



State of Rhode Island and Providence Plantations
DEPARTMENT OF EDUCATION
Shepard Building
255 Westminister Street
Providence, Rhode Island 02903-3400

Peter McWalters
Commissioner

To: All Superintendents

From: Peter McWalters, Commissioner

Date: March 15, 2006

**Re: Rhode Island Department of Education
Oversight of School Health Programs Pursuant to Statute and Regulation**

In recent months several issues have been brought to my attention relating to the implementation of HIV/AIDS curricula as mandated by R.I.G.L. 16-22-17 and 16-22-18 and the regulations implementing these statutes.

Because of these concerns, at this time I am initiating a review of specific school health programs under the Rules and Regulations for School Health Programs. (R16-21-SCHO) These regulations require that each district submit a report to RIDE “pertaining to the district’s school health program (Section 2.5),” which is currently part of the eRIDE system. Under this authority, I am asking each school district to submit information about your required HIV/AIDS Education Program as part of your overall school health program. This report must include a description of your program at all grade levels. As an appendix to the report, please attach a copy of your HIV/AIDS Curriculum. In future years, this information will be incorporated as part of the Annual School Health Report as referenced above.

Please also attach copies of any surveys that may be administered to students as part of the HIV/AIDS Education Program in your district. As you are aware, no surveys are permitted to be administered to Rhode Island public-school students unless they are approved by the R.I. Department of Elementary and Secondary Education (RIDE). (R.I.G.L. 16-38-5) I will put together a panel of RIDE staff and practitioners from the field to review these reports. The review panel will ensure that all districts are in compliance with state laws and regulations regarding Health Education and HIV/AIDS Education Programs, including compliance with Title IX laws regarding discrimination based on gender, provisions of the federal and state laws regarding persons with disabilities, and federal and state laws and Board of Regents policies prohibiting discrimination on the basis of gender and sexual orientation.

In addition to the regulatory oversight role of RIDE described above, it is the responsibility of this Department to provide technical assistance with program development, parent engagement, and professional development for health education in order to raise the knowledge and comfort level for those providing education in these health areas. RIDE is also responsible for overseeing policy development and implementation regarding health education.

Telephone (401)222-4600

Fax (401)222-6178

TTY 800-745-5555

Voice 800-745-6575

Website: www.ridoe.net

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Pursuant to the regulations cited above, abstinence and HIV prevention/sexuality-education programs need to meet Rhode Island Health Education Standards, comply with Rhode Island Comprehensive Health Instructional Outcomes, contain medically accurate information, and comply with all relevant laws and regulations. As part of our review of the statutes and regulations in this area, it has been brought to my attention that an organization called Heritage of Rhode Island has sought to teach its “Heritage Keepers Abstinence Education” curriculum (also known as “Heritage Keepers” or “Right Time, Right Place”) in health-education programs in Rhode Island. RIDE is not working with Heritage of Rhode Island, nor does RIDE endorse its curriculum as meeting state standards. Heritage of Rhode Island has been marketing at least one sex-education curriculum to public-school districts in Rhode Island despite the fact that this program is not approved by the HIV/AIDS Materials Review Panel at the RIDE. The Heritage of Rhode Island curriculum has been reviewed by RIDE and has been determined to be NOT consistent with the Rhode Island Health Education Standards. This program therefore should not be offered as part of the public school health curriculum in RI schools.

I have also been informed that the Heritage of Rhode Island curriculum may include a student survey that, if administered, would violate the state law on “questionnaires invading privacy.” (R.I.G.L. 16-38-5) Thus you should discontinue the use of any such survey immediately if it is in fact part of your district’s current curriculum in this area.

If you have any questions about this topic or about what is required of you in this report, you may call Midge Sabatini, the RIDE HIV/Sexuality Specialist, at Midge.Sabatini@ride.ri.gov or 222-8952.