



**Administration**

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# VENTURA COUNTY OFFICE OF EDUCATION

Stanley C. Mantooth, County Superintendent of Schools

July 11, 2019

Sent via Email and USMail

Ira Schoenwald, Chair  
Kathleen Diamond, Foreperson  
County of Ventura Grand Jury  
800 S. Victoria Avenue  
Ventura, CA 93009

Dear Mr. Schoenwald and Ms. Diamond:

On May 7, 2019, the Ventura County Office of Education received a copy of the 2018-19 Ventura County Grand Jury Final Report entitled, *School Implementation of Sex Education Programs*. In that report, the Grand Jury required responses from the Ventura County Office of Education to the following recommendations: R-01, R-02, R-03, R-04, R-05, R-06, and R-07.

We are pleased to provide the attached response in accordance with Penal Code 933 and 933.05. Please note that all referenced documents can be accessed by using the following link to a shared Google Drive: <http://bit.ly/VCOEgrandjury2019>

If you have any questions regarding the information presented in this response, please contact Dr. Antonio Castro, Associate Superintendent, Educational Services, at 805-383-1903, or [acastro@vcoe.org](mailto:acastro@vcoe.org).

Sincerely,

Stanley C. Mantooth  
Ventura County Superintendent of Schools

CC: Dr. Antonio Castro, Associate Superintendent, Educational Service

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Ventura County  
Grand Jury

## Response to Grand Jury Report Form

Report Title: School Implementation of Sex Education Programs

Report Date: April 10, 2019 (Received May 7, 2019)

Response by: Dr. Antonio Castro Title: Ventura County Office of Education,  
Associate Superintendent, Educational Services

### FINDINGS

- I (we) agree with the findings numbered: N/A
- I (we) disagree wholly or partially with the findings numbered: See Attached  
*(Attach a statement specifying any portions of the findings that are disputed;  
include an explanation of the reasons therefor.)*

### RECOMMENDATIONS

- Recommendations numbered (R-01, R-02, R-03, R-04, R-05, R-06 and R-07) have been implemented.  
*(Attach a summary describing the implemented actions.)*
- Recommendations numbered (NONE) have not yet been implemented, but will be implemented in the future.  
*(Attach a timeframe for the implementation.)*
- Recommendations numbered (NONE) require further analysis.
- Recommendations numbered (NONE) will not be implemented because they are not warranted or are not reasonable.

Date: July 11, 2019

Signed: 

Number of pages attached: 4



**RESPONSE TO GRAND JURY REPORT**  
**School Implementation of Sex Education Programs**  
**April 10, 2019 (Received May 7, 2019)**

*All documents referenced in this response can be accessed  
using the following link to a shared Google Drive:*

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**CONCLUSION 1:** The Grand Jury concluded that all school districts surveyed, except Conejo, have implemented policies, practices and procedures regarding the implementation of AB329.

**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).

At the beginning of each school year VCOE provides initial notification to parents in the form of a VCOE Annual Notice of Parent Rights & Responsibilities ([see Google Drive](#)) and Sexual Health Parent Notification Letters ([see Google Drive](#)). These documents address the Grand Jury's recommendation regarding curriculum and surveys.

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**CONCLUSION 2:** 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.

**RECOMMENDATION 2:** 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.

Current VCOE Board Policy 6142.1 states: "A student shall not be subject to disciplinary action, academic penalty, or other sanctions if the student's parent/guardian declines to permit the student to receive the instruction."

Per VCOE Annual Notice of Parent Rights & Responsibilities, "Students may not be subject to disciplinary action or academic penalty if the student's parent or guardian declines to permit participation in comprehensive sexual health education and/or anonymous surveys" (pg.4).

While VCOE complies with the 'may' provision in California Education Code 51938(4)(c) through the VCOE Annual Notice of Parent Rights & Responsibilities, VCOE **does not** administer sexual behavior surveys to students.

Per VCOE Annual Parent Notice of Rights and Responsibilities: *"The Ventura County Office of Education 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 that their child not participate**" (pg. 7)*

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**CONCLUSION 3:** 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.

**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 health 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.

Per the annual Parent Notification Letter, VCOE uses the Positive Prevention PLUS curriculum to address sexual health. *"**This curriculum has been and will be adapted to meet the unique needs of all students, and includes lessons on sexual development, physical/social/emotional changes during puberty, human reproduction, hygiene, diseases and their transmission, friendship, boundaries and bullying, and staying healthy.**"*

Per VCOE Board Policy 6142.1, *"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 parent/guardian shall be given an alternative educational activity."*

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**CONCLUSION 4:** 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.

**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.

Per VCOE Board Policy 6142.1, *"A student shall not be subject to disciplinary action, academic penalty, or other sanctions if the student's parent/guardian declines to permit the student to receive the instruction."*

Per VCOE Annual Notice of Parent Rights & Responsibilities, "*Students may not be subject to disciplinary action or academic penalty if the student's parent or guardian declines to permit participation in comprehensive sexual health education and/or anonymous surveys*" (pg.4).

Per the annual Parent Notification Letter, VCOE uses the Positive Prevention PLUS curriculum to address sexual health. "*This curriculum has been and will be adapted to meet the unique needs of all students, and includes lessons on sexual development, physical/social/emotional changes during puberty, human reproduction, hygiene, diseases and their transmission, friendship, boundaries and bullying, and staying healthy.*"

While VCOE complies with the 'may' provision in California Education Code 51938(4)(c) through the VCOE Annual Notice of Parent Rights & Responsibilities, VCOE **does not** administer sexual behavior surveys to students.

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**CONCLUSION 5:** 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.

**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-educational instruction and surveys.

VCOE is compliant with Education Code 51938 and does facilitate the opt-out process for parents.

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**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.

Per Administrative Regulation 6142.1 and Parent Notification Letter that must be provided at least 14-day prior to administration of sexual health curriculum, parents have "*the right to excuse their child from all or part of comprehensive sexual health education and HIV prevention education.*"

While VCOE complies with the 'may' provision in California Education Code 51938(4)(c) through the VCOE Annual Notice of Parent Rights & Responsibilities, VCOE **does not** administer sexual behavior surveys to students.

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**RECOMMENDATION 7:** 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.

While VCOE complies with the 'may' provision in California Education Code 51938(4)(c) through the VCOE Annual Notice of Parent Rights & Responsibilities, VCOE **does not** administer sexual behavior surveys to students.

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