

On September 18, 2018, Governor Jerry Brown signed AB-2601 into law requiring California charter schools to teach sexual education and human immunodeficiency virus (“HIV”) prevention to students in middle school and high school beginning in the 2019-2020 school year. The law requires that each student receive this education at least twice while in school (at least once in middle school and at least once again in high school), unless the parent/guardian provides a **written “Opt-Out” notice** to the school.

A school may provide comprehensive sexual health education or HIV prevention education earlier than grade 7. A school that elects to offer comprehensive sexual health education or HIV prevention education earlier than grade 7 may provide information on any of the general topics contained below.

All sexual education instruction and materials shall:

- align with and support the purposes of the California Healthy Youth Act (AB 2601 Education Code Section 51930) and not conflict with them;
- be appropriate for use with pupils of all races, genders, sexual orientations, and ethnic and cultural backgrounds, pupils with disabilities, and English learners;
- be made available on an equal basis to a pupil who is an English learner;
- 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;
- not reflect or promote bias against any person on the basis of any protected characteristic (i.e. disability, gender, gender identify, gender expression, nationality, race, ethnicity, religion, sexual orientation, immigration status);
- 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;
- teach pupils about gender, gender expression, gender identity, and explore the harm of negative gender stereotypes;
- 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;
- teach the value of and prepare pupils to have and maintain committed relationships such as marriage;
- 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;

- 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;
- not teach or promote religious doctrine.

At a minimum, sexual education instruction under the Act must include the following:

- Information on the nature of HIV, as well as other sexually transmitted infections, and their effects on the human body.
- 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.
- 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. This 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.
- 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.
- 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.
- 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.
- 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. 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.

- 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:
 - Parenting, adoption, and abortion.
 - Information on the law on surrendering physical custody of a minor child 72 hours of age or younger.
 - The importance of prenatal care.
- Information about sexual harassment, sexual assault, sexual abuse, and human trafficking. Information on human trafficking shall include information on the prevalence, nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance.
- Information about adolescent relationship abuse and intimate partner violence, including the early warning signs thereof.

Written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education will be available for inspection at the Academy school site beginning the first week of August prior to the start of the new school year.

The comprehensive sexual health education or HIV prevention education offered at John Adams Academy will be delivered via independent study to be completed in the home under the supervision of the parent/guardian.

The California Healthy Youth Act found in Education Code Sections 51933-51934 which requires schools to provide comprehensive sexual health education and the information required to be included in the curriculum can be viewed online at: [CA Education Code Secs 51933 and 51934](#). If a parent/guardian is unable to access the education code online a copy of the code may be requested from the school or the law can be viewed online at the school site upon request.