

# Twin Rivers USD

## Board Policy

### Sexual Health And HIV/AIDS Prevention Instruction

# REVISED

BP 6142.1

#### Instruction

The Board of Trustees 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 Board of Trustees recognizes that accurate information about family life and human sexuality may contribute to a decreased risk for sexually transmitted diseases or unintended pregnancies. The Board also recognizes that Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) pose a public health crisis and that education is a necessary component for helping to slow the spread of this disease. The Board therefore desires to provide a well-planned sequence of instruction on comprehensive sexual health and HIV/AIDS prevention.~~

~~(cf. 6142.8 - Comprehensive Health Education)~~

**(cf. 5030 - Student Wellness)**

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.25 - Availability of Condoms)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6142.8 - Comprehensive Health Education)

The district's curriculum shall **support the purposes of the California Healthy Your Act as specified in Education Code 51930 – 51939 be unbiased and inclusive of all students in the classroom and be aligned with the states content standards.** ~~be based on medically accurate and factual information and shall help students understand the biological, psychological, social, moral, and ethical aspects of human sexuality. The district's program shall comply with the requirements of law and administrative regulation and~~ **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)**

**Instruction in Grade 5 shall be based on applicable topics from the Health Education Content Standards for public school and be aligned with the California Healthy Your Act.**

(cf. 6143 - Courses of Study)

**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.**

~~The Superintendent or designee may appoint a coordinator and an advisory committee regarding the district's comprehensive sexual health program. This advisory committee shall represent a divergence of viewpoints and may participate in planning, implementing and evaluating the district's comprehensive sexual health education program. The Board shall consider the advisory committee's recommendations when approving the district's program.~~

**(cf. 1220 - Citizen Advisory Committees)**

~~Parent/Guardian Notification and Excuse~~ **Parent/Guardian Consent**

~~At the beginning of each school year, or at the time of a student's enrollment, parents/guardians shall be notified about instruction in comprehensive sexual health education and HIV/AIDS prevention education, as well as research on student health behaviors and risks, planned for the coming year. The notice shall advise parents/guardians: (Education Code 48980, 51938)~~

- ~~1. That written and audiovisual educational materials to be used in comprehensive sexual health and HIV/AIDS prevention education are available for inspection~~
- ~~2. That parents/guardians may request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education~~
- ~~3. That parents/guardians have a right to request a copy of Education Code 51930-51938~~
- ~~4. Whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by district personnel or outside consultants~~

~~If the district chooses to use outside consultants or to hold an assembly with guest speakers to teach the comprehensive sexual health or HIV/AIDS prevention education, the notification shall include: (Education Code 51938)~~

~~a. The date of the instruction~~

~~b. The name of the organization or affiliation of each guest speaker~~

~~c. Information stating the right of the parent/guardian to request a copy of Education Code 51933-51934~~

~~If the arrangements for instruction by outside consultants or guest speakers are made after the beginning of the school year, the district shall notify parents/guardians by mail or another commonly used method of notification no fewer than 14 days before the instruction is given. (Education Code 51938)~~

~~(cf. 5145.6 - Parental Notifications)~~

~~The district may administer to students in grades 7-12 anonymous, voluntary, and confidential research and evaluation instruments, including tests and surveys, containing age appropriate questions about their attitudes or practices relating to sex. Prior to administering such a research and evaluation instrument, parents/guardians shall be provided written notice of the administration. Parents/guardians shall be given an opportunity to review the research instrument and to request in writing that their child not participate. (Education Code 51938)~~

~~Parents/guardians shall be asked to sign and return to the school an acknowledgment that they have received the notification.~~

~~(cf. 5022 - Student and Family Privacy Rights)~~

~~Upon written request, a parent/guardian may excuse his/her child from participating in comprehensive sexual health or HIV/AIDS prevention education or from participating in questionnaires or surveys regarding health behaviors and risks. Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 51240, 51939)~~

**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)**

**(cf. 5022 - Student and Family Privacy Rights)**

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)

Legal Reference:

EDUCATION CODE

**220 Prohibition of discrimination**

**33544 Inclusion of sexual harassment and violence in health curriculum framework**

48980 Notice at beginning of term

**49381 Human trafficking prevention resources**

51202 Instruction in personal and public health and safety

**51210.8 Health education curriculum**

**51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation**

51240 Excuse from instruction due to religious beliefs

51513 **Test, questionnaire, survey, or examination** Materials containing questions about beliefs or practices

51930-51939 ~~Comprehensive Sexual Health and HIV/AIDS Prevention Education Act~~

**California Healthy Youth Act**

**51950 Abuse, sexual abuse, and human trafficking prevention education**

**67386 Student safety; affirmative consent standard**

HEALTH AND SAFETY CODE

1255.7 Parents surrendering physical custody of a baby

PENAL CODE

243.4 Sexual battery

261.5 Unlawful sexual intercourse

271.5 Parents voluntarily surrendering custody of a baby

UNITED STATES CODE, TITLE 20

1232h Protection of ~~Student Rights~~ **student rights**

7906 Sex education **requirements and prohibited use of funds**

Management Resources:

~~CDE PUBLICATIONS~~

CSBA PUBLICATIONS

**Promoting Healthy Relationships for Adolescents: Board Policy Considerations, Governance Brief, August 2014**

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

**Health Education Content Standards for California Public Schools, Kindergarten Through Grade 12, 2008**

Health Framework for California Public Schools: **Kindergarten through Grade 12, 2003**

**HUMAN RIGHTS CAMPAIGN FOUNDATION PUBLICATIONS**

**California LGBTQ Youth Report, January 2019**

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Sex Education and HIV/**AIDS**/STD Instruction:  
<http://www.cde.ca.gov/ls/he/se>

~~California Department of Health Services: <http://www.dhs.ca.gov>~~

~~California Department of Social Services: <http://www.dss.ca.gov>~~

**California Department of Public Health: <http://www.cdph.ca.gov>**

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

**California Partnership to End Domestic Violence: <http://www.cpedv.org>**

California Safe Schools Coalition: <http://www.casafeschools.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

**Human Rights Campaign: <http://www.hrc.org/hrc-story/hrc-foundation>**

**U.S. Food and Drug Administration: <http://www.fda.gov>**

Policy TWIN RIVERS UNIFIED SCHOOL DISTRICT

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