

## STUDENTS

### Availability of Condoms

The Governing Board strongly encourages students to abstain from sexual activity. However, the Board also believes it has a responsibility to take steps to prevent pregnancy among minors, Human Immunodeficiency Virus (HIV) infection and Acquired Immune Deficiency Syndrome (AIDS), and other sexually transmitted diseases among students who do not abstain from sexual activity.

*(cf. 5146 - Married/Pregnant/Parenting Students)*  
*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

Condoms, when properly used, can reduce the incidence of pregnancy and transmission of HIV/AIDS and other sexually transmitted diseases, although correct use of condoms cannot guarantee pregnancy or disease prevention

*(cf. 5141.6 - School Health Services)*

The Superintendent or designee shall annually notify parents/guardians that they may exclude their children from the program. Parents/guardians who choose to exclude their children shall be offered information and educational materials designed to help them communicate effectively with their children about pregnancy prevention and sexually transmitted diseases.

Condoms shall be available to individual high school and middle school students at non Central Unified School District locations designated by the Superintendent or designee. Related information shall be provided at the same locations, and a licensed health care professional shall be available to counsel students.

Condoms shall be provided in their original packaging, along with the manufacturer's instructions. Students shall receive additional information as appropriate and necessary regarding the proper use of condoms and their effectiveness.

Students shall be advised not to engage in unlawful sexual activity and shall receive information explaining that Penal Code 261.5 prohibits a male of any age from having sexual intercourse with a female under 18 to whom he is not married.

Verbal and/or written information shall be available to students obtaining condoms which stresses that abstinence is the only 100% effective method of preventing pregnancy and sexually transmitted diseases and which does not condone or in any way encourage sexual activity among or with minors.

The Superintendent or designee may provide addresses and telephone numbers of resources that provide further information and counseling regarding HIV testing, AIDS and other sexually transmitted diseases, and pregnancy prevention.

*(cf. 1020 - Youth Services)*

The Superintendent or designee shall notify parents/guardians of Board policy regarding the availability of condoms and shall seek parent/guardian involvement in developing plans for implementing this policy.

*Legal Reference:*

*EDUCATION CODE*

*49062 Records; establishment, maintenance and destruction*

*49069 Absolute right to access*

*49422 Supervision of health and physical development of pupils*

*51934 AIDS prevention instruction*

*FAMILY CODE*

*6925 Prevention or treatment of pregnancy*

*HEALTH AND SAFETY CODE*

*121255 Further findings and declarations*

*PENAL CODE*

*261.5 Unlawful sexual intercourse with female under age 18*

*286 Sodomy*

*288 Lewd or lascivious acts with child under age 14*

*288a Oral copulation*

*UNITED STATES CODE, TITLE 20*

*7906 Prohibition against use of federal funds for contraceptive distribution*

*COURT DECISIONS*

*People v. Beeman (1984) 35 Cal. 3d 547, 561*

*Management Resources:*

*WEB SITES*

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

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

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

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

*National Association of State Boards of Education: <http://www.nasbe.org>*

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