| **Virginia Board of Education Agenda Item** | **Seal of the Commonwealth of Virginia** |
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## Agenda Item: I

##  Date: May 7, 2020

## Title: Final Review of the Proposed Revisions to the *Family Life Education Board of Education Guidelines and Standards of Learning for Virginia Public Schools*

## Presenter: Dr. Samantha Hollins, Assistant Superintendent, Department of Special Education and Student Services

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## Purpose of Presentation:

Action required by state or federal law or regulation.

## Executive Summary:

The proposed revisions to the *Family Life Education Board of Education Guidelines and Standards of Learning for Virginia Public Schools* are in response to changes to *Virginia Code* resulting from legislation passed during the 2018 and 2019 Virginia General Assembly. The proposed revisions align the guidelines with 2018 and 2019 legislative changes but do not reflect a comprehensive review. A stakeholder group comprised of family life educators from a geographically diverse group of school divisions, family life education trainers, and a human trafficking non-profit prevention group in Virginia, was convened to review an initial draft of proposed revisions and provide input and feedback. Family life education experts considered the current family life education curriculum and embedded new content into relevant standards. The team was deliberate when inserting content in certain grade levels and when including age appropriate elements.

The Board reviewed the proposed revisions to the *Family Life Education Board of Education Guidelines and Standards of Learning for Virginia Public Schools* on January 23, 2020. Feedback from Board members identified concerns related to the removal of Section II, B that addressed local curriculum and the distinction between “privacy” and “personal privacy” in Standard K.3.

[Superintendent's Memo 035-20](http://www.doe.virginia.gov/administrators/superintendents_memos/2020/035-20.docx), published on February 14, 2020, invited school personnel, parents, and community members to provide comments about the proposed revision and announced two public hearings, one each in Williamsburg and Roanoke. Comments were received from school staff, administrators, family life instructors, and parents across the Commonwealth. While some concerns are addressed in the proposed revision, this revision only includes changes to *Code* based on 2018 and 2019 legislative actions. A comprehensive revision of the *Family Life Education Board of Education Guidelines and Standards of Learning for Virginia Public Schools* is planned for the 2020-2021 school year and will provide an opportunity to include relevant stakeholders to address the additional concerns raised. The following chart includes a summary of the public comments received by topic. The last column identifies when the topic will be addressed:

* Included in current proposed revision or
* Will be addressed in future comprehensive revision.

| **Topic**  | **Description** | * **Current**
* **Future**
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| **Training** (11 comments) | Needs identified: Additional training is needed on teaching sensitive material; Make training available to all that teach family life; Provide more options for training (e.g., online, regional, and train-of-trainer); and Remove requirement that training must be provided by the Virginia Department of Education (VDOE).  |  |
| **Revision Process** (16 comments) | Needs identified: Revision needs to include school personnel, medical and sexual health providers, parents, and other relevant stakeholders; andRevision needs to ensure medical and scientifically based and developmentally appropriate standards.  |  |
| **Elimination of Certain Requirements**(16 comments) | Needs identified: Eliminate family life standards that are addressed in other content areas; Remove outdated standards; Abstinence-based should be replaced by sexual safety focus; The phrase “sexuality until marriage” should be changed to “until in a committed relationship;” andEnsure developmentally appropriate standards (i.e., save sexually transmitted diseases discussion until middle school). |  |
| **Female Genital Mutilation (FGM)**(16 comments) | Needs identified: FGM is inappropriate content for public schools; No evidence-based programs or materials available for FGM instruction; Remove FGM from standards or address only in grade 12; andAdditional training needed for teachers in this area. |  |
| **Addition of Standards**(17 comments) | Needs identified: Standards should be broadened to address lesbian, gay, bisexual and transgender (LGBT) issues and be inclusive of all types of families; Standards should include instruction about all types of contraception; Standards should address STD’s with medical accuracy; Add more to dating violence content and the meaning of consent; andExpand reasons for adoption beyond an unwanted pregnancy. |  |

In addition to the topics included on the chart, there were comments related to local school division policies (5 comments); comments that family life education should not be taught in public school (3 comments); and comments related to the local scheduling of family life education in high schools (3 comments).

The proposed revisions to the *Family Life Education Board of Education Guidelines and Standards of Learning for Virginia Public Schools* support the goals and priorities of the Board of Education of “*providing high quality, effective learning environments for all students*,” as outlined in Priority 1 of the [Board of Education Comprehensive Plan](http://www.doe.virginia.gov/boe/plan/comprehensive-plan.pdf).

## Action Requested:

Final review: Action requested at this meeting.

## Superintendent’s Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education approve the proposed revisions to the *Family Life Education Board of Education Guidelines and Standards of Learning for Virginia Public Schools.*

## Rational for Action:

Board action is required to comply with legislation passed by the 2018 and 2019 General Assembly.

## Previous Review or Action:

Previous review and action. Specify date and action taken below:

Action: First Review

Date: January 23, 2020

Action: Public Hearing, Williamsburg

Date: February 24, 2020

Location: Colonial Williamsburg Bruton Heights Education Center

Action: Public Hearing, Roanoke

Date: March 3, 2020
Location: William F. Fleming High School Auditorium

Background Information and Statutory Authority:
The 1987 Virginia General Assembly enacted [§ 22.1-207.1.](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-207.1/) of the *Code of Virginia* to require that the “*Board of Education shall develop Standards of Learning and curriculum guidelines for a comprehensive, sequential family life education curriculum in grades kindergarten through 12.* This section further requires that, “*All such instruction shall be designed to promote parental involvement, foster positive self-concepts, and provide mechanisms for coping with peer pressure and the stresses of modern living according to the students' developmental stages and abilities. The Board shall also establish requirements for appropriate training for teachers of family life education, which shall include training in instructional elements to support the various curriculum components*.” *Code of Virginia* [*§ 22.1-207.1:1.*](https://law.lis.virginia.gov/vacode/title22.1/chapter13/section22.1-207.1%3A1/)sets certain requirements for family life education curriculum and Standards of Learning.

During the 2018 Virginia General Assembly, two bills were passed that require revisions to the FLE Standards and curriculum.

[House Bill 45](http://lis.virginia.gov/cgi-bin/legp604.exe?181+ful+CHAP0383) (Filler-Corn) requires that *“any family life education curriculum offered in any elementary school, middle school, or high school shall incorporate age-appropriate elements of effective and evidence-based programs on the importance of the personal privacy and personal boundaries of other individuals and tools for a student to use to ensure that he respects the personal privacy and personal boundaries of other individuals.”*

[Senate Bill 101](http://lis.virginia.gov/cgi-bin/legp604.exe?181+sum+SB101) (McClellan) “*requires any high school family life education curriculum offered by a local school division to incorporate age-appropriate elements of effective and evidence-based programs on the prevention of sexual harassment using electronic means.”* The bill also permits any *“family life education curriculum offered by a local school division to incorporate age-appropriate elements of effective and evidence-based programs on the prevention, recognition, and awareness of child abduction, child abuse, child sexual exploitation, and child sexual abuse.”*

Three bills were passed by the 2019 General Assembly (Senate Bills 1141 and 1159, and House Bill 2205) that require revisions to the FLE Standards and curriculum.

[House Bill 2205](http://lis.virginia.gov/cgi-bin/legp604.exe?191+sum+HB2205) (Filler-Corn*) “requires any high school family life education curriculum offered by a local school division to incorporate age-appropriate elements of effective and evidence-based programs on the law and meaning of consent. Under current law, such elements are permissive in any high school family life education curriculum.”*

[Senate Bill 1141](http://lis.virginia.gov/cgi-bin/legp604.exe?ses=191&typ=bil&val=SB1141) (Favola) *“requires the Board of Education, in its curriculum guidelines for family life education, to include instruction on the prevention of human trafficking. Additionally, the bill requires any high school family life education program offered in a local school division to incorporate age-appropriate elements of effective and evidence-based programs on the prevention of human trafficking.”*

[Senate Bill 1159](http://lis.virginia.gov/cgi-bin/legp604.exe?ses=191&typ=bil&val=SB1159) (Black) “*requires any family life education curriculum offered by a local school division to incorporate age-appropriate elements of effective and evidence-based programs on the harmful physical and emotional effects of female genital mutilation, associated criminal penalties, and the rights of the victim including any civil action.”*

Summary of proposed revisions to Family Life Education Standards of Learning:

Based on feedback received from the Board of Education and during the public comment period, the following changes were made to the proposed revisions to the *Board of Education Guidelines for Family Life Education and Standards of Learning.*

1. A clarification statement was added (Page 12) to ensure that local curriculum include components required by the *Code*.
2. To clarify “personal privacy and boundaries of self,” the word “personal” was omitted from Standards K.3 (Page 13), 1.11 (Page 16), 2.4 (Page 17), 6.7 (Page 25), 7.13 (Page 30), 10.7 (Page 37), and 12.3 (Page 42). That change does not impact the meaning.
3. Language related to female genital mutilation in Standard 9.7 (Page 35) was removed and included only in Standard 12.8 (Page 43).

Timetable for Further Review/Action:
Upon Board of Education adoption, the Virginia Department of Education (VDOE) will release a Superintendent’s memo and make the revised document available to school divisions on the Department’s website.

**Impact on Fiscal and Human Resources:**

It is anticipated that local school divisions will incur cost associated with professional development related to training on the new content areas in the family life education curriculum. The Virginia Department of Education will incur some cost related to updating professional development, providing training, and developing curriculum resources.