

Frequently Asked Questions (FAQs)

Answers to the questions administrators might have about Health Education and the Health Education Framework

California Healthy Youth Act (CHYA) & Comprehensive Sexual Health Education (CSHE)

Do parents have a right to "Opt Out" of Comprehensive Sexual Health Education?

Yes, the law makes it clear that parents can opt their children out of comprehensive sex education. According to the language in AB 329, “the Legislature recognizes that while parents and guardians overwhelmingly support medically accurate, comprehensive sex education, parents and guardians have the ultimate responsibility for imparting values regarding human sexuality to their children.” School districts are required to notify parents/guardians a minimum of 14 days prior to the first day of comprehensive sexual health instruction. To opt-out of this instruction, parents/guardians must request in writing that their child not participate in the instruction. If the parent/guardian does not request in writing that the child be withheld, the child will attend the instruction (EC § 51938[a]).

Source ([Links to an external site.](#))

Can parents “opt out” of other required Health Education instruction or content?

As stated in [Education Code 51932\(b\)](#), the opt-out provision of the California Healthy Youth Act **does not apply to instruction or materials outside the context of comprehensive sexual health education, including those that may reference gender, gender identity, sexual orientation, discrimination, bullying, relationships, or family.** For example, the opt-out rule associated with comprehensive sexual health education would not apply to a social studies lesson on the U.S. Supreme Court’s 2015 ruling in favor of same-sex marriage. Read more about the [FAIR Education Act of 2011](#)

Source ([Links to an external site.](#))

Can parents opt-out of LGBTQ-related Health Education instruction and content?

No, under the [California Healthy Youth Act](#), all comprehensive sexual health and HIV prevention instruction and materials in grades K-12 must be inclusive of lesbian, gay, bisexual, transgender, and/or queer (LGBTQ) students. Instruction must affirmatively recognize that people have different sexual orientations and, when discussing or providing examples of relationships and couples, must be inclusive of same-sex relationships. It must also teach students about gender, gender expression, gender identity, and explore the harm of negative gender stereotypes. This means that schools are required to teach about sexual orientation and transgender, cisgender, and non-binary gender identities. Learn about the requirements here ([Links to an external site.](#))

What is a simple way to frame concerns parents might have about sexual health education and their rights to opt-out?

A simple way to think about these questions is: Parents have the right to [passive consent only](#) in all grades. When discussing opt-out, **parents can opt out of content, but NOT people**:

- Yes, ([EC 51934](#)) parents can opt-out of content related to contraception, sexually transmitted infections, or adoption.
- No, ([EC 51933](#)) parents cannot opt-out of information related to people in relation to gender, gender identity, gender expression, sexual orientation, etc.
- Reminder: LGBTQ+ individuals are one of the protected classes under [EC 220](#).

What are the criteria and requirements for instruction and materials for comprehensive sexual health education and HIV prevention education?

The law requires instruction and materials to meet a number of guidelines. Among them, they must be age-appropriate; medically accurate and objective; and appropriate for use with pupils of all races, genders, sexual orientations, and ethnic and cultural backgrounds. They also must affirmatively recognize different sexual orientations and be inclusive of same-sex relationships in discussions; teach about gender, gender expression, gender identity, and the harm of negative gender stereotypes; and teach the value of committed relationships such as marriage.

The full list of guidelines is listed in [Education Code 51933](#). Again, every school district has the autonomy to choose its own curriculum as long as it meets the state guidelines. If families have questions or concerns about the specific lessons used in their child's class, they should contact the school or district.

Please visit the CDE website for more information about the [California Healthy Youth Act](#).

Is Sexual Health Education required in elementary schools?

No, it is not required. However, local school districts may choose to teach knowledge and skills related to comprehensive sexual health and HIV prevention education in grades kindergarten through grade six (K–6), inclusive. All instruction and materials in grades K–6 must meet the Sexual Health Education instructional criteria or baseline requirements in EC Section 51933. Content that is required in grades 7–12 may also be included in an age-appropriate way in earlier grades. ([EC sections 51933, 51934\[b\]](#).) [Source](#).

Health Education Framework and Standards

Are CA schools and/or school districts required to adopt or use the revised 2019 Health Education Framework?

No. The Health Education Framework is a guidance document for teachers and administrators in implementing California's Health Education Content Standards. There are no mandates that require schools to use the Health Education Framework.

[Source](#).

Are CA schools and/or school districts required to adopt or use the CA Health Education Content Standards?

No, local school districts are encouraged, but not required, to adopt or use [CA Health Education Content Standards](#). Local school districts are also encouraged, but not required, to follow the Health Education Framework for guidance in planning, instruction and assessment. It should be noted that the CA Health Education Standards represent minimum requirements for comprehensive health education. In all cases, when local educational agencies (LEAs) accept federal [Title IV Safe and Drug-Free Schools and Communities](#) funds or state Tobacco-Use Prevention Education funds, they are required to comply with all assurances and conditions associated with the acceptance of such funds, which may include Health Education Content Standards.

What are the CA Health Education Content Standards [\(links to external site\)](#)?

The Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve were adopted on March 12, 2008. The Standards represent minimum requirements for comprehensive health education. They provide guidance on the essential skills and knowledge that students should have at each grade level to become health literate.

Health Education Curriculum and Instruction

What instructional content do the Health Education Content Standards recommend at each grade level?

Health Education Standards provide guidance for developing health education curricula; they identify what each student in California should know and be able to do at each grade level. The CA Health Education Standards Grade-Level Assignment for Content Areas Chart (page ix) can be found below.

Grade-Level Emphasis	Nutrition and Physical Activity	Growth, Development, and Sexual Health		Injury Prevention and Safety	Alcohol, Tobacco, and Other Drugs	Mental, Emotional, and Social Health	Personal and Community Health
		Growth and Development	Sexual Health				
Kindergarten	✓	✓		✓	✓	✓	✓
Grade 1		✓		✓			✓
Grade 2	✓				✓	✓	
Grade 3		✓				✓	✓
Grade 4	✓			✓	✓		
Grade 5	✓	✓	✓				✓
Grade 6				✓	✓	✓	
Grades 7 and 8	✓	✓	✓	✓	✓	✓	✓
High School (Grades 9 Through 12)	✓	✓	✓	✓	✓	✓	✓

What is the relationship between the Health Education Framework and Health Education Standards?

The Health Education Framework provides guidance for teachers and administrators in planning for and providing quality, skills-based, comprehensive Health Education instruction. It is aligned to the 2008 California Health Education Content Standards, which support the development of knowledge, skills, and attitudes in eight overarching standards: (1) essential health concepts; (2) analyzing health influences; (3) accessing valid health information; (4) interpersonal communication; (5) decision making; (6) goal setting; (7) practicing health-enhancing behaviors; and (8) health promotion in six content areas of health education: nutrition and physical activity; growth, development, and sexual health; injury prevention and safety; alcohol, tobacco, and other drugs; mental, emotional, and social health; and personal and community health. 2008 Health Education Content Standards, which can be downloaded from the [Curriculum Frameworks and Instructional Resources Division Content Standards web page](#).

What Health Education instruction is required in CA public schools?

Elementary School (Grades K-6): It is permissible to teach knowledge and skills related to comprehensive sexual health and HIV prevention education in grades kindergarten through grade six (K–6), inclusive. All instruction and materials in grades K–6 must meet the instructional criteria or baseline

requirements in EC Section 51933. Content that is required in grades 7–12 may also be included in an age-appropriate way in earlier grades. (EC sections 51933, 51934[b].)

Secondary School (Grades 7-12): The adoption of the California Healthy Youth Act 2016 (California Education Code [EC] sections 51930–51939) requires school districts to ensure that **all students in grades seven through twelve, inclusive, receive comprehensive sexual health education and HIV prevention education.**

For more information about the California Healthy Youth Act, please visit the CDE [Comprehensive Sexual Health & HIV/AIDS Instruction web page](#) or the [California Legislative Information web page](#).

Where can I find information about the revisions made to the CA Health Education Framework?

The Orange County Department of Education created a brief introductory video providing an overview of the Health Education Framework Project. Here ([Links to an external site.](#))

Where can district and school site administrators find additional information about the Health Education Framework and Framework Rollout Project?

Visit the CA Health Education Framework [Quick Links](#) and [FAQs](#) pages for additional District and School Site Administrator Health Education Framework information, tools and resources. Look for the summer 2020 launch of the new CaliforniaHealthEducation.org website.

Is there a downloadable version of the DRAFT 2019 Revised Health Education Framework?

Yes, you can find the DRAFT 2019 CA Health Education Framework by Chapters here ([Links to an external site.](#)) The Chapters reflect the Framework content and language adopted by the State Board of Education. The 2019 Health Education Framework is currently being edited for publication and is scheduled to become available in 2020.

Where can I find information about Health Education Instructional Materials Adoption?

The CDE Health Education Instructional Materials Adoption publication and schedule can be found [here](#).