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Over 270 physicians have signed a petition requesting that the NIH statement confirming that the highest rate of HIV transmission is through anal intercourse and that FDA paragraph titled : "Are condoms strong enough for anal intercourse?" be included in the new condom use demonstration lesson.

Was the Citizens Advisory Committee (CAC) credible when it voted to discard these NIH and FDA statements or did the hasty and predetermined actions of this committee **further demonstrate the need for the physician's petition.**

The NIH consensus conference on which the Condom Use Demonstration Lesson was based made it clear that their statement that condom use decreases the risk of HIV transmission by .. 85%. could only be utilized for vaginal sex. **Does the committee understand this fact?** Recently a member of the committee stated:

"And look what that same NIH report says ...condom use decreased the risk of HIV.. by .. 85%. they are obviously talking about anal intercourse here."¹ ----**This is a dangerous misstatement----**

What has this self pronounced "unbiased CAC committee" **further missed** in not allowing time for the committee or minority to respond, or review the materials, and by the committee itself reviewing only one page of a three page petition.

The entire FDA paragraph which the committee refused to review not only states that

The Surgeon General has said, "Condoms provide some protection, but anal intercourse is simply too dangerous to practice"

But also has explanatory statements from the FDA as to why:

"Condoms may be more likely to break during anal intercourse ... Even if the condom doesn't break, anal intercourse ...tears allow disease germs to pass more easily from one partner to the other."²

Excluding these risks is highlighting incredible committee bias and is life-threatening to MCPS students.

Sincerely,



Ruth M. Jacobs, M.D.

¹Mr James Kennedy –Teach the Facts

“And look what that same NIH report says about condoms:

The methodological strength of the studies on condoms to reduce the risk of HIV/AIDS transmission far exceeds that for other STDs. There is demonstrated exposure to HIV/AIDS through sexual intercourse with a regular partner (with an absence of other HIV/AIDS risk factors). Longitudinal studies of HIV- sexual partners of HIV+ infected cases allow for the estimation of HIV/AIDS incidence among condom users and condom non-users. From the two incidence estimates, consistent condom use decreased the risk of HIV/AIDS transmission by approximately 85%. These data provide strong evidence for the effectiveness of condoms for reducing sexually transmitted HIV.

Since they already said that anal exposure accounted for the highest rate of transmission, they are obviously talking about anal intercourse here.”

²Condoms and Sexually Transmitted Diseases ...especially AIDS

<http://www.fda.gov/oashi/aids/condom.html>. 2005 revision.

Citizens Advisory Committee BIAS

The last meeting of the Citizens Advisory Committee might all be deemed “HASTY GATE” After receiving a lecture by their chair person Dr Carol Plotsky about the importance of not bullying at 955 pm on Wednesday November 15, 2006 the committee proceeded to do just that.

When the committee chairperson gave them instructions that they had five minutes to read and comprehend

- A letter from Superintendent Weast
- 5 individual speeches to the BOE
- A two-page letter by Dr. Dean Byrd
- Dr. Ruth Jacobs’ petition signed by over 200 medical physicians requesting inclusion of the Surgeon General statement, "Condoms provide some protection, but anal intercourse is simply too dangerous to practice" accompanying FDA explanatory paragraph, and the NIH consensus conference *“HIV/AIDS can be sexually transmitted by anal, penile-vaginal, and oral intercourse. The highest rate of transmission is through anal exposure “*

Despite protests about the lack of time and total absence of prior notification per usual committee custom, the committee rapidly voted that “The committee has completed its deliberations and made its recommendations, and we reaffirm our recommendations.... after reviewing the information provided.” After 20 minutes of time spent in expressing dismay about Dr. Jacobs’ petition and BOE presentation the committee adjourned by 10:30 p.m.

What did the committee did not discuss:

The committee did not discuss or allow consideration of

- 3 of the 5 BOE presentations warning about labeling, discrimination of ex-transgender, and expressing concerns about bias and author inexperience of the Holt Excerpt utilized in the 10th Grade lesson.
- They did not discuss the statement “The Board of Education and MCPS must reject this biased single author text written by Ms Chiasson “because of legal liability”
- The committee did not review the letter of concern from Maryland Licensed Clinical Psychologist Dr. Dean Byrd, Ph.D., MBA, MPH criticizing “the lessons encourage self-labeling. ...the risk of suicide decreases by 20% for each year that a young person delays homosexual ..labeling” (Remafidi et al, 1991) and decrying “the stark omission of health risks associated with homosexual practices.”

- The committee did not allow a vote on whether or not the students should be aware of the risk of anal sex, including higher HIV transmission and lower condom efficacy.
- The fact that MCPS did not give the committee Dr Jacobs' full petition with all of its signatures for review or any analysis of who had signed the petition by specialty.
- Jacobs' letter contained more than concerns than just the physicians petition. These concerns were not discussed.
- The committee did not allow any requests to give it more time for review of these vital issues before voting.
- They did not discuss the ethical question: **In a situation where the committee is being accused of bias, (ie Maria Pena-Faustino, ex transgender, and exgay) why would the matter be referred back to the same committee?**
- Grace Hartley's letter emphasizing the discrimination by Montgomery County Public Schools for ex-transgender gender which is just as concerning as the use of the "n" word "nigger" in Montgomery County public schools in a derogatory way.

What the committee did discuss:

- They did discuss voting as follows "The committee has completed its deliberations and made its recommendations, and we reaffirm our recommendations after reviewing the information provided" "
- On November 8th Maria Pena-Faustino walked out in protest. She presented her concerns to the BOE on November 12th and expressed concerns about "total opposition and bias". **The committee did discuss Maria Pena-Faustino accusations of the committee in her absence and without notifying her and then turned around to make the following resolution:**
- "We express surprise and disappointment that committee members, without showing the courtesy of notifying the chair or other committee members, went outside the process and violated the spirit that committee members worked hard to develop."

The current situation reflects a bias built into the committee by MCPS Board of Education. We protest this bias. We believe it is not good for the safety of the students.