



Senate California Legislature

Mike Morrell

Senator, Twenty-Third District

SB 673: Transparency, Equity, & Accessibility of Youth Instructional Materials Act

BILL SUMMARY

SB 673 makes instructional materials more transparent and provides equitable access for parents of elementary school-aged children enrolled in public and charter schools.

Specifically, it simply requires school districts to make any adopted TK-6th grade sexual health and HIV prevention education curricula available on their websites, ensuring there is equitable access to curricula in districts with a substantial number of non-English speaking parents in the appropriate language spoken by those parents. It also proposes a limited change to existing law by allowing parents to opt their child in to instruction on this material.

BACKGROUND

The California Healthy Youth Act (CHYA) of 2015 integrated the comprehensive sexual health and HIV prevention education into curricula for pupils in grades 7 to 12. The CHYA also gave school districts authority to provide that education earlier than grade 7, and prohibited school districts from asking parents to opt their children in to the instruction if they desire. By default, the CHYA mandates all children will be taught the lessons unless their parents opt them out.

If school districts choose to teach comprehensive sexual health and HIV prevention education to elementary-age children, state law does not currently require curricula to be either age-appropriate or medically accurate, as is required of middle school and high school curricula. Thus, a technical change is needed to bring consistency to existing law.

Furthermore, the CHYA does not require school districts to make such curricula available on their websites before it is taught in the classroom, so the materials are not readily accessible to parents. In districts with a substantial number of parents who are non-English speaking, there is an additional barrier to transparency, as curricula is not

necessarily made available in the primary language spoken by these parents. This inhibits the ability parents, including non-English speaking parents, to have equitable access to review curricula and make informed decisions regarding their child's education.

PROBLEM

Given the important socio-emotional and developmental phases undergone by children in TK-6th grades, it is important that parents retain the right to actively participate in their child's development and instruction on the subject of sexual health and HIV prevention.

Current law limits transparency by failing to require school districts to make adopted curricula readily accessible to all parents. It also restricts parent choice by instructing pupils in this subject area before parents might have the opportunity to review the material and decide if they consider it "age appropriate" for their child.

SOLUTION

SB 673 is a simple change to current law that requires TK-6th grade sexual health and HIV prevention curricula to be age-appropriate and medically accurate, bringing it into conformity with existing requirements for similar curricula taught in 9-12th grade.

Additionally, this bill requires school districts to post the content of adopted curricula online to allow both English and non-English speaking parents adequate opportunity to review the material, and restores a district's discretion to implement an active consent ("opt-in") process that was eliminated by the CHYA.

BILL STATUS

Senate Education Committee – Hearing Date TBD

Staff Contact: Tess Scherkenback

Tess.Scherkenback@sen.ca.gov

(916) 651-4023

Updated: 5/1/2019