

VENTURA COUNTY OFFICE OF EDUCATION

ADMINISTRATIVE REGULATION NO. 6142.1

ADOPTED: 05/22/17
(Replaced AR 6142.2)

CLASSIFICATION: Curriculum/ Instruction

SUBJECT: Sexual Health And HIV/AIDS Prevention Instruction

Ventura County Office of Education schools, hereafter referred to as VCOE, shall offer comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education to all students in grades 6-12, including at least once in middle school and at least once in high school. VCOE's program may also provide comprehensive sexual health education or HIV prevention education consisting of age-appropriate and medically accurate information earlier than grade 6 and beyond grade 12.

GENERAL CRITERIA FOR INSTRUCTION AND MATERIALS

The Superintendent or designee shall ensure that the VCOE comprehensive sexual health and HIV prevention education instruction and materials, whether taught or supplemented by school VCOE personnel or by outside consultants or guest speakers:

1. Are age appropriate.
2. Are factually and medically accurate and objective.
3. Align with and support the following purposes as specified in Education Code 51930:
 - a. To provide students with the knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy.
 - b. To provide students with the knowledge and skills they need to develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family.
 - c. To promote understanding of sexuality as a normal part of human development.
 - d. To ensure students receive integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention instruction and provide educators with clear tools and guidance to accomplish that end.
 - e. To provide students with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors.

4. Are appropriate for use with students of all races, genders, sexual orientations, and ethnic and cultural backgrounds; students with disabilities; and English learners.
5. Are 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.
6. Are accessible to students with disabilities, including, but not limited to, the provision of a modified curriculum, materials, and instruction in alternative formats and auxiliary aids.
7. Do not reflect or promote bias against any person in protected category of discrimination pursuant to Education Code 220.
8. Affirmatively recognize that people have different sexual orientations and, when discussing or providing examples of relationships and couples, shall be inclusive of same-sex relationships.
9. Teach students about gender, gender expression, and gender identity, and explore the harm of negative gender stereotypes.
10. Encourage students to communicate with their parents/guardians and other trusted adults about human sexuality and provide the knowledge and skills necessary to do so.
11. Teach the value of and prepare students to have and maintain committed relationships, such as marriage.
12. Provide students with knowledge and skills they need to form healthy relationships that are based on mutual respect and affection and are free from violence, coercion, and intimidation.
13. Provide students with knowledge and skills for making and implementing healthy decisions about sexuality, including negotiation and refusal skills to assist students in overcoming peer pressure and using effective decision-making skills to avoid high-risk activities.
14. Do not teach religious doctrine.

COMPONENTS OF SEXUAL HEALTH AND HIV PREVENTION EDUCATION

In addition to the General Criteria for Instruction and Materials, VCOE's comprehensive sexual health education and HIV prevention education for students in grades 6-12, shall include all of the following:

1. Information on the nature of HIV and other sexually transmitted infections and their effects on the human body.

2. Information on the manner in which HIV and other sexually transmitted infections are and are not transmitted, including information on the relative risk of infection according to specific behaviors, including sexual behaviors and injection drug use.
3. Information that abstinence from sexual activity and injection drug use is the only certain way to prevent HIV and other sexually transmitted infections, and that abstinence from sexual intercourse is the only certain way to prevent pregnancy. The instruction shall provide information about the value of delaying sexual activity while also providing medically accurate information on other methods of preventing HIV and other sexually transmitted infections and unintended pregnancy.
4. Information about the effectiveness and safety of all federal Food and Drug Administration (FDA) approved methods that prevent or reduce the risk of contracting HIV and other sexually transmitted infections, including use of antiretroviral medication, consistent with the Centers for Disease Control and Prevention.
5. Information about the effectiveness and safety of reducing the risk of HIV transmission as a result of injection drug use by eliminating or decreasing needle use and needle sharing.
6. Information about the treatment of HIV and other sexually transmitted infections, including how antiretroviral therapy can dramatically prolong the lives of many people living with HIV and reduce the likelihood of transmitting HIV to others.
7. Discussion about social views on HIV and acquired immune deficiency syndrome (AIDS), including addressing unfounded stereotypes and myths regarding HIV and AIDS and people living with HIV. This instruction shall emphasize that successfully treated HIV-positive individuals have a normal life expectancy, all people are at some risk of contracting HIV, and that testing is the only way to know if one is HIV-positive.
8. Information about local resources, how to access local resources, and students' legal rights to access local resources for sexual and reproductive health care, such as testing and medical care for HIV and other sexually transmitted infections and pregnancy prevention and care, as well as, local resources for assistance with sexual assault and intimate partner violence.
9. Information about the effectiveness and safety of FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception. Instruction on pregnancy shall include an objective discussion of all legally available pregnancy outcomes, including, but not limited to:
 - a. Parenting, adoption, and abortion.
 - b. Information on the law on surrendering physical custody of a minor child 72 hours of age or younger, pursuant to Health and Safety Code 1255.7 and Penal Code 271.5.
 - c. The importance of prenatal care.

10. Information about sexual harassment, sexual assault, adolescent relationship abuse, intimate partner violence, and sex trafficking.

VCOE may provide medically accurate, comprehensive sexual health education or HIV prevention education consisting of age-appropriate instruction on any of the mentioned components of sexual health and HIV prevention education, earlier than grade 6 and beyond grade 12.

PROFESSIONAL DEVELOPMENT

VCOE shall provide comprehensive sexual health education and HIV prevention education provided by instructors trained in the appropriate courses, who are knowledgeable of the most recent medically accurate research on human sexuality, healthy relationships, pregnancy, and HIV and other sexually transmitted infections.

The Superintendent or designee shall cooperatively plan and conduct in-service training for all VCOE personnel who provide comprehensive sexual health and HIV prevention education through regional planning, joint powers agreements, or contract services. In-service training shall be conducted periodically to enable VCOE personnel to learn new developments in the scientific understanding of sexual health and HIV.

In developing and providing in-service training, the Superintendent or designee shall collaborate and consult with the teachers and staff who provide HIV prevention education and with the California Department of Education (CDE) for updates.

USE OF CONSULTANTS OR GUEST SPEAKERS

The Superintendent or designee may contract with outside consultants or guest speakers, including those who have developed multilingual curricula or curricula accessible to persons with disabilities, to deliver comprehensive sexual health and HIV prevention education or to provide training for VCOE personnel. All outside consultants and guest speakers shall have expertise in comprehensive sexual health education and HIV prevention education and knowledge of the most recent medically accurate research on the relevant topic(s) covered in the instruction. 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.

PARENT/GUARDIAN NOTIFICATION

At the beginning of each school year or at the time of a student's enrollment, VCOE shall notify parents/guardians about instruction in comprehensive sexual health education and HIV prevention education, as well as assessments (tests, questionnaires, or surveys) about health behaviors and risks related to the education. The notice shall advise parents/guardians:

1. That written and audiovisual educational materials to be used in comprehensive sexual health and HIV prevention education are available for inspection.
2. That parents/guardians have a right to “opt-out” their child from all or part of comprehensive sexual health or HIV prevention education, and assessments (tests, questionnaires, or surveys) related to that education, on condition that they submit their request in writing to VCOE. Assessments are inclusive to grades 7-12.
3. That parents/guardians have a right to request a copy of Education Code 51930-51939.
4. Whether the comprehensive sexual health or HIV prevention education will be taught by VCOE personnel or outside consultants.

If the VCOE chooses to use outside consultants or to hold an assembly with guest speakers to deliver comprehensive sexual health or HIV prevention education, the notification shall include:

- 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, and 51938.

If the arrangements for instruction by outside consultants or guest speakers are made after the beginning of the school year, the Superintendent or designee shall notify parents/guardians by mail or another commonly used method of notification no fewer than 14 days before the instruction is given.

NONAPPLICABILITY TO CERTAIN INSTRUCTION OR MATERIALS

The requirements of Education Code 51930-51939 pertaining to instructional content, teacher training, and parental notification and consent shall not apply to the following:

1. The description or illustration of human reproductive organs that may appear in a textbook, adopted pursuant to law, if the textbook does not include other elements of comprehensive sexual health education or HIV prevention education.
2. Instruction or materials that discuss gender, gender identity, gender expression, sexual orientation, discrimination, harassment, bullying, intimidation, relationships, or family and do not discuss human reproductive organs and their functions.

DEFINITIONS

Comprehensive sexual health education means education regarding human development and sexuality, including education on pregnancy, contraception, and sexually transmitted infections.

HIV prevention education means instruction on the nature of human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS), methods of transmission, strategies to reduce the risk of HIV infection, and social and public health issues related to HIV and AIDS.

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.

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

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

51930-51939 California Healthy Youth Act