



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF CURRICULUM, INSTRUCTION AND STUDENT SUPPORT

June 16 2015

TO: The Honorable Donald G. Horner
Chairperson, Board of Education

THROUGH: Kathryn S. Matayoshi
Superintendent

FROM: Leila Hayashida
Assistant Superintendent, OCISS

SUBJECT: **Board Action on Student Achievement Committee Recommendation
Concerning Board Policy 103.5, Sexual Health Education**

1. Description

Recommendation for revisions to Board Policy 103.5 (see Attachment A: Proposed Revisions to Board Policy 103.5).

2. Recommendation

As a follow up to the April 21, 2015 memorandum, we respectfully request consideration of the Department's inclusive effort in working with community members, educators, administrators, and parents in last year's workgroup. The workgroup represented a range of perspectives and unanimously decided to strengthen the role of parents in their decision by changing its policy from an opt-out to an opt-in. We stand by the recommendations made by this workgroup. We also have incorporated various revisions to strengthen and clarify the policy.

KSM:LH:itk

Attachment

c: Office of Curriculum, Instruction and Student Support

POLICY 103.5

SEXUAL HEALTH EDUCATION

In order to help students make decisions that promote healthy behaviors, the Department of Education shall provide sexual health education to include age appropriate, medically accurate, health education that: (1) Includes education on abstinence, contraception, and methods of ~~disease-infection~~ prevention to prevent unintended pregnancy and sexually transmitted ~~diseaseinfection~~, including human immunodeficiency virus; (2) Helps students develop relationships and communication skills to form healthy relationships that are based on mutual respect and affection and are free from violence, coercion and intimidation; (3) Helps students develop skills in critical thinking, problem solving, decision making and stress management to make healthy decisions about sexuality and relationships; and (4) Encourages student to communicate with their parents and ~~guardians and other trusted adults about sexuality; and (5) Informs students of available community resources.~~ Instruction will emphasize that abstention from sexual intercourse is the surest way to prevent unintended pregnancies, sexually transmitted ~~diseases-infections~~ such as HIV/AIDS, and consequent emotional distress. Instruction on sexual health education will be provided for grades ~~sixseven~~ through twelve.

Schools shall chose curriculum from the multiple curricula provided by the Department of Education that meets the above stated criteria for sexual health education. A description of the curriculum selected by the school shall be made available to parents and shall be posted on the school's website, if available, at least sixty (60) days prior to the start of any instruction. A student shall be ~~excused from provided with~~ sexual health instruction only if upon the prior written request of the student's parent or legal guardian provides prior consent. A student's parent or legal guardian may consent to sexual health instruction at any time. A student may not be subject to disciplinary action, academic penalty or other sanction if the student's parent or legal guardian makes such written request.

Approved: 9/95

1. The term “disease” was changed to “infection” throughout the policy because “infections” is an updated terminology. There are a few sexually transmitted diseases that can infect a person without causing any actual disease. Someone without symptoms may not think of themselves as having a disease, but they may still have an infection that needs treating.
2. The fourth bullet point in the first paragraph was amended to remove the reference to “other trusted adults” because this term is unclear and undefined. This may result in an inconsistent interpretation of exactly what that means, thereby exposing the individual school or teacher and the Department to criticism.
3. The fifth bullet point was deleted to remove the reference to “available community resources” because the term is again, unclear and undefined. Similarly, there may be inconsistent interpretation of exactly what that means exposing the individual school or teacher and the Department to criticism.
4. A sentence was added to the end of the first paragraph regarding specifying that sexual health education was to be directly to specific grades, grades seven through twelve. This change is to address public misconceptions about which grades would receive instruction and reflects current practice.
5. Three changes were made to the second paragraph. First, language was added to the second paragraph to make it clear that there are multiple curricula on sexual health education that schools can choose from.
6. Second, the paragraph was revised to address concerns that parents would not be able to make an informed decision about opting their children out of sexual health education without sufficient knowledge about the curriculum. It is described as a “description of the curriculum” versus the curriculum itself. This was done to ensure that the Department develops accurate and user-friendly descriptions of the curriculum that can be easily read and understood by parents. The sentence also specifies that the description will be posted on the school’s website and made available to parents. This should allow schools to use other means (paper, calls, etc.) to communicate with parents if the school’s website is not the best means of communication.
7. Third, the paragraph was revised to require parents to opt-in to allow students to receive sexual health education instruction. The Department worked extensively on the issue of opt-in/opt-out via a workgroup of representatives from a range of perspectives. Currently, no student is required to participate in sexual health education. In June 2014, the Department strengthened the role of parents in this decision by changing its policy from an *opt-out* to an *opt-in*. Beginning in the 2014-2015 school year, all parents must sign an opt-in form permitting their children to participate in sexual health education. Correspondingly, the Department is recommending a revision to the policy to require parents and legal guardians to opt-in to allow students to participate in sexual health education.