
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 declaring
3 an emergency.

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.

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 to be
9 appointed by the legislature. Members of the committee shall include
10 the chairs of the senate and house of representatives health
11 committees. The sponsors of the originating legislation shall appoint
12 the remaining members. The house of representatives sponsor shall
13 appoint two members with three years' experience in teaching abstinence
14 education. The senate sponsor shall appoint three members with at
15 least three years' experience in teaching abstinence education.
16 Members shall be appointed for terms of five years. The purpose of the
17 committee is to ensure that federal and state resources are used to
18 achieve the goals of this chapter as stated in section 4 of this act.
19 Committee members shall appoint a qualified agency designated as the
20 lead agency to administer funds to all grantees and coordinate research
21 and distribution of reports. Members of the committee may be
22 reimbursed for travel expenses as provided in RCW 43.03.050 and
23 43.03.060, subject to legislative appropriation.

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

35 NEW SECTION. **Sec. 7.** (1) The department shall establish a
36 competitive application process to choose eligible public and private

1 agencies who have experience promoting abstinence education to receive
2 available resources. The committee may grant a lead agency
3 responsibility for financial distribution to grantees and accounting
4 for the matching funding required by the federal government. The
5 grantees are required to match twenty-one and one-half percent of the
6 funds. The department shall accept the recommendation of the oversight
7 committee in making the final decision on who should receive funding
8 under this section.

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

16 (3) No restrictions shall be placed on the applicants for funds by
17 the department as to their status as profit or nonprofit agencies,
18 church-based organizations, or public or private agency-based
19 organizations. Agencies, organizations, or individuals are prohibited
20 from receiving funds if the agency provides abortions, including
21 providing information on and distribution of contraceptive devices.

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

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

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

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

32 (c) Obtain local approval for the abstinence education program from
33 local agencies where abstinence education is taught, provided, or
34 implemented; and

35 (d) Segregate abstinence education funds from any other state or
36 federal funds.

37 (2) Funds awarded under this chapter must be used only for
38 abstinence education and may be used for abstinence advertising,

1 including billboards and other signs, and for teacher training in
2 premarital abstinence education teaching techniques.

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

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

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

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

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

18 (a) A full description of the abstinence education program; and

19 (b) A financial accounting of the abstinence education program's
20 funding.

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

23 NEW SECTION. **Sec. 11.** Federal funds for abstinence education must
24 be segregated from general maternal and child health funds. A separate
25 cost allocation plan consistent with eligibility requirements and a
26 separate accounting system must be established. A separate accounting
27 system for abstinence education funds separate from any other state
28 project funds must be in place.

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

31 The department shall collect statistics on the age and marital
32 status by sexually transmitted disease, including HIV, in each county
33 and census tract in the state of Washington. The oversight committee
34 shall report to the education and health committees of the senate and

1 the house of representatives on the implementation of this section at
2 least annually.

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

5 NEW SECTION. **Sec. 14.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and takes effect
8 immediately.

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