

SIERRA SANDS UNIFIED SCHOOL DISTRICT

**Board of Education
Special Meeting**

**March 31, 2016
District Office
113 Felspar
www.ssusd.org**

We, the members of the Board of Education of the Sierra Sands Unified School District, are committed to providing the highest quality education in a safe environment to all K-12 students. We believe the school shares with the family, church, and community the responsibility for developing life-long learners who are responsible, productive citizens.

A G E N D A

CALL TO ORDER AND PLEDGE TO THE FLAG

6:00 p.m.

Amy Castillo-Covert
Bill Farris
Tim Johnson, Vice President/Clerk
Kurt Rockwell
Michael Scott, President

Ernest M. Bell, Jr., Superintendent

MOMENT OF SILENCE

1. ADOPTION OF AGENDA

2. EDUCATION ADMINISTRATION

2.1 The board will meet in a workshop session to discuss SB 359 - California Mathematics Placement Act and AB 329 - California Healthy Youth Act.

3. ADJOURNMENT

Instruction**Placement In Mathematics Courses**

The Governing Board believes that a sound educational program must include the study of subjects that prepare students for admission to higher education and/or a fulfilling career. To the extent possible, district students shall be provided an opportunity to complete a sequence of mathematics courses recommended for admission into the University of California and California State University systems.

*(cf. 6141.5 - Advanced Placement)
 (cf. 6142.92 - Mathematics Instruction)
 (cf. 6143 - Courses of Study)
 (cf. 6146.1 - High School Graduation Requirements)*

The Superintendent or designee shall work with district teachers, counselors, and administrators and the representatives of feeder schools to develop consistent protocols for placing students in mathematics courses offered at district high schools. Such placement protocols shall systematically take into consideration multiple objective academic measures that may include, but are not limited to, interim and summative assessments, placement tests that are aligned to state-adopted content standards in mathematics, classroom assignment and grades, and report cards.

*(cf. 5121 - Grades/Evaluation of Student Achievement)
 (cf. 6162.5 - Student Assessment)
 (cf. 6162.51 - State Academic Achievement Tests)*

Students shall be enrolled in mathematics courses based on the placement protocols. No student shall repeat a mathematics course which he/she has successfully completed based on the district's placement protocols.

Optional-When a student does not qualify to be enrolled in a higher level mathematics course based on a consideration of the objective measures specified in the placement protocols, he/she may nevertheless be admitted to the course based on the recommendation of a teacher or counselor who has personal knowledge of the student's academic ability.

The placement protocols shall specify a time within the first month of the school year when students shall be reevaluated to ensure that they are appropriately placed in mathematics courses and shall specify the criteria the district will use to make this determination. Any student found to be misplaced shall be promptly placed in the appropriate mathematics course.

Timeline may be modified to reflect district practice-Within 10 school days of an initial placement decision or a placement decision upon reevaluation, a student and his/her

Instruction**Placement In Mathematics Courses**

parent/guardian who disagree with the placement of the student may appeal the decision to the Superintendent or designee. The Superintendent or designee shall decide whether or not to overrule the placement determination within 10 school days of receiving the appeal. The decision of the Superintendent or designee shall be final.

(cf. 5123 - Promotion/Acceleration/Retention)

District staff shall implement the placement protocols uniformly and without regard to students' race, sex, gender, nationality, ethnicity, socioeconomic background, or other subjective or discriminatory consideration in making placement decisions.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

The Superintendent or designee shall ensure that all teachers, counselors, and other district staff responsible for determining students' placement in mathematics courses receive training on the placement protocols.

(cf. 4131 - Staff Development)

Prior to the beginning of each school year, the Superintendent or designee shall communicate the district's commitment to providing students with the opportunity to complete mathematics courses recommended for college admission, including approved placement protocols and the appeal process, to parents/guardians, students, teachers, school counselors, and administrators.

This policy and the district's mathematics placement protocols shall be posted on the district's web site. (Education Code 51224.7)

(cf. 1113 - District and School Web Sites)

Annually, the Board and the Superintendent or designee shall review student data related to placement and advancement in the mathematics courses offered at district high schools to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures are not held back in a disproportionate manner on the basis of their race, ethnicity, gender, or socioeconomic background. The Board and Superintendent shall also consider appropriate recommendations for removing any identified barriers to students' access to mathematics courses.

Instruction

Placement In Mathematics Courses

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

- 200-262.4** *Prohibition of discrimination*
- 48070.5** *Promotion and retention; required policy*
- 51220** *Areas of study, grades 7-12*
- 51224.5** *Completion of Algebra I or Mathematics I*
- 51224.7** *California Mathematics Placement Act of 2015*
- 51225.3** *High school graduation requirements*
- 51284** *Financial literacy*
- 60605** *State-adopted content and performance standards in core curricular areas*
- 60605.8** *Common Core standards*

Management Resources:

CSBA PUBLICATIONS

Math Misplacement, Governance Brief, September 2015

Governing to the Core, Governance Briefs

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, 2013

California Common Core State Standards: Mathematics, January 2013

COMMON CORE STATE STANDARDS INITIATIVE PUBLICATIONS

Appendix A: Designing High School Mathematics Courses Based on the Common Core State Standards

LAWYERS' COMMITTEE FOR CIVIL RIGHTS OF THE SAN FRANCISCO BAY AREA (LCCR)

Held Back - Addressing Misplacement of 9th Grade Students in Bay Area School Math Classes

WEB SITES

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

California Department of Education: <http://www.cde.ca.gov>

Common Core State Standards Initiative: <http://www.corestandards.org/math>

Lawyers' Committee for Civil Rights of the San Francisco Bay Area (LCCR): <http://www.lccr.com>

Regulation SIERRA SANDS UNIFIED SCHOOL DISTRICT
Approved *May 19, 2016* Ridgecrest, California

Math Placement Criteria for Grades 6-9

For Honors placement, 3 out of 4 multiple objective academic measures must be met.

<p><u>6th Grade to 7th Grade - Default Placement is 7th Regular</u></p> <p><u>Honors 7 Criteria:</u></p> <ol style="list-style-type: none"> Semester Grade: A in 6 Regular or A or B in 6 Honors Common Assessments: Exceeds or Meets Standards (60%+ on 2 out of 3) SBAC: Exceeds or Meets Standards (4 or 3) UC/CSU 7th Grade Readiness Test: 75% or better 	<p><u>7th Grade to 8th Grade - Default Placement is 8th Regular</u></p> <p><u>Honors 8 Criteria:</u></p> <ol style="list-style-type: none"> Semester Grade: A in 7 Regular or A or B in 7 Honors Common Assessments: Exceeds or Meets Standards (60%+) on 2 out of 3 SBAC: Exceeds or Meets Standards (4 or 3) UC/CSU 8th Grade Readiness Test <ul style="list-style-type: none"> 7th Grade Reg. students take 8th Grade Readiness Test. Students with a 75% or better place in 8 Honors. Students with a 90% or better also take High School Readiness Test 7th Honors take High School Readiness Test <p><u>Algebra I Criteria:</u></p> <ol style="list-style-type: none"> Semester Grade: A Common Assessments: Exceeds or Meets Standards (60%+) SBAC: Exceeds or Meets Standards (4 or 3) UC/CSU High School Readiness Test:75% or better
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8th Grade to 9th Grade

<p><u>Algebra I A/B (2 year course)</u></p> <p><u>Criteria:</u></p> <ol style="list-style-type: none"> Semester Grade: C, D, or F Common Assessments: Nearly Meets or Does Not Meet (59% and below) SBAC: Nearly Meets or Does Not Meet (2 or 1) Placement Test: 49% or less (High School Readiness Test) 	<p><u>Algebra (1 year course)</u></p> <p><u>Criteria:</u></p> <ol style="list-style-type: none"> Semester Grade: A or B Common Assessments: (60%+) SBAC: Meets or Nearly Meets Standards (2 or 3) Placement Test: 50%+ (High School Readiness Test) 	<p><u>Honors Geometry</u></p> <p><u>Criteria:</u></p> <ol style="list-style-type: none"> Semester Grade: A Common Assessments: Exceeds or Meets Standards 60% or better SBAC: Exceeds or Meets Standards (4 or 3) Placement Test:75% or better (Geometry Readiness Test)
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Sierra Sands Unified School District

Appeal to Course Placement

(Please submit this form to your student's counselor)

(Student's Full Name)

(Grade)

(Course Placement)

(School Year of Course Placement)

I, the parent of _____, would like to submit an appeal to my student's course placement. I have had the opportunity to review the course placement policy and multiple objective academic measures being used to place my student in the course; however, I disagree with this placement. I am requesting reevaluation of my student's course placement. (Board Policy 6152.1)

Parent/Guardian Signature

Date

Student Signature

Date

For District Use: _____

Date Received: _____

Date of Reevaluation of Student Course Placement by Principal, Department Chair, Counselor: _____

Student Name: _____

Course Placement: _____

School Year: _____

Instruction**Sexual Health And HIV/AIDS Prevention Instruction**

The Governing Board ~~recognizes that~~ *desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV) prevention.* ~~information about family life and human sexuality may contribute to a decreased risk for sexually transmitted diseases, or unintended pregnancies. The Board also recognizes that Human Immunodeficiency Virus (HIV) 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 this disease. The Board therefore desires to provide a well-planned sequence of instruction on comprehensive sexual health and HIV/AIDS prevention.~~ *The district's educational program shall provide students with the knowledge and skills necessary to protect them from sexually transmitted infections and unintended pregnancy and to have healthy, positive, and safe relationships and behaviors. The district's educational program shall also promote understanding of sexuality as a normal part of human development and the development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family.*

(cf. 5030 – Student Wellness)

(cf. 6142.8 - Comprehensive Health Education)

Comprehensive sexual health education and HIV prevention education shall be offered to all students in grades 7-12, including at least once in junior high or middle school and at least once in high school. (Education Code 51934)

The district's curriculum shall ~~be based on medically accurate and factual information and shall help students understand the biological, psychological, social, moral, and ethical aspects of human sexuality~~ *support the purposes of the California Healthy Youth Act as specified in Education Code 51930-51939, be unbiased and inclusive of all students in the classroom, and be aligned with the state's content standards.* The district's program shall ~~comply with the requirements of law 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. 5141.22 - Infectious Diseases)

(cf. 5141.25 - Availability of Condoms)

(cf. 5146 - Married/Pregnant/Parenting Students)

~~(cf. 6142.8 – Comprehensive Health Education)~~

(cf. 6143 - Courses of Study)

The Superintendent or designee may appoint a coordinator and an advisory committee regarding

Instruction**Sexual Health And HIV/AIDS Prevention Instruction**

the district's comprehensive sexual health ~~program~~ *and HIV prevention curriculum*. ~~This~~ *The* 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.~~

(cf. 1220 - Citizen Advisory Committees)

Parent/Guardian ~~Notification and Excuse~~ Consent

~~At the beginning of each school year, or at the time of a student's enrollment~~ *Annually*, 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~~ *in the manner specified in the accompanying administrative regulation that they may request in writing that their child be excused from participating in comprehensive sexual health and HIV prevention education.* Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 48980, 51240, *51938*, 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)

- ~~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 51930-51938~~
- ~~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~~

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~~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)~~

~~(cf. 5145.6 – Parental Notifications)~~

~~Parents/guardians shall be asked to sign and return to the school an acknowledgment that they have received the notification.~~

~~(cf. 5022 – Student and Family Privacy Rights)~~

~~Upon written request, a parent/guardian may excuse his/her child from participating in comprehensive sexual health or HIV/AIDS prevention education or from participating in questionnaires or surveys regarding health behaviors and risks.~~

Legal Reference:

EDUCATION CODE

- 220** *Prohibition of discrimination*
- 33544** *Inclusion of sexual harassment and violence in health curriculum framework*
- 48980 Notice at beginning of term
- 51202 Instruction in personal and public health and safety
- 51210.8** *Health education curriculum*
- 51225.35** *Instruction in sexual harassment and violence; districts that require health education for graduation*
- 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~~
California Healthy Youth Act
- 67386** *Student safety; affirmative consent standard*

HEALTH AND SAFETY CODE

- 1255.7 Parents surrendering physical custody of a baby

PENAL CODE

- 243.4 Sexual battery

Instruction

Sexual Health And HIV/AIDS Prevention Instruction

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:

CDE PUBLICATIONS

~~Health Framework for California Public Schools, 2003~~

Promoting Healthy Relationships for Adolescents: Board Policy Considerations, Governance Brief, August 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten through Grade 12, 2003

WEB SITES

CSBA: <http://www.csba.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 Department of Health Services:~~ <http://www.dhs.ca.gov>

~~California Department of Social Services:~~ <http://www.dss.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>

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

Policy SIERRA SANDS UNIFIED SCHOOL DISTRICT

adopted: ~~April 17, 2008~~ **May 19, 2016** Ridgecrest, California

Instruction

Sexual Health And HIV/AIDS Prevention Instruction

~~Comprehensive Sexual Health Instruction~~

~~The district's sexual health education curriculum shall satisfy the following criteria: (Education Code 51931, 51933)~~

Definitions

Comprehensive sexual health education means education regarding human development and sexuality, including education on pregnancy, contraception, and sexually transmitted infections. (Education Code 51931)

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. (Education Code 51931)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

~~1. Instruction and materials shall be 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. *(Education Code 51931)*

~~2. All factual information presented shall be medically accurate and objective.~~

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. *(Education Code 51931)*

General Criteria for Instruction and Materials

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

~~3. Instruction shall be made available on an equal basis to a student who is an English learner,~~

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~~consistent with the existing curriculum and alternative options for an English learner student, as otherwise provided in the Education Code.~~

~~(cf. 6174 – Education for English Language Learners)~~

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. ~~Instruction and materials shall be~~ *Are* appropriate for use with students of all races, genders, sexual orientations, *and* ethnic and cultural backgrounds; ~~and~~ students with disabilities; *and English learners*

~~(cf. 0410 - Nondiscrimination in District Programs and Activities)~~

~~(cf. 1312.3 - Uniform Complaint Procedures)~~

~~(cf. 6174 - Education for English Language 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 as otherwise provided in the Education Code*

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~~6. Instruction and materials shall be accessible~~ ***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. Instruction and materials may~~ ***Do*** not reflect or promote bias against any person ~~on the basis of any~~ ***in*** category protected ***protected categories of discrimination pursuant by 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. Instruction and materials shall~~ ***Encourage*** a students to communicate with ~~his/her~~ ***their*** parents/guardians ***and other trusted adults*** about human sexuality ***and provide the knowledge and skills necessary to do so***

~~11. Instruction and materials shall teach respect for marriage and~~ ***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

(cf. 5145.3 - Nondiscrimination/Harassment)

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. Instruction and materials may~~ ***Do*** not teach or promote religious doctrine

(cf. 0410—Nondiscrimination in District Programs and Activities)

Components of Sexual Health and HIV Prevention Education

The district's comprehensive sexual health education and HIV prevention education for

Instruction**Sexual Health And HIV/AIDS Prevention Instruction**

students in grades 7-12, in addition to complying with the criteria listed above in the section "General Criteria for Instruction and Materials," shall include all of the following: (Education Code 51934)

1. Information on the nature of HIV/AIDS and *other sexually transmitted infections and their* effects on the human body
2. Information on the manner in which HIV ~~is~~ *and other sexually transmitted infections are and are* not transmitted, including information on ~~activities that present the highest the~~ *relative risk of HIV 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 unintended 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 pregnancy.

(cf. 5141.25 - Availability of Condoms)

(cf. 5146 - Married/Pregnant/Parenting Students)

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 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 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

Instruction**Sexual Health And HIV/AIDS Prevention Instruction**

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

~~10. 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.~~

~~11. 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.~~

~~12. 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.~~

~~(cf. 5141.25—Availability of Condoms)~~

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Sexual Health And HIV/AIDS Prevention Instruction

~~13. Beginning in grade 7, instruction and materials shall provide students with skills for making and implementing responsible decisions about sexuality.~~

~~(cf. 5146 – Married/Pregnant/Parenting Students)~~

~~14. Beginning in grade 7, instruction and materials shall provide students with information on the law on surrendering physical custody of a minor child 72 hours or younger, pursuant to Health and Safety Code 1255.7 and Penal Code 271.5.~~

~~(cf. 6143 – Courses of Study)~~

HIV/AIDS Prevention Instruction

~~HIV/AIDS prevention instruction shall be offered at least once in junior high or middle school and once in high school by instructor trained in the appropriate courses. 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: (Education Code 51934)~~

Professional Development

The district's comprehensive sexual health education and HIV prevention education shall be 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. (Education Code 51931, 51933, 51934)

The Superintendent or designee shall cooperatively plan and conduct in-service training for all district personnel who provide HIV prevention education, through regional planning, joint powers agreements, or contract services. (Education Code 51935)

(cf. 4131 – Staff Development)

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 California 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 district personnel who have demonstrated expertise or received in-service training from the California Department of Education ***CDE*** or federal Centers for Disease Control and

Instruction**Sexual Health And HIV/AIDS Prevention Instruction**

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 *comprehensive* sexual health education for district personnel 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 *or guest speakers* 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 training for district personnel, *comprehensive sexual health and HIV prevention education or to provide training for district 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. (Education Code 51933, 51934, 51936)*

(cf. 6145.8 - Assemblies and Special Events)

Parent/Guardian Notification

At the beginning of each school year or at the time of a student's enrollment, the Superintendent or designee shall notify parents/guardians about instruction in comprehensive sexual health education and HIV 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 prevention education are available for inspection*
- 2. That parents/guardians have a right to excuse their child from comprehensive sexual health or HIV prevention education, or research on student health behaviors and risks, provided they submit their request in writing to the district*

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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 district personnel or outside consultants*

If the district 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: (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, 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. (Education Code 51938)

(cf. 5145.6 - Parental Notifications)

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: (Education Code 51932)

1. *A 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*

(cf. 6142.93 - Science Instruction)

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*

Instruction

Sexual Health And HIV/AIDS Prevention Instruction

Regulation SIERRA SANDS UNIFIED SCHOOL DISTRICT
approved: ~~April 17, 2008~~ **May 19, 2016** Ridgecrest, California

Education Code
Chapter 5.6 California Healthy Youth Act. Article 1. General Provisions

EC 51930

(a) This chapter shall be known, and may be cited, as the California Healthy Youth Act.

(b) The purposes of this chapter are as follows:

(1) To provide pupils with the knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy.

(2) To provide pupils 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.

(3) To promote understanding of sexuality as a normal part of human development.

(4) To ensure pupils receive integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention instruction and provide educators with clear tools and guidance to accomplish that end.

(5) To provide pupils with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors.

(Amended by Stats. 2015, Ch. 398, Sec. 2.)

Education Code
California Healthy Youth Act; General Provisions

EC 51931

For the purposes of this chapter, the following definitions apply:

(a) "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.

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

(c) "English learner" means a pupil as described in subdivision (a) of Section 306.

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

(e) "Instructors trained in the appropriate courses" means instructors with knowledge of the most recent medically accurate research on human sexuality, healthy relationships, pregnancy, and HIV and other sexually transmitted infections.

(f) "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.

(g) "School district" includes county boards of education, county superintendents of schools, the California School for the Deaf, and the California School for the Blind.

(Amended by Stats. 2015, Ch. 398, Sec. 3.)

Education Code
California Healthy Youth Act; General Provisions

EC 51932

(a) This chapter does not apply to 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 as defined in Section 51931.

(b) This chapter does not apply to instruction, materials, presentations, or programming 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.

(Amended by Stats. 2015, Ch. 398, Sec. 4.)

Education Code
Article 2. Comprehensive Sexual Health and HIV Prevention Education

EC 51933

All comprehensive sexual health education and HIV prevention education pursuant to Section 51934, whether taught or supplemented by school district personnel or by outside consultants or guest speakers pursuant to Section 51936, shall satisfy all of the following criteria:

(a) Instruction and materials shall be age appropriate.

(b) All factual information presented shall be medically accurate and objective.

(c) All instruction and materials shall align with and support the purposes of this chapter as set forth in paragraphs (1) to (5), inclusive, of subdivision (b) of Section 51930 and may not be in conflict with them.

(d) (1) Instruction and materials shall be appropriate for use with pupils of all races, genders, sexual orientations, and ethnic and cultural backgrounds, pupils with disabilities, and English learners.

(2) Instruction and materials 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.

(3) 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.

(4) Instruction and materials shall not reflect or promote bias against any person on the basis of any category protected by Section 220.

(5) Instruction and materials shall 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.

(6) Instruction and materials shall teach pupils about gender, gender expression, gender identity, and explore the harm of negative gender stereotypes.

(e) Instruction and materials shall encourage a pupil to communicate with his or her parents, guardians, and other trusted adults about human sexuality and provide the knowledge and skills necessary to do so.

(f) Instruction and materials shall teach the value of and prepare pupils to have and maintain committed relationships such as marriage.

(g) Instruction and materials shall provide pupils 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.

(h) Instruction and materials shall provide pupils with knowledge and skills for making and implementing healthy decisions about sexuality, including negotiation and refusal skills to assist pupils in overcoming peer pressure and using effective decision-making skills to avoid high-risk activities.

(i) Instruction and materials may not teach or promote religious doctrine.

(Amended by Stats. 2015, Ch. 398, Sec. 6.)

Education Code
Comprehensive Sexual Health and HIV Prevention Education

EC 51934

(a) Each school district shall ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and HIV 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. This instruction shall include all of the following:

(1) Information on the nature of HIV, as well as 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 activities 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 abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy. 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 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 federal 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 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 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 the only way to know if one is HIV-positive is to get tested.

(8) Information about local resources, how to access local resources, and pupils' 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 all 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, all of the following:

(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 Section 1255.7 of the Health and Safety Code and Section 271.5 of the Penal Code.

(C) The importance of prenatal care.

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

(b) A school district may provide comprehensive sexual health education or HIV prevention education consisting of age-appropriate instruction earlier than grade 7 using instructors trained in the appropriate courses. A school district that elects to offer comprehensive sexual health education or HIV prevention education earlier than grade 7 may provide age appropriate and medically accurate information on any of the general topics contained in paragraphs (1) to (10), inclusive, of subdivision (a).

(Amended by Stats. 2015, Ch. 398, Sec. 8.)

Education Code
Inservice Training

EC 51935

(a) A school district shall cooperatively plan and conduct in-service training for all school district personnel that provide HIV prevention education, through regional planning, joint powers agreements, or contract services.

(b) In developing and providing in-service training, a school district shall cooperate and collaborate with the teachers of the district who provide HIV prevention education and with the department.

(c) In-service training shall be conducted periodically to enable school district personnel to learn new developments in the scientific understanding of HIV. In-service training shall be voluntary for school district personnel who have demonstrated expertise or received in-service training from the department or federal Centers for Disease Control and Prevention.

(d) A school district may expand HIV in-service training to cover the topic of comprehensive sexual health education in order for school district personnel who provide comprehensive sexual health education to learn new developments in the scientific understanding of sexual health.

(Amended by Stats. 2015, Ch. 398, Sec. 10.)

Education Code
Inservice Training

EC 51936

School districts 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 education and HIV prevention education or to provide training for school district personnel. All outside consultants and guest speakers shall have expertise in comprehensive sexual health education and HIV prevention education and

have knowledge of the most recent medically accurate research on the relevant topic or topics covered in their instruction.

(Amended by Stats. 2015, Ch. 398, Sec. 11.)

Education Code

Article 4. Notice and Parental Excuse

EC 51937

It is the intent of the Legislature to encourage pupils to communicate with their parents or guardians about human sexuality and HIV and to respect the rights of parents or guardians to supervise their children's education on these subjects. The Legislature intends to create a streamlined process to make it easier for parents and guardians to review materials and evaluation tools related to comprehensive sexual health education and HIV prevention education, and, if they wish, to excuse their children from participation in all or part of that instruction or evaluation. The Legislature recognizes that while parents and guardians overwhelmingly support medically accurate, comprehensive sex education, parents and guardians have the ultimate responsibility for imparting values regarding human sexuality to their children.

(Amended by Stats. 2015, Ch. 398, Sec. 13.)

Education Code

Notice and Parental Excuse

EC 51938

(a) A parent or guardian of a pupil has the right to excuse their child from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education through a passive consent ("opt-out") process. A school district shall not require active parental consent ("opt-in") for comprehensive sexual health education and HIV prevention education.

(b) 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 prevention education and research on pupil health behaviors and risks planned for the coming year. The notice shall do all of the following:

(1) Advise the parent or guardian that written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education are available for inspection.

(2) Advise the parent or guardian whether the comprehensive sexual health education or HIV prevention education will be taught by school district personnel or by outside consultants. A school district may provide comprehensive sexual health education or HIV prevention education, to be taught by outside consultants, and may hold an assembly to deliver comprehensive sexual health education or HIV prevention education by guest speakers, but if it elects to provide comprehensive sexual health education or HIV prevention education in either of these manners, the notice shall include the date of the instruction, the name of the organization or affiliation of each guest speaker, and information stating the right of the parent or guardian to request a copy of this section, Section 51933, and Section 51934. If arrangements for this instruction are made after the beginning of the school year, notice shall be made by mail or another commonly used method of notification, no fewer than 14 days before the instruction is delivered.

(3) Include 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 has the right to excuse their child from comprehensive sexual health education and HIV prevention education and that in order to excuse their child they must state their request in writing to the school district.

(c) 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. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey through a passive consent ("opt-out") process. A school district shall not require active parental consent ("opt-in") for these tests, questionnaires, or surveys in grades 7 to 12, inclusive. Parents or guardians shall be notified in writing that this test, questionnaire, or survey is to be administered, given the opportunity to review the test, questionnaire, or survey if they wish, notified of their right to excuse their child from the test, questionnaire, or survey, and informed that in order to excuse their child they must state their request in writing to the school district.

(d) The use of outside consultants or guest speakers as described in paragraph (2) of subdivision (b) is within the discretion of the school district.

(Amended by Stats. 2015, Ch. 398, Sec. 14.)

Education Code
Notice and Parental Excuse

EC 51939

(a) A pupil may not attend any class in comprehensive sexual health education or HIV 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 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 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.

(Amended by Stats. 2015, Ch. 398, Sec. 15.)

[Sample Parent/Guardian Notification Letter]

[This is a sample parent/guardian notification letter that may be adapted for use by local educational agencies.]

Insert Date

Dear (School Name) Parent/Guardian:

California state law requires that HIV/AIDS prevention education is taught in middle school and in high school. If comprehensive sexual health education is taught, the District shall follow state laws (California *Education Code* Section 51933). The District may not pick and choose topics to teach.

HIV/AIDS prevention instruction includes:

- Information on HIV/AIDS and how it affects the body.
- How HIV is and is not spread.
- Discussion of ways to lower the risk of HIV, including:
 - Sexual abstinence, and the latest medical information on ways to prevent sexually transmitted HIV infection.
- Discussion of the public health issues related to HIV/AIDS.
- Places for HIV testing and medical care.
- Making good decisions and staying away from risky activities.
- Discussion about society's views on HIV/AIDS, and people with HIV/AIDS.

You can examine instructional materials at the (School Name) main office. If you have questions, please see the teacher or principal. State law allows you to remove your student from comprehensive sexual health education or HIV/AIDS prevention education. If you *do not want your student to participate* in the comprehensive sexual health or HIV/AIDS prevention instructional program, please give a note to your student's Health (or _____) teacher by **insert date here**.

The goal of a comprehensive sexual health education program is to help students learn the facts and to make good decisions now, and later in life.

Sincerely,

Superintendent