

**Policy 6142.1: Sexual Health And HIV/AIDS Prevention Instruction**

**Status:** ADOPTED

**Original Adopted Date:** 07/01/2008 | **Last Revised Date:** 05/01/2019 | **Last Reviewed Date:** 05/01/2019

The Governing Board desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV) prevention. The district's educational program shall address the goals of the California Healthy Youth Act pursuant to Education Code 51930-51939, including providing students with the knowledge and skills necessary to protect them from risks presented by sexually transmitted infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking and to have healthy, positive, and safe relationships and behaviors. The district's educational program shall also promote students' understanding of sexuality as a normal part of human development and their development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family.

The district shall respect the rights of parents/guardians to supervise their children's education on these subjects and to impart values regarding human sexuality to their children.

Comprehensive sexual health education and HIV prevention education shall be offered to all students in grades 7-12 at least once in junior high or middle school and at least once in high school. (Education Code 51934)

The district's comprehensive sexual health education program shall include information on the affirmative consent standard. Affirmative consent is defined as affirmative, conscious, and voluntary agreement to engage in sexual activity. Teachers delivering such instruction shall consult information related to sexual harassment and violence in the state health curriculum framework. (Education Code 51225.36, 67386)

The Superintendent or designee shall identify appropriate methods for informing the school community about subjects related to the district's comprehensive sexual health and HIV prevention education. The Superintendent or designee shall use such identified methods to inform parents/guardians of students in grades 6-12 about human trafficking prevention resources, as required pursuant to Education Code 49381.

**Parent/Guardian Consent**

At the beginning of each school year or at the time of a student's enrollment, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation, that they may request in writing that their child be excused from participating in comprehensive sexual health and HIV prevention education. Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 51240, 51938, 51939)

A student shall not be subject to disciplinary action, academic penalty, or other sanction if the

student's parent/guardian declines to permit the student to receive the instruction. (Education Code 51939)

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
Ed. Code 220	<a href="#"><u>Prohibition of discrimination</u></a>
Ed. Code 33544	<a href="#"><u>Inclusion of sexual harassment and violence in health curriculum framework</u></a>
Ed. Code 48980	<a href="#"><u>Parent/Guardian notifications</u></a>
Ed. Code 49381	<a href="#"><u>Human trafficking prevention resources</u></a>
Ed. Code 51202	<a href="#"><u>Instruction in personal and public health and safety</u></a>
Ed. Code 51210.8	<a href="#"><u>Health education curriculum</u></a>
Ed. Code 51225.36	<a href="#"><u>Instruction in sexual harassment and violence; districts that require health education for graduation</u></a>
Ed. Code 51240	<a href="#"><u>Excuse from instruction due to religious beliefs</u></a>
Ed. Code 51513	<a href="#"><u>Test, questionnaire, survey, or examination containing questions about beliefs or practices</u></a>
Ed. Code 51930-51939	<a href="#"><u>California Healthy Youth Act</u></a>
Ed. Code 51950	<a href="#"><u>Abuse, sexual abuse, and human trafficking prevention education</u></a>
Ed. Code 67386	<a href="#"><u>Student safety; affirmative consent standard</u></a>
H&S Code 1255.7	<a href="#"><u>Parents surrendering physical custody of a baby</u></a>
Pen. Code 243.4	<a href="#"><u>Sexual battery</u></a>
Pen. Code 261.5	<a href="#"><u>Unlawful sexual intercourse</u></a>
Pen. Code 271.5	<a href="#"><u>Parents voluntarily surrendering custody of a baby</u></a>
<b>Federal</b>	<b>Description</b>
20 USC 1232h	<a href="#"><u>Privacy rights</u></a>
20 USC 7906	<a href="#"><u>Sex education requirements and prohibited use of funds</u></a>
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<a href="#"><u>Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve.</u></a>

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California Department of Education Publication	Health Framework for California Public Schools: Kindergarten through Grade 12, 2003
CSBA Publication	Promoting Healthy Relationships for Adolescents: Board Policy Considerations, Governance Brief, August 2014
Human Rights Campaign Foundation Publication	<u><a href="#">California LGBTQ Youth Report, January 2019</a></u>
Website	<u><a href="#">CSBA District and County Office of Education Legal Services</a></u>
Website	<u><a href="#">Human Rights Campaign</a></u>
Website	<u><a href="#">U.S. Food and Drug Administration</a></u>
Website	<u><a href="#">California Partnership to End Domestic Violence</a></u>
Website	<u><a href="#">California Safe Schools Coalition</a></u>
Website	<u><a href="#">California Department of Education, Sex Education and HIV/AIDS/STD Instruction</a></u>
Website	<u><a href="#">California Department of Public Health</a></u>
Website	<u><a href="#">California Healthy Kids Resource Center</a></u>
Website	<u><a href="#">Centers for Disease Control and Prevention</a></u>
Website	<u><a href="#">CSBA</a></u>

## Cross References

<b>Code</b>	<b>Description</b>
0410	<u><a href="#">Nondiscrimination In District Programs And Activities</a></u>
1312.3	<u><a href="#">Uniform Complaint Procedures</a></u>
1312.3	<u><a href="#">Uniform Complaint Procedures</a></u>
1312.3-E(1)	<u><a href="#">Uniform Complaint Procedures</a></u>
1312.3-E(2)	<u><a href="#">Uniform Complaint Procedures</a></u>
4131	<u><a href="#">Staff Development</a></u>
5022	<u><a href="#">Student And Family Privacy Rights</a></u>
5022	<u><a href="#">Student And Family Privacy Rights</a></u>
5030	<u><a href="#">Student Wellness</a></u>

5141.22	<a href="#"><u>Infectious Diseases</u></a>
5141.22	<a href="#"><u>Infectious Diseases</u></a>
5141.25	<a href="#"><u>Availability Of Condoms</u></a>
5145.3	<a href="#"><u>Nondiscrimination/Harassment</u></a>
5145.3	<a href="#"><u>Nondiscrimination/Harassment</u></a>
5145.6	<a href="#"><u>Parent/Guardian Notifications</u></a>
5145.6-E(1)	<a href="#"><u>Parent/Guardian Notifications</u></a>
5145.7	<a href="#"><u>Sex Discrimination and Sex-Based Harassment</u></a>
5145.7	<a href="#"><u>Sex Discrimination and Sex-Based Harassment</u></a>
5146	<a href="#"><u>Married/Pregnant/Parenting Students</u></a>
6141	<a href="#"><u>Curriculum Development And Evaluation</u></a>
6141	<a href="#"><u>Curriculum Development And Evaluation</u></a>
6142.8	<a href="#"><u>Comprehensive Health Education</u></a>
6142.8	<a href="#"><u>Comprehensive Health Education</u></a>
6142.93	<a href="#"><u>Science Instruction</u></a>
6143	<a href="#"><u>Courses Of Study</u></a>
6143	<a href="#"><u>Courses Of Study</u></a>
6144	<a href="#"><u>Controversial Issues</u></a>
6145.8	<a href="#"><u>Assemblies And Special Events</u></a>
6146.1	<a href="#"><u>High School Graduation Requirements</u></a>
6159	<a href="#"><u>Individualized Education Program</u></a>
6159	<a href="#"><u>Individualized Education Program</u></a>
6161.11	<a href="#"><u>Supplementary Instructional Materials</u></a>
6174	<a href="#"><u>Education For English Learners</u></a>
6174	<a href="#"><u>Education For English Learners</u></a>