

## **HUMAN GROWTH AND DEVELOPMENT (GRADES 5-12) AND SEX EDUCATION INSTRUCTION (GRADES 5-12) - ADMINISTRATIVE REGULATIONS**

The Pleasanton Unified School District (District) supports the implementation of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act adopted October 2003. The purpose of this act is to:

- 1) provide a pupil with the knowledge and skills necessary to protect his or her sexual and reproductive health from unintended pregnancy and sexually transmitted diseases, and
- 2) encourage a pupil to develop healthy attitudes concerning adolescent growth and development, body image, gender roles, sexual orientation, dating, marriage, and family. (Education Code 51930)

### **Course Content, Materials, and Instruction**

The District will provide comprehensive sexual health education, consisting of age-appropriate instruction. (Education Code 51933)

1. Instruction and materials shall be age appropriate.
2. All factual information presented shall be medically accurate and objective.
3. Instruction shall be made available on an equal basis to a pupil who is an English learner, consistent with the existing curriculum and alternative options for an English learner pupil as otherwise provided in this code.
4. Instruction and materials shall be appropriate for use with pupils of all races, genders, sexual orientations, ethnic and cultural backgrounds, and pupils with disabilities.
5. Instruction and materials shall be accessible to pupils 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 pupil to communicate with his or her parents or guardians about human sexuality.
7. Instruction and materials shall teach respect for marriage and committed adult relationships.
8. Commencing 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.

9. Commencing 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.
10. Commencing 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.
11. Commencing in grade 7, instruction and materials shall provide pupils with skills for making and implementing responsible decisions about sexuality.
12. Commencing in grade 7, instruction and materials shall provide pupils with information on the law on surrendering physical custody of a minor child 72 hours or younger, pursuant to Section 1255.7 of the Health and Safety Code and Section 271.5 of the Penal Code.

#### **Required HIV/AIDS Prevention Education (Education Code 51934)**

The District shall ensure that all pupils in grades 7 to 12, inclusive, receive HIV/AIDS prevention education from instructors trained in the appropriate courses. Each pupil shall receive this instruction at least once in middle school and at least once in high school. HIV/AIDS prevention education, shall satisfy all of the criteria set forth in the paragraphs above of Education Code 51933 and 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 the following:

- 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. This instruction shall emphasize 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, but shall also include statistics based upon the latest medical information citing the success and failure rates of condoms and other contraceptives in preventing sexually transmitted HIV infection, as well as 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 pupils 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.

**Notice and Parental Excuse** (Education Code 51937, 51938, 51513, and the federal Protection of Pupil Rights Act (PPRA), 20 USC 123h)

The District will follow the procedures stated in California Education Code 51938(b) and 51513 and the federal Protection of Pupil Rights Act (PPRA), 20 USC 123h and use an active consent for grades 5 through 12 for administration of the California Healthy Kids survey. Parents will be notified in writing at the beginning of the school year about the California Healthy Kids Survey, the approximate administration date, and given a reasonable opportunity to review the survey.

The District supports the intent of the Legislature to encourage pupils to communicate with their parents or guardians about human sexuality and HIV/AIDS and to respect the rights of parents or guardians to supervise their children's education on these subjects. The District will provide a process for parents and guardians to review materials and evaluation tools related to comprehensive sexual health education and HIV/AIDS prevention education, and, if they wish, to excuse their children from participation in all or part of that instruction or evaluation.

The District recognizes that while parents and guardians overwhelmingly support medically accurate, comprehensive sex education, parents and guardians have the ultimate responsibility for imparting values regarding human sexuality to their children. (Education Code 51937)

A parent or guardian of a pupil has the right to excuse their child from all or part of comprehensive sexual health education, HIV/AIDS prevention education, and assessments related to that education, as follows:

- a) At the beginning of each school year, or, for a pupil who enrolls in a school after the beginning of the school year, at the time of that pupil's enrollment, each school shall notify the parent or guardian of each pupil about instruction in comprehensive sexual health education and HIV/AIDS prevention education and research on pupil health behaviors and risks planned for the coming year. The notice shall include all of the following:
  - 1) Advise the parent or guardian that written and audio visual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education are available for inspection.
  - 2) Advise the parent or guardian whether the comprehensive sexual health education or HIV/AIDS prevention education will be taught by school district personnel or by outside consultants.

- 3) Provide information explaining the parent's or guardian's right to request a copy of this chapter.
  - 4) Advise the parent or guardian that the parent or guardian may request in writing that his or her child not receive comprehensive sexual health education or HIV/AIDS prevention education.
- b) Anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risk, including tests, questionnaires, and surveys containing age appropriate questions about the pupils' attitudes concerning practices relating to sex may be administered to any pupil in grades 7 to 12, inclusive, if the parent or guardian is notified in writing that this test, questionnaire, or survey is to be administered and the pupil's parent or guardian is given the opportunity to review the test, questionnaire, or survey and to request in writing that his or her child not participate. (Education Code 51938)

If arrangements for this instruction are made after the beginning of the school year, the parents/guardians shall be notified no fewer than 10, and no more than 15, days before the instruction is delivered. This notification is required whether the guest speakers are brought in by the district to lecture, distribute information, show a videotape, act out, conduct an activity involving student participation, or provide audio material in either a classroom or assembly. The notice shall include the date of the instruction, the name of the person or organization, or guest speaker presenting the information. Parents/guardians shall also be notified in the manner described above prior to any instruction on family life, human sexuality, AIDS, or sexually transmitted diseases at an assembly conducted by a district employee. If notice is sent home with the students, parents/guardians shall be asked to sign and return to the school a permission slip indicating that they have read the notification. The district will require a returned permission slip signed by the parent or guardian indicating that the parent/guardian gives their permission for the student to participate in the unit, assembly, or survey. A pupil may not attend any class in comprehensive sexual education or HIV/AIDS prevention education, or participate in any anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks, if the school has not received a written permission slip from the pupil's parent or guardian indicating that the pupil can participate. A pupil may not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent or guardian declines to permit the pupil to receive comprehensive sexual health education or HIV/AIDS prevention education or to participate in anonymous, voluntary, and confidential tests, questionnaires, or surveys on pupil health behaviors and risks.

While comprehensive sexual health education, HIV/AIDS prevention education, or anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks is being administered, an alternative educational activity shall be made available to pupils whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey. (Education Code 51939)

**In-Service Training for HIV/AIDS Prevention Education**

The District shall plan and conduct in-service training for all school district personnel that provide HIV/AIDS prevention education. In-service training shall be conducted periodically to enable school district personnel to learn new developments in the scientific training from the State Department of Education or federal Centers for Disease Control and Prevention.

The District may expand HIV/AIDS in-service training to cover the topic of comprehensive sexual health education in order for school district personnel who provide comprehensive sexual health education to learn new developments in the scientific understanding of sexual health. All materials used for the above classroom instruction shall be made available for inspection by parents/guardians at reasonable times and places prior to the onset of instruction. The above notification shall inform parents/guardians of their right to inspect these materials.

Materials to which parents/guardians object may be reevaluated by the district's Human Growth and Development/Sex Education Advisory Committee.

**Contracting With Outside Consultants**

The District may contract with outside consultants with expertise in comprehensive sexual health education or HIV/AIDS Prevention education and Male and Female Reproductive Systems. (Education Code 51936)

**Gender Separate Delivery Format for Fifth Grade Human Growth and Development Unit**

The delivery for the fifth grade Human Growth and Development Unit shall be entirely in a gender separate format. Students shall be separated into groups of all girls and all boys to receive instruction for this unit. This gender separate format shall be used for the daily lessons of the unit, the viewing of all videos, and classroom discussions.

**Pilot of Instructional Materials**

Before a new Human Growth and Development/Sex Education curriculum is implemented district-wide, it may be pilot tested with a small number of students and teachers trained to use it. The program coordinator shall direct the monitoring of pilot testing and record recommended improvements. A forum for airing the concerns of parents/guardians, teachers, and the community may also be held. The advisory committee may subsequently take to the Board specific recommendations for program or curriculum modifications.

**Evaluation of Human Growth and Development/Sex Education Materials**

The Superintendent or designee shall ensure that Human Growth and Development/Sex Education materials and instruction are evaluated in light of information received from students, parents/guardians, and teachers or when new information becomes available.

Legal Reference:

Education Code

51930 California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act

51933 Authorized Comprehensive Sexual Health Education

51934 Required HIV/AIDS Prevention Education

51935 In-Service Training

51936 Contracting with Outside Consultants

51937 Notice and Parental Excuse

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Penal Code 271.5 Parents voluntarily surrendering custody of a baby

ADOPTED: 6-22-04

AMENDED: 10-11-05

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PLEASANTON UNIFIED SCHOOL DISTRICT

PLEASANTON, CALIFORNIA