

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION

Instruction**SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION**

The County Superintendent and County Board desire to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV) prevention.

The County Superintendent and County Board shall respect the rights of parents/guardians to supervise their students' education on these subjects and to impart values to their children regarding human sexuality.

As specified in the accompanying administrative regulation, the County Superintendent and County Board shall strive to provide students with the knowledge and skills necessary to protect them from risks presented by sexually transmitted infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking and to have healthy, positive, and safe relationships and behaviors; to understand sexuality as a normal part of human development; and to develop healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family. (Education Code 51930-51939)

Each student in grades 7-12 shall receive comprehensive sexual health and HIV prevention education at least once in junior high or middle school and at least once in high school unless the student's parent(s)/guardian(s) opt the student out of such instruction as specified in "Parent/Guardian Notification and Opt-Out" in the accompanying administrative regulation. (Education Code 51934)

General Criteria for Instruction and Materials

The County Superintendent/County Board comprehensive sexual health and HIV prevention education and the associated materials shall: (Education Code 51930, 51933)

1. Be age appropriate
2. Be medically accurate and objective
3. Be aligned with and support the following purposes:
 - a. To provide students with the knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy
 - b. To provide students 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
 - c. To promote understanding of sexuality as a normal part of human development

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- d. To ensure students receive integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention education and provide educators with clear tools and guidance to accomplish that end
 - e. To provide students with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors
4. Be appropriate for use with English learners, students with disabilities, and students of all races, genders, sexual orientations, and ethnic and cultural backgrounds
 5. Be available on an equal basis to a student who is an English learner, consistent with the existing curriculum and alternative options for an English learner as otherwise provided in the Education Code
 6. Be accessible to students with disabilities, including, but not limited to, the provision of a modified curriculum, materials, and instruction in alternative formats and auxiliary aids
 7. Not reflect or promote bias against any person in protected categories of discrimination pursuant to Education Code 220
 8. 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
 9. Teach students about gender, gender expression, and gender identity, and explore the harm of negative gender stereotypes
 10. Encourage students to communicate with their parents/guardians and other trusted adults about human sexuality and provide the knowledge and skills necessary to do so
 11. Teach the value of and prepare students to have and maintain committed relationships such as marriage
 12. Provide students with the knowledge and skills they need to form healthy relationships that are based on mutual respect and affection and are free from violence, coercion, harassment, and intimidation
 13. Provide students with the knowledge and skills for making and implementing healthy decisions about sexuality, including communication and refusal skills to assist students in overcoming peer pressure and using effective decision-making skills to avoid high-risk activities
 14. Not teach or promote religious doctrine

Additionally, the comprehensive sexual health education program shall include information on the affirmative consent standard. Affirmative consent is defined as affirmative, conscious, and

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voluntary agreement to engage in sexual activity. Teachers delivering such instruction shall consult information related to sexual harassment and violence in the state health curriculum framework. (Education Code 51225.36, 67386)

The County Superintendent or designee shall identify appropriate methods for informing the school community about subjects related to the comprehensive sexual health and HIV prevention education. The County Superintendent or designee shall use such identified methods to inform parents/guardians of students in grades 6-12 about human trafficking prevention resources, as required pursuant to Education Code 49381.

Parent/Guardian Notification and Opt-Out

At the beginning of each school year or at the time of a student's enrollment, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation, that they may request in writing to opt their child out of participating in comprehensive sexual health and HIV prevention education. Students so excused shall be given an alternative educational activity. Additionally, a student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian opts the student out of such instruction. (Education Code 51240, 51938, 51939)

Adopted: 03/18/2010

Amended: 11/19/2020, 03/19/2026

Legal ReferenceEducation Code

220 Prohibition of discrimination

231.7 Resources on abuse and teen dating violence; local and national hotlines

232.7 Model policy and resources; body shaming

33544 Inclusion of sexual harassment and violence in health curriculum framework

33546.2 Health framework; sextortion

48980 Notice at beginning of term

49381 Human trafficking prevention resources

51202 Instruction in personal and public health and safety

51210.8 Health education curriculum

51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation

51240 Excuse from instruction due to religious beliefs

51513 Test, questionnaire, survey, or examination containing questions about beliefs or practices

51930-51939 California Healthy Youth Act

51950 Abuse, sexual abuse, and human trafficking prevention education

67386 Student safety; affirmative consent standard

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Health and Safety Code

1255.7 Parents surrendering physical custody of a baby

Penal Code

243.4 Sexual battery

261.5 Unlawful sexual intercourse

271.5 Parents voluntarily surrendering custody of a baby

United States Code, Title 20

1232h Protection of student rights

7906 Sex education requirements and prohibited use of funds

Court Decision

Mahmoud v. Taylor (2025) 606 U.S. ____ (2025 WL 1773627)

Management Resources

CSBA Publications

Promoting Healthy Relationships for Adolescents: Board Policy Considerations, Governance Brief, August 2014

California Department of Education Publications

Body Shaming Model Policy & Resources

Health Education Framework for California Public Schools: Kindergarten Through Grade 12, May 2019

Health Education Content Standards for California Public Schools, Kindergarten Through Grade 12, 2008

Human Rights Campaign Foundation Publications

California LGBTQ Youth Report, January 2019

Websites

California Department of Education, Sex Education and HIV/AIDS/STD Instruction: <http://www.cde.ca.gov/ls/he/se>

California Department of Public Health: <http://www.cdph.ca.gov>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Partnership to End Domestic Violence: <http://www.cpedv.org>

California Safe Schools Coalition: <http://www.casafeschools.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Human Rights Campaign: <http://www.hrc.org/hrc-story/hrc-foundation>

U.S. Food and Drug Administration: <http://www.fda.gov>