

Background: In 2021, the Texas Legislature passed HB 15251, which established a new policy for sexual education (sex ed) in public schools. According to this law, students will not receive sex ed unless their parent/guardian specifically opts them in. In the past, all students were eligible for sex ed unless their parent/guardian decided to opt them out.

This change created barriers for students who do not have access to a parent/guardian to opt them into the class, especially youth in foster care and youth experiencing homelessness. This has limited their access to education on sexual health and reproduction.

Youth in foster care and youth experiencing homelessness are substantially more likely than their peers to:

- not have ready access to a parent/guardian to sign an opt-in form for sex ed, or be uncomfortable asking a new foster parent,
- be sexually active at a young age, and
- experience pregnancy as a teenager.

The experience and needs of these youth are very different from their peers. It is critical that youth and young adults in foster care and/or experiencing homelessness have access to sex ed that meets their unique needs.

Snapshot: Sexual Activity of Youth and Young Adults In Care or Experiencing Homelessness

- 20% of youth involved in child welfare nationally are sexually active by age 13, compared to 8% of the general population.²
- More than ½ of teen girls in DFPS conservatorship who age out of foster care or are in extended care become pregnant before they turn 20.³
- 14% of 13-15-year-old girls experiencing homelessness nationwide experience pregnancy, versus 1% of non-homeless girls.⁴
- Adolescents who report sexual activity and sexual risk-taking are more likely to report experiencing homelessness.⁵
- Youth experiencing homelessness are at high risk of commercial sexual exploitation (CSE) or sex trafficking and often engage in survival sex (exchanging sex for food, money, a place to sleep, or drugs).
- Youth ages 14-24 experiencing homelessness are 6-12 times more likely to become infected with HIV than their peers.⁶

TNOYS Recommends that students in foster care and students experiencing homelessness should be considered automatically opted-in to sex ed classes, allowing for a parent or guardian to request that the education not be provided.



What Youth and Young Adults Say: In 2022, TNOYS conducted listening sessions with youth and young adults who have experienced homelessness, been in foster care, or were formerly in care. Here are the common themes they shared.

They want & need access to more sex ed at school.

School is where they most often feel safe & listened to.

Teachers & school personnel are the adults they trust the most in their life.

1. House Bill 1525, Huberty, bill available at <https://capitol.texas.gov/tlodocs/87R/billtext/html/HB01525F.htm> 2. James, Sigrid, et al. "Sexual Risk Behaviors among Youth in the Child Welfare System." Children and Youth Services Review 31.9 (2009) 3. "Fostering Healthy Texas Lives." Texans Care for Children. April 2018. Available at <https://txchildren.org/s/fostering-healthy-texas-lives.pdf> 4. Levin, R., et al. (2005). Wherever I Can Lay My Head: Homeless Youth on Homelessness. 5. Rice E, et al. Homelessness experiences, sexual orientation, and sexual risk taking among high school students in Los Angeles. J Adolesc Health. 2013 Jun;52(6):773-8. doi: 10.1016/j.jadohealth.2012.11.011. 6. Santa Maria D, et al. (2020). Sexual risk classes among youth experiencing homelessness: Relation to childhood adversities, current mental symptoms, substance use, and HIV testing. <https://doi.org/10.1371/journal.pone.0227331>