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Ventura County  
Grand Jury

county of ventura

OceanView School District.

Grand Jury  
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### Response to Grand Jury Report Form

Report Title: School Implementation of Sex-Education Programs

Report Date: April 10, 2019

Response by: Dr. Craig W. Helmstedter

Title: Superintendent

#### FINDINGS / CONCLUSIONS

- I (we) agree with the findings / conclusions numbered: C-01 and C-05
- I (we) disagree wholly or partially with the Findings / Conclusions numbered: C-02, C-03, C-04  
(Attach a statement specifying any portions of the Findings / Conclusions that are disputed; include an explanation of the reasons.)

#### RECOMMENDATIONS

- Recommendations numbered R-02, R-04, R-06 have been implemented.  
(Attach a summary describing the implemented actions and date completed.)
- Recommendations number \_\_\_\_\_ have not yet been implemented, but will be implemented in the future.  
(Attach a time frame for the implementation.)
- Recommendations numbered \_\_\_\_\_ require further analysis.
- Recommendations numbered R-01, R-03, R-05, R-07 will not be implemented because they are not warranted or are not reasonable.

Date: July 10, 2019

Signed: \_\_\_\_\_



Number of pages attached: 3

## Conclusions

**C-01. The Grand Jury concluded that all school districts surveyed, except Conejo, have implemented policies, practices and procedures regarding the implementation of AB 329. (FA-01)**

Agree: Ocean View School District has implemented policies, practices and procedures as required by AB 329, the California Healthy Youth Act.

**C-02. The Grand Jury concluded that school districts' policies, practices and procedures fail to provide sufficient details of the sexual-health education and HIV/AIDS prevention class curriculum, or the content of the sexual behavior surveys. This makes it difficult for parents or guardians to easily access, understand and make decisions about whether their children should be excused from or included in the sexual-education classes or surveys on sexual behavior. (FA-01, FA-02, FA-03, FA-04, FA-05, FA-06, FA-07)**

Disagree: The Ocean View School District, Administrative Regulation (AR) 6142.61, outlines the requirements for course content, instruction and materials. Additionally, parents/guardians have the opportunity to inspect the written and audio visual materials prior to commencing instruction.

**C-03. The Grand Jury concluded that all district policies, procedures and practices (except Conejo, Moorpark and Mupu) fail to provide adequate notice that a student excused from instruction will be provided an alternative educational activity. (FA-02)**

Disagree: The Ocean View School District follows Board Policy (BP) 6142.61, which states, "Students so excused by their parents/guardians shall be given an alternative educational activity."

**C-04. The Grand Jury concluded that all district procedures, policies and practices (except Mupu, Oxnard Union, Oak Park, Simi and Moorpark) fail to give notice that a student excused from instruction will not be subject to any academic penalty. (FA-04)**

Disagree: The Ocean View School District follows Board Policy 6142.61(a), which states, "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."

**C-05. The Grand Jury concluded that all districts (except Oxnard Union, Ventura, Somis, Ojai and Port Hueneme) do not provide a separate written form "for parents or guardians to conveniently opt-out their students from all or part of the curriculum on sexual-health education or surveys on sexual behavior. (FA-07)**

Agree: Ocean View School District has implemented Education Code §51938, which reads, "to excuse their child, they (parents/guardians) must state their request in writing to the school district." This is in line with the purposes of AB 329, the California Healthy Youth Act, and the required passive consent process enacted in EC §51938.

### **Recommendations**

**R-01. 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)**

Ocean View School District will continue to provide the required notification to parents at the beginning of the year as required by AB 329, the California Healthy Youth Act, and Board Policy and Administrative Regulation 6142.61. The District will continue to send an additional notice giving parents/guardians an opportunity to inspect the written and audiovisual materials prior to commencing instruction.

**R-02. The Grand Jury recommends that the notice provided to parents or guardians states 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)**

Ocean View School District will continue to adhere to the required notifications enacted in AB 329, the California Healthy Youth Act, and Board Policy and Administrative Regulation 6142.61, and include language about no academic penalty in the 2019-2020 notice to parents.

**R-03. 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 in the notice 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)**

Ocean View School District will continue to provide alternative educational activities as required by AB 329, the California Healthy Youth Act, and Board Policy and Administrative Regulation 6142.61.

**R-04. 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)**

Ocean View School District will continue to provide parent/guardian access to the written and audiovisual instructional materials prior to instruction as required by AB 329, the California Healthy Youth Act, and Board Policy and Administrative Regulation 6142.61.

**R-05. 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)**

Ocean View School District will continue to allow the parent/guardian to excuse their student

from instruction in compliance with AB 329, the California Healthy Youth Act, and Board Policy and Administrative Regulation 6142.61.

**R-06. 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)**

Ocean View School District will continue to notify parents/guardians of their right to excuse their child from all or part of instruction as required by AB 329, the California Healthy Youth Act, and Board Policy and Administrative Regulation 6142.61.

**R-07. The Grand Jury recommends that 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)**

Ocean View School District will follow the parent/guardian notification requirements in AB 329, the California Healthy Youth Act, and Board Policy and Administrative Regulation 6142.61.