

ASSEMBLY BILL

No. 827

Introduced by Assembly Member O'Donnell

February 26, 2015

An act to amend Section 51933 of the Education Code, relating to public school curriculum.

LEGISLATIVE COUNSEL'S DIGEST

AB 827, as introduced, O'Donnell. Public school curriculum: sexual health education.

Existing law authorizes school districts to provide comprehensive sexual health education, consisting of age-appropriate instruction, in kindergarten and grades 1 to 12, inclusive, using instructors trained in the appropriate courses. Existing law specifies criteria that a school district that elects to offer comprehensive sexual health education is required to satisfy, including providing information on local resources for testing and medical care for sexually transmitted diseases.

This bill would require a school district that elects to offer comprehensive sexual health education to also provide information on local resources for counseling for sexuality transmitted diseases.

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

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

- 1 SECTION 1. Section 51933 of the Education Code is amended
- 2 to read:
- 3 51933. (a) School districts may provide comprehensive sexual
- 4 health education, consisting of age-appropriate instruction, in ~~any~~

1 kindergarten ~~to grade~~ *and grades 1 to 12*, inclusive, using
2 instructors trained in the appropriate courses.

3 (b) A school district that elects to offer comprehensive sexual
4 health education pursuant to subdivision (a), whether taught by
5 school district personnel or outside consultants, shall satisfy all of
6 the following criteria:

7 (1) Instruction and materials shall be age appropriate.

8 (2) All factual information presented shall be medically accurate
9 and objective.

10 (3) Instruction shall be made available on an equal basis to a
11 pupil who is an English learner, consistent with the existing
12 curriculum and alternative options for an English learner pupil as
13 otherwise provided in this code.

14 (4) Instruction and materials shall be appropriate for use with
15 pupils of all races, genders, sexual orientations, ethnic and cultural
16 backgrounds, and pupils with disabilities.

17 (5) Instruction and materials shall be accessible to pupils with
18 disabilities, including, but not limited to, the provision of a
19 modified curriculum, materials and instruction in alternative
20 formats, and auxiliary aids.

21 (6) Instruction and materials shall encourage a pupil to
22 communicate with his or her parents or guardians about human
23 sexuality.

24 (7) Instruction and materials shall teach respect for marriage
25 and committed relationships.

26 (8) Commencing in grade 7, instruction and materials shall teach
27 that abstinence from sexual intercourse is the only certain way to
28 prevent unintended pregnancy, teach that abstinence from sexual
29 activity is the only certain way to prevent sexually transmitted
30 diseases, and provide information about the value of abstinence
31 while also providing medically accurate information on other
32 methods of preventing pregnancy and sexually transmitted diseases.

33 (9) Commencing in grade 7, instruction and materials shall
34 provide information about sexually transmitted diseases. This
35 instruction shall include how sexually transmitted diseases are and
36 are not transmitted, the effectiveness and safety of all federal Food
37 and Drug Administration (FDA) approved methods of reducing
38 the risk of contracting sexually transmitted diseases, and
39 information on local resources for testing, *counseling*, and medical
40 care for sexually transmitted diseases.

1 (10) Commencing in grade 7, instruction and materials shall
2 provide information about the effectiveness and safety of all
3 FDA-approved contraceptive methods in preventing pregnancy,
4 including, but not limited to, emergency contraception.

5 (11) Commencing in grade 7, instruction and materials shall
6 provide pupils with skills for making and implementing responsible
7 decisions about sexuality.

8 (12) Commencing in grade 7, instruction and materials shall
9 provide pupils with information on the law on surrendering
10 physical custody of a minor child 72 hours or younger, pursuant
11 to Section 1255.7 of the Health and Safety Code and Section 271.5
12 of the Penal Code.

13 (c) A school district that elects to offer comprehensive sexual
14 health education pursuant to subdivision (a) earlier than grade 7
15 may provide age appropriate and medically accurate information
16 on any of the general topics contained in paragraphs (8) to (12),
17 inclusive, of subdivision (b).

18 (d) If a school district elects to offer comprehensive sexual
19 health education pursuant to subdivision (a), whether taught by
20 school district personnel or outside consultants, the school district
21 shall comply with the following:

22 (1) Instruction and materials may not teach or promote religious
23 doctrine.

24 (2) Instruction and materials may not reflect or promote bias
25 against any person on the basis of any category protected by
26 Section 220.