



HUENEME ELEMENTARY SCHOOL DISTRICT

"Inspiring and empowering every student to thrive every day."

205 N. Ventura Road, Port Hueneme, CA 93041-3065 • www.hueneme.org • 805-488-3588

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Superintendent

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Assistant Superintendent

July 23, 2019



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JUL 30 2019



Ventura County
Grand Jury

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 Hueneme Elementary School District 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 Hueneme Elementary School District 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: [HESDGrandJury2019SharedGoogleDrive](#)

If you have any questions regarding the information presented in this response, please contact Helen Cosgrove, Assistant Superintendent, Educational Services, at 805-488-3588, or hcosgrove@hueneme.org

Sincerely,

Christine Walker

Dr. Christine Walker
Superintendent

CC: Helen Cosgrove, Assistant Superintendent, Educational Services
Denise Hicklin, Sr. Director, Pupil Support Services

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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: Helen Cosgrove **Title:** Hueneme Elementary School District,
Assistant 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

RECOMMENDATIONS

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

Date: July 23, 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)

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 HESD provides initial notification to parents in the form of an HESD Annual Notice of Parent Rights & Responsibilities ([HESDGrandJury2019SharedGoogleDrive](#)) and Sexual Health Parent Notification Letters ([HESDGrandJury2019SharedGoogleDrive](#)) These documents address the Grand Jury's recommendation regarding curriculum and surveys.

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 HESD 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 HESD Annual Notice of Parent Rights & Responsibilities, "Students shall 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.5).

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

Per HESD Annual Parent Notice of Rights and Responsibilities: "The Hueneme Elementary School District may administer to students in grades 7 through 8 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. 5)

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 HESD 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."

Per the annual Parent Notification Letter, HESD 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."

"For any parent/guardian requesting that their child not receive comprehensive sexual health and HIV prevention education the following alternative curriculum will be provided:

Alternative Curriculum: Overcoming Obstacles

The Overcoming Obstacles life skills curriculum focuses on three fundamental skills on which all other skills can be built: communication, decision making, and goal setting. Lessons include opportunities to introduce, define, and model important life skills. Through activities and role-playing, students will practice life skills and learn how they are relevant to their lives.”

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 HESD 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 HESD Annual Notice of Parent Rights & Responsibilities, “Students shall 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.5).

Per the annual Parent Notification Letter, HESD 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 HESD complies with the ‘may’ provision in California Education Code 51938(4)(c) through the HESD Annual Notice of Parent Rights & Responsibilities, HESD **does not** administer sexual behavior surveys to students.

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.

HESD is compliant with Education Code 51938 and does facilitate the opt-out process for parents by providing a separate written form.

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

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