

# Fast Facts about the California Healthy Youth Act

The California Healthy Youth Act, Education Code §§ 51930-51939, requires California public schools, including charter schools, to provide comprehensive sexual health education.<sup>1</sup> Here are some facts about the law.

- *Comprehensive sexual health and HIV prevention education is required at least once in middle school and at least once in high school.* Abstinence-only instruction is not permitted.
  - *All instruction in all grades must be age-appropriate and medically accurate* (meaning accepted by organizations like the American Academy of Pediatrics) and *may not promote religious doctrine.* All elements of the instruction must be in alignment with each other.
  - *Sexual health education must respect and address the needs of students of all genders and sexual orientations.* Instruction must affirmatively recognize different sexual orientations and be inclusive of same-sex relationships when providing examples of couples or relationships. It must also teach about gender, gender expression, and gender identity, and explore the harm of negative gender stereotypes.
  - *Beginning in grade 7,* instruction must include information about the safety and effectiveness of all FDA-approved methods of preventing pregnancy and transmission of HIV and other sexually transmitted infections (including condoms, contraceptives, and antiretroviral treatment) and abstinence.
- It must also include information about HIV, pregnancy, sexual harassment, sexual assault, healthy relationships, and human trafficking, as well as local resources for accessing care and students' rights to access care.
- *Parents must be notified* that their student will receive sexual health and HIV prevention education and be allowed to view the materials prior to instruction. Parents/guardians may remove their student from the instruction by submitting a request in writing.
  - *Teachers or outside speakers must have training in and knowledge of the most recent medically accurate research on the topic.* District must also periodically provide training to all district personnel who provide HIV prevention instruction. Outside organizations or speakers must also follow all laws when they present.
  - *Instruction must be appropriate for students with disabilities, English language learners, and students of all races and ethnic and cultural backgrounds.* Schools must make sure that all students can get sexual health education and HIV prevention education in a way that works for them.



For more information, go to [http://www.aclunc.org/sex\\_ed](http://www.aclunc.org/sex_ed).

If you are concerned that your school is not following the law, contact the ACLU for help.

<sup>1</sup> The mandate for non-charter public schools (AB 329, 2015) took effect in 2016; the mandate for charter schools (AB 2601, 2018) takes effect in the 2019-2020 school year.