

It's Time to Fight for the Sexual Health Rights of Youth in State Custody

SEXUAL HEALTH LITERACY IS A HUMAN RIGHT, SO WHY DO WE ONLY TALK ABOUT IT AS AN EDUCATION ISSUE?

School-based sexual health programs and classes are required in only [31 states and the District of Columbia](#), and [only 4 states](#) require lessons to affirmatively recognize different sexual orientations and gender identities. What about youth who are removed from their homes and placed in systems like child welfare or juvenile detention centers, and the resulting school disruption? What is available to youth in foster care and detention facilities, where youth at greatest risk often find themselves?

Youth of color and LGBTQ youth are over-represented in the child welfare and juvenile justice systems, where they are likely to experience violence and abuse. Without inclusive sexual health care and literacy programs that normalize an understanding of gender, gender identity and expression, and sexual orientation, LGBTQ youth in state custody will continue to experience violence and to feel powerless to report it.

YOUNG PEOPLE NEED AND DESERVE BETTER.

Access to sexual health information offers young people the foundation for healthy decisions about their sexual and reproductive health as adolescents and into adulthood. This health care is essential for youth in state custody who rely on the state to provide the basic health services and programs they need.



WE OWE YOUNG PEOPLE REAL SEXUAL HEALTH SERVICES THAT INCLUDE:

- Health care that reflects the possibility a child has experienced physical, sexual, or emotional abuse and that affirms the full spectrum of sexual orientation and gender identity and expression.
- Sessions and discussions on anatomy, the meaning of consent, personal safety, healthy relationships, pregnancy options and birth control, and the prevention, symptoms, and treatment of sexually transmitted infections and pregnancy.
- Relationships with informed, trustworthy health professionals who are responsive to the needs of all young people in their care and committed to helping them resolve stress and insecurities about their bodies, emotions, and feelings.

Youth involved in the **child welfare system** are **53.8%** youth of color and **19.1%** LGBTQ. Youth involved in the **juvenile justice system** are **38%** youth of color and **20%** LGBTQ.



Sexual health literacy is smart medical, adolescent, and public health policy.

STATES HAVE A LEGAL OBLIGATION TO OFFER SEXUAL HEALTH CARE AND LITERACY SERVICES TO YOUTH IN THEIR CUSTODY.

Minors in state custody have a right to safety, medical care, mental health care, and life skills training—even if the general population may not have such access—because the state has taken those youth from their homes and assumed responsibility for their well-being.

Moreover, all youth have a right to be provided the same degree of protection from harm in state custody, regardless of their sexual orientation or gender identity or expression. The same legal rights extend to staff who are trained and competent to ensure the sexual health needs of LGBTQ youth are met.

THE SEXUAL HEALTH YOUTH ADVOCACY COALITION (SHYAC) is a coalition of advocates, experts, and organizers working together to protect the rights of youth in out-of-home care, including juvenile correctional facilities and foster homes, to access comprehensive and essential sexual health care and literacy.

WHAT CAN YOU DO?

Endorse the SHYAC [Consensus Statement](#) and consider applying to join SHYAC in the fight to advocate for laws and policies that guarantee:

- Young people in state custody have access to sexual health care and literacy programs.
- Comprehensive training for all staff in institutions that house youth to ensure they know and protect the rights of all youth in their care, and adequately respond to their sexual and reproductive health care needs.
- Find out what written policies your state and county have for sexual health literacy programs for youth in their custody. If they don't have any, ask them to take action.

THE MOST POWERFUL ADVOCATES ARE THOSE WITH DIRECT EXPERIENCE.

However, many young people with direct experience with state intervention may lack opportunities and resources to safely self-advocate. Consider how you can empower young people within your existing programs, including by providing advocacy trainings, creating an advisory network, or supporting youth-led campaigns in person or through your social media presence. Incorporate into your advocacy calls for comprehensive, inclusive sexual health services and education for all young people, including those in juvenile detention and foster care.

SEXUAL
HEALTH
YOUTH
ADVOCACY
COALITION

Visit [SHYAC.org](#) to read and endorse our [Consensus Statement](#) and to access [resources](#) from our coalition members, including national and local child welfare, juvenile justice, sexual and reproductive health, and LGBTQ rights organizations.