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SB-695 School curriculum: health education: sexual harassment and violence instruction. (2015-2016)

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Senate Bill No. 695

CHAPTER 424

An act to add Sections 33544 and 51225.36 to the Education Code, relating to school curriculum.

[Approved by Governor October 01, 2015. Filed with Secretary of State October 01, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 695, De León. School curriculum: health education: sexual harassment and violence instruction.

Existing law requires the Instructional Quality Commission, during the next revision of the publication "Health Framework for California Public Schools," to consider including a distinct category on sexual abuse and sex trafficking prevention education, as specified.

This bill would require the commission to consider including comprehensive information for grades 9 to 12, inclusive, on sexual harassment and violence, as specified, when that health framework is next revised after January 1, 2016. The bill would require the commission, if the commission includes comprehensive information on sexual harassment and violence in the health framework, to comply with specified conditions.

Existing law requires each pupil completing grade 12 to satisfy certain requirements as a condition of receiving a diploma of graduation from high school. These requirements include the completion of designated coursework in grades 9 to 12, inclusive. Existing law authorizes a governing board of a school district to adopt other coursework requirements.

This bill would require the governing board of a school district that has elected to require its pupils to complete a course in health education for graduation from high school to include instruction in sexual harassment and violence, as specified, and ensure that teachers consult information related to sexual harassment and violence in the health framework when delivering health instruction.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 33544 is added to the Education Code, to read:

33544. (a) When the "Health Framework for California Public Schools" (health framework) is next revised after January 1, 2016, the commission shall consider including comprehensive information for grades 9 to 12, inclusive, on sexual harassment and violence that includes, but is not limited to, all of the following:

- (1) Information on different forms of sexual harassment and violence, including instances that occur among peers and in a dating relationship; a discussion of prevention strategies; how pupils report sexual harassment and violence; and potential

resources victims can access.

(2) Discussion of the affirmative consent standard, as defined in paragraph (1) of subdivision (a) of Section 67386, and skills pupils use to establish boundaries in peer and dating relationships.

(3) Discussion of legal aspects of sexual harassment and violence under state and federal law.

(b) If the commission includes comprehensive information on sexual harassment and violence in the health framework, the commission shall comply with both of the following:

(1) Ensure information included in the framework is research based and appropriate for pupils of all races, genders, sexual orientations, gender identities, and ethnic and cultural backgrounds. This may include, but shall not be limited to, reviewing other states' curricula.

(2) Consult with secondary health teachers and experts in sexual harassment and violence curriculum.

SEC. 2. Section 51225.36 is added to the Education Code, to read:

51225.36. (a) If the governing board of a school district requires a course in health education for graduation from high school, the governing board of the school district shall include instruction in sexual harassment and violence, including, but not limited to, information on the affirmative consent standard, as defined in paragraph (1) of subdivision (a) of Section 67386.

(b) If the governing board of a school district provides instruction pursuant to subdivision (a), the governing board of the school district shall ensure teachers consult information related to sexual harassment and violence in the Health Framework for California Public Schools when delivering health instruction.