



## CURRICULUM, INSTRUCTION & PROFESSIONAL DEVELOPMENT

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August 2012

TO: All Principals

RE: PARENT NOTIFICATION –**LEGAL REQUIREMENTS**

This information is presented in response to the legal requirements relating to parent notification prior to comprehensive sexual health education (a.k.a. family life/sex education) and HIV/AIDS prevention education. The following is a brief synopsis of sections of the California Education Code pertinent to instruction about comprehensive sexual health, HIV/AIDS and other Sexually Transmitted Diseases. The complete text of these Education Codes is attached and can be found at [www.leginfo.ca.gov](http://www.leginfo.ca.gov). You may also refer to the attached Board Policy #6142.1.

51933

### AUTHORIZED COMPREHENSIVE SEXUAL HEALTH EDUCATION

School districts may provide comprehensive sexual health in any kindergarten to grade 12, inclusive, using instructors trained in the appropriate courses. All information presented shall be age-appropriate, medically accurate and objective, and available to all students. Instruction shall teach respect for marriage and committed relationships.

Commencing in grade 7, instruction and materials shall teach abstinence from sexual intercourse, while also providing medically accurate information on FDA-approved methods of preventing pregnancy and reducing the risk of sexually transmitted diseases. It shall also provide information about sexually transmitted diseases, transmission, risk reduction, and information on local resources for testing and medical care for sexually transmitted diseases. It shall also provide information about FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception. It shall also provide pupils with information on the law on surrendering physical custody of a minor child 72 hours or younger. The sexual health instruction provided to students in grades 1-6 may also include medically accurate and age appropriate instruction on these topics.

If a school district provides comprehensive sexual health education, whether taught by school district personnel or outside consultants, instruction and materials may not teach or promote religious doctrine and may not reflect or promote bias against any person.

51934

#### REQUIRED HIV/AIDS PREVENTION EDUCATION

School districts shall ensure that pupils receive HIV/AIDS prevention education at least once in middle school and at least once in high school. 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

- (1) information on the nature of HIV/AIDS and its effects on the human body
- (2) information on how HIV is and is not transmitted, including information on activities that present the highest risk of HIV infection,
- (3) methods to reduce the risk of HIV infection,
- (4) the public health issues associated with HIV/AIDS,
- (5) information on local resources for HIV testing and medical care,
- (6) refusal skills to assist pupils in overcoming peer pressure and using effective decision making skills to avoid high-risk activities,
- (7) 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.

51938

#### EXCUSE FROM COMPREHENSIVE SEXUAL HEALTH EDUCATION, HIV/AIDS PREVENTION EDUCATION AND RELATED ASSESSMENTS

Parents shall be notified about instruction in comprehensive sexual health education and HIV/AIDS prevention education and research on pupil health behaviors and risk. The notice shall include the following

- 1) that written and audio visual educational materials used are available for inspection,
- 2) that the parent may request in writing that his/her child not receive comprehensive sexual health education and HIV/AIDS prevention education,
- 3) that parents have a right to request a copy of this chapter,
- 4) whether instruction will be provided by district personnel or by outside consultants (guest speakers). If an outside consultant is used, notification shall include:
  - a. date of instruction
  - b. name of organization or affiliation of each guest speaker
  - c. information on requesting a copy of Education Code 51933-51934.

This chapter also requires that parents be notified in writing of any anonymous, voluntary, and confidential research to measure pupils' health behaviors relating to sex. Parents must be given the opportunity to review the test, questionnaire, or survey utilized and may request in writing that his/her child not participate.

51939

#### STUDENTS EXCUSED FROM COMPREHENSIVE SEXUAL HEALTH EDUCATION, HIV/AIDS PREVENTION EDUCATION AND RELATED ASSESSMENTS

If the school has received a written request from a pupil's parent or guardian excusing the pupil from participation, the pupil

- 1) may not attend any class in comprehensive sexual health education and HIV/AIDS prevention education or participate in any research on pupil health behaviors and risk,
- 2) may not be subject to disciplinary action, academic penalty, or other sanction,
- 3) shall be provided with an alternative educational activity.

Attached are California Education Code Sections relevant to the issue, LBUSD Board Policy and Administrative Regulations 6142.1

#### Attachments

c: Chris Steinhauser  
Jill Baker  
Maggie Webster  
Connie Jensen  
Health, Home Economic and Science Teachers  
School Nurses  
Eric Brundin

Publication Authorized:  
Christine Dominguez  
Deputy Superintendent  
Curriculum, Instruction & Professional Development

## California Education Codes Section 51933

### Authorized Comprehensive Sexual Health Education

- (a) School districts may provide comprehensive sexual health education, consisting of age-appropriate instruction, in any kindergarten to grade 12, inclusive, using instructors trained in the appropriate courses.
- (b) A school district that elects to offer comprehensive sexual health education pursuant to subdivision (a), whether taught by school district personnel or outside consultants, shall satisfy all of the following criteria:
  - (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 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.
- (c) A school district that elects to offer comprehensive sexual health education pursuant to subdivision (a) earlier than grade 7 may provide age appropriate and medically accurate information on any of the general topics contained in paragraphs (8) to (12), inclusive, of

subdivision (b).

- (d) If a school district elects to offer comprehensive sexual health education pursuant to subdivision (a), whether taught by school district personnel or outside consultants, the school district shall comply with the following:
- (1) Instruction and materials may not teach or promote religious doctrine.
  - (2) Instruction and materials may not reflect or promote bias against any person on the basis of any category protected by Section 220.

#### **California Education Codes Section 51934**

##### **Required HIV/AIDS Prevention Education**

- (a) A school 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 junior high or middle school and at least once in high school.
- (b) HIV/AIDS prevention education, whether taught by school district personnel or outside consultants, shall satisfy all of the criteria set forth in paragraphs (1) to (6), inclusive, of subdivision (b) and paragraphs (1) and (2) of subdivision (d) of Section 51933, 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.

#### **California Education Codes Section 51938.**

##### **Parental Notice and Excuse**

51938. 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 district 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) 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) Notwithstanding Section 51513, anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age appropriate questions about the pupil's attitudes concerning or 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.

**California Education Codes Section 51939.**

- (a) 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 received a written request from the pupil's parent or guardian excusing the pupil from participation.
- (b) 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.
- (c) 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.

Sexual Health and HIV/AIDS Prevention Instruction

The Governing Board recognizes that the purpose of the district's sexual health and HIV/AIDS prevention instruction is to provide students with the knowledge and skills necessary to protect them from unintended pregnancy and sexually transmitted diseases and to encourage students to develop healthy attitudes concerning adolescent growth and development, body image, gender roles, sexual orientation, dating, marriage, and family. The Board therefore desires to provide a well-planned sequence of instruction on comprehensive sexual health and HIV/AIDS prevention.

(cf. 5030) – Student Wellness)

(cf. 6142.8 - Comprehensive Health Education)

The district's curriculum shall be aligned with the state's content standards, based on medically accurate and factual information, and designed to teach students to make healthy choices and reduce high-risk behaviors. The district's program shall comply with the requirements of law, Board policy, 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. 5146 - Married/Pregnant/Parenting Students)

(cf. 6143 - Courses of Study)

The Superintendent or designee may appoint a coordinator and/or 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.

#### Parent/Guardian Consent

A parent/guardian may request in writing that his/her child be excused from participating in HIV/AIDS prevention or sexual health education. Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 51240, 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

48980 Notice at beginning of term

51202 Instruction in personal and public health and safety

51210.8 Health education curriculum

51240 Excuse from instruction due to religious beliefs

51513 Materials containing questions about beliefs or practices

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:

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

WEB SITES

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

American Academy of Pediatrics: <http://www.aap.org>

American College of Obstetricians and Gynecologists: <http://www.acog.org>

American Public Health Association: <http://www.apha.org>

California Department of Education, Sex Education and HIV/STD Instruction:

<http://www.cde.ca.gov/ls/he/se>

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

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

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

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

National Academy of Sciences: <http://www.nationalacademies.org>

U.S. Department of Health and Human Services, Office of the Surgeon General:

<http://www.surgeongeneral.gov>

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

Effective: December 6, 2005

Revised: March 2, 2010

LONG BEACH UNIFIED SCHOOL DISTRICT



Sexual Health and HIV/AIDS Prevention Instruction

## Instruction and Materials

The Superintendent or designee shall ensure that the district's sexual health and HIV/AIDS prevention instruction and materials are: (Education Code 51933, 51934):

1. 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. Factually and medically accurate and objective  
“Medically accurate” means verified or supported by research conducted in compliance with scientific methods and published in peer-review 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. 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
4. Appropriate for use with students of all races, genders, sexual orientations, ethnic and cultural backgrounds, and students with disabilities
5. Accessible to students with disabilities, including, but not limited to, the provision of a modified curriculum, materials and instruction in alternative formats, and auxiliary aides
6. Not teaching or promoting religious doctrine
7. Not reflecting bias or promoting prejudice against students in protected categories of discrimination pursuant to Education Code 220

Other district courses that may include subject matter related to that which is presented in either HIV/AIDS prevention or comprehensive sexual health instruction, shall not be subject to the requirements of Education Code 51930-51939 pertaining to instructional content, teacher training, and parental notification and consent, if such courses contain: (Education Code 51932)

1. Solely a description or illustration of human reproductive organs that may appear in a textbook adopted pursuant to law on physiology, biology, zoology, general science,

personal hygiene, or health

AR 6142.1

2. Instruction or materials that discuss gender, sexual orientation, or family life and do not discuss human reproductive organs and their function

#### Additional Requirements for HIV/AIDS Prevention Instruction

HIV/AIDS prevention instruction shall be offered at least once in middle school and once in high school. (Education Code 51934)

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. The district's curriculum shall satisfy the criteria listed in items #1-7 in the section entitled "Instruction and Materials" above and shall also include: (Education Code 51931, 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 success and failure 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 to overcome peer pressure and use 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 and emphasizing compassion for persons living with HIV/AIDS

### Additional Requirements for Sexual Health Instruction

The district's sexual health education curriculum shall satisfy the criteria listed in items #1-7 in the section entitled "Instruction and Materials" above as well as the following criteria: (Education Code 51931, 51933)

1. Instruction and materials shall encourage a student to communicate with his/her parents/guardians about human sexuality
2. Instruction and materials shall teach respect for marriage and committed relationships
3. 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
4. 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
5. 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
6. Beginning in grade 7, instruction and materials shall provide students with skills for making and implementing responsible decisions about sexual conduct.
7. Beginning in grade 7, instruction and materials shall provide students with information on the law concerning surrendering physical custody of a minor child 72 hours or younger, pursuant to Health and Safety Code 1255.7 and Penal Code 271.5.

### Professional Development

The district's instruction shall be provided by instructors trained in the appropriate courses who are knowledgeable of the most recent medically accurate research on human sexuality, pregnancy, and sexually transmitted diseases. (Education Code 51932, 51933, 51934)

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 State Department of Education (CDE) (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 school district personnel who have demonstrated expertise or received in-service training from the State 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)

#### Use of Consultants or Guest Speakers

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 the training for district personnel. The Superintendent or designee shall ensure that any instruction provided by an outside speaker or consultant complies with Board policy, administrative regulation, and Education Code 51930-51939. (Education Code 51933, 51934, 51936)

#### Parent/Guardian Notification

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 51930-51939

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)

If a parent/guardian wishes to excuse his/her child from the assembly, guest speaker or presentation by an outside consultant, he/she must provide a separate written request, as specified in Board policy.

Effective: December 6, 2005  
Revised: March 2, 2010



## ELEMENTARY SCHOOL LETTERHEAD

### Sample Parent Notification Letter: Growth and Development, Elementary

Date

Dear Parent/Guardian(s):

The Growth and Development lessons will be presented in your son's/daughter's classroom (insert dates). The goal of the lessons is to help each child be aware of the physical and emotional changes coming, to understand that these changes are a natural part of growing up, and to promote the importance of personal responsibility for taking care of him or herself. In accordance with California law, all information presented shall be age-appropriate and medically accurate.

The District wants to work with you to provide your child with the factual information he or she will need to understand his/her changing body. You are invited to attend a parent meeting on (insert date, time, and location) to preview the instructional materials used in the Growth and Development lessons.

If you do not wish your student to participate in the Growth and Development lessons, please notify your student's teacher in writing.

If you have any questions regarding this matter, please feel free to call. The number is (insert school phone number). Copies of the California Education Code Sections 51933, 51934, and 51938, related to family life and HIV/AIDS education, are available at the school upon request.

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Principal

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Teacher or Nurse



MIDDLE or HIGH SCHOOL LETTERHEAD

Sample Parent Notification Letter: Growth and Development, Middle/High

Date

Dear Parent/Guardian(s):

The Growth and Development lessons will be presented in your son's/daughter's Health Education classroom (insert dates). The goal of the lessons is to help students understand the biological, psychological, social, moral and ethical aspects of human sexuality. These lessons are part of a comprehensive health education program that teaches acceptance of personal responsibility and emphasizes decisions that promote health.

In accordance with California law, all information presented will be age-appropriate and medically accurate. Lessons will teach respect for marriage and committed relationships. Lessons will not promote religious doctrine and will not promote bias against any person. Lessons will promote abstinence while also providing medically accurate information on FDA-approved contraception. Lessons will encourage students to talk with parents/guardians about sexuality.

The District wants to work with you to provide your student with the factual information he or she will need to understand his/her changing body. The instructional materials used in these lessons are available for review by contacting your student's Health teacher.

If you do not wish your student to participate in the Growth and Development lessons, please notify your student's teacher in writing.

If you have any questions regarding this matter, please feel free to call. The number is (insert school phone number). Copies of the California Education Code Sections 51933, 51934, and 51938, related to family life and HIV/AIDS education, are available at the school upon request.

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Principal

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Teacher



## ELEMENTARY SCHOOL LETTERHEAD

Sample Parent Notification Letter: Sexually Transmitted Diseases, HIV/AIDS,  
Elementary

Date

Dear Parent/Guardian(s):

The Board 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 these diseases. The District believes it is important that our elementary students begin develop the knowledge and skills so that they may take responsibility for their health.

As a part of a comprehensive health education program, the HIV/AIDS lessons will be presented in your child's classroom on (date). The goal of the lessons is to help each child understand the importance of good health habits, the facts about HIV/AIDS, and the importance of compassion for those who are sick or have HIV/AIDS. You are invited to attend a parent meeting on (insert date, time, and location) to preview the instructional materials used in the HIV/AIDS lessons.

If you do not wish your student to participate in the STD lessons, please notify your student's teacher in writing.

If you have any questions regarding this matter, please feel free to call. The number is (school number). Copies of the California Education Code Sections 51933, 51934, and 51938, related to family life and HIV/AIDS education, are available at the school upon request.

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Principal

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Nurse





MIDDLE or HIGH SCHOOL LETTERHEAD

Sample Parent Notification Letter: Sexually Transmitted Diseases, HIV/AIDS,  
Middle/High

Date

Dear Parent/Guardian(s):

The Board recognizes that Sexually Transmitted Diseases (STDs), including HIV infection and AIDS, a public health crisis and that education is a necessary component for helping to slow the spread of these diseases. This instruction is part of a comprehensive health education program that teaches acceptance of personal responsibility and emphasizes decisions that promote health. The STD lessons will be presented your son's/daughter's Health Education class on (insert dates).

In accordance with California law, lessons will be based on medically accurate information from the United States Surgeon General, the federal Centers for Disease Control and Prevention, and the National Academy of Sciences. Lessons will include information on the effects of STDs on the human body, how they are transmitted, methods to reduce the risk of STD infection (abstinence and FDA-approved contraception), and testing and medical care resources. Lessons will include decision-making and refusal skills and will dispel stereotypes and myths regarding persons with HIV/AIDS. Lessons will emphasize compassion for persons living with HIV/AIDS.

The District wants to work with you to provide your student with the factual information he or she will need to understand these diseases. The instructional materials used in these lessons are available for review by contacting your student's Health teacher.

If you do not wish your student to participate in the STD lessons, please notify your student's teacher in writing.

If you have any questions regarding this matter, please feel free to call. The number is (school number). Copies of the California Education Code Sections 51933, 51934, and 51938, related to family life and HIV/AIDS education, are available at the school upon request.

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Principal

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Teacher



Elementary, Middle, or High School Letterhead

Sample Parent Notification Letter: Guest Speaker

Date

Dear Parent/Guardian(s):

As part of your child's Health Education instruction, a speaker from (insert guest speaker/assembly's agency or affiliation or title of district employee presenting through assembly) will be presenting information on (insert topic: human sexuality, sexually transmitted diseases, HIV/AIDS) on (insert date).

If you do not wish your student to participate in this presentation, please notify your student's teacher in writing.

If you have any questions regarding this matter, please feel free to call your child's school. Copies of the California Education Code Sections 51933, 51934, and 51938, related to family life and HIV/AIDS education, are available at the school upon request.

Sincerely,

Principal



## ELEMENTARY SCHOOL LETTERHEAD

### Sample Parent Notification Letter: Growth and Development, Elementary

Fecha

Estimados Padres/Tutores:

Se presentarán las lecciones de Crecimiento y Desarrollo en la clase de su niño(a) (insert dates). La meta de estas lecciones es ayudar a cada niño a tomar conciencia sobre los cambios físicos y emocionales que se aproximan, entender que estos cambios forman parte del desarrollo normal, y promover la importancia de la responsabilidad personal para que cada uno se cuide a sí mismo. De acuerdo con la ley de California, toda la información presentada deberá ser apropiada para la edad del niño y tener exactitud médica.

El Distrito desea trabajar con ustedes para brindarle a su niño(a) la información verídica que él/ella necesitarán para entender los cambios de su cuerpo. Ustedes están invitados a asistir a una reunión de padres el (insert date, time and location) para observar con anticipación los materiales educativos que se utilizarán en las lecciones de Crecimiento y Desarrollo.

Si no desea que su hijo(a) participe en las lecciones de Crecimiento y Desarrollo, por favor, notifiquen por escrito al maestro de su hijo(a).

Si tienen alguna pregunta con respecto a este asunto, por favor, llámenos con toda confianza. El número es (\_\_\_\_). En la escuela hay copias disponibles de las Secciones del Código de Educación de California 51933, 51934, y 51938, relacionadas a la vida familiar y educación sobre el VIH/SIDA, por si las solicita.

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Director(a)

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Maestro(a) o Enfermera



MIDDLE or HIGH SCHOOL LETTERHEAD

Sample Parent Notification Letter: Growth and Development, Middle/High

Fecha

Estimados Padres/Tutores:

Se presentarán las lecciones de Crecimiento y Desarrollo en la clase de Educación de Salud de su niño(a) (insert dates). La meta de estas lecciones es ayudar a los estudiantes a entender los aspectos biológicos, psicológicos, sociales, morales y éticos de la sexualidad humana. Las lecciones son parte de un programa comprensivo de la educación de salud que enseña la aceptación de la responsabilidad personal y se enfoca en las decisiones que promueven la salud.

De acuerdo con la ley de California, toda la información presentada será apropiada para la edad del niño y tendrá la exactitud médica. Las lecciones enseñarán el respeto al matrimonio y el compromiso a una relación. Las lecciones no promoverán la doctrina religiosa ni promoverán el prejuicio por cualquier persona. Las lecciones promoverán la abstinencia mientras promueve la información médica exacta en las medidas de anticoncepción aprobadas por el FDA. Las lecciones alentarán a los estudiantes a hablar con los padres/tutores sobre la sexualidad.

El Distrito desea trabajar con ustedes para brindarle a su hijo(a) la información verídica que él/ella necesitarán para entender los cambios de su cuerpo. Los materiales educativos que se utilizarán en las lecciones están disponibles para que los repasen si se comunican con el maestro de Salud de su hijo(a).

Si no desea que su hijo(a) participe en las lecciones de Crecimiento y Desarrollo, por favor, notifiquen por escrito al maestro de su hijo(a).

Si tienen alguna pregunta con respecto a este asunto, por favor, llámenos con toda confianza. El número es (\_\_\_\_). En la escuela hay copias disponibles de las Secciones del Código de Educación de California 51933, 51934, y 51938, relacionadas a la vida familiar y educación sobre el VIH/SIDA, por si las solicita.

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Director(a)

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Maestro



## ELEMENTARY SCHOOL LETTERHEAD

Sample Parent Notification Letter: Sexually Transmitted Diseases, HIV/AIDS,  
Elementary

Fecha

Estimados Padres/Tutores:

La Mesa Directiva reconoce que la infección del Virus de Inmunodeficiencia Humana VIH y Síndrome de Inmunodeficiencia Adquirida SIDA representa una crisis de salud pública y la educación es un componente necesario para ayudar a disminuir la propagación de estas enfermedades. El Distrito cree que es importante que nuestros estudiantes de la escuela primaria comiencen a desarrollar un conocimiento y destrezas para que se puedan hacer responsables de su propia salud.

Como parte del programa comprensivo de educación de salud, se presentarán las lecciones del VIH/SIDA, en el salón de su niño(a) el (\_\_\_). La meta de las lecciones es ayudar a cada niño a entender la importancia de los buenos hábitos de salud, los hechos sobre el VIH/SIDA, y la importancia de la compasión por aquellos que están enfermos o tienen el VIH/SIDA. Ustedes están invitados a asistir a una reunión de padres el (insert date, time, and location) para observar con anticipación los materiales educativos que se utilizarán en las lecciones del VIH/SIDA.

Si no desea que su hijo(a) participe en las lecciones de STD, por favor notifique al maestro de su hijo(a) por escrito.

Si tienen alguna pregunta con respecto a este asunto, por favor, llámenos con toda confianza. El número es (\_\_\_\_). En la escuela hay copias disponibles de las Secciones del Código de Educación de California 51933, 51934, y 51938, relacionadas a la vida familiar y educación sobre el VIH/SIDA, por si las solicita.

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Director(a)

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Enfermera



MIDDLE or HIGH SCHOOL LETTERHEAD

Sample Parent Notification Letter: Sexually Transmitted Diseases, HIV/AIDS, Middle/High

Fecha

Estimados Padres/Tutores:

La Mesa Directiva reconoce que las Enfermedades Transmitidas Sexualmente (STD-según sus siglas en inglés), incluyendo la infección del VIH y SIDA, representan una crisis de salud pública y la educación es un componente necesario para ayudar a disminuir la propagación de estas enfermedades. Esta instrucción es parte del programa comprensivo de educación de salud enseña la aceptación de la responsabilidad personal y se enfoca en las decisiones que promueven la salud. Las lecciones sobre las STD se presentarán en la clase de Educación de Salud de su niño(a) el (insert dates).

De acuerdo con la ley de California, las lecciones serán basadas en información médica exacta del Inspector General de Sanidad de los Estados Unidos, los Centros federales para el Control de Enfermedades y Prevención, y la Academia Nacional de las Ciencias. Las lecciones incluirán información sobre los efectos de las STD en el cuerpo humano, cómo son transmitidas, métodos para reducir el riesgo de la infección STD (abstinencia y medidas de anticoncepción aprobadas por el FDA), y recursos para ser examinados y centros de cuidado. Las lecciones incluirán las habilidades para tomar decisiones y destrezas para rehusarse, y disipar los estereotipos y los mitos con respecto a las personas que tienen el VIH/SIDA. Las lecciones enfatizarán la compasión para las personas que viven con el VIH/SIDA.

El Distrito desea trabajar con ustedes para brindarle a su hijo(a) la información verídica que él/ella necesitará para entender lo relacionado con estas enfermedades. Los materiales educativos que se utilizarán en las lecciones están disponibles para que los repasen si se comunica con el maestro de Salud de su hijo(a).

Si no desea que su hijo(a) participe en las lecciones de STD, por favor notifique al maestro de su hijo(a) por escrito.

Si tienen alguna pregunta con respecto a este asunto, por favor, llámenos con toda confianza. El número es (\_\_\_\_). En la escuela hay copias disponibles de las Secciones del Código de Educación de California 51933, 51934, y 51938, relacionadas a la vida familiar y educación sobre el VIH/SIDA, por si las solicita.

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Director(a)

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Maestro



Elementary, Middle or High School Letterhead

Sample Parent Notification Letter: Guest Speaker, Elementary/Middle/High

Fecha

Estimados Padres/Tutores:

Como parte de la instrucción de Educación de Salud de su niño(a), un conferencista de (insert guest speaker/assembly's agency or affiliation or title of district employee presenting through assembly) estará presentando información sobre (insert topic: vida familiar, sexualidad humana, enfermedades transmitidas sexualmente, VIH/SIDA) el (insert date).

Si no desea que su hijo(a) participe en esta presentación, por favor notifique por escrito al maestro de su hijo(a).

Si tienen alguna pregunta con respecto a este asunto, por favor, llámenos con toda confianza a la escuela de su niño(a). En la escuela hay copias disponibles de las Secciones del Código de Educación de California 51933, 51934, y 51938, relacionadas a la vida familiar y educación sobre el VIH/SIDA por si las solicita.

Atentamente:

Director(a)



## ELEMENTARY SCHOOL LETTERHEAD

### Sample Parent Notification Letter: Growth and Development, Elementary

Fecha

Estimados Padres/Tutores:

Se presentarán las lecciones de Crecimiento y Desarrollo en la clase de su niño(a) (insert dates). La meta de estas lecciones es ayudar a cada niño a tomar conciencia sobre los cambios físicos y emocionales que se aproximan, entender que estos cambios forman parte del desarrollo normal, y promover la importancia de la responsabilidad personal para que cada uno se cuide a sí mismo. De acuerdo con la ley de California, toda la información presentada deberá ser apropiada para la edad del niño y tener exactitud médica.

El Distrito desea trabajar con ustedes para brindarle a su niño(a) la información verídica que él/ella necesitarán para entender los cambios de su cuerpo. Ustedes están invitados a asistir a una reunión de padres el (insert date, time and location) para observar con anticipación los materiales educativos que se utilizarán en las lecciones de Crecimiento y Desarrollo.

Si no desea que su hijo(a) participe en las lecciones de Crecimiento y Desarrollo, por favor, notifiquen por escrito al maestro de su hijo(a).

Si tienen alguna pregunta con respecto a este asunto, por favor, llámenos con toda confianza. El número es (\_\_\_\_). En la escuela hay copias disponibles de las Secciones del Código de Educación de California 51933, 51934, y 51938, relacionadas a la vida familiar y educación sobre el VIH/SIDA, por si las solicita.

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Director(a)

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Maestro(a) o Enfermera





MIDDLE or HIGH SCHOOL LETTERHEAD

Sample Parent Notification Letter: Growth and Development, Middle/High

Fecha

Estimados Padres/Tutores:

Se presentarán las lecciones de Crecimiento y Desarrollo en la clase de Educación de Salud de su niño(a) (insert dates). La meta de estas lecciones es ayudar a los estudiantes a entender los aspectos biológicos, psicológicos, sociales, morales y éticos de la sexualidad humana. Las lecciones son parte de un programa comprensivo de la educación de salud que enseña la aceptación de la responsabilidad personal y se enfoca en las decisiones que promueven la salud.

De acuerdo con la ley de California, toda la información presentada será apropiada para la edad del niño y tendrá la exactitud médica. Las lecciones enseñarán el respeto al matrimonio y el compromiso a una relación. Las lecciones no promoverán la doctrina religiosa ni promoverán el prejuicio por cualquier persona. Las lecciones promoverán la abstinencia mientras promueve la información médica exacta en las medidas de anticoncepción aprobadas por el FDA. Las lecciones alentarán a los estudiantes a hablar con los padres/tutores sobre la sexualidad.

El Distrito desea trabajar con ustedes para brindarle a su hijo(a) la información verídica que él/ella necesitarán para entender los cambios de su cuerpo. Los materiales educativos que se utilizarán en las lecciones están disponibles para que los repasen si se comunican con el maestro de Salud de su hijo(a).

Si no desea que su hijo(a) participe en las lecciones de Crecimiento y Desarrollo, por favor, notifiquen por escrito al maestro de su hijo(a).

Si tienen alguna pregunta con respecto a este asunto, por favor, llámenos con toda confianza. El número es (\_\_\_\_). En la escuela hay copias disponibles de las Secciones del Código de Educación de California 51933, 51934, y 51938, relacionadas a la vida familiar y educación sobre el VIH/SIDA, por si las solicita.

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Director(a)

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Maestro



## ELEMENTARY SCHOOL LETTERHEAD

Sample Parent Notification Letter: Sexually Transmitted Diseases, HIV/AIDS,  
Elementary

Fecha

Estimados Padres/Tutores:

La Mesa Directiva reconoce que la infección del Virus de Inmunodeficiencia Humana VIH y Síndrome de Inmunodeficiencia Adquirida SIDA representa una crisis de salud pública y la educación es un componente necesario para ayudar a disminuir la propagación de estas enfermedades. El Distrito cree que es importante que nuestros estudiantes de la escuela primaria comiencen a desarrollar un conocimiento y destrezas para que se puedan hacer responsables de su propia salud.

Como parte del programa comprensivo de educación de salud, se presentarán las lecciones del VIH/SIDA, en el salón de su niño(a) el (\_\_\_). La meta de las lecciones es ayudar a cada niño a entender la importancia de los buenos hábitos de salud, los hechos sobre el VIH/SIDA, y la importancia de la compasión por aquellos que están enfermos o tienen el VIH/SIDA. Ustedes están invitados a asistir a una reunión de padres el (insert date, time, and location) para observar con anticipación los materiales educativos que se utilizarán en las lecciones del VIH/SIDA.

Si no desea que su hijo(a) participe en las lecciones de STD, por favor notifique al maestro de su hijo(a) por escrito.

Si tienen alguna pregunta con respecto a este asunto, por favor, llámenos con toda confianza. El número es (\_\_\_\_). En la escuela hay copias disponibles de las Secciones del Código de Educación de California 51933, 51934, y 51938, relacionadas a la vida familiar y educación sobre el VIH/SIDA, por si las solicita.

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Director(a)

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Enfermera



## MIDDLE or HIGH SCHOOL LETTERHEAD

### Sample Parent Notification Letter: Sexually Transmitted Diseases, HIV/AIDS, Middle/High

Fecha

Estimados Padres/Tutores:

La Mesa Directiva reconoce que las Enfermedades Transmitidas Sexualmente (STD-según sus siglas en inglés), incluyendo la infección del VIH y SIDA, representan una crisis de salud pública y la educación es un componente necesario para ayudar a disminuir la propagación de estas enfermedades. Esta instrucción es parte del programa comprensivo de educación de salud enseña la aceptación de la responsabilidad personal y se enfoca en las decisiones que promueven la salud. Las lecciones sobre las STD se presentarán en la clase de Educación de Salud de su niño(a) el (insert dates).

De acuerdo con la ley de California, las lecciones serán basadas en información médica exacta del Inspector General de Sanidad de los Estados Unidos, los Centros federales para el Control de Enfermedades y Prevención, y la Academia Nacional de las Ciencias. Las lecciones incluirán información sobre los efectos de las STD en el cuerpo humano, cómo son transmitidas, métodos para reducir el riesgo de la infección STD (abstinencia y medidas de anticoncepción aprobadas por el FDA), y recursos para ser examinados y centros de cuidado. Las lecciones incluirán las habilidades para tomar decisiones y destrezas para rehusarse, y disipar los estereotipos y los mitos con respecto a las personas que tienen el VIH/SIDA. Las lecciones enfatizarán la compasión para las personas que viven con el VIH/SIDA.

El Distrito desea trabajar con ustedes para brindarle a su hijo(a) la información verídica que él/ella necesitará para entender lo relacionado con estas enfermedades. Los materiales educativos que se utilizarán en las lecciones están disponibles para que los repasen si se comunica con el maestro de Salud de su hijo(a).

Si no desea que su hijo(a) participe en las lecciones de STD, por favor notifique al maestro de su hijo(a) por escrito.

Si tienen alguna pregunta con respecto a este asunto, por favor, llámenos con toda confianza. El número es (\_\_\_\_). En la escuela hay copias disponibles de las Secciones del Código de Educación de California 51933, 51934, y 51938, relacionadas a la vida familiar y educación sobre el VIH/SIDA, por si las solicita.

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Director(a)

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Maestro



Elementary, Middle or High School Letterhead

Sample Parent Notification Letter: Guest Speaker, Elementary/Middle/High

Fecha

Estimados Padres/Tutores:

Como parte de la instrucción de Educación de Salud de su niño(a), un conferencista de (insert guest speaker/assembly's agency or affiliation or title of district employee presenting through assembly) estará presentando información sobre (insert topic: vida familiar, sexualidad humana, enfermedades transmitidas sexualmente, VIH/SIDA) el (insert date).

Si no desea que su hijo(a) participe en esta presentación, por favor notifique por escrito al maestro de su hijo(a).

Si tienen alguna pregunta con respecto a este asunto, por favor, llámenos con toda confianza a la escuela de su niño(a). En la escuela hay copias disponibles de las Secciones del Código de Educación de California 51933, 51934, y 51938, relacionadas a la vida familiar y educación sobre el VIH/SIDA por si las solicita.

Atentamente:

Director(a)



## CURRICULUM, INSTRUCTION & PROFESSIONAL DEVELOPMENT

Office of Health and Physical Education  
Teacher Resource Center, 1299 E. 32nd Street, Room 10  
Signal Hill, California 90755  
Telephone: (562) 997-0632 and (562) 997-0413 FAX#  
E-mail: rsinks@lbschools.net

August 2012

TO: All Middle and High School Principals

RE: Health Education Instruction: HIV/AIDS

This bulletin provides standard guidelines governing the HIV/AIDS instruction in Health Education. These are not optional guidelines. Accountability is the responsibility of the site administrator.

- I. Within Comprehensive Health Education
  - A. Instructional units on Personal/Community Health and Growth/Development should precede HIV/AIDS instruction. This provides a foundation in body systems and sexuality education.
  - B. A review of the infectious disease process should precede HIV/AIDS instruction. This will provide a foundation for instruction regarding transmission of HIV.
- II. Parental Notification
  - A. Parental notification for student participation in instruction addressing human reproductive system, including growth and development or sexual health, will be secured by the school site. The attached "Summary of HIV/AIDS Instruction" may be attached to the notification letter.
  - B. Presentation outlines and materials addressing human reproductive system, including growth and development or sexual health, will be available for inspection by parents or guardians at reasonable times and places.
  - C. The school site will ensure that no pupil will participate in instruction addressing human reproductive system, including growth and development or sexual health, if parental request has been made that the pupil not participate.
  - D. A student shall not be subject to a disciplinary action, academic penalty, or other sanction if the student's parent or guardian declines to permit the student to receive instruction.
  - E. An alternative educational activity shall be made available to students whose parents or guardians have requested that they not receive the instruction in growth and development or sexually transmitted diseases (including HIV/AIDS).

### III. Content of HIV/AIDS Instruction

- A. HIV/AIDS instruction will be in accordance with California Education Code Section 51934.
1. Information on the nature of HIV/AIDS and its effects on the human body
  2. Information on how 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
    - a. emphasize that sexual abstinence, monogamy, the avoidance of multiple partners, and abstinence from intravenous drug use are the most effective means for HIV/AIDS prevention
    - b. include statistics based on the latest medical information citing the failure and success rates of condoms and other contraceptives in preventing sexually transmitted HIV
    - c. other methods that may reduce the risk of HIV transmission from intravenous drug use
  4. Discussion of public health issues associated with HIV/AIDS
  5. Information on local resources for HIV testing and medical care
  6. Development of refusal skills and decision-making skills
  7. Discussion about societal views on HIV/AIDS, including stereotypes and myths regarding persons with HIV/AIDS, emphasizing compassion for persons suffering from debilitating handicaps and terminal diseases, like HIV/AIDS
- B. Sources of information shall accurately reflect the latest information and recommendations from the U.S. Surgeon General, federal Centers for Disease Control, and the National Academy of Sciences. (Information and materials from local health departments, the American Red Cross, and district-approved resources are obtained from these sources.) All material should be reviewed for their references. Only District-approved material, including audio-visual, shall be used. Positive Prevention is the approved HIV/AIDS Prevention Education curriculum.
- C. The attached "Summary of HIV/AIDS Instruction" should be used by classroom teachers providing HIV/AIDS instruction.
- D. Condom Instruction as part of HIV education
1. Discussion on abstinence and monogamy should precede condom instruction. Abstinence shall be promoted as the healthiest behavior for adolescents.
  2. Discussion should include where to obtain condoms, the need to use a latex condom labeled for disease prevention, and the need to use it from start to finish for any type of sexual contact, and how to appropriately use condoms.
- E. Use of guest speakers/assemblies as part of HIV education
1. As an enhancement to instruction, guest speakers and assemblies may be scheduled to address students with the approval of the site administrator and Health Curriculum Leader.
  2. Persons with HIV/AIDS as presenters in the classroom put a "human face" on the AIDS epidemic and can be used as an enhancement to instruction.

Arrangements can be made with the Positively Speaking Program through the L.A. County Department of Health Services (310) 940-8311.

- a. The Health Curriculum Leader should be notified by each site with the scheduled presentation.
- b. These presenters should be compensated for their services.

All questions regarding HIV/AIDS instruction in Health Education should be directed to the Health Curriculum Leader at 997-0632 or extension 2967 or the Office of Curriculum, Instruction & Professional Development at extension 8025.

#### Attachments

- c: Chris Steinhauser  
Jill Baker  
Maggie Webster  
Connie Jensen  
Health, Home Economic and Science Teachers  
School Nurses  
Eric Brundin

Publication Authorized:  
Christine Dominguez  
Deputy Superintendent  
Curriculum, Instruction & Professional Development

## California Education Codes Section 51933

### Authorized Comprehensive Sexual Health Education

- (a) School districts may provide comprehensive sexual health education, consisting of age-appropriate instruction, in any kindergarten to grade 12, inclusive, using instructors trained in the appropriate courses.
- (b) A school district that elects to offer comprehensive sexual health education pursuant to subdivision (a), whether taught by school district personnel or outside consultants, shall satisfy all of the following criteria:
- (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 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.
- (c) A school district that elects to offer comprehensive sexual health education pursuant to subdivision (a) earlier than grade 7 may provide age appropriate and medically accurate information on any of the general topics contained in paragraphs (8) to (12), inclusive, of subdivision (b).
- (d) If a school district elects to offer comprehensive sexual health education pursuant to subdivision (a), whether taught by school district personnel or outside consultants, the school district shall comply with the following:
- (1) Instruction and materials may not teach or promote religious doctrine.
  - (2) Instruction and materials may not reflect or promote bias against any person on the basis of any category protected by Section 220.



## **California Education Codes Section 51934**

### Required HIV/AIDS Prevention Education

- (a) A school 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 junior high or middle school and at least once in high school.
- (b) HIV/AIDS prevention education, whether taught by school district personnel or outside consultants, shall satisfy all of the criteria set forth in paragraphs (1) to (6), inclusive, of subdivision (b) and paragraphs (1) and (2) of subdivision (d) of Section 51933, 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 decisionmaking 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.

## **California Education Codes Section 51938.**

### Parental Notice and Excuse

51938. 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 district 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) 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) Notwithstanding Section 51513, anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age appropriate questions about the pupil's attitudes concerning or 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.

**California Education Codes Section 51939.**

- (a) 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 received a written request from the pupil's parent or guardian excusing the pupil from participation.
- (b) 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.
- (c) 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.

Sexual Health and HIV/AIDS Prevention Instruction

The Governing Board recognizes that the purpose of the district's sexual health and HIV/AIDS prevention instruction is to provide students with the knowledge and skills necessary to protect them from unintended pregnancy and sexually transmitted diseases and to encourage students to develop healthy attitudes concerning adolescent growth and development, body image, gender roles, sexual orientation, dating, marriage, and family. The Board therefore desires to provide a well-planned sequence of instruction on comprehensive sexual health and HIV/AIDS prevention.

(cf. 5030) – Student Wellness)

(cf. 6142.8 - Comprehensive Health Education)

The district's curriculum shall be aligned with the state's content standards, based on medically accurate and factual information, and designed to teach students to make healthy choices and reduce high-risk behaviors. The district's program shall comply with the requirements of law, Board policy, 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. 5146 - Married/Pregnant/Parenting Students)

(cf. 6143 - Courses of Study)

The Superintendent or designee may appoint a coordinator and/or 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.

#### Parent/Guardian Consent

A parent/guardian may request in writing that his/her child be excused from participating in HIV/AIDS prevention or sexual health education. Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 51240, 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
- 48980 Notice at beginning of term
- 51202 Instruction in personal and public health and safety
- 51210.8 Health education curriculum
- 51240 Excuse from instruction due to religious beliefs
- 51513 Materials containing questions about beliefs or practices
- 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:

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

WEB SITES

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

American Academy of Pediatrics: <http://www.aap.org>

American College of Obstetricians and Gynecologists: <http://www.acog.org>

American Public Health Association: <http://www.apha.org>

California Department of Education, Sex Education and HIV/STD Instruction:

<http://www.cde.ca.gov/ls/he/se>

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

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

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

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

National Academy of Sciences: <http://www.nationalacademies.org>

U.S. Department of Health and Human Services, Office of the Surgeon General:

<http://www.surgeongeneral.gov>

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

Effective: December 6, 2005

Revised: March 2, 2010

LONG BEACH UNIFIED SCHOOL DISTRICT

Sexual Health and HIV/AIDS Prevention Instruction

## Instruction and Materials

The Superintendent or designee shall ensure that the district's sexual health and HIV/AIDS prevention instruction and materials are: (Education Code 51933, 51934):

1. 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. Factually and medically accurate and objective  
“Medically accurate” means verified or supported by research conducted in compliance with scientific methods and published in peer-review 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. 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
4. Appropriate for use with students of all races, genders, sexual orientations, ethnic and cultural backgrounds, and students with disabilities
5. Accessible to students with disabilities, including, but not limited to, the provision of a modified curriculum, materials and instruction in alternative formats, and auxiliary aides
6. Not teaching or promoting religious doctrine
7. Not reflecting bias or promoting prejudice against students in protected categories of discrimination pursuant to Education Code 220

Other district courses that may include subject matter related to that which is presented in either HIV/AIDS prevention or comprehensive sexual health instruction, shall not be subject to the requirements of Education Code 51930-51939 pertaining to instructional content, teacher training, and parental notification and consent, if such courses contain: (Education Code 51932)

1. Solely a description or illustration of human reproductive organs that may appear in a textbook adopted pursuant to law on physiology, biology, zoology, general science,

personal hygiene, or health

AR 6142.1

2. Instruction or materials that discuss gender, sexual orientation, or family life and do not discuss human reproductive organs and their function

#### Additional Requirements for HIV/AIDS Prevention Instruction

HIV/AIDS prevention instruction shall be offered at least once in middle school and once in high school. (Education Code 51934)

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. The district's curriculum shall satisfy the criteria listed in items #1-7 in the section entitled "Instruction and Materials" above and shall also include: (Education Code 51931, 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 success and failure 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 to overcome peer pressure and use 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 and emphasizing compassion for persons living with HIV/AIDS

### Additional Requirements for Sexual Health Instruction

The district's sexual health education curriculum shall satisfy the criteria listed in items #1-7 in the section entitled "Instruction and Materials" above as well as the following criteria: (Education Code 51931, 51933)

1. Instruction and materials shall encourage a student to communicate with his/her parents/guardians about human sexuality
2. Instruction and materials shall teach respect for marriage and committed relationships
3. 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
4. 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
5. 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
6. Beginning in grade 7, instruction and materials shall provide students with skills for making and implementing responsible decisions about sexual conduct.
7. Beginning in grade 7, instruction and materials shall provide students with information on the law concerning surrendering physical custody of a minor child 72 hours or younger, pursuant to Health and Safety Code 1255.7 and Penal Code 271.5.

### Professional Development

The district's instruction shall be provided by instructors trained in the appropriate courses who are knowledgeable of the most recent medically accurate research on human sexuality, pregnancy, and sexually transmitted diseases. (Education Code 51932, 51933, 51934)

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 State Department of Education (CDE) (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 school district personnel who have demonstrated expertise or received in-service training from the State 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)

#### Use of Consultants or Guest Speakers

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 the training for district personnel. The Superintendent or designee shall ensure that any instruction provided by an outside speaker or consultant complies with Board policy, administrative regulation, and Education Code 51930-51939. (Education Code 51933, 51934, 51936)

#### Parent/Guardian Notification

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 51930-51939



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)

If a parent/guardian wishes to excuse his/her child from the assembly, guest speaker or presentation by an outside consultant, he/she must provide a separate written request, as specified in Board policy.

Effective: December 6, 2005  
Revised: March 2, 2010



## ELEMENTARY SCHOOL LETTERHEAD

Sample Parent Notification Letter: Sexually Transmitted Diseases,  
HIV/AIDS, Elementary

Date

Dear Parent/Guardian(s):

The Board 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 these diseases. The District believes it is important that our elementary students begin develop the knowledge and skills so that they may take responsibility for their health.

As a part of a comprehensive health education program, the HIV/AIDS lessons will be presented in your child's classroom on (date). The goal of the lessons is to help each child understand the importance of good health habits, the facts about HIV/AIDS, and the importance of compassion for those who are sick or have HIV/AIDS. You are invited to attend a parent meeting on (insert date, time, and location) to preview the instructional materials used in the HIV/AIDS lessons.

If you do not wish your student to participate in the STD lessons, please notify your student's teacher in writing.

If you have any questions regarding this matter, please feel free to call. The number is (school number). Copies of the California Education Code Sections 51933, 51934, and 51938, related to family life and HIV/AIDS education, are available at the school upon request.

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Principal

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Nurse



MIDDLE or HIGH SCHOOL LETTERHEAD

Sample Parent Notification Letter: Sexually Transmitted Diseases, HIV/AIDS, Middle/High

Date

Dear Parent/Guardian(s):

The Board recognizes that Sexually Transmitted Diseases (STDs), including HIV infection and AIDS, a public health crisis and that education is a necessary component for helping to slow the spread of these diseases. This instruction is part of a comprehensive health education program that teaches acceptance of personal responsibility and emphasizes decisions that promote health. The STD lessons will be presented your son's/daughter's Health Education class on (insert dates).

In accordance with California law, lessons will be based on medically accurate information from the United States Surgeon General, the federal Centers for Disease Control and Prevention, and the National Academy of Sciences. Lessons will include information on the effects of STDs on the human body, how they are transmitted, methods to reduce the risk of STD infection (abstinence and FDA-approved contraception), and testing and medical care resources. Lessons will include decision-making and refusal skills and will dispel stereotypes and myths regarding persons with HIV/AIDS. Lessons will emphasize compassion for persons living with HIV/AIDS.

The District wants to work with you to provide your student with the factual information he or she will need to understand these diseases. The instructional materials used in these lessons are available for review by contacting your student's Health teacher.

If you do not wish your student to participate in the STD lessons, please notify your student's teacher in writing.

If you have any questions regarding this matter, please feel free to call. The number is (school number). Copies of the California Education Code Sections 51933, 51934, and 51938, related to family life and HIV/AIDS education, are available at the school upon request.

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Principal

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Teacher