

September 21, 2005

Commissioner Peter McWalters  
R.I. Department of Education  
255 Washington Street  
Providence, RI 02903

Dear Commissioner McWalters:

As you are aware, the federal government provides Title V "Abstinence Only Until Marriage" funding to Rhode Island, and separate "community based abstinence education" (CBAE) funding to at least one private organization in the state, Heritage of Rhode Island (HRI). I write you to raise some particular concerns about that private program.

HRI is affiliated with Heritage Community Services, a South Carolina-based organization promoting abstinence-only-until-marriage programs. One of its curricula, known as "Heritage Keepers Abstinence Education," was presented by HRI last year in Pawtucket schools, but it was apparently halted there after parental complaints raised concerns about the propriety of the program.\* We share some of those concerns. Because it is possible that this curriculum is being presented in other school districts in the state, we believe your intervention is warranted to ensure compliance with relevant state law.

Our initial concern involves one aspect of the curriculum in which students fill out an "Abstinence Education Pre-Test." A copy of this survey is enclosed for your reference. As you will see, the "test" asks students a series of intimate and personal questions relating to sexual activities, including "When was the last time you had sex?" and "Have you made a commitment to abstain from having sexual intercourse until you are married?"

The survey also asks students to indicate how strongly they agree or disagree with a series of statements involving their views on sex-related matters, including: "It is against my values for me to have sex while I am unmarried"; "It is all right for teenagers to have sex before marriage if they are in love"; and "If a boy spends a lot of money on a girl, she should be willing to have sex with him."

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\* HRI's in-school program is actually called "Right Time, Right Place," and "Heritage Keepers" is the name HRI gives to an after-school program it provides. However, since the in-school student manual is called "Heritage Keepers Abstinence Education," I use the latter term in this letter to refer to the in-school program.

In order to protect the privacy and familial rights of students and their parents, state law makes it unlawful for "any person, persons, or institution, educational or otherwise, to circulate or permit to be circulated in any school in this state any questionnaire intentionally or unintentionally framed as to ask the pupils of any school intimate questions about themselves and/or their families ... unless the questionnaire has received the approval of the department of elementary and secondary education and the local school committee." R.I.G.L. § 16-38-5. The "Abstinence Education Pre-Test" clearly fits within the strictures of this statute, but it is our understanding that the survey was administered by HRI in the Pawtucket schools without the necessary approval required by this law.

Even worse, this survey also asks students to provide identifying information about themselves – including their race, date of birth, and grade – that could easily allow somebody to trace their answers back to them. This, of course, increases exponentially both the privacy and confidentiality concerns that are already inherent in a survey of such intimate matters.

Because federal CBAE funding circumvents any state oversight requirements, we believe that teaching of the Heritage Keepers curriculum, with its administration of this survey, is likely taking place in other schools in Rhode Island without any knowledge of state officials. For that reason, we request that you remind school district superintendents of the restrictions contained in §16-38-5, and advise them specifically of the impropriety of the "Abstinence Education Pre-Test" if HRI is presenting abstinence education programs in their schools.

Separate from this privacy issue, we would also urge the Department to examine the Heritage Keepers curriculum to ensure that it complies with relevant state standards governing sex education and sex discrimination in the schools. We have not had a chance to carefully review the curriculum, but even a limited examination shows that it promotes inappropriate and sexist stereotypes.

For example, the curriculum manual advises students that: "Males and females are aroused at different levels of intimacy. Males are more sight oriented whereas females are more touch orientated. That is why females need to be careful with what they wear, because males are looking! The girl might be thinking fashion, while the boy is thinking sex. *For this reason, girls have a responsibility to wear modest clothing that doesn't invite lustful thoughts.*" (emphasis added)

Similarly, in describing "what makes a man" and "what makes a woman," the manual describes men as being "strong," "respectful," "courageous," and "protect[ive]." By contrast, a "real woman" is, among other traits, "caring" and someone who "sends a clear message" by choosing her "clothes, expression and gestures carefully."

Of course, a program that teaches that "sexual activity outside the commitment of marriage could put your future at risk," as the Heritage Keepers Abstinence Manual asserts, also raises significant issues for the gay and lesbian student population in our schools. From that perspective alone, the program's focus is quite troubling.

Finally, it is unclear to us how this particular curriculum fits in with statewide health education standards. The Department of Education in Maine recently determined that the Heritage Keepers program does not comport with its state's family life education mandates (copy of letter enclosed). To the extent any Rhode Island school classroom relied solely on such a program for its sex education instruction, it clearly would not comport with your Department's much more comprehensive "sexual and family life instructional outcomes."\*

We recognize that your Department has only limited oversight responsibility for locally-taught sex education programs, but to the extent that this particular curriculum may undermine or contradict – rather than supplement – statewide anti-discrimination policies or comprehensive sex education mandates, some guidance by your agency would appear to be in order. We note that the "Rules and Regulations for School Health Programs" promulgated jointly by your Department and the Department of Health provide that the "health education curriculum of each school district shall be available for review" by your Department upon request. Section §4.2. At a minimum, we believe it would be useful for the Department to determine how widespread the use of this curriculum (and its "Abstinence Education Pre-Test") is, and whether schools are making use of it exclusively or only as part of more comprehensive, and less stereotype-ridden, programs.

Thank you in advance for your attention to our views and concerns. I would appreciate hearing back from you about them in the near future.

Sincerely,

Steven Brown  
Executive Director

Enclosures

cc: Midge Sabatini  
Jennifer Wood

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\* *Comprehensive Health Instructional Outcomes*, R.I. Department of Education, pp. 38-39 (Revised 2003). Those outcomes recognize that there is ample evidence that programs that include information about both abstinence and the effective use of contraception reduce sexual risk-taking and pregnancy among teens. See, e.g., Douglas Kirby, *The Nat'l Campaign to Prevent Teen Pregnancy, Emerging Answers: Research Findings on Programs to Reduce Teen Pregnancy*, Summary at 16 (2001).