

2019 -- H 5046

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO EDUCATION - CURRICULUM

Introduced By: Representatives Ranglin-Vassell, Donovan, Tanzi, Walsh, and Hull

Date Introduced: January 09, 2019

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-22 of the General Laws entitled "Curriculum [See Title 16
2 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended by adding thereto
3 the following section:

4 **16-22-26.1. Sexual assault and safe relationship behavior education.**

5 All students in grades kindergarten through twelve (12) shall receive age-appropriate safe
6 relationship behavior education and training, regarding the prevention of relationship abuse, and
7 sexual violence and sexual harassment.

8 (1) Purpose. The purpose of this section is to promote safe, healthy and respectful
9 relationships necessary for students to understand themselves in the context of relationships with
10 others and with society.

11 (2) For the purposes of this section:

12 (i) "Consent" means affirmative, unambiguous, and voluntary agreement to engage in
13 sexual activity; provided, however, consent cannot be given by an individual who is:

14 (A) Asleep, or mentally or physically incapacitated, either through the effect of drugs or
15 alcohol or for any other reason;

16 (B) Under duress or experiencing a threat, coercion, or force; or

17 (C) Inferred under circumstances in which consent is not clear, including the absence of
18 language or actions that indicate unwillingness (such as saying "no" or "stop"), or the existence of
19 a prior or current relationship or prior or current sexual activity.

- 1 (ii) "Safe relationship behavior education" means education that:
- 2 (A) Is medically accurate and appropriate for an individual's age, developmental stage,
- 3 and culture;
- 4 (B) Promotes safe relationships and teaches students to recognize and prevent:
- 5 (I) Physical and emotional relationship abuse; and
- 6 (II) Coercion, violence, or abuse, including teen and adolescent dating violence, domestic
- 7 abuse, and sexual violence and harassment;
- 8 (C) Includes education regarding relationship communication skills, emotional health,
- 9 accountability, and well-being in relationships, and consent; and
- 10 (D) Includes education regarding healthy relationships, including the development of
- 11 healthy attitudes and insights necessary for understanding relationships between oneself, family,
- 12 partners, others, and society, including skills on healthy self-esteem, and self-efficacy and stress
- 13 management.
- 14 (iii) "Sexual assault" means any nonconsensual sexual act proscribed by federal, or
- 15 Rhode Island law, or including when a victim lacks capacity to consent.
- 16 (iv) "Sexual harassment" means unwelcome conduct of a sexual nature, including
- 17 unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical
- 18 conduct of a sexual nature.
- 19 (v) "Sexual violence" means physical sexual acts perpetrated against a person's will or
- 20 when or where a person is incapable of giving consent.
- 21 (3) To assist school districts in developing a sexual assault and safe relationship behavior
- 22 education program, the department of education shall develop appropriate grade-level topics
- 23 relating to healthy relationships.
- 24 (4) The provisions of this section shall be incorporated in the health education curriculum
- 25 sections of the Rhode Island rules and regulations for school health programs, R16-21-SCHO,
- 26 and the Rhode Island basic education program at their next revisions.
- 27 (5) Upon written request to the school principal, a parent or legal guardian of a pupil less
- 28 than eighteen (18) years of age, within a reasonable period of time after the request is made, shall
- 29 be permitted to examine the sexual assault and safe relationship behavior education program
- 30 instruction materials at the school in which their child is enrolled.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION - CURRICULUM

1 This act would require the department of education to develop a program of age-
2 appropriate safe relationship behavior education and training, regarding the prevention of
3 relationship abuse, and sexual violence and harassment.

4 This act would take effect upon passage.

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