

## **Parental Rights in Child's Education Policy**

### **SECTION 1. DEFINITIONS.**

As used in this policy:

- (a) COMPREHENSIVE SEXUAL HEALTH EDUCATION has the meaning set forth in California Education Code § 51931(b).
- (b) HIV PREVENTION EDUCATION has the meaning set forth in California Education Code § 51931(d).
- (c) FAMILY LIFE EDUCATION means instruction, materials, presentations, or programming that discuss gender, gender identity, gender expression, sexual orientation, harassment, bullying, intimidation, relationships, or family.

### **SECTION 2. RIGHT TO NOTIFICATION OF INSTRUCTION IN COMPREHENSIVE SEXUAL HEALTH EDUCATION, HIV PREVENTION EDUCATION, RESEARCH ON PUPIL HEALTH BEHAVIORS AND RISKS, AND FAMILY LIFE EDUCATION.**

- (a) A parent or guardian of a pupil has the right to excuse their child from all or part of comprehensive sexual education, HIV prevention education, and family life education through a passive consent ("opt-out") process.
- (b) At the beginning of each school year, or, for a pupil who enrolls in a school after the beginning of the school year, at the time of that pupil's enrollment, each school shall notify the parent or guardian of each pupil about instruction in comprehensive sexual health education, HIV prevention education, and family life education planned for the coming year. The notice shall do all of the following:
  - 1) Advise the parent or guardian that written and audiovisual educational materials used in comprehensive sexual health education, HIV prevention education, and family life education are available for inspection.
  - 2) Advise the parent or guardian whether the comprehensive sexual health education, HIV prevention education, and/or family life education will be taught by school district personnel or by outside consultants. A school may provide comprehensive sexual health education, HIV prevention education and/or family life education, to be taught by outside consultants, and may hold an assembly to deliver comprehensive sexual health education, HIV prevention education, and/or family life education by guest speakers, but if it elects to provide comprehensive sexual health education, HIV prevention education, and/or family life education in either of these manners, the notice shall include the date of the instruction, the name of the organization or affiliation of each guest speaker, and information stating the right of the parent or guardian to request a copy of California Education Code Section 51933, and Section 51934. If arrangements for this instruction are made after the beginning of the school year, notice shall be made by mail or another commonly used method of notification, no fewer than 14 days before the instruction is delivered.
  - 3) Include information explaining the parent's or guardian's right to request a copy of this policy.

- 4) Advise the parent or guardian that the parent or guardian has the right to excuse their child from comprehensive sexual health education, HIV prevention education, and family life education and that in order to excuse their child they must state their request in writing to the school district.

**SECTION 3. ELECTION TO NOT OFFER COMPREHENSIVE SEXUAL HEALTH EDUCATION OR HIV PREVENTION EDUCATION IN ELEMENTARY SCHOOLS.**

The school district elects to not offer comprehensive sexual health education or HIV prevention education earlier than grade 7 pursuant to in California Education Code § 51934(b).

**SECTION 4. SCHOOL'S RESPONSIBILITIES.**

- (a) The school shall be responsible for ensuring that every parent or guardian receives all written notices. Any failure to properly notify a parent or guardian that results in a child receiving comprehensive sexual health education, HIV prevention education, or family life education against the wishes of the parent or being exposed to a physical privacy concern against the wishes of the parent shall be considered the fault of the school.
- (b) The school shall be responsible for removing a parent's or guardian's child at the proper times according to the parent's or guardian's opt-out request as indicated in the signed statement from the parent or guardian. The school shall follow the parent's or guardian's opt-out request until the school is notified in writing by parent or guardian that their opt-out request has changed.
- (c) The school shall be responsible for ensuring that no child participates in a school activity of which a parent or guardian has opted their child out.