

# MEMORANDUM

TO: Superintendents  
FROM: Daniel M. French, Ed.D., Secretary of Education  
SUBJECT: Implementing a Comprehensive Health Education: Law and Regulation  
DATE: January 30, 2020

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The purpose of this memo is to reiterate the requirements for implementing a “comprehensive health education” as defined in [16 V.S.A. §§ 131-136](#) in school district minimum courses of study, the requirements of the National Health Education Standards (NHES) under the Education Quality Standards (EQS), and to provide additional valuable information intended to support school districts and supervisory unions (SU/SDs) in the creation and implementation of sexual health education as well as the provision of appropriate out-of-classroom sexual health supports.

Ensuring that your SU/SD is implementing a strong comprehensive health education curriculum is important not just for satisfying the law, but also to align our state’s work in the implementation of [Act 173 of 2018](#). The Agency of Education (AOE) has identified four systems levers from the [Education Quality Standards](#), including Rule [2120.6 Curriculum Coordination](#), which will be key to successful implementation of Act 173, one of the most significant education policy shifts to occur in Vermont in recent years. This will be an area where the AOE will be providing consistent leadership, support and oversight in the coming months and years.

Working to make sure your health curriculum, and in particular your focus on sexual health education, is coherent and coordinated across buildings and grade levels will be an important part of overall student success and ensuring that your students graduate with the proficiencies and skills needed to sustain healthy behavior across their lifespan. If you would like more information about coordination of curriculum in the Act 173 context, please see the AOE’s Technical Guidance Summary on the subject: [Developing Systems to Support the Success of All Students](#) (pages 5 and 6).

## **The Importance of Strong Sexual Health Education and Support Policies**

Teaching students skills to promote good health throughout their life is an important part of Vermont education, as is supporting healthy behaviors and choices in their day-to-day lives. This includes providing strong, age-appropriate, evidence-based sexual health education, as well as the needed supports to promote healthy behavior outside of the classroom. The goal is to provide resources to support students’ current sexual health education needs while giving them the knowledge and skills to make healthy decisions at every stage of life.

According to the [Centers for Disease Control and Prevention \(CDC\)](#), research shows that school health programs reduce the prevalence of health risk behaviors among youth and have a positive effect on academic performance. Comprehensive health education needs to be a critical

area of focus for school districts across Vermont, and SU/SD leadership teams should work to ensure that a coordinated curriculum of appropriate rigor is provided to all students. District administrative leadership teams can work with their SU/SD board to consider adopting policies on student health and welfare.

In addition to the outline of statutory and regulatory requirements below, please read [Comprehensive Sexual Health Education and Condom Availability Programs](#), a memo from myself and Vermont Department of Health Commissioner Mark Levine, M.D. This is an updated version of a memo issued in 2016.

A team from the AOE and the Department of Health has spent several months working to identify sexual health education resources and information provided by both agencies, and by third parties, to ensure they are complementary and aligned with state standards. The [Sexual Health Education Resource Guide](#) provides an overview of these resources for your convenience. We will continue to provide updates with additional guidance and resources for your use as they are developed.

## **Vermont Requirements for Comprehensive and Sexual Health Education**

This section outlines the minimum statutory and rule-based standards that health educators in Vermont must meet regarding sexual health education.

- Statutory:
  - [16 V.S.A. §906](#) requires inclusion of comprehensive health education, to include sexual health education, in a public school’s minimum course of study.
  - [16 V.S.A. §§ 131-136](#) lays out the requirements for comprehensive health education in Vermont schools. Of the eleven required topics of instruction, five relate directly to sexual and reproductive health:
    - (1) Body structure and function, including the physical, psychosocial and psychological basis of human development, sexuality, and reproduction.
    - (4) Disease, such as HIV infection, other sexually transmitted diseases, as well as other communicable diseases, and the prevention of disease.
    - (5) Family health and mental health, including instruction that promotes the development of responsible personal behavior.
    - (8) Human growth and development, including understanding physical, emotional, and social health.
    - (11) How to recognize and prevent sexual abuse and sexual violence, including developmentally appropriate instruction about promoting healthy and respectful relationships.
- State Board of Education:
  - As part of the Education Quality Standards, [State Board Rule 2120.5](#) requires that Supervisory Unions (SUs) develop curriculum that is “aligned with the standards approved by the State Board of Education. Each school shall enable students to engage annually in rigorous, relevant and comprehensive learning opportunities that allow them to demonstrate proficiency in... physical education and health education as defined in 16 V.S.A. §131.”

- The State Board of Education adopted the Centers for Disease Control and Prevention’s [National Health Education Standards](#) (NHES) in 2015 through rule to be used as a framework for schools to develop a health curriculum that will help ensure that Vermont students acquire knowledge and skills through proficiency-based learning.
  - The NHES identifies eight standards around “what students should know and be able to do by grades 2, 5, 8, and 12 to promote personal, family, and community health.” Standards 1 (knowledge of concepts related to health promotion and disease prevention), 4 (use of interpersonal communication skills), 5 (use of decision-making skills), 7 (ability to practice health enhancing behaviors and avoid or reduce health risks), and 8 (ability to advocate for personal, family, and community health) are key elements of comprehensive sex education curriculum, and align with Vermont Law.