7 grams that—

8 (1) provide the information and skills all young
9 people need to make informed, responsible, and
10 healthy decisions in order to become sexually healthy
11 adults and have healthy relationships;

12 (2) provide information about the prevention of
13 unintended pregnancy, sexually transmitted infec-
14 tions (including HIV), dating violence, sexual as-
15 sault, bullying, and harassment; and

16 (3) promote and uphold the rights of young
17 people to information in order to make healthy and
18 responsible decisions about their sexual health.

19 (b) FINDING ON REQUIRED RESOURCES.—In order
20 to provide the comprehensive sex education described in
21 subsection (a), the Congress finds that increased resources
22 are required for sex education programs that—

23 (1) are evidence-based, having been proven
24 through rigorous evaluation to change sexual behav-
25 ior or incorporate characteristics of effective pro-
26 grams;

1 (2) cover a broad range of topics, including
2 medically accurate, complete, age and develop-
3 mentally appropriate information about all the as-
4 pects of sex needed for a complete sex education
5 program, including—

6 (A) anatomy and physiology;

7 (B) growth and development;

8 (C) healthy relationships;

9 (D) the prevention of unintended preg-
10 nancy and sexually transmitted infections
11 (STIs), including HIV, through abstinence and
12 contraception;

13 (E) gender, gender identity, and sexual
14 orientation; and

15 (F) protection from dating violence, sexual
16 assault, bullying, and harassment;

17 (3) are gender and gender identity-sensitive,
18 emphasizing the importance of equality and the so-
19 cial environment for achieving sexual and reproduc-
20 tive health and overall well-being;

21 (4) promote educational achievement, critical
22 thinking, decisionmaking, self-esteem, and self-effi-
23 cacy;

1 (5) help develop healthy attitudes and insights
2 necessary for understanding relationships between
3 oneself and others and society;

4 (6) foster leadership skills and community en-
5 gagement by—

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

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

10 (7) are culturally and linguistically appropriate,
11 reflecting the diverse circumstances and realities of
12 young people.

13 (c) 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) provide information about a range of
18 human sexuality topics, including human devel-
19 opment, relationships, personal skills, and sex-
20 ual behavior data including abstinence, sexual
21 health, and society and culture;

22 (B) promote safe and healthy relation-
23 ships;

24 (C) reduce unintended pregnancy and sex-
25 ually transmitted infections, including HIV;

1 (D) promote gender equality;

2 (E) use, and be informed by, the best sci-
3 entific information available;

4 (F) be built on characteristics of effective
5 programs;

6 (G) be culturally competent and inclusive
7 of lesbian, gay, bisexual, transgender, queer,
8 and questioning (LGBTQ) youth;

9 (H) expand the existing body of evidence
10 on comprehensive sex education programs
11 through program evaluation;

12 (I) expand training programs for teachers
13 of comprehensive sex education;

14 (J) build on the personal responsibility
15 education programs funded under section 513
16 of the Social Security Act (42 U.S.C. 713) and
17 the Office of Adolescent Health's Teen Preg-
18 nancy Prevention Program, funded under title
19 II of the Consolidated Appropriations Act, 2010
20 (Public Law 111–117; 123 Stat. 3253), and on
21 programs supported through the Centers for
22 Disease Control and Prevention (CDC); and

23 (K) promote and uphold the rights of
24 young people to information in order to make

1 healthy and responsible decisions about their
 2 sexual health; and

3 (2) no Federal funds should be used for health
 4 education programs that—

5 (A) withhold health-promoting or life-sav-
 6 ing information about sexuality-related topics or
 7 HIV;

8 (B) are medically inaccurate or have been
 9 scientifically shown to be ineffective;

10 (C) promote gender stereotypes;

11 (D) are insensitive and unresponsive to the
 12 needs of sexually active adolescents;

13 (E) are insensitive and unresponsive to the
 14 needs of survivors of sexual abuse or assault;

15 (F) are insensitive and unresponsive to the
 16 needs of LGBTQ youth; or

17 (G) are inconsistent with the ethical im-
 18 peratives of medicine and public health.

19 **SEC. 3. GRANTS FOR COMPREHENSIVE SEX EDUCATION**
 20 **FOR ADOLESCENTS.**

21 (a) PROGRAM AUTHORIZED.—The Secretary, in co-
 22 ordination with the Director of the Office of Adolescent
 23 Health and the Associate Commissioner of the Family and
 24 Youth Services Bureau of the Administration on Children,
 25 Youth, and Families of the Department of Health and

1 Human Services, shall award grants, on a competitive
 2 basis, to eligible entities to enable such eligible entities to
 3 carry out programs that provide adolescents with com-
 4 prehensive sex education, as described in subsection (f).

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

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

11 (1) a State educational agency;

12 (2) a local educational agency;

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

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

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

18 (6) a nonprofit organization;

19 (7) a nonprofit or public institution of higher
 20 education; or

21 (8) a hospital.

22 (d) APPLICATIONS.—An eligible entity desiring a
 23 grant under this section shall submit an application to the
 24 Secretary at such time, in such manner, and containing

1 such information as the Secretary may require, including
2 the evaluation plan described in subsection (g)(1).

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

6 (1) are State or local public entities, with an
7 additional priority for State or local educational
8 agencies;

9 (2) are entities not currently receiving funds
10 under—

11 (A) section 513 of the Social Security Act
12 (42 U.S.C. 713);

13 (B) the Office of Adolescent Health’s Teen
14 Pregnancy Prevention Program, funded under
15 title II of the Consolidated Appropriations Act,
16 2010 (Public Law 111–117; 123 Stat. 3253);
17 or

18 (C) programs supported through the Cen-
19 ters for Disease Control and Prevention; and

20 (3) address health disparities among young peo-
21 ple that are at highest risk for not less than one of
22 the following:

23 (A) Unintended pregnancies.

24 (B) Sexually transmitted infections, includ-
25 ing HIV.

1 (C) Dating violence and sexual violence.

2 (f) USE OF FUNDS.—

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

7 (A) replicates evidence-based sex education
8 programs;

9 (B) substantially incorporates elements of
10 evidence-based sex education programs; or

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

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

18 (A) abstinence and delaying sexual initi-
19 ation;

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

1 (C) healthy relationships, including the de-
 2 velopment of healthy attitudes and skills nec-
 3 essary for understanding—

4 (i) healthy relationships between one-
 5 self and family, others, and society; and

6 (ii) the prevention of sexual abuse,
 7 teen dating violence, sexual violence, bul-
 8 lying, harassment, and suicide;

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

14 (E) how to make responsible decisions
 15 about sex and sexuality, including—

16 (i) how to avoid, and how to avoid
 17 making, unwanted verbal, physical, and
 18 sexual advances; and

19 (ii) how alcohol and drug use can af-
 20 fect responsible decisionmaking;

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

1 (G) referral services for local health clinics
2 and services where adolescents can obtain addi-
3 tional information and services related to sexual
4 and reproductive health, dating violence and
5 sexual assault, and suicide prevention.

6 (g) EVALUATION; REPORT.—

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

13 (A) uses sound statistical methods and
14 techniques relating to the behavioral sciences,
15 including random assignment methodologies,
16 whenever possible;

17 (B) uses quantitative data for assessments
18 and impact evaluations, whenever possible; and

19 (C) is carried out by an entity independent
20 from such eligible entity.

21 (2) SELECTION OF EVALUATED PROGRAMS;
22 BUDGET.—

23 (A) SELECTION OF EVALUATED PRO-
24 GRAMS.—The Secretary shall choose, at ran-
25 dom, a subset of the eligible entities that the

1 Secretary has selected to receive a grant under
2 this section to receive additional funding to
3 carry out the evaluation plan described in para-
4 graph (1).

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

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

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

1 (A) output measures, such as the number
 2 of individuals served and the number of hours
 3 of service delivery; and

4 (B) outcome measures, including measures
 5 relating to—

6 (i) the knowledge that youth partici-
 7 pating in the grant program have gained
 8 about—

9 (I) adolescent growth and devel-
 10 opment;

11 (II) relationship dynamics;

12 (III) ways to prevent unintended
 13 pregnancy and sexually transmitted
 14 infections, including HIV; and

15 (IV) sexual health;

16 (ii) the skills that adolescents partici-
 17 pating in the grant program have gained
 18 regarding—

19 (I) negotiation and communica-
 20 tion;

21 (II) decisionmaking and goal-set-
 22 ting;

23 (III) interpersonal skills and
 24 healthy relationships; and

25 (IV) condom use; and

1 (iii) the behaviors of adolescents par-
 2 ticipating in the grant program, including
 3 data about—

- 4 (I) age of first intercourse;
- 5 (II) number of sexual partners;
- 6 (III) condom and contraceptive
 7 use at first intercourse;
- 8 (IV) recent condom and contra-
 9 ceptive use; and
- 10 (V) dating abuse and lifetime his-
 11 tory of intimate partner violence
 12 (IPV), sexual assault, dating violence,
 13 bullying, harassment, and stalking.

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

- 20 (A) the results of the independent evalua-
 21 tion described in paragraph (1); and
- 22 (B) information about the performance
 23 measures described in paragraph (2).

24 (6) EFFECTIVE PROGRAMS.—The Secretary, in
 25 coordination with the Director of the Centers for

1 Disease Control and Prevention, shall publish on the
 2 website of the Centers for Disease Control and Pre-
 3 vention, a list of programs funded under this section
 4 that the Secretary has determined to be effective
 5 programs.

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

8 (a) PROGRAM AUTHORIZED.—The Secretary, in co-
 9 ordination with the Office of Adolescent Health, the Asso-
 10 ciate Commissioner of the Family and Youth Services Bu-
 11 reau of the Administration on Children, Youth, and Fami-
 12 lies of the Department of Health and Human Services,
 13 and the Secretary of Education, shall award grants, on
 14 a competitive basis, to institutions of higher education to
 15 enable such institutions to provide young people with com-
 16 prehensive sex education, described in subsection (e)(2),
 17 with an emphasis on reducing HIV, other sexually trans-
 18 mitted infections, and unintended pregnancy through in-
 19 struction about—

- 20 (1) abstinence and contraception;
- 21 (2) reducing dating violence, sexual violence,
- 22 bullying, and harassment;
- 23 (3) increasing safe and healthy relationships;
- 24 and
- 25 (4) academic achievement.

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

3 (c) APPLICATIONS.—An institution of higher edu-
4 cation desiring a grant under this section shall submit an
5 application to the Secretary at such time, in such manner,
6 and containing such information as the Secretary may re-
7 quire.

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

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

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

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

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

21 (5) is a Native Hawaiian-serving institution, as
22 defined in section 317(b) of such Act (20 U.S.C.
23 1059d(b));

1 (6) is a Predominately Black Institution, as de-
 2 fined in section 318(b) of such Act (20 U.S.C.
 3 1059e(b));

4 (7) is a Native American-serving, nontribal in-
 5 stitution, as defined in section 319(b) of such Act
 6 (20 U.S.C. 1059f(b));

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

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

14 (e) USES OF FUNDS.—

15 (1) IN GENERAL.—An institution of higher edu-
 16 cation receiving a grant under this section may use
 17 grant funds to integrate issues relating to com-
 18 prehensive sex education into the academic or sup-
 19 port sectors of the institution of higher education in
 20 order to reach a large number of students, by car-
 21 rying out one or more of the following activities:

22 (A) Developing educational content for
 23 issues relating to comprehensive sex education
 24 that will be incorporated into student orienta-
 25 tion, general education, or core courses.

1 (B) Developing and employing schoolwide
 2 educational programming outside of class that
 3 delivers elements of comprehensive sex edu-
 4 cation programs to students, faculty, and staff.

5 (C) Creating innovative technology-based
 6 approaches to deliver sex education to students,
 7 faculty, and staff.

8 (D) Developing and employing peer-out-
 9 reach and education programs to generate dis-
 10 cussion, educate, and raise awareness among
 11 students about issues relating to comprehensive
 12 sex education.

13 (2) CONTENTS OF SEX EDUCATION PRO-
 14 GRAMS.—Each institution of higher education’s pro-
 15 gram of comprehensive sex education funded under
 16 this section shall include curricula and program ma-
 17 terials that address information about—

18 (A) safe and responsible sexual behavior
 19 with respect to the prevention of pregnancy and
 20 sexually transmitted infections, including HIV,
 21 in addition to the teachings of—

22 (i) abstinence;

23 (ii) a reduced number of sexual part-
 24 ners; and

1 (iii) the use of condoms and contra-
 2 ception;

3 (B) healthy relationships, including the de-
 4 velopment of healthy attitudes and insights nec-
 5 essary for understanding—

6 (i) relationships between oneself, fam-
 7 ily, partners, others, and society; and

8 (ii) the prevention of sexual abuse,
 9 dating violence, bullying, harassment, and
 10 suicide; and

11 (C) referral services to local health clinics
 12 where young people can obtain additional infor-
 13 mation and services related to sexual and repro-
 14 ductive health care, dating violence and sexual
 15 violence, and suicide prevention.

16 (3) OPTIONAL COMPONENTS OF SEX EDU-
 17 CATION.—Each institution of higher education’s pro-
 18 gram of comprehensive sex education may also in-
 19 clude information and skills development relating
 20 to—

21 (A) how to make responsible decisions
 22 about sex and sexuality, including—

23 (i) how to avoid, and avoid making,
 24 unwanted verbal, physical, and sexual ad-
 25 vances; and

1 (ii) how alcohol and drug use can af-
 2 fect responsible decisionmaking;

3 (B) healthy life skills, including—

4 (i) goal-setting and decisionmaking;

5 (ii) interpersonal skills, such as com-
 6 munication, assertiveness, and peer refusal
 7 skills;

8 (iii) critical thinking;

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

10 (v) stress management;

11 (C) the development of healthy attitudes
 12 and values about such topics as body image,
 13 gender roles and gender identity, racial and eth-
 14 nic diversity, and sexual orientation; and

15 (D) parenting, including—

16 (i) financial and emotional responsibil-
 17 ities;

18 (ii) communication skills;

19 (iii) problem solving; and

20 (iv) caretaking.

21 (f) EVALUATION; REPORT.—The requirements de-
 22 scribed in section 3(g) shall apply to eligible entities re-
 23 ceiving a grant under this section in the same manner as
 24 such requirements apply to eligible entities receiving
 25 grants under section 3.

1 **SEC. 5. GRANTS FOR PRE-SERVICE AND IN-SERVICE TEACH-**
2 **ER TRAINING.**

3 (a) PROGRAM AUTHORIZED.—The Secretary, in co-
4 ordination with the Director of the Centers for Disease
5 Control and Prevention and the Secretary of Education,
6 shall award grants, on a competitive basis, to eligible enti-
7 ties to enable such eligible entities to carry out the activi-
8 ties described in subsection (e).

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

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

13 (1) a State educational agency;

14 (2) a local educational agency;

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

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

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

20 (6) a nonprofit institution of higher education;

21 (7) a national or statewide nonprofit organiza-
22 tion that has as its primary purpose the improve-
23 ment of provision of comprehensive sex education
24 through training and effective teaching of com-
25 prehensive sex education; or

1 (8) a consortium of nonprofit organizations that
 2 has as its primary purpose the improvement of pro-
 3 vision of comprehensive sex education through train-
 4 ing and effective teaching of comprehensive sex edu-
 5 cation.

6 (d) APPLICATION.—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.

10 (e) AUTHORIZED ACTIVITIES.—

11 (1) REQUIRED ACTIVITY.—Each eligible entity
 12 receiving a grant under this section shall use grant
 13 funds for professional development and training of
 14 targeted faculty, school administrators, teachers,
 15 and staff, in order to increase effective teaching of
 16 comprehensive sex education for elementary school
 17 and secondary school students.

18 (2) PERMISSIBLE ACTIVITIES.—Each eligible
 19 entity receiving a grant under this section may use
 20 grant funds to—

21 (A) strengthen and expand the eligible en-
 22 tity's relationships with—

- 23 (i) institutions of higher education;
- 24 (ii) State educational agencies;
- 25 (iii) local educational agencies;

1 (iv) community-based organizations,
 2 or crisis centers with expertise in helping
 3 prevent and respond to domestic and sex-
 4 ual violence; or

5 (v) other public and private organiza-
 6 tions with a commitment to comprehensive
 7 sex education and the benefits of com-
 8 prehensive sex education;

9 (B) support and promote research-based
 10 training of teachers for comprehensive sex edu-
 11 cation and related disciplines in elementary and
 12 secondary schools as a means of broadening
 13 student knowledge about issues related to
 14 human development, relationships, personal
 15 skills, and sexual behavior, including absti-
 16 nence, sexual health, and society and culture;

17 (C) support the dissemination of informa-
 18 tion on effective practices and research findings
 19 concerning the teaching of comprehensive sex
 20 education;

21 (D) support research on—

22 (i) effective comprehensive sex edu-
 23 cation teaching practices; and

24 (ii) the development of assessment in-
 25 struments and strategies to document—

1 (I) student understanding of
2 comprehensive sex education; and

3 (II) the effects of comprehensive
4 sex education;

5 (E) convene national conferences on com-
6 prehensive sex education, in order to effectively
7 train teachers in the provision of comprehensive
8 sex education; and

9 (F) develop and disseminate appropriate
10 research-based materials to foster comprehen-
11 sive sex education.

12 (3) SUBGRANTS.—Each eligible entity receiving
13 a grant under this section may award subgrants to
14 nonprofit organizations that possess a demonstrated
15 record of providing comprehensive sex education,
16 State educational agencies, or local educational
17 agencies to enable such organizations or agencies
18 to—

19 (A) train teachers in comprehensive sex
20 education;

21 (B) support Internet or distance learning
22 related to comprehensive sex education;

23 (C) promote rigorous academic standards
24 and assessment techniques to guide and meas-

1 ure student performance in comprehensive sex
2 education;

3 (D) encourage replication of best practices
4 and model programs to promote comprehensive
5 sex education;

6 (E) develop and disseminate effective, re-
7 search-based comprehensive sex education
8 learning materials;

9 (F) develop academic courses on the peda-
10 gogy of sex education at institutions of higher
11 education; or

12 (G) convene State-based conferences to
13 train teachers in comprehensive sex education
14 and to identify strategies for improvement.

15 **SEC. 6. REPORT TO CONGRESS.**

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

22 (b) REPORT ELEMENTS.—The report described in
23 subsection (a) shall include—

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

1 (2) information about—

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

5 (B) the specific activities supported by
6 grant funds awarded under sections 3 and 4 of
7 this Act;

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

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

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

14 **SEC. 7. NONDISCRIMINATION.**

15 Programs funded under this Act shall not discrimi-
16 nate on the basis of actual or perceived sex, race, color,
17 ethnicity, national origin, disability, sexual orientation,
18 gender identity, or religion. Nothing in this Act shall be
19 construed to invalidate or limit rights, remedies, proce-
20 dures, or legal standards available to victims of discrimi-
21 nation under any other Federal law or any law of a State
22 or a political subdivision of a State, including title VI of
23 the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.),
24 title IX of the Education Amendments of 1972 (20 U.S.C.
25 1681 et seq.), section 504 of the Rehabilitation Act of

1 1973 (29 U.S.C. 794), the Americans with Disabilities Act
2 of 1990 (42 U.S.C. 12101 et seq.), and section 1557 of
3 the Patient Protection and Affordable Care Act (42
4 U.S.C. 18116).

5 **SEC. 8. LIMITATION.**

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

8 (1) deliberately withhold health-promoting or
9 life-saving information about sexuality-related topics,
10 including HIV;

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

13 (3) promote gender stereotypes;

14 (4) are insensitive and unresponsive to the
15 needs of sexually active youth or lesbian, gay, bisex-
16 ual, transgender, queer, and questioning (LGBTQ)
17 youth;

18 (5) are insensitive and unresponsive to the
19 needs of survivors of sexual abuse or assault; or

20 (6) 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

1 U.S.C. 300ee) is amended by striking subsections (b)
2 through (d) and inserting the following:

3 “(b) CONTENTS OF PROGRAMS.—All programs of
4 education and information receiving funds under this title
5 shall include information about the harmful effects of in-
6 travenous substance abuse and unsafe sexual activity, and
7 the benefits of abstaining from such activities.”.

8 (b) AMENDMENTS TO THE ELEMENTARY AND SEC-
9 ONDARY EDUCATION ACT OF 1965.—Section 8526 of the
10 Elementary and Secondary Education Act of 1965 (20
11 U.S.C. 7906) is amended—

12 (1) in paragraph (4), by inserting “or” after
13 the semicolon;

14 (2) in paragraph (5), by striking “; or” and in-
15 serting a period; and

16 (3) by striking paragraph (6).

17 **SEC. 10. DEFINITIONS.**

18 In this Act:

19 (1) ESEA DEFINITIONS.—The terms “elemen-
20 tary school”, “local educational agency”, “secondary
21 school”, and “State educational agency” have the
22 meanings given the terms in section 8101 of the Ele-
23 mentary and Secondary Education Act of 1965 (20
24 U.S.C. 7801).

1 (2) AGE AND DEVELOPMENTALLY APPRO-
 2 PRIATE.—The term “age and developmentally appro-
 3 priate” means suitable for a particular age or age
 4 group of children and adolescents, based on devel-
 5 oping cognitive, emotional, and behavioral capacity
 6 typical for that age or age group.

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

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

16 (A) have been shown to be effective in
 17 terms of increasing knowledge, clarifying values
 18 and attitudes, increasing skills, and impacting
 19 upon behavior; and

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

1 (5) COMPREHENSIVE SEX EDUCATION.—The
2 term “comprehensive sex education” means a pro-
3 gram that—

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

11 (B) provides students with opportunities
12 for developing skills as well as learning informa-
13 tion;

14 (C) is inclusive of lesbian, gay, bisexual,
15 transgender, queer, and questioning youth and
16 heterosexual young people; and

17 (D) aims to—

18 (i) provide scientifically accurate and
19 realistic information about human sexu-
20 ality;

21 (ii) provide opportunities for individ-
22 uals to understand their own, their fami-
23 lies’, and their communities’ values, atti-
24 tudes, and insights about sexuality;

- 1 (iii) help individuals develop healthy
2 relationships and interpersonal skills; and
3 (iv) help individuals exercise responsi-
4 bility regarding sexual relationships, which
5 includes addressing abstinence, pressures
6 to become prematurely involved in sexual
7 intercourse, and the use of contraception
8 and other sexual health measures.

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

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

20 (8) MEDICALLY ACCURATE AND COMPLETE.—
21 The term “medically accurate and complete”, when
22 used with respect to a sex education program, means
23 that—

24 (A) the information provided through the
25 program is verified or supported by the weight

of research conducted in compliance with accepted scientific methods and is published in peer-reviewed journals, where applicable; or

(B)(i) the program contains information that leading professional organizations and agencies with relevant expertise in the field recognize as accurate, objective, and complete; and

(ii) the program does not withhold information about the effectiveness and benefits of correct and consistent use of condoms and other contraceptives.

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

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

SEC. 11. FUNDING.

(a) REPROGRAMMING OF ABSTINENCE ONLY UNTIL MARRIAGE EDUCATION FUNDING.—The unobligated balance of funds made available to carry out section 510 of the Social Security Act (42 U.S.C. 710) (as in effect on the day before the date of enactment of this Act) for each of fiscal years 2016 and 2017 are hereby transferred and made available to the Secretary to carry out this Act. The

1 amounts transferred and made available to carry out this
2 Act shall remain available through fiscal year 2021.

3 (b) REPEAL OF ABSTINENCE ONLY UNTIL MAR-
4 RIAGE EDUCATION PROGRAM.—Effective on the day after
5 the date of enactment of this Act, title V of the Social
6 Security Act (42 U.S.C. 701 et seq.) is amended by strik-
7 ing section 510.

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