

---

ENGROSSED SUBSTITUTE SENATE BILL 5592

---

State of Washington

55th Legislature

1997 Regular Session

By Senate Committee on Education (originally sponsored by Senators Stevens, Hochstatter, Zarelli, Schow, Morton, Benton, Deccio, Rossi, Roach, Strannigan, West and Oke)

Read first time 03/05/97.

1 AN ACT Relating to abstinence education; adding a new section to  
2 chapter 70.24 RCW; adding a new chapter to Title 70 RCW; and creating  
3 a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** It is the intent of the legislature to  
6 provide education that promotes abstinence from sexual activity, with  
7 a focus on those groups which are most likely to bear children out of  
8 wedlock or to impregnate the women who bear children out of wedlock.

9 NEW SECTION. **Sec. 2.** The definitions in this section apply  
10 throughout this chapter unless the context clearly requires otherwise.

11 (1) "Department" means the department of health.

12 (2) "Abstinence education" means an educational or motivational  
13 program that has as its exclusive purpose:

14 (a) To teach the social, psychological, and health gains to be  
15 realized by abstaining from sexual activity outside of marriage;

16 (b) To teach that no sexual activity outside of marriage is the  
17 expected standard for all school-age children;

1 (c) To teach that abstinence from sexual activity outside of  
2 marriage is the only certain way to avoid out-of-wedlock pregnancy,  
3 sexually transmitted diseases, and other associated health problems;

4 (d) To teach that mutually faithful monogamous relations in the  
5 context of marriage between a man and a woman is the expected standard  
6 of human sexual activity;

7 (e) To teach that sexual activity outside the context of marriage  
8 is likely to have harmful psychological and physical effects;

9 (f) To teach that bearing children out of wedlock is likely to have  
10 harmful consequences for the child, the child's parents, and society;

11 (g) To teach young people how to reject sexual advances outside of  
12 marriage and how alcohol and drug use increase vulnerability to these  
13 sexual advances; and

14 (h) To teach the importance of attaining economic self-sufficiency  
15 within a mutually faithful monogamous marriage before engaging in  
16 sexual activity.

17 (3) "Committee" means the abstinence education oversight committee  
18 established in section 5 of this act.

19 (4) "Grantee" means applicants for federal and state abstinence  
20 education funds that are granted funding by the abstinence education  
21 oversight committee.

22 NEW SECTION. **Sec. 3.** (1) The department shall apply for federal  
23 funds for abstinence education from the United States department of  
24 human services under Title V of the social security act (43 U.S.C. Sec.  
25 701 et seq.) section 912, specifically under section 505(a). The funds  
26 must be used exclusively for abstinence education and, if appropriate,  
27 mentoring, counseling, and adult supervision to promote abstinence from  
28 sexual activity among unwed minors.

29 (2) In order to meet the requirements of this chapter, the  
30 department shall maximize the use of these federal funds by  
31 contracting, through the abstinence education oversight committee, only  
32 with private and public sector organizations that have extensive  
33 experience with abstinence as the sole basis for their abstinence  
34 education curriculum and are teaching abstinence education.

35 NEW SECTION. **Sec. 4.** The goals of abstinence education are a  
36 measurable reduction of the incidence of sexually transmitted disease,

1 a measurable reduction in abortions, and a measurable reduction in out-  
2 of-wedlock births.

3 The results of the effect of abstinence education on meeting the  
4 goals set forth in this section must be reported to the senate and  
5 house of representatives education and health committees by December  
6 1st of each year by the oversight committee.

7 NEW SECTION. **Sec. 5.** There is established the abstinence  
8 education oversight committee to consist of seven members. The chairs  
9 of the health committees of the senate and house of representatives  
10 shall be members of the committee. The speaker of the house of  
11 representatives shall appoint two members with three years' experience  
12 in teaching abstinence education. The president of the senate shall  
13 appoint three members with at least three years' experience in teaching  
14 abstinence education. Before making these appointments, the speaker  
15 and president shall request recommendations from the majority and  
16 minority caucuses of the senate and house of representatives as  
17 appropriate. Members of the committee may be reimbursed for travel  
18 expenses as provided in RCW 43.03.050 and 43.03.060, subject to  
19 legislative appropriation.

20 NEW SECTION. **Sec. 6.** Subject to the restrictions contained in  
21 this chapter, the committee is authorized to establish criteria and  
22 approve applications from organizations for funding programs designed  
23 to teach abstinence education. The committee shall establish a set of  
24 standards to assess progress in meeting the goals of the program as  
25 established in section 4 of this act and reducing the number of  
26 reported sexually transmitted diseases, abortions, and out-of-wedlock  
27 births in each county where the program is taught. Twenty-one and one-  
28 half percent of the funding must be used for empirical research on the  
29 effectiveness of abstinence education in meeting the goals of the  
30 program as established in section 4 of this act.

31 NEW SECTION. **Sec. 7.** (1) The department shall establish a  
32 competitive application process to choose eligible public and private  
33 agencies who have experience promoting abstinence education to receive  
34 available resources. The committee may grant a lead agency  
35 responsibility for financial distribution to grantees and accounting  
36 for the matching funding required by the federal government. The

1 grantees are required to match twenty-one and one-half percent of the  
2 funds. The department shall accept the recommendation of the oversight  
3 committee in making the final decision on who should receive funding  
4 under this section.

5 (2) The state shall contract for scientific data collection and  
6 evaluation through an institution of higher education with experience  
7 in abstinence evaluation in order to provide data on the program's  
8 progress in meeting the goals of the program and reducing the number of  
9 cases of sexually transmitted diseases, abortions, and out-of-wedlock  
10 births. The contracted institution shall coordinate with the lead  
11 agency on the research and reporting of results.

12 (3) No restrictions shall be placed on the applicants for funds by  
13 the department as to their status as profit or nonprofit agencies,  
14 church-based organizations, or public or private agency-based  
15 organizations.

16 (4) All applicants must have appropriate corporate licensing.

17 NEW SECTION. **Sec. 8.** (1) All grantees shall:

18 (a) Have an annual independent certified public accountant audit  
19 their use of the abstinence education funds in order to verify that the  
20 use of funds meet the requirements of the program and are being used  
21 consistent with the law's intent;

22 (b) Establish and utilize a cost allocation plan consistent with  
23 the goals of section 4 of this act and use a separate accounting system  
24 for federal and state abstinence education funds separate from any  
25 other state funds they may receive;

26 (c) Obtain local approval for the abstinence education program from  
27 local agencies where abstinence education is taught, provided, or  
28 implemented; and

29 (d) Segregate abstinence education funds from any other state or  
30 federal funds.

31 (2) Funds awarded under this chapter must be used only for  
32 abstinence education and may be used for abstinence advertising,  
33 including billboards and other signs, and for teacher training in  
34 premarital abstinence education teaching techniques.

35 (3) Failure to comply with proper allocation and use of funds may  
36 result in the following penalties:

37 (a) Refunding to the committee of all money granted under the  
38 abstinence education program; and

1 (b) Permanent ineligibility from receipt of funds for the teaching  
2 of abstinence-based education.

3 NEW SECTION. **Sec. 9.** All textbooks and other curricula material  
4 used by the grantee of abstinence education funds, including teacher  
5 resources, must be published and readily available for public and  
6 parental inspection upon request. All conferences and speakers  
7 teaching abstinence education under this chapter must comply with the  
8 requirements of this chapter.

9 NEW SECTION. **Sec. 10.** (1) Each grantee shall establish an  
10 internet web site for each abstinence education program. The web site  
11 must include:

- 12 (a) A full description of the abstinence education program; and  
13 (b) A financial accounting of the abstinence education program's  
14 funding.

15 (2) Funding for the internet web site must come solely from local  
16 or state matching funds.

17 NEW SECTION. **Sec. 11.** Federal funds for abstinence education must  
18 be segregated from general maternal and child health funds. A separate  
19 cost allocation plan consistent with eligibility requirements and a  
20 separate accounting system must be established. A separate accounting  
21 system for abstinence education funds separate from any other state  
22 project funds must be in place.

23 NEW SECTION. **Sec. 12.** A new section is added to chapter 70.24 RCW  
24 to read as follows:

25 The department shall collect statistics on the age and marital  
26 status by sexually transmitted disease, including HIV, in each county  
27 and census tract in the state of Washington. The oversight committee  
28 shall report to the education and health committees of the senate and  
29 the house of representatives on the implementation of this section at  
30 least annually.

31 NEW SECTION. **Sec. 13.** Sections 1 through 11 of this act  
32 constitute a new chapter in Title 70 RCW.

1        NEW SECTION.    **Sec. 14.**    If specific funding for the purposes of  
2 this act, referencing this act by bill and section number, is not  
3 provided by June 30, 1997, in the omnibus appropriations act, this act  
4 shall be null and void.

--- END ---