

# California Healthy Youth Act

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*Presented on April 29, 2016*

# California Healthy Youth Act

(Assembly Bill 329: Education Code Sections 51930-51939)

- ▶ Signed into law: October 1, 2015
- ▶ Effective: January 1, 2016
- ▶ Author: Assemblymember Shirley Weber
- ▶ Sponsors
  - ❖ ACLU of California
  - ❖ California Latinas for Reproductive Justice
  - ❖ Equality California
  - ❖ Forward Together
  - ❖ Planned Parenthood Affiliates of California
- ▶ Amended Comprehensive Sexual Health and HIV/AIDS Prevention Education Act

# What is Different?

- ▶ Requires both comprehensive sex education and HIV prevention education for students in grades 7-12:
  - ❖ At least once in middle school/junior high and once in high school
- ▶ Includes some new required topics
- ▶ Emphasizes healthy behaviors and relationships
- ▶ Expands requirements that materials/instruction are inclusive

# Purpose

## (Education Code Section 51930)

- ▶ Provide pupils with knowledge/skills necessary to:
  - ❖ protect their sexual and reproductive health from HIV/STIs and unintended pregnancy.
  - ❖ develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family.
  - ❖ have healthy, positive, and safe relationships and behaviors.
- ▶ Ensure pupils receive integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention instruction and provide educators with clear tools and guidance.
- ▶ Promote understanding of sexuality as a normal part of human development.

# Instruction and Material Requirements

(Education Code Section 51933 - Applies to All Grades)

- ▶ Age appropriate
- ▶ Medically accurate and objective
- ▶ Align with and support purposes of the Act (Ed. Code § 51930)
- ▶ Appropriate for pupils of all races, genders, sexual orientations, and ethnic and cultural backgrounds, pupils with disabilities, and English learners
- ▶ Not reflect or promote bias based on categories in Ed. Code § 220
- ▶ Recognize different sexual orientations; include same-sex relationships
- ▶ Teach about gender, gender expression, gender identity, harm of negative gender stereotypes

# Instruction/Material Requirements (continued)

(Education Code Section 51933 - Applies to All Grades)

- ▶ Encourage pupils to talk to parents/guardians/trusted adults, and provide knowledge and skills
- ▶ Prepare pupils to make healthy decisions about sexuality, and to have committed, healthy relationships, free from violence, coercion, and intimidation
- ▶ May not teach or promote religious doctrine

# Instruction and Material Requirements

(Education Code Section 51934 - Applies to Grades 7-12)

- ▶ Information on HIV and other STIs
  - ❖ Nature and transmission
  - ❖ Prevention and treatment
    - Including, but not limited to, abstinence from sexual activity and injection drug use
  - ❖ Social views on HIV and AIDS
    - Emphasizing successfully treated HIV-positive individuals have a normal life expectancy, all people are at some risk of contracting HIV, and the only way to know if one is HIV-positive is to get tested
- ▶ Local resources for:
  - ❖ sexual and reproductive health care
  - ❖ assistance with sexual assault and intimate partner violence

# Instruction and Material Requirements

(Education Code Section 51934 - Applies to Grades 7-12)

- ▶ Pregnancy instruction should include:
  - ❖ effectiveness and safety of all FDA approved contraceptive methods.
  - ❖ objective discussion of all legally available pregnancy outcomes, including:
    - parenting, adoption, and abortion;
    - safe-surrender law; and
    - prenatal care.
- ▶ Information about sexual harassment, sexual assault, adolescent relationship abuse, intimate partner violence, and sex trafficking.



# Instructors Trained in the Appropriate Courses (Education Code Sections 51931 and 51936)

- ▶ Knowledge of the most recent medically accurate research on human sexuality, healthy relationships, pregnancy, and HIV and other sexually transmitted infections
  - ❖ In-service training for personnel who conduct HIV prevention education may include comprehensive sex education (Ed. Code § 51935)
- ▶ Outside consultants and guest speakers
  - ❖ Expertise in comprehensive sexual health education and HIV prevention education
  - ❖ Knowledge of the most recent medically accurate research on the relevant topic(s) covered in the instruction

# Parents May Opt-Out In Writing

## (Education Code Section 51938)

- ▶ Must provide notice to parents/guardians at the beginning of the school year or at the time of enrollment
  - ❖ Notify parents/guardians of the instruction and right to opt-out
  - ❖ Notify them if using a consultant or a guest speaker at an assembly
  - ❖ Provide them with opportunities to view the curriculum/instructional materials
- ▶ Notify parents/guardians prior to giving tests, questionnaires, or surveys containing age-appropriate questions about a pupil's attitudes or practices regarding sex.
  - ❖ Parents/guardians may review and may opt-out
- ▶ Must provide alternative activity and no sanctions if opt-out (Ed. Code § 51939)

# Implementation of Act

- ▶ Update annual notifications or prepare notification letter
- ▶ Review curriculum
- ▶ Review board policies (Sexual Health and HIV Prevention)
- ▶ Provide in-service training for instructors, as needed