
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No: AB 643 **Hearing Date:** June 28, 2017
Author: Frazier
Version: April 18, 2017
Urgency: No **Fiscal:** Yes
Consultant: Brandon Darnell

Subject: Pupil instruction: abusive relationships

SUMMARY

This bill adds information on the early warning signs of adolescent relationship abuse and intimate partner violence to the required comprehensive sexual health education and HIV prevention education instruction on adolescent relationship abuse and intimate partner violence for pupils in grades 7-12.

BACKGROUND

Existing law:

- 1) Requires each school district to ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and HIV prevention education from instructors trained in the appropriate courses. (Education Code § 51934)
- 2) Requires each pupil to receive comprehensive sexual health education and HIV prevention education instruction at least once in junior high or middle school and at least once in high school. (EC § 51934)
- 3) Requires the comprehensive sexual health education and HIV prevention education instruction to include, among other topics related to HIV, all of the following:
 - a) Information that abstinence from sexual activity and injection drug use is the only certain way to prevent HIV and other sexually transmitted infections and abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy, and information about the value of delaying sexual activity while also providing medically accurate information on other methods of preventing HIV and other sexually transmitted infections and pregnancy.
 - b) Information about local resources, how to access local resources, and pupils' legal rights to access local resources for sexual and reproductive health care such as testing and medical care for HIV and other sexually transmitted infections and pregnancy prevention and care, as well as local resources for assistance with sexual assault and intimate partner violence.
 - c) Information about the effectiveness and safety of all Food and Drug Administration-approved contraceptive methods in preventing pregnancy,

including, but not limited to, emergency contraception. Instruction on pregnancy shall include an objective discussion of all legally available pregnancy outcomes, including, but not limited to, all of the following:

- i) Parenting, adoption, and abortion.
 - ii) Information on the law on surrendering physical custody of a minor child 72 hours of age or younger.
 - iii) The importance of prenatal care.
 - d) Information about sexual harassment, sexual assault, adolescent relationship abuse, intimate partner violence, and sex trafficking. (EC § 51934)
- 4) Authorizes a school district to provide comprehensive sexual health education or HIV prevention education consisting of age-appropriate instruction earlier than grade 7 using instructors trained in the appropriate courses, and authorizes a school district that elects to offer comprehensive sexual health education or HIV prevention education earlier than grade 7 to provide age-appropriate and medically accurate information on any of the general topics of the required comprehensive sexual health education or HIV prevention education. (EC § 51934)
 - 5) Requires the Instructional Quality Commission (IQC), when the “Health Framework for California Public Schools” (health framework) is next revised after January 1, 2017, to consider including comprehensive information for kindergarten and grades 1 to 8, inclusive, on the development of healthy relationships, which shall be age and developmentally appropriate and consistent with the health education standards adopted by the state board. (EC § 33546)
 - 6) Requires the IQC, if it includes comprehensive information on the development of healthy relationships in the health framework, to comply with both of the following:
 - a) Ensure information included in the health 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.
 - b) Consult with teachers and educators with expertise in a curriculum for developing healthy relationships. (EC § 33546)
 - 7) Specifies, for purposes of (5) and (6) above, that the development of healthy relationships includes, but is not limited to, all of the following:
 - a) Understanding the principles of treating one another with respect, dignity, and kindness.

- b) Demonstrating the ability to use interpersonal communication skills to address and resolve disagreement and conflict.
- c) Recognizing when and how to respond to dangerous or other situations that may result in the bullying, harassment, harming, or hurting of another person. (EC) § 33546)

ANALYSIS

This bill adds information on the early warning signs of adolescent relationship abuse and intimate partner violence to the required comprehensive sexual health education and HIV prevention education instruction on adolescent relationship abuse and intimate partner violence for pupils in grades 7-12.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Unhealthy and abusive relationships are often developed at an early age due to exposure to behavior inside and outside the home and family. This bill seeks to provide students with the educational resources they need to recognize and prevent domestic violence wherever they encounter it. The California Women’s Health Survey (CWSH) reports that approximately 40% of California women experience physical intimate partner violence in their lifetimes. The same study found younger women, 18-24 years of age, were significantly more likely (11%) to be victims of physical intimate partner violence in the past year than women in other age groups. Of those experiencing physical intimate partner violence, 75% of victims had children under the age of 18 years at home. Furthermore, in 2015, the California Department of Justice, Criminal Justice Statistics Center reported 118 domestic violence fatalities, accounting for 10.5% of all homicides in California. In that same year, California law enforcement agencies received 162,302 domestic violence-related calls, 68,585 of which included a weapon. It is important that we teach our children that behavior is dangerous and detrimental to their well-being.”
- 2) ***Status of comprehensive sexual health mandate implementation.*** While the mandate to provide comprehensive sexual health education has been effective since January 1, 2016, instructional materials aligned to the content required by law will not be adopted until well after the Health Curriculum Framework is completed and adopted in May 2019.

In the interim, schools are required by law to provide this instruction, and school districts may look to the California Department of Education (CDE) for guidance on how to meet the requirements of the law. The CDE website includes a link to the California Healthy Kids Resource Center (CHKRC), which “is a source of information on many health related topics, including health education and coordinated school health. The CDE works closely with the Center to ensure that curriculum and supplemental materials used for comprehensive sexual health education and HIV/AIDS prevention education have been reviewed for scientific accuracy and are research-based, culturally sensitive, and educationally sound. School administrators, teachers, curriculum specialists, school health professionals, community members, university faculty, and others are

encouraged to borrow from the California Healthy Kids Resource Center (CHKRC) (at no cost) accurate and current curriculum, DVDs, CD-ROMs, videotapes, instructional resources and publications, which cover a wide range of health topics including sexual health and HIV/AIDS.” However, as of June 30, 2017, the Alameda County Office of Education will no longer administer the CHKRC, but the San Joaquin County Office of Education (SJCOE) is in the process of partnering with the California Department of Education (CDE) to continue the CHKRC's mission to provide the highest quality, research-based resources, professional development, and guidance for school-based wellness promotion and health education.

- 3) **Health curriculum framework under revision.** The state’s health framework was last revised in 2003. It does not reflect the state’s health content standards, which were adopted in 2008. The CDE’s website notes that the sections on family living are inconsistent with current law.

Work on revising the health framework was initiated in 2008. In 2009 the state’s fiscal emergency halted all work on instructional materials adoptions and framework revisions until the 2013-14 school year by AB 4 X2 (Evans, Chapter 2, Statutes of 2009). That suspension was later extended until the 2015-16 school year by SB 70 (Committee on Budget, Chapter 7, Statutes of 2011).

The Health curriculum framework revision is now underway, and final adoption by the State Board of Education is scheduled for May, 2019. Four focus group meetings were held in the fall of 2016. The Curriculum Framework and Evaluation Criteria Committees have been chosen and will be holding meetings between May 2017 and January 2018.

The Budget Act of 2016 included \$362,000 in one-time funds for the revision of the Health framework, editorial charges associated with the development of the science framework, and the operational expenses of the Instructional Quality Commission (IQC). The 2016 budget also included \$135,000 for the CDE to contract with a researcher/writer with expertise in sex trafficking and sexual abuse to draft a section of the health framework for consideration by the IQC. This appropriation is related to SB 1165 (Mitchell, Chapter 713, Statutes of 2014), which requires the IQC to consider including sexual abuse and sex trafficking prevention education in the health framework when it is next revised.

- 4) **Related and prior legislation.** AB 1227 (Bonta, 2017) requires schools to provide training on human trafficking, includes human trafficking in the definition of "child abuse and neglect," and expands the scope of the Commercially Sexually Exploited Children Program to include human trafficking. AB 1227 passed this committee and is pending in the Senate Committee on Human Services.

SB 1435 (Jackson, Chapter 633, Statutes of 2016) required, when the health curriculum framework is next revised after January 1, 2017, the IQC to consider including comprehensive information for kindergarten and grades 1 to 8, inclusive, on the development of healthy relationships, as specified.

AB 329 (Weber, Chapter 398, Statutes of 2015) required schools to provide comprehensive sexual health education in grades 7-12, and modified the content of instruction on sexual health education and HIV/AIDS prevention.

SB 1165 (Mitchell, Chapter 713, Statutes of 2014) required the Instructional Quality Commission to consider including sexual abuse and sex trafficking prevention education in the Health framework when it is next revised, and authorizes school districts to provide instruction on sexual abuse and sex trafficking.

SUPPORT

Association for Los Angeles Deputy Sheriffs
Association of Deputy District Attorneys
California Association of Code Enforcement Officers
California College and University Policy Chiefs Association
California Narcotic Officers Association
California Partnership to End Domestic Violence
California School Boards Association
California School Nurses Organization
City of Vacaville
Common Sense Kids Action
Crime Victims United of California
Domestic Violence and Sexual Assault Coalition
Los Angeles County Professional Peace Officers Association
Los Angeles Police Protective League
National Association of Social Workers
Riverside Sheriffs' Association
Safequest Solano
Vacaville Unified School District

OPPOSITION

California Right to Life, Inc.

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