

Introduced by Senator KuehlFebruary 23, 2006

An act to add Division 120 (commencing with Section 151000) to the Health and Safety Code, relating to sex education funding.

LEGISLATIVE COUNSEL'S DIGEST

SB 1471, as introduced, Kuehl. Sex education programs: requirements.

Existing law establishes requirements for the provision of sex education.

The existing California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act, authorizes school districts to provide comprehensive sexual health education, as defined, in any kindergarten to grade 12, inclusive, and ensures that all pupils in grades 7 to 12, inclusive, receive HIV/AIDS prevention education, as defined.

Existing law enumerates various requirements for comprehensive sexual health education and HIV/AIDS prevention education. Existing law requires a school district to notify the parent or guardian of a pupil about instruction in comprehensive sexual health education and HIV/AIDS prevention and empowers a parent or guardian to excuse his or her pupil from all or part of that instruction.

This bill would require any program that provides education to prevent adolescent or unintended pregnancy or to prevent sexually transmitted infections and that is conducted, operated, or administered by the state or any state agency, or is funded directly or indirectly by the state, or receives any financial assistance from the state funds or funds administered by the state, to meet specified requirements. This bill would require any applicant for funds for any program to which

this bill applies to sign a form attesting to compliance with the requirements of this bill.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Division 120 (commencing with Section
2 151000) is added to the Health and Safety Code, to read:

3
4 DIVISION 120. PREGNANCY AND SEXUALLY
5 TRANSMITTED DISEASE PREVENTION PROGRAM
6 FUNDING
7

8 151000. (a) Any program that provides education to prevent
9 adolescent or unintended pregnancy, or to prevent sexually
10 transmitted infections, including HIV, that is conducted,
11 operated, or administered by any state agency or is funded
12 directly or indirectly by the state, or receives any financial
13 assistance from state funds or funds administered by a state
14 agency, shall satisfy all of the following requirements:

15 (1) All instruction and materials presented shall be medically
16 accurate, current, and objective.

17 (2) Individuals providing education on pregnancy, sexuality,
18 and sexually transmitted infections shall be appropriately trained.

19 (3) The program or activity does not teach or promote
20 religious doctrine.

21 (4) The program or activity is culturally and linguistically
22 appropriate for the target population.

23 (5) The program or activity does not reflect or promote bias
24 against any person on the basis of disability, gender, nationality,
25 race or ethnicity, religion, or sexual orientation, as defined in
26 Section 422.56 of the Penal Code.

27 (b) Any applicant for state funds or state-administered funds
28 for any program to which this section applies shall, as a condition
29 of receiving those funds, sign a form that attests to the
30 compliance with the provisions of this section.

31 (c) For purposes of this section, the following definitions shall
32 apply:

1 (1) “Appropriately trained” means having knowledge of the
2 current medically accurate data from research on human
3 sexuality, human development, pregnancy, and sexually
4 transmitted infections.

5 (2) “Medically accurate” means verified or supported by
6 research conducted in compliance with scientific methods and
7 published in peer review journals, where appropriate, and
8 recognized as accurate and objective by professional
9 organizations and agencies with expertise in the relevant field,
10 including, but not limited to, the federal Centers for Disease
11 Control and Prevention, the American Public Health Association,
12 the Society for Adolescent Medicine, the American Academy of
13 Pediatrics, and the American College of Obstetricians and
14 Gynecologists.