

# **Board Policy**

## **Sexual Health And HIV/AIDS Prevention Instruction**

**BP 6142.1**

### **Instruction**

The Governing Board 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) infection 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)

The district's curriculum shall 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 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.

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Infectious Disease Prevention)

(cf. 5141.25 - Availability of Condoms)

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

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

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**

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. Whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by district personnel or outside consultants
3. That parents/guardians have a right to request a copy of Education Code 51930-51939
4. That parents/guardians may request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education

(cf. 5145.6 - Parental Notifications)

The district may administer to students in grades 7-12 anonymous, voluntary and confidential research instruments, including tests and surveys, containing age-appropriate questions about their attitudes or practices relating to sex. Prior to administering such a survey or questionnaire, parents/guardians shall receive written notice that the survey is to be administered. Parents/guardians shall be given an opportunity to review the material and to request in writing that their child not participate. (Education Code 51938, 51939)

(cf. 5022 - Student and Family Privacy Rights)

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

Upon a written request from his/her parent/guardian, a student shall be excused from participating in comprehensive sexual health or HIV/AIDS prevention education or from participating in questionnaires or surveys regarding health behaviors and risks. While the instruction is being delivered or the survey instrument is being administered, an alternative educational activity shall be made available to the student. (Education Code 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)

**Legal Reference:**

**EDUCATION CODE**

48980 Notice at beginning of term

51202 Instruction in personal and public health and safety

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

**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  
7906 Sex education

Management Resources:

CDE PUBLICATIONS

Health Framework for California Public Schools, 2003

CSBA PUBLICATIONS

Saving Lives: AIDS Issues for California Schools, 1994

WEB SITES

CDE: <http://www.cde.ca.gov>

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

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

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

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

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

Policy VENTURA UNIFIED SCHOOL DISTRICT

adopted: June 8, 2004      Ventura, California

# **Administrative Regulation**

## **Sexual Health And HIV/AIDS Prevention Instruction**

AR 6142.1

### **Instruction**

#### Comprehensive Sexual Health Instruction

The district's sexual health education curriculum shall satisfy the following criteria: (Education Code 51931, 51933)

1. Instruction and materials shall be age appropriate.

Age appropriate refers to topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group.

2. All factual information presented shall be medically accurate and objective.

Medically accurate means verified or supported by research conducted in compliance with scientific methods and published in peer-reviewed journals, where appropriate, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the federal Centers for Disease Control and Prevention, the American Public Health Association, the American Academy of Pediatrics, and the American College of Obstetricians and Gynecologists.

3. Instruction shall be made available on an equal basis to a student who is an English learner, consistent with the existing curriculum and alternative options for an English learner student, as otherwise provided in the Education Code.

(cf. 6174 - Education for English Language Learners)

4. Instruction and materials shall be appropriate for use with students of all races, genders, sexual orientations, ethnic and cultural backgrounds, and students with disabilities.

5. Instruction and materials shall be accessible to students with disabilities, including, but not limited to, the provision of a modified curriculum, materials and instruction in alternative formats, and auxiliary aids.

6. Instruction and materials shall encourage a student to communicate with his/her parents/guardians about human sexuality.

7. Instruction and materials shall teach respect for marriage and committed relationships.

8. Instruction and materials may not teach or promote religious doctrine.

9. Instruction and materials may not reflect or promote bias against any person on the basis of any category protected by Education Code 220.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5145.3 - Nondiscrimination/Harassment)

10. Beginning in grade 7, instruction and materials shall teach that abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy, teach that abstinence from sexual activity is the only certain way to prevent sexually transmitted diseases, and provide information about the value of abstinence while also providing medically accurate information on other methods of preventing pregnancy and sexually transmitted diseases.

11. Beginning in grade 7, instruction and materials shall provide information about sexually transmitted diseases. This instruction shall include how sexually transmitted diseases are and are not transmitted, the effectiveness and safety of all federal Food and Drug Administration (FDA) approved methods of reducing the risk of contracting sexually transmitted diseases, and information on local resources for testing and medical care for sexually transmitted diseases.

12. Beginning in grade 7, instruction and materials shall provide information about the effectiveness and safety of all FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception.

(cf. 5141.25 - Availability of Condoms)

13. Beginning in grade 7, instruction and materials shall provide students with skills for making and implementing responsible decisions about sexuality.

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

14. Beginning in grade 7, instruction and materials shall provide students with information on the law on surrendering physical custody of a minor child 72 hours or younger, pursuant to Health and Safety Code 1255.7 and Penal Code 271.5.

(cf. 6143 - Courses of Study)

#### HIV/AIDS Prevention Instruction

HIV/AIDS prevention instruction shall be offered at least once in junior high or middle school and once in high school by instructors trained in the appropriate courses. Instruction shall accurately reflect the latest information and recommendations from the United States Surgeon General, the federal Centers for Disease Control and Prevention, and the National Academy of Sciences and shall include: (Education Code 51934)

1. Information on the nature of HIV/AIDS and its effects on the human body.

2. Information on the manner in which HIV is and is not transmitted, including information on activities that present the highest risk of HIV infection.
3. Discussion of methods to reduce the risk of HIV infection, including:
  - a. Emphasis that sexual abstinence, monogamy, the avoidance of multiple sexual partners and abstinence from intravenous drug use are the most effective means for HIV/AIDS prevention.
  - b. Statistics based upon the latest medical information citing the failure and success rates of condoms and other contraceptives in preventing sexually transmitted HIV infection.
  - c. Information on other methods that may reduce the risk of HIV transmission from intravenous drug use.
4. Discussion of the public health issues associated with HIV/AIDS.
5. Information on local resources for HIV testing and medical care.
6. Development of refusal skills to assist students in overcoming peer pressure and using effective decision-making skills to avoid high-risk activities.
7. Discussion about societal views on HIV/AIDS, including stereotypes and myths regarding persons with HIV/AIDS. This instruction shall emphasize compassion for persons living with HIV/AIDS.

#### In-Service Training and Use of Consultants

The Superintendent or designee shall cooperatively plan and conduct in-service training for all district personnel who provide HIV/AIDS prevention education, through regional planning, joint powers agreements or contract services. (Education Code 51935)

In developing and providing in-service training, the Superintendent or designee shall cooperate and collaborate with the teachers who provide HIV/AIDS prevention education and with the California Department of Education. (Education Code 51935)

The district shall periodically conduct in-service training to enable district personnel to learn new developments in the scientific understanding of HIV/AIDS. In-service training shall be voluntary for district personnel who have demonstrated expertise or received in-service training from the California Department of Education or federal Centers for Disease Control and Prevention. (Education Code 51935)

The Superintendent or designee may expand HIV/AIDS in-service training to cover the topic of comprehensive sexual health education for district personnel teaching sexual health education to learn new developments in the scientific understanding of sexual health. (Education Code 51935)

The Superintendent or designee may contract with outside consultants with expertise in comprehensive sexual health or HIV/AIDS prevention education, including those who have developed multilingual curricula or curricula accessible to persons with disabilities, to deliver the instruction or to provide training for district personnel. (Education Code 51936)

Regulation VENTURA UNIFIED SCHOOL DISTRICT  
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