

# Laws Relevant to a Sexual Health Unit

---

## Legal Requirements of Sexual Health Education

State laws regarding sexual health education vary. Some states require sexual health education while others do not. In some states, HIV and STD prevention education is required, but nothing more. Other states require that all sexual health education delivered must be comprehensive and medically accurate. State may also have specific requirements, such as that sexual health education must be taught at certain grades, or that certain topics are required or prohibited. Look up sexual health education laws for your state here:

[www.guttmacher.org/statecenter/spibs/spib\\_SE.pdf](http://www.guttmacher.org/statecenter/spibs/spib_SE.pdf)

## Providing Health Care for Minors

Individual states have laws about what, if any, health care minors can consent to on their own. Different ages may apply to different services, such as accessing contraceptive care, STD services, prenatal care, adoption, abortion, medical care for a child, and mental health care. When discussing with a student any kind of health care for which the student can legally consent, it is very important to remember to protect that student's privacy. Disclosing a student's health information even to other teachers or school employees is a violation of privacy and possibly illegal. See what the minor consent laws are in your state:

[www.guttmacher.org/statecenter/spibs/spib\\_OMCL.pdf](http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf)

## Sexual Exploitation & Assault Laws

### Sexual assault and abuse laws

Sexual assault and abuse laws define sex crimes, including those committed against minors. Look up your state laws here: [www.rainn.org/public-policy/laws-in-your-state](http://www.rainn.org/public-policy/laws-in-your-state)

### Statutory rape and age of consent

Each state has laws criminalizing sex between individuals with certain age differences. The younger people in these situations may or may not have given verbal consent for the sexual activity that took place. They are incapable of legally giving consent because of their age. These age differences vary from state to state. If statutory laws were not covered on the page provided above for sexual assault and abuse laws, find additional information here:

<http://aspe.hhs.gov/hsp/08/SR/StateLaws/index.shtml>

### Help, advice and information

State sexual violence coalitions can answer questions about state laws, and can provide help, support, advice or professional consultation. They can also connect you with local sexual assault centers. Find your state coalition here: [www.nsvrc.org/organizations](http://www.nsvrc.org/organizations)

## **Safe Surrender of Infants**

Many states have enacted Safe Surrender laws in order to protect the health of infants who would otherwise be abandoned. Laws may specify who can leave an infant at a Safe Haven location, and which locations may serve as Safe Havens. Look up your state's law here:

[www.nationalsafehavenalliance.org/states/](http://www.nationalsafehavenalliance.org/states/)

## **Laws Affecting Lesbian, Gay, Bisexual & Transgender Students and Those with LGBT Parents**

Laws affecting LGBT students and students with LGBT parents are changing rapidly in the United States. Relevant laws include those related to discrimination, health care coverage, marriage, adoption and hate crimes. See state laws that affect LGBT individuals:

[www.hrc.org/state\\_maps](http://www.hrc.org/state_maps)

## **Age of Marriage**

Age of marriage varies from state to state, as do the ages at which young people need parents' permission to marry. See state laws regarding age of marriage here:

[www.law.cornell.edu/wex/table\\_marriage](http://www.law.cornell.edu/wex/table_marriage)