

## **Laws Relevant to Sexual Health**

### **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)

***\*In Washington state, minors (12 years old and older) do not need parental consent to obtain contraceptive services, STI services, and prenatal care. Minors do need parental permission for abortion and legal counsel for adoption.***

### **Sexual Exploitation & Assault 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** laws state that sex between individuals with certain age differences is illegal. 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>

<b>State</b>	<b>Age of consent</b>	<b>Minimum age of victim</b>	<b>Age Differential:</b>
Washington	16	N/A	2 (if victim is < 12), 3 (if victim is < 14), 4 (if victim is < 16)

**HELP, ADVICE, INFORMATION:** Click on your state to find a state sexual assault program that can answer questions about state laws, and can provide help, support, advice or professional consultation: [www.nsvrc.org/organizations](http://www.nsvrc.org/organizations) **Family Life and Sexual Health, High School FLASH**

### **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/)

## 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 students and parents at: [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)

*RCW 9.68A.060*

**Sending, bringing into state depictions of minor engaged in sexually explicit conduct.**

(1)(a) A person commits the crime of sending or bringing into the state depictions of a minor engaged in sexually explicit conduct in the first degree when he or she knowingly sends or causes to be sent, or brings or causes to be brought, into this state for sale or distribution, a visual or printed matter that depicts a minor engaged in sexually explicit conduct as defined in RCW [9.68A.011\(4\) \(a\) through \(e\)](#).

(b) Sending or bringing into the state depictions of a minor engaged in sexually explicit conduct in the first degree is a class B felony punishable under chapter [9A.20 RCW](#).

(c) For the purposes of determining the unit of prosecution under this subsection, each depiction or image of visual or printed matter constitutes a separate offense.

(2)(a) A person commits the crime of sending or bringing into the state depictions of a minor engaged in sexually explicit conduct in the second degree when he or she knowingly sends or causes to be sent, or brings or causes to be brought, into this state for sale or distribution, any visual or printed matter that depicts a minor engaged in sexually explicit conduct as defined in RCW [9.68A.011\(4\) \(f\) or \(g\)](#).

(b) Sending or bringing into the state depictions of a minor engaged in sexually explicit conduct in the second degree is a class B felony punishable under chapter [9A.20 RCW](#).

(c) For the purposes of determining the unit of prosecution under this subsection, each incident of sending or bringing into the state one or more depictions or images of visual or printed matter constitutes a separate offense