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Response to Grand Jury Report Form

OCT 16 2019

Report Title: School Implementation of Sex Education Programs

Ventura County
Grand Jury

Report Date: April 10, 2019

Response by: Luis Lichtl

Title: Assistant Superintendent, Instructional Services
Conejo Valley Unified School District

FINDINGS

- I (we) agree with the findings numbered: N/A
- I (we) disagree wholly or partially with the findings numbered: See Attached

RECOMMENDATIONS

- Recommendations numbered R-01 through R-07 have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered N/A have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered N/A require further analysis.
- Recommendations numbered N/A will not be implemented because they are not warranted or are not reasonable.

RESPONSE TO GRAND JURY REPORT
School Implementation of Sex Education Programs
Dated April 10, 2019

Recommendation 1: The Grand Jury recommends that the school districts provide to parents or guardians a separate informational notice describing the sexual education and HIV/AIDS prevention curriculum and content of sexual behavior surveys. (C-02)

Response 1: The CVUSD website contains a wealth of information regarding the CVUSD health education program. (See, <http://www.conejousd.org/Departments/Instructional-Services/Health-Education>) The “Health Education” button is prominently displayed on the CVUSD home page and the content of the CVUSD program is readily available to parents and guardians on the “Health Education” page.

Additionally, Board Policy and Administrative Regulation 6142.1, Sexual Health and HIV/AIDS Prevention Instruction, describe the CVUSD’s health education program. A copy of the CVUSD Board Policy 6142.1 and Administrative Regulation 6142.1 are attached hereto as Exhibits 1 & 2, respectively. Board Policy and Administrative Regulation 6142.1 are also available on the CVUSD website.

Recommendation 2: The Grand Jury recommends that the notice provided to parents or guardians state that no academic penalty will attach as a result of a parent or guardian excluding a child from sexual-education classes or surveys of sexual behavior. (C-04)

Response 2: Board Policy 6142.1, Sexual Health and HIV/AIDS Prevention Instruction, states, in pertinent part, “A student *shall not be subject to disciplinary action, academic penalty, or other sanction* if the student's parent/guardian declines to permit the student to receive the instruction.” (Emphasis Added.) See Exhibit 1.

The CVUSD Annual Notice of Parents’ Rights and Responsibilities for the 2019-2020 school year, states, in pertinent part, “If a parent or guardian exercises the option to exclude their student from any or all comprehensive sexual health and/or HIV/AIDS prevention education the student *will not be academically penalized*. The student will receive an alternative assignment. This Annual Notification shall be considered notice to parents/guardians.” (Emphasis added.) A copy of page 3 of the CVUSD Annual Notice of Parents’ Rights and Responsibilities for the 2019-2020 school year is attached hereto as Exhibit 3.

Board Policy 6142.1 and the CVUSD Annual Notice of Parents’ Rights and Responsibilities for the 2019-2020 school year are also available on the CVUSD website.

Recommendation 3: The Grand Jury recommends that school districts provide an alternative educational curriculum to students opting-out of sexual-education classes that closely aligns with the Legislature’s intent that “instruction and materials shall provide pupils with knowledge and skills for making and implementing healthy decisions... including negotiation and refusal skills...” The details of the alternative curriculum should be included to parents or guardians.

The Life Skills curriculum established by the Moorpark Unified School District is an example of such an alternative. (C-02, C-03, Ref-07)

Response 3: In compliance with Education Code section 51933, subsection (h), the CVUSD sexual health education and HIV/AIDS prevention education curriculum provides 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 decisionmaking skills to avoid high-risk activities.” For students whose parents opt-out of the curriculum, alternative assignments are provided pursuant to Education Code section 51939(c). Examples of alternative assignments are attached hereto as Exhibit 4.

Recommendation 4: The Grand Jury recommends that the school districts provide a more detailed explanation of the content of sexual-education and HIV/AIDS curriculum and sexual-behavior surveys in an easily accessible format. (C-02)

Response 4: The CVUSD website contains a wealth of information regarding the CVUSD health education program. (See, <http://www.conejousd.org/Departments/Instructional-Services/Health-Education>) The “Health Education” button is prominently displayed on the CVUSD home page and the content of the CVUSD program is readily available to parents and guardians on the “Health Education” page.

Additionally, Board Policy and Administrative Regulation 6142.1, Sexual Health and HIV/AIDS Prevention Instruction, describe the CVUSD health education program. A copy of the CVUSD Board Policy 6142.1 and Administrative Regulation 6142.1 are attached hereto as Exhibits 1 & 2, respectively. Board Policy and Administrative Regulation 6142.1 are also available on the CVUSD website.

Recommendation 5: The Grand Jury recommends that the school districts facilitate the opt-out process by including a single form that can be signed and returned, indicating that parents or guardians wish to have their child excused from sexual-education instruction and surveys. (C-02)

Response 5: As a general matter, the CVUSD does not administer surveys regarding student “attitudes concerning or practices relating to sex.” However, the CVUSD administers the California Healthy Kids Survey. Students do not participate in the California Healthy Kids Survey unless their parents provide consent for their participation. A copy of the 2018-2019 consent form is attached as Exhibit 5.

Recommendation 6: The Grand Jury recommends that the school districts notify parents or guardians that they may opt-out their children from any part of sexual-education classes or surveys, while allowing them to attend or participate in others. (C-02, FA-03)

Response 6: The CVUSD complies with Education Code section 51938. In grades 7 and 9, students receive the CVUSD Comprehensive Sexual Health and HIV/AIDS Instruction. The CVUSD Opt-Out form identifies units of study and provides parents/guardians the opportunity to opt out of specific units. A copy of the CVUSD Opt-Out Forms for grades 7 and 9 are attached

hereto as Exhibit 6 and 7. Additionally, the opt-out forms are available on the CVUSD website on the “Health Education” page.

Board Policy 6142.1, Sexual Health and HIV/AIDS Prevention Instruction, states, in pertinent part, “Annually, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation that they may request in writing that their child be excused from participating in comprehensive sexual health and HIV prevention education. Students so excused by their parents/guardians shall be given an alternative educational activity.”

The CVUSD Annual Notice of Parents’ Rights and Responsibilities for the 2019-2020 school year, states, in pertinent part, “Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education.”

As stated above, Board Policy 6142.1 and the CVUSD Annual Notice of Parents’ Rights and Responsibilities for the 2019-2020 school year are available on the CVUSD website.

Recommendation 7: The Grand Jury recommends that the school districts provide a more complete explanation in the annual parent/guardian notification of any surveys to be taken concerning sexual behavior of students. (C-02)

Response 7: In compliance with Education Code section 51938, the CVUSD Annual Notice of Parents’ Rights and Responsibilities for the 2019-2020 school year, states, in pertinent part, “The District may administer to students in grades 7 through 12 anonymous, voluntary, and confidential research and evaluation instruments, including tests and surveys, containing age-appropriate questions about their attitudes or practices relating to sex. Prior to administering such a research and evaluation instrument, parents/guardians shall be provided written notice of the administration. Parents/guardians shall be given an opportunity to review the research instrument and to request in writing their child not participate.” Again, the CVUSD Annual Notice of Parents’ Rights and Responsibilities for the 2019-2020 school year is available on the CVUSD website.

As stated above, the only survey the CVUSD conducts is the California Healthy Kids Survey. Students do not participate in the California Healthy Kids Survey unless their parents provide consent for their participation. See Exhibit 5.