

If/Then



If You Care About Online Censorship, Then You Should Care About Sex Ed



There is an increasingly prevalent trend in the United States of policymakers targeting young people, especially queer and transgender youth, by censoring online content, especially content they deem “sexually explicit.” This includes trying to push sex education out of schools, banning books, and introducing state and federal bills that would see young people lose online access to critical sexual and reproductive health information, online communities, and more. Censorship is not just a violation of First Amendment rights, but it also violates human rights by restricting crucial and life-saving information from young people.

In the library and online: censorship is everywhere

As technology has evolved, so has sex education. Based on years of research and documented best practices, sex education has evolved to have the best behavioral outcomes when it is taught according to the National Sex Education Standards, a K-12 framework that provides guidance on age-appropriate, medically accurate, and inclusive information about sex and sexuality for a school setting. As a result of a lack of access to sex education in schools, and increasingly more common post-Covid-19 pandemic, young people have turned to the internet and social media to learn. Online platforms offer a plethora of resources in a confidential setting. These range from informative websites to interactive applications, facilitating access to education materials globally. This increase in censorship attempts, both in schools, libraries and online, poses a significant risk to the ability of young people to be informed and empowered, especially when they already face a knowledge gap.

In the 2023 Legislative session, 48 states tried to restrict access to information and/or ban books. According to the American Library Association, challenges to different titles of books rose 65% from 2022 to 2023. Additionally, books that represented LGBTQIA+ and BIPOC individuals made up almost half of those censorship attempts.

34 states have introduced bills in their 2024 legislative sessions related to book bans and/or online censorship, so far. These bills prohibit students from accessing materials in their school libraries and online platforms. Many also require sites to enact age verification technologies for vaguely defined “inappropriate” materials. Some bills carry fines to the companies that are carrying this online material or go as far as to dismiss school staff and faculty if they share any of this content with young people. Regardless of the bill’s content, all of these legislative attempts limit a young person’s ability to find their own appropriate and self-affirming content online.

Online censorship bans are also harmful regarding sexual and reproductive health choices. At the time of publication, 14 states have complete abortion bans. Some states, like Idaho, have even tried to block information about abortion and contraception in public universities. Given the direction the US is moving in related to reproductive choice, information online that is not governed by state borders is crucial for young people. The availability of literature on LGBTQIA+ topics outside of the classroom is vital to the safety and mental health of LGBTQIA+ youth. This kind of censorship has dangerous consequences for young people that extend beyond a lack of education. According to FBI data, hate crimes against LGBTQIA+ youth have tripled in states that enacted educational censorship measures that bar discussion and education about LGBTQIA+ identity and topics. Censorship cannot be treated like a single issue since its consequences are far-reaching, dangerous, and insidious.

¹ <https://siecus.org/wp-content/uploads/2020/03/NSES-2020-web-updated-1.pdf>

² <https://www.ala.org/advocacy/bbooks/book-ban-data>

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The Impact on Sex Education

The “Regressive Minority” (those who are loudly fighting to eliminate reproductive rights and access to sex education among other regressive policies but only represent a small minority of the population) has continuously attacked access to sex education in schools and books they deem to be inappropriate. The goal of these attempts is the same: to suppress sex education content that doesn’t align with their religious and/or culturally conservative ideology. With the recent Dobbs ruling at the Supreme Court, the Regressive Minority movement has been emboldened to work more aggressively at eroding First Amendment rights at the state level. The most current strategy is under the guise of “Age Verification” laws, which are using fear to prey on well-intentioned efforts to protect young people while they are online.

There can be many risks when it comes to accessing content online, whether through a browser or social media. However, the proposed restrictions are nothing more than an attempt to suppress LGBTQIA+ people’s freedom of expression, access to reproductive healthcare, and age-appropriate, medically accurate sex education. Online content bans have disproportionately affected LGBTQIA+ children; studies show that online materials or communities can offer affirming support for LGBTQIA+ youth that they do not receive in their homes. Balancing the need for protecting young people with the principles of freedom of expression poses a fundamental challenge that cannot be addressed by state-to-state censorship legislation, only further complicating the landscape, with varying degrees of censorship affecting the availability of sex education resources nationally and globally. Further, online censorship measures can exacerbate existing disparities in access to sex education, particularly affecting marginalized communities with limited offline resources, and may inadvertently contribute to the proliferation of misinformation and unreliable sources, as individuals seek alternative platforms to access restricted content. These bills do not protect or empower minors. Instead, they deny young people information and resources, leading to isolation, anxiety, and self-harm.

There are common sense measures that can help keep minors from accessing adult content and other “material harmful to minors,” including content filters and educational interventions to help them understand how to protect themselves online. Such measures are commonly used in schools and businesses and are easy to activate on a minor’s phone, laptop or tablet. No solution is perfect, but for our work to be effective, we need education — not censorship.

Human Rights, Censorship and Sex Ed

The ongoing censorship of information, both online and off, is not only a violation of young people’s First Amendment Rights but also a violation of several of their human rights. Article 26 of the Universal Declaration of Human Rights (UDHR) guarantees the right to education for all. Removing resources, including books, from schools violates student’s human rights. The Internet has become a vital part of education, making censoring online content an extension of this human rights violation. Additionally, restricting access to social media platforms based on age clearly violates Article 19 of the UDHR, which “includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.” Social media has transformed into a public square of sorts, and barring young people from accessing the public square deprives them of their ability to express themselves.

³ Mulvihill & Kruesi, 2024

⁴ Meckler, et al. 2024.

⁵ Jensen & Park, 2023. (<https://progresschamber.org/wp-content/uploads/2023/09/Chamber-of-Progress-Digital-Censorship-Report-9-19-23.pdf>)

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High Quality Sex Ed Works

Sex education - whether it's school-based or online - must be evidence-based, medically accurate, culturally responsive, trauma-informed, and LGBTQIA-inclusive. High-quality sex education goes beyond teen pregnancy and STI prevention - it affirms students and allows them to find information that helps them become a confident, well-informed person. Additionally, when taught according to the National Sex Education Standards, sex education includes instruction on becoming a smart electronic consumer and explores the dangers of technology. Instead of censoring information, young people need to be taught how to be smart internet consumers. Censorship directly challenges access to high-quality sex education.

- ✓ Sex education reduces the incidence of sexual abuse.
- ✓ Sex education helps individuals to appreciate sexual diversity, lower homophobia, reduce homophobic bullying, and helps individuals to have an expanded understanding of gender and gender norms.
- ✓ Sex education helps individuals better understand gender equity, rights, and social justice.
- ✓ Sex education reduces the incidences of intimate partner violence and increases bystander behaviors.
- ✓ People who have sex education are more likely to have healthy relationships.

Citations:

1. United Nations. "Universal Declaration of Human Rights." United Nations, 1948, www.un.org/en/universal-declaration-human-rights/. Accessed 15 March 2024.
2. Mulvihill, Geoff & Kruessi, Kimberlee. "Abortion Ban Proposal on Ballot in Multiple States." AP NEWS, 15 March 2024, <https://apnews.com/article/abortion-ballot-amendment-ban-protection-states-2024-052ff9846f8416efb725240af22b92ec>. Accessed 15 March 2024.
3. Meckler, Laura, et al. "In States With Laws Targeting LGBTQ Issues, School Hate Crimes Quadrupled." Washington Post. 12 March 2024, <https://www.washingtonpost.com/education/2024/03/12/school-lgbtq-hate-crimes-incidents/>

If You Are An Advocate or Policymaker

- ✓ Oppose bills like the Kids Online Safety Act and the EARN IT Act that purport to improve online child safety but would result in rampant censorship, the undermining of data privacy, and the restriction of freedom of speech.
- ✓ Advocate for sex education programs that follow the National Sex Education Standards and a K-12 learning format which will ensure that all young people learn internet safety and understand where to find resources and services in an age-appropriate and medically accurate manner.
- ✓ Support federal legislation such as the Real Education for Healthy Youth Act (REAHYA) that includes accurate, inclusive, and trauma-informed sex ed curriculums and increases access to sexual health services for marginalized young people.
- ✓ Support funding for the CDC's Division of Adolescent School Health DASH and Teen Pregnancy Prevention, two evidence-based programs that allow more young people to access medically accurate, age and developmentally-appropriate, LGBTQIA-inclusive sex education.
- ✓ Protect free speech and access to information in the library and online including fighting back against book bans and online age verification legislation.
- ✓ Support efforts to require schools to provide instruction on digital safety and security such as this law passed in 2023 in Virginia.
- ✓ Support federal data privacy bills, such as HR 2701 and S2708, that give individuals more control over our data and information and increase tech companies' responsibilities around data protection and privacy.
- ✓ Be wary of fear-driven legislation that requires users to provide more information to tech companies or that would disproportionately harm marginalized groups. We need all stakeholders to be at the table to find solutions that work for everyone, especially those most vulnerable.