

## **AOE Testimony: H.663, An act relating to expanding access to contraceptives**

**Testimony To:** House Committee on Human Services  
**Respectfully Submitted by:** Ted Fisher, Director of Communications and Legislative Affairs  
**Date:** February 5, 2020

### **Status Update on AOE / VDH Sexual Health Education Collaboration**

The Vermont Agency of Education (AOE) and the Vermont Department of Health have been working together since Summer 2019 to coordinate outreach and resource development on sexual health education.

#### **Resources Delivered to the Field**

Both agencies developed the following resources for distribution to Vermont school districts and supervisory unions (SU/SDs):

- [Implementing a Comprehensive Health Education: Law and Regulation](#), a memo from Secretary French to Vermont superintendents reiterating the requirements in statute for implementing a comprehensive health education, requirements in rule and education standards. The memo outlines the importance of strong sexual health education and support policies and refers superintendents to the two memos below.
- [Comprehensive Sexual Health Education and Condom Availability Programs](#), a memo from Secretary French and Commissioner Levine to superintendents, principals, headmasters and health educators, stressing the importance of Sexual Health Education and giving guidance and recommendations for making condoms and other barrier methods available to students.
- [Sexual Health Education Resource Guide](#), intended for educators, curriculum coordinators, and other central office leadership, outlining resources for implementing strong sexual health education programs, and providing planning and professional development resources.

#### **Timeline of Collaboration**

The Agency and the Department met several times internally to plan and coordinate resources and twice with stakeholders to receive feedback on existing sexual health education resources, and identify gaps:

- **August 9, 2019:** Kick-off meeting (**internal**)
- **September 17, 2019:** First Stakeholder Outreach Meeting (**public**)
- **October 21, 2019:** Planning meeting (**internal**)
- **November 5, 2019:** Second Stakeholder Outreach Meeting (**public**)
- **January 14, 2019:** Assets review meeting (**internal**)
- **Week of January 20, 2020:** Leadership review and approval process begins (**both agencies**)
- **Week of January 27, 2020:** Final review, proof and production begins (**AOE**)

## Next Steps

The AOE / VDH interagency group will continue to work together in pursuit of the following goals and next steps:

- Survey of SU/SDs to establish baseline of sexual health education and identify gaps/needs
- Participate in Leadership Exchange for Adolescent Health Promotion (LEAHP)
  - **Focus Areas:** Sexual Health Education, Sexual Health Services, Safe and Supportive Environments
- Strengthen SU/SD accountability through the EQR process

The team will meet quarterly to

- plan follow up communications on additional resources and updates.
- create a professional development plan on sexual health education targeted at health educators.
- continue partnerships with stakeholders.

## AOE Position on H. 663

The Agency has **no position** on the contraception requirement in this bill. However, the agency urges caution and attention to how this program is implemented. Contraception is a controversial topic in some Vermont communities. Mandating provision of contraception across the state has the potential to cause difficult community conversations and conflict that is unlikely to advance student health and welfare.

The Agency suggests that the committee take either of the following approaches when crafting the mandate:

### Either:

- Create a **clear, unambiguous, and strong** requirement for all SU/SDs to provide access to contraception. If the committee takes this approach, it should make policy decisions about such considerations as appropriate age / grade level, and what forms of contraceptions should or may be included.

### Or:

- Give **maximum flexibility** to school district administrative leadership teams to determine how best to implement the requirement in their district. Central office leaders are familiar with their communities and know best how to approach a potentially sensitive topic.

The AOE strongly urges against a middle approach which leaves school districts with the burden of figuring out the details of condom provision programs. This has the potential to lead to sensitive and controversial conversations at the school board level that will complicate implementation of the mandate while doing nothing to promote student health.

The AOE is committed to continuing to work with VDH and individual SU/SDs to strengthen sexual health education and sexual health services.