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LC01176  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2005**

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A N A C T

RELATING TO EDUCATION - HEALTH EDUCATION

Introduced By: Representatives Dennigan, Lewiss, and Slater

Date Introduced: February 08, 2005

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 16-22-4, 16-22-12, 16-22-17 and 16-22-18 of the General Laws in  
2 Chapter 16-22 entitled "Curriculum" are hereby amended to read as follows:

3           **16-22-4. Instruction in health and physical education. - - (1)** All children in grades ~~one~~  
4 [kindergarten](#) through twelve (12) attending public schools, or any other schools managed and  
5 controlled by the state, shall receive in those schools instruction in health and physical education  
6 under rules and regulations the department of elementary and secondary education may prescribe  
7 or approve during periods which shall average at least twenty (20) minutes in each school day.  
8 No private school or private instruction shall be approved by any school committee for the  
9 purposes of chapter 19 of this title as substantially equivalent to that required by law of a child  
10 attending a public school in the same city and/or town unless instruction in health and physical  
11 education similar to that required in public schools shall be given.

12           (2) For purposes of this section, "health education" means education of students in grades  
13 kindergarten through twelve (12) regarding human development and sexuality, including  
14 education on family planning and sexually transmitted diseases, that: (a) is age-appropriate,  
15 medically accurate, culturally sensitive and respects community values; (b) does not teach or  
16 promote religion; (c) teaches that abstinence is the only sure way to avoid pregnancy or sexually  
17 transmitted diseases; (d) stresses the value of abstinence while not ignoring those young people  
18 who have had or are having sexual intercourse; (e) provides information about the health benefits  
19 and side effects of all contraceptives and barrier methods as a means to prevent pregnancy; (f)

1 [provides information about the health benefits and side effects of all contraceptive methods as a](#)  
2 [means to reduce the risk of contracting sexually transmitted diseases, including HIV/AIDS; \(g\)](#)  
3 [encourages family communication about sexuality between parent and child; \(h\) teaches young](#)  
4 [people the skills to make responsible decisions about sexuality, including how to avoid unwanted](#)  
5 [verbal, physical, and sexual advances and how not to make unwanted verbal, physical, and sexual](#)  
6 [advances; and \(i\) teaches young people how alcohol and drug use can effect responsible decision-](#)  
7 [making.](#)

8 **16-22-12. Required courses on alcohol and substance abuse.** -- (a) The school  
9 committees of the several cities, towns, and school districts shall provide for the incorporation of  
10 mandatory instruction of students in grades ~~one~~ [kindergarten](#) through twelve (12) on the effects of  
11 alcohol and substance abuse upon the human system in existing health education or other courses.

12 (b) The board of regents for elementary and secondary education shall institute courses of  
13 instructions for teachers in the public school system on the effects of alcohol and substance abuse.  
14 [For purposes of this section, "health education" means the education of students as defined in](#)  
15 [section 16-22-4.](#)

16 **16-22-17. AIDS education program.** -- (a) The department of elementary and secondary  
17 education shall, pursuant to rules promulgated by the commissioner of elementary and secondary  
18 education and the director of the department of health, establish comprehensive AIDS (acquired  
19 immune deficiency syndrome) instruction, which shall provide students with accurate information  
20 and instruction on AIDS transmission and prevention, and which course shall also address  
21 abstinence from sexual activity as the preferred means of prevention, as a basic [health](#) education  
22 program requirement. [For purposes of this section, "health education" means the education of](#)  
23 [students as defined in section 16-22-4.](#)

24 (b) Upon written request to the school principal, a pupil not less than eighteen (18) years  
25 of age or a parent or legal guardian of a pupil less than eighteen (18) years of age, within a  
26 reasonable period of time after the request is made, shall be permitted to examine the curriculum  
27 program instruction materials at the school in which his or her child is enrolled.

28 (c) A parent or legal guardian may exempt his or her child from the program by written  
29 directive to the principal of the school. No child so exempted shall be penalized academically by  
30 reason of the exemption.

31 **16-22-18. Health and family life courses.** -- (a) Every secondary school teaching  
32 courses in family life or ~~sex~~ [health](#) education within this state shall include, as part of the course  
33 instruction, abstinence from sexual activity and refraining from sexual intercourse as the  
34 preferred method of pregnancy prevention and the prevention of sexually transmitted diseases.

1 [For purposes of this section, "health education" means the education of students as defined in](#)  
2 [section 16-22-4.](#)

3 (b) Upon written request to the school principal, a pupil not less than eighteen (18) years  
4 of age or a parent or legal guardian of a pupil less than eighteen (18) years of age, within a  
5 reasonable period of time after the request is made, shall be permitted to examine the curriculum  
6 program instruction materials at the school in which his or her child is enrolled.

7 (c) A parent or legal guardian may exempt his or her child from the program by written  
8 directive to the principal of the school. No child so exempted shall be penalized academically by  
9 reason of the exemption.

10 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION - HEALTH EDUCATION

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1           This act would expand the areas of instruction in health and physical education for  
2 children in grades kindergarten through twelve (12) who attend public schools to include  
3 instruction in human development and sexuality.

4           This act would take effect upon passage.

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