

Instruction**BP 6142.1 (a)****SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION**

The Governing Board desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV) prevention.

The district shall respect the rights of parents/guardians to supervise their children's education on these subjects and to impart values regarding human sexuality.

As specified in the accompanying administrative regulation, the district shall strive to provide students with the knowledge and skills necessary to protect them from risks presented by sexually transmitted infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking; to have healthy, positive, and safe relationships and behaviors; to understand sexuality as a normal part of human development; and to develop healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family. (Education Code 51930-51939)

Each student in grades 7-12 shall receive comprehensive sexual health and HIV prevention education at least once in junior high or middle school and at least once in high school unless the student's parent(s)/guardian(s) opt the student out of such instruction as specified in "Parent/Guardian Notification and Opt-Out" in the accompanying administrative regulation. (Education Code 51934)

General Criteria for Instruction and Materials

The Superintendent or designee shall ensure that the district's comprehensive sexual health and HIV prevention education and the associated materials: (Education Code 51930, 51933)

1. Are age appropriate
2. Are medically accurate and objective
3. Are aligned with and support the following purposes:
 - 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

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- 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 education 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 English learners, students with disabilities, and students of all races, genders, sexual orientations, and ethnic and cultural backgrounds
 - 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
 - 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 categories 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

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11. Teach the value of and prepare students to have and maintain committed relationships such as marriage
12. Provide students with the knowledge and skills they need to form healthy relationships that are based on mutual respect and affection and are free from violence, coercion, harassment, and intimidation
13. Provide students with the knowledge and skills for making and implementing healthy decisions about sexuality, including communication 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 or promote religious doctrine

Additionally, the district's comprehensive sexual health education program shall include information on the affirmative consent standard. Affirmative consent is defined as affirmative, conscious, and voluntary agreement to engage in sexual activity. Teachers delivering such instruction shall consult information related to sexual harassment and violence in the state health curriculum framework. (Education Code 51225.36, 67386)

The Superintendent or designee shall identify appropriate methods for informing parents/guardians about subjects related to the district's comprehensive sexual health and HIV prevention education. The Superintendent or designee shall use such identified methods to inform parents/guardians of students in grades 6-12 about human trafficking prevention resources, as required pursuant to Education Code 49381.

Parent/Guardian Notification and Opt-Out

At the beginning of each school year or at the time of a student's enrollment, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation, that they may request in writing that opt their students out of participating in comprehensive sexual health and HIV prevention education. Students so excused shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian opts the student out of such instruction. (Education Code 51240, 51938, 51939)

Instruction

BP 6142.1 (d)

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State

Ed. Code 220: Prohibition of discrimination
Ed. Code 231.7: Resources on abuse and teen dating violence; local and national hotlines
Ed. Code 232.7: Model policy and resources; body shaming
Ed. Code 33544: Inclusion of sexual harassment and violence in health curriculum framework
Ed. Code 33546.2: Health framework; sextortion
Ed. Code 48980: Parent/Guardian notifications
Ed. Code 49381: Human trafficking prevention resources
Ed. Code 51202: Instruction in personal and public health and safety
Ed. Code 51210.8: Health education curriculum
Ed. Code 51225.36: Instruction in sexual harassment and violence; districts that require health education for graduation
Ed. Code 51240: Excuse from instruction due to religious beliefs
Ed. Code 51513: Test, questionnaire, survey, or examination containing questions about beliefs or practices
Ed. Code 51930-51939: California Healthy Youth Act
Ed. Code 51950: Abuse, sexual abuse, and human trafficking prevention education
Ed. Code 67386: Student safety; affirmative consent standard
H&S Code 1255.7: Parents surrendering physical custody of a baby
Pen. Code 243.4: Sexual battery
Pen. Code 261.5: Unlawful sexual intercourse
Pen. Code 271.5: Parents voluntarily surrendering custody of a baby

Federal

20 USC 1232h: Privacy rights
20 USC 7906: Sex education requirements and prohibited use of funds
California Department of Education Publication: Body Shaming Model Policy & Resources
California Department of Education Publication: Health Education Framework for California Public Schools: Kindergarten through Grade 12, May 2019

Management Resources

California Department of Education Publication: Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008
Court Decision: Mahmoud v. Taylor (2025) 606 U.S. ____ (2025 WL 1773627)
CSBA Publication Promoting Healthy Relationships for Adolescents: Board Policy Considerations, Governance Brief, August 2014
Human Rights Campaign Foundation Publication : California LGBTQ Youth Report, January 2019
Website; CSBA District and County Office of Education Legal Services
Website: Human Rights Campaign
Website; U.S. Food and Drug Administration
Website: California Partnership to End Domestic Violence
Website: California Safe Schools Coalition
Website: California Department of Education, Sex Education and HIV/AIDS/STD Instruction
Website: California Department of Public Health
Website: California Healthy Kids Resource Center
Website: Centers for Disease Control and Prevention
Website: CSBA

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ORCUTT UNION SCHOOL DISTRICT
Orcutt, California