



Sex Education and Michigan Law: Evaluating our Schools

Dear Friend:

This document provides a unique glimpse into the sex education programs in Michigan's schools. It is not an examination of the actual programs, rather it is an analysis of how effectively our schools are evaluating their own sex education programs. Just as Michigan uses the MEAP test to measure how well students are learning certain subjects, Public Act 165 requires each school district to similarly track their students' progress in the area of sex education.

Michigan law strikes a reasonable balance when it comes to sex education. Local districts are allowed to choose whether or not they will teach sex education. Once that decision is made, each district, with significant input from parents, determines what their goals, objectives and curriculum will be. Finally, without proscribing any consequences, Michigan law requires districts to evaluate their own program's effectiveness and report back to the parents in the community. In short, Michigan law strives to promote public health and effective education while affirming parental rights and community values.

We were pleased to see that some districts did fairly well in their review process. Unfortunately, far more provided inadequate information and must make improvements to be of any value to parents in the community. By shedding some light on this process, we hope districts will take the necessary steps to more thoroughly review their sex education programs. It is in this spirit that we release this report - to help schools comply with the law and better serve the families in their community.

We trust that this report will also empower parents to play a more active role the way sex education is addressed in their community. If you have any questions about our survey or this report, please don't hesitate to contact us.

Sincerely,

A handwritten signature in blue ink that reads "Brad Snavelly". The signature is written in a cursive, flowing style.

Brad Snavelly
Executive Director

Peter Borchgrevink assisted with the research, data collection and evaluation for this project. Peter, a student at Michigan State University, served as a research assistant in 2009 at Michigan Family Forum.

Surveying Michigan's Schools

In 2004, the Michigan Legislature amended Michigan's sexuality education law in order to strengthen the content, increase parental involvement and ensure program effectiveness. Most districts completed the process of realigning their program content during the following school year. Similarly, districts increased parental involvement in the decision-making process by ensuring that at least half of the sex education advisory board members were parents, as required by law. What has yet to be achieved by most school districts is meaningful progress in evaluating their program effectiveness.

The legislature included specific language that requires districts to "evaluate, measure, and report the attainment of program goals and objectives established" by the sex education curriculum. Under the law, this evaluation is to be conducted every two years with a report issued to parents in the school district. If properly implemented, monitoring program effectiveness allows schools to determine whether or not their sex education instruction is making a difference. In the summer of 2009 Michigan Family Forum wanted to see if this "self-check" was being followed and made available to parents. At two different times, approximately one month apart, we requested each school district to send us a copy of their two year sex education evaluation. Of the state's 551 school districts, 121 provided written responses equaling a response rate of 21.96%. Yet, according to a 2005 survey by the Department of Education 84% of schools have chosen to teach sex education, meaning that 463 districts should be publishing a report every two years, evaluating their goals and objectives and setting new goals for the future.

The types of responses generally fell into one of two categories (Table 1). First, there were districts that were familiar with the requirement and promptly sent us their report (97). The second group included those districts that didn't have a report at all. While a majority of these districts didn't teach sex education and were therefore not required to have a report (14), others provided no reason why they did not have a report and even conceded they were out of compliance (8), or treated the request as a Freedom Of Information request (2). A few schools called to say they were still in the process of writing their two year report. However, we did not include responses via phone in our study.

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TABLE 1: DIRECT RESPONSES (121 REPORTS)

DID NOT SEND REPORT	#	%
Did not teach sex education	14	11.6%
Did not have a reason	8	6.6%
Treated request as FOIA	2	1.6%
Total Did Not Send	24	19.8%
SENT A REPORT		
Report did not have sufficient information	88	72.7%
Report had sufficient information	9	7.5%
Total Sent Report	97	80.2%

Promoting Parental Involvement

When it comes to sex education, Michigan law does a good job of promoting parental involvement. The law requires school districts to allow parents to participate in creating and monitoring sex education programs on several different levels. At the ground level, any district that wants to provide sex education is required to establish a sex education advisory board comprised of community members. Half of those members must be parents who have a child attending one of the district's schools. Additionally, one of the parent members must serve as co-chair of the board, ensuring that parents not only have voices on the committee, but that they also have some control over its process. Once the advisory board finishes its work, the program must be submitted to parents in the districts for their comments and recommendations. Finally, school board members, who are elected by parents and other stakeholders in the community, must approve the sex education program.

Even with significant parental input, not all parents will approve of the final product. Michigan law guarantees parents the opportunity to review the program material and remove their child from the program. In order to make an educated decision, parents need to know the content of the material and lawmakers ensured that parents have this right. Not only must schools make the materials available to parents for their preview, they must also permit parents

to observe the sex education instruction if they desire to do so. This gives parents an opportunity to discuss the content with their child at home.

Finally, Michigan law ensures that parents will know whether or not the program is effective. Every two years, districts are required to assess the effectiveness of their sex education program and make that information available to parents. The Michigan School Code states: “At least once every two years, evaluate, measure, and report the attainment of program goals and objectives established under subdivision (a). The board of a school district shall make the resulting report available to parents in the school district.” [MCL 380.1507 (5c)]

Survey Results

In order to evaluate and measure programs goals and objectives, it follows that the goals and objectives must be measurable. Typically, a goal is measured by the attainment of specific objectives while those objectives are, in turn, measured by tools such as student surveys or demographic reports performed within the school district. Types of evaluation are discussed further in the “Report Recommendations.” It also follows that a written narrative explaining the data is an important part of the two year report. Our efforts indicate that while these reports are available, many district personnel were unable to locate them and few indicated that the reports were distributed in any widespread manner.

Fully 68% of those districts who sent a copy of their report included within their report a clear statement of their goals in teaching sex education (Table 2). While this number represents a clear majority, it is disconcerting that 32% of the districts failed to include such basic information. Clearly, a district cannot be in compliance with a legal requirement to “evaluate, measure, and report the attainment of program goals” when the goals are not included in that evaluation. Communication of program goals, generally a single sentence statement, represents one of the single easiest improvements districts need to make on their reporting requirement.

Similar to stating program goals, districts are required to measure and evaluate program objectives. Here, a bare majority (51.6%) managed to comply with the law by including objectives. However, well over half of those districts that did include their stated program objectives

did not have measurable objectives. In short, less than one-fourth (22.7%) of all districts included program objectives that were able to be measured to determine program effectiveness. Measurable program objectives are the life blood of knowing if a district’s sex education program is helping our young people or just wasting valuable school time.

It should not be surprising that if only one-fourth of all responding districts included measurable objectives, a similarly low number of districts would include any type of evaluation data. In fact, our examination found that just 36% of the reports included evaluation data. This number is higher than the number of reports that had measurable objectives because some districts did undertake some form of data collection and evaluation. However, the data collected was unrelated to measuring their stated objectives. For example, some districts administered pre-tests and post-tests that were developed independently of their program guidelines and other districts included data evaluating community needs. While this data can be useful, it does not help a district determine program effectiveness.

Finally, only 30% of the districts provided a written narrative explaining their data. In some cases, districts included pre-test and post-test data as an attachment but offered no explanation regarding the results. While some of the data was self-explanatory, other data required a written explanation of its significance. Moreover, data alone does not clarify whether or not objectives are being met. It is only through a process of evaluation, which generally requires a narrative component, that we can fully understand the areas where a sex education program may be succeeding and where the program needs to be improved.

TABLE 2: CONTENT BREAKDOWN (97 REPORTS)

REQUIRED COMPONENTS	#	%
Goals	66	68%
Measurable Objectives	22	22.7%
Unmeasurable Objectives	28	28.9%
<i>Total with Objectives</i>	50	51.6%
Evaluation Data	35	36.1%
Evaluation Narrative	30	30.9%

TABLE 3: DISTRICT SCORECARD (97 REPORTS)

NUMBER OF REQUIRED COMPONENTS	#	%
4/4	9	9.3%
3/4	20	20.6%
2/4	7	7.2%
1/4	43	44.3%
0/4	18	18.6%

TABLE 4: DISTRICT SCORECARD (97 REPORTS)

RECOMMENDED COMPONENTS	#	%
Parent Rights	11	11.3%
Committee Information*	30	30.9%
Materials	46	47.4%
<i>Materials by Grade Level</i>	35	36.1%
Objectives by Grade Level	8	8.2%
Accessibility Information	12	12.4%
Community Survey	9	9.3%

* For this category, we recommend listing committee members, their representation and term expiration, and how to join the committee. None of the districts met all of our standards for this category, however, those who had one or more of the items were counted.

Fully 90% of all districts (88 of 97) that provided a report did not have basic information required by law. Only nine districts provided a two year report that met all of the requirements of the School Code governing sex education in Michigan. (See Chart 1) Fewer than 10% of districts fully complied with Michigan law and, in some cases, the report amounted to less than two pages and contained none of the legally required components. By collecting and reviewing the reports, the Michigan Department of Education can help districts be sure that they are using valuable instruction time effectively. While the Department provides districts with a good template for the report, apparently few districts actually use this template to complete the report. Not surprisingly, most district's that had a report fully complying with the law, had a report that closely mirrored the Department's template.

Many districts, as well as the Department of Education, include additional information in their reports that Michigan Family Forum believes is helpful to parents and other stakeholders. In order to develop an exemplary report, the best elements from all of the reports were compiled. We found that only minor differences existed between the Department's template and one Michigan Family Forum would consider outstanding. Specifically, nearly 30% of the districts provided information on sex education advisory committee members and others used this opportunity to communicate with parents a summary of what their rights are regarding sex education. We believe these elements are helpful, and they required little effort to include in the reports.

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Some districts included other helpful information, beyond what is required by law. Nearly half of all responding districts provided a materials list used in the sex education program and nearly one-third of all districts broke that list down by grade. Several districts provided survey data highlighting parental support or opposition to topics of discussion, demographic data or survey data on student sexual behavior. Finally, a number of districts provided information on how to obtain additional copies of the report and posted the report online. Again, these additions required little effort yet enhanced the quality of the report.

Improving Reports - Essential Components

GOALS (REQUIRED) - Because the school district is casting a vision for its sex education curriculum, goals should be long term and district wide. This is what school districts want students to have achieved by the end of the sex education curriculum. Some examples are as follows:

- “To equip students with the knowledge and skills to develop healthy relationships and to avoid sexual behaviors that put them at risk for HIV, STDs, and unintended pregnancy.”

- “Educate our students about their bodies’ reproductive system, so they can make informed choices that promote healthy lifestyles and decrease ‘at risk’ behaviors.”

MEASURABLE OBJECTIVES (REQUIRED); GRADE SPECIFIC OBJECTIVES (RECOMMENDED) - Objectives are the short term, measurable milestones set in order to reach the broader goal. They should be seen as the stepping stones on the way to a goal. They are what need to be achieved in order for the school district to reach its goal. Objectives should be measurable in order to be able to see if any progress on reaching the goal has been made. We further recommend that these objectives be grouped by grade level. Doing this will allow districts to know if one level of their sex education program is effective while another needs improvement. For example, a district will likely have different objectives for middle school and high school students. Some examples are as follows:

- “Identify several responsibilities involved in dating.”
- “Understand that practicing abstinence can positively impact ones physical, social and emotional life.”
- “Understand the risks associated with unsafe sexual behavior.”

EVALUATION DATA (REQUIRED) - As the law states, school districts need to measure the attainment of their goals and objectives. The goals, being broad and long term, need not be the focus of the measure. However, the goal oriented objectives should be measured. Each school district needs to have a reliable measure in place to evaluate itself each year. Examples of such measures include an end of curriculum exam, or a pre and post-test. Districts may opt to use the free pre and post-test offered by the Department of Education or some variation of this test. This is an excellent resource that can be used as a starting block for a school district. Whether or not the school district uses this resource is up to each district’s sex education advisory board, but a reliable measure is needed and should be discussed in the two year report.

NARRATIVE OF EVALUATION DATA (REQUIRED) – Districts should provide a narrative of the data in order to facilitate better understanding of the information and

how the school district stands on meeting its objectives and goals. Summaries need not be lengthy. The goal is to simplify the data collected in order to help a broader audience understand it. Within the narrative, a school district should draw conclusions regarding the data and discuss what was done right, what was done wrong and what direction or changes need to be made to the sex education program.

PARENTAL RIGHTS (RECOMMENDED) - Based on Michigan law, the parent of a child enrolled in the public school system has certain rights regarding his/her child’s enrollment in sex education classes. Given the value-laden nature of sex education, we believe districts should take every opportunity to inform parents of their rights. These rights include being notified prior to the class of the content of instruction, their right to review materials in advance, their right to observe instruction, and their right to excuse their child without penalty. If a parent or legal guardian files a continuing written notice (i.e., a request to have their child permanently excluded from sex education classes), the student should not be enrolled in the class(es) unless the parent or legal guardian submits a written authorization for that enrollment. (MCL 380.1507)

ADVISORY BOARD MEMBER INFORMATION (RECOMMENDED) - We recommend that districts list who is on the sex education advisory board, their representation (parent, faculty, health professional, etc) and term limits, and how a person can apply to be a member of the committee. According to MCL 380.1507 (5), a school district shall not offer this instruction unless a sex education advisory board is established by the board of the school district. The board of a school district shall determine terms of service for the sex education advisory board, the number of members to serve on the advisory board, and a membership selection process that reasonably reflects the school district population. By listing the information regarding a school district’s sex education advisory board, parents will know more about the committee and how to apply to serve as a member.

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MATERIALS LIST (RECOMMENDED) – Michigan law already requires districts to provide parents with an opportunity to preview sex education materials. Listing the materials used in each grade gives parents an additional opportunity to familiarize themselves with the material

in order to learn its content. According to a 2005 survey done by the Department of Education at the middle school level, 51% of districts are “abstinence-only” and 49% are “abstinence-based” (meaning they also teach students how to use birth control and disease prevention methods) in their focus. At the high school level, 20% of districts are abstinence-only and 80% are abstinence-based in their focus.

SURVEY DATA (RECOMMENDED) - The Michigan Department of Education encourages districts to collect demographic information on sexual practices of students as well as the opinions of parents regarding what sex education material should be taught at each grade level. According to a 2005 survey done by the Department of Education, only 19% of school districts conducted a parent survey. That number is staggeringly low. Some of the districts that conducted the survey included the results in their report. The data collected from a parent or student survey is crucial, as it provides the basis for all the goals, objectives, and curriculum. This type of survey need not be done as often as the two year report. A recommended time frame would be every five years.

REPORT AVAILABILITY (RECOMMENDED) - Having the report easily accessible is consistent with the purpose of publishing a report to let parents know whether or not the sex education program is effective. It is recommended that if the school district has a website, the report should be posted there. Some district have physical copies at the

district office as well. Either way, a district should include within the report, information on how to obtain additional copies.

It is hoped that future reports will be more extensive and provide more meaningful information to teachers and parents within each district. In an attempt to help achieve this goal, Michigan Family Forum has created multiple resources to make the reporting process easier. A “Report Template” and accompanying “Template Guide” are both available for school districts or interested stakeholders. The template and guidelines are available on the Michigan Family Forum website, www.michiganfamily.org, or by email at info@michiganfamily.org.

CHART 1: DISTRICTS MEETING ALL REQUIRED COMPONENTS (9)

- Lakeview Community Schools
- Beal City Public Schools
- Sault Ste Marie Public Schools
- Alpena Public School District
- Martin Public Schools
- Springport Public School District
- Novi Community School District
- Ithaca Public Schools
- Mt. Pleasant Public Schools

OTHER RESOURCES AVAILABLE

Forum Online – Free weekly electronic newsletter
Michigan Guide To Abstinence Resources
Promoting Fatherhood In Michigan:
A Resource Guide for Civic, Business, and Non-Profit Leaders
Sex Education: Rights and Responsibilities in Michigan Law
Michigan Adoption Resource Guide
What Every Child Needs: The Unique Contributions of Fathers and Mothers
Family Policy Briefs
Infant Adoption in Michigan: Reviving a Vanishing Phenomenon
Redefining Parenthood: Adult Rights Versus Children’s Needs

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