



Understanding California's Health Education Initiatives: Frequently Asked Questions

California is working to ensure that every classroom is a safe learning environment and every student has access to the information they need to grow into a healthy adult. Health-related initiatives include enactment of the California Healthy Youth Act law in 2016 and proposed revisions to the Health Curriculum Framework, a guidance document for schools and teachers.

California Healthy Youth Act

What is the California Healthy Youth Act?

The California Healthy Youth Act, which took effect in January 2016, requires school districts throughout the state to provide students with comprehensive sexual health education, along with information about HIV prevention, at least once in high school and once in middle school.

The state legislation also allows districts to offer *age-appropriate* sexual health education in earlier grades if they choose to do so. But parents can opt out of comprehensive sexual health education, and local districts choose which curriculum and instructional resources (including textbooks and worksheets) they will use to teach comprehensive sexual health education to their students. See more:

http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC§ionNum=51931.

What are the goals of the California Healthy Youth Act?

The California Healthy Youth Act has five primary purposes:

- 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;
- 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;
- To promote understanding of sexuality as a normal part of human development;

- 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;
- To provide pupils with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors

Are schools required to teach comprehensive sexual health education and HIV prevention?

Yes. The state legislation, originally known as AB 329, requires that students in grades seven through 12 receive comprehensive sexual health education and HIV prevention education at least once in middle school and once in high school. However, school districts under the leadership of their locally elected boards and superintendents are tasked with selecting which curriculum and instructional resources (including textbooks and worksheets) they will use to teach this material to students.

State law defines comprehensive sexual health education as “education regarding human development and sexuality, including education on pregnancy, contraception, and sexually transmitted infections” (EC § 51931(b)) and HIV prevention education as “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” (EC § 51931(d)).

Can parents opt out of sex education lessons?

Yes. The law makes it clear that parents can opt their children out of comprehensive sex education. According to the language in AB 329, “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.”

School districts are required to notify parents/guardians a minimum of 14 days prior to the first day of comprehensive sexual health instruction. To opt-out of this instruction, parents/guardians must request in writing that their child not participate in the instruction. If the parent/guardian does not request in writing that the child be withheld, the child will attend the instruction. (EC § 51938(a).)

Can parents opt out of instruction or materials that discuss gender, gender identity, gender expression and sexual orientation?

As mentioned above, parents or guardians can excuse their children from lessons about comprehensive sexual health and HIV prevention education, as well as research on student health behaviors and risks.

However, as stated in Education Code 51932(b), the opt-out provision of the California Healthy Youth Act does not apply to instruction or materials outside the context of comprehensive sexual health education, including those that may reference gender, gender identity, sexual orientation, discrimination, bullying, relationships or family. For

example, the opt-out rule associated with comprehensive sexual health education would not apply to a social studies lesson on the U.S. Supreme Court's 2015 ruling in favor of same-sex marriage. Read more about the FAIR Education Act of 2011:

<http://www.lgbtqhistory.org/about-fair-education-act/>.

What are the instructional criteria requirements for comprehensive sexual health education and HIV prevention education?

The law requires instruction and materials to meet a number of guidelines. Among them, they must be age-appropriate, medically accurate and objective, and appropriate for use with pupils of all races, genders, sexual orientations, ethnic and cultural backgrounds. They also must affirmatively recognize different sexual orientations and be inclusive of same-sex relationships in discussions; teach about gender, gender expression, gender identity and the harm of negative gender stereotypes; and teach the value of committed relationships such as marriage.

The full list of guidelines is listed in Education Code 51933. Again, every school district has the autonomy to choose its own curriculum as long as it meets the state guidelines. If parents have questions or concerns about the specific lessons used in their child's class, they should contact the school or district.

Please visit the CDE website for more information about the California Healthy Youth Act: <https://www.cde.ca.gov/ls/he/se/index.asp>.

2019 Health Education Curriculum Framework

What is the Health Education Curriculum Framework?

The *2019 Health Education Curriculum Framework for California Public Schools, Kindergarten through Grade Twelve* is a guidance document that districts may use when developing health education programs for students. The framework provides guidance for teachers and administrators on how to teach California's 2008 Health Education Content Standards. Read more about the standards:

<https://www.cde.ca.gov/be/st/ss/index.asp>.

Health education, student success in school and a thriving future for California are linked: Healthy children make better students and better students become healthy, successful adults who are productive members of their communities.

Are districts required to use the framework when developing lessons for students?

No. The *Health Education Framework* is a **guidance document** for teachers and administrators in implementing California's health standards. There are no mandates that require schools to use the *Health Education Framework*.

What areas of health education does the framework cover?

The framework covers six content areas of health education: Nutrition and physical activity; growth, development, and sexual health; injury prevention and safety; alcohol, tobacco, and other drugs; mental, emotional, and social health; and personal and community health.

I read that the framework “includes controversial teaching about sexual relations, sexual orientation and gender.” Is that true?

The framework does not mandate what should or shouldn't be taught.

The framework does provide guidance to teachers in using inclusive classroom language to make all students feel comfortable at school. The framework helps teachers provide safe and healthy learning environments free from bullying and harassment.

California results on the 2017 Youth Risk Behavior Survey operated by the national Centers for Disease Control and Prevention show students, who identify as lesbian, gay or bisexual are twice as likely to be bullied as their peers who identify as heterosexual. Additionally, students who identify as lesbian, gay, or bisexual are three times more likely to seriously consider suicide than their peers who identify as heterosexual.

Dispelling myths, breaking down stereotypes and linking students to resources can help prevent bullying, self-harm, feelings of hopelessness, and serious considerations of suicide.

I heard the frameworks require teachers to use the book *Who Are You?* in primary grades. Is that true?

No. The book is listed among resources for parents seeking help in discussing sensitive issues with their children at home.

I saw a video that claimed California wants to teach kindergarteners that there are “15 genders.” Is that true?

No. All guidance on health education for kindergarteners can be found in Chapter 3 of the current “Revised Draft Health Framework.” This chapter can be downloaded: <https://www.cde.ca.gov/ci/he/cf/>.