

Davis Joint USD

Board Policy

Availability Of Condoms

BP 5141.25

Students

The Governing Board strongly supports the district's policy of comprehensive sexuality education which teaches students that abstinence is the only 100% effective way to avoid sexually transmitted infections, Human Immunodeficiency Virus (HIV), and pregnancy. However, the Board also believes it has a responsibility to take steps to prevent pregnancy among minors, HIV infection and Acquired Immune Deficiency Syndrome (AIDS), and other sexually transmitted infections among students who do not abstain from sexual activity. (Education Code 51551(a))

Students are provided information regarding condom use, medically accurate statistics citing the failure and success rates of condoms in preventing pregnancy, HIV/AIDS, and other sexually transmitted infections. This education is provided through comprehensive sexuality education in middle school and high school, including, but not limited to, classroom presentations.

(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Condoms, when properly used, can reduce the incidence of pregnancy and transmission of HIV/AIDS and other sexually transmitted infections. The Board therefore finds it appropriate for condoms to be available to male and female students at high schools.

Only licensed health care professionals authorized by the Superintendent or designee may provide condoms to individual students.

(cf. 5141.6 - School Health Services)

The Superintendent or designee shall annually notify parents/guardians that they may exclude their children from the program. Parents/guardians who choose to exclude their children shall be offered information and educational materials designed to help them communicate effectively with their children about pregnancy prevention and sexually transmitted diseases.

Condoms shall be available in high school nurses offices and will be provided in their original packaging, along with the manufacturer's instructions. Students shall receive additional information as appropriate and necessary regarding the proper use of condoms and their effectiveness.

Students shall be provided information regarding positive consent and healthy relationships, and advised not to engage in unlawful sexual activity. School staff are mandated reporters and shall

report any unlawful sexual activity as required by law.

Verbal and/or written information shall be available to students obtaining condoms which stresses that abstinence is the only 100% effective method of preventing pregnancy and sexually transmitted infections and which does not condone or in any way encourage sexual activity among or with minors.

The Superintendent or designee may provide addresses and telephone numbers of resources that provide further information and counseling regarding HIV testing, AIDS and other sexually transmitted infections, and pregnancy prevention.

(cf. 1020 - Youth Services)

The Superintendent or designee shall notify parents/guardians of Board policy regarding the availability of condoms and shall seek parent/guardian involvement in developing plans for implementing this policy.

Legal Reference:

EDUCATION CODE

49062 Records; establishment, maintenance and destruction

49069 Absolute right to access

49422 Supervision of health and physical development of pupils

51934 AIDS prevention instruction

FAMILY CODE

6925 Prevention or treatment of pregnancy

HEALTH AND SAFETY CODE

121255 Further findings and declarations

PENAL CODE

261.5 Unlawful sexual intercourse with female under age 18

286 Sodomy

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

UNITED STATES CODE, TITLE 20

7906 Prohibition against use of federal funds for contraceptive distribution

COURT DECISIONS

People v. Beeman (1984) 35 Cal. 3d 547, 561

Management Resources:

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

California Department of Health Care Services: <http://www.dhcs.ca.gov>

California Healthy Kids Resource Center: <http://www.hkresources.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

National Association of State Boards of Education: <http://www.nasbe.org>

Policy
adopted:

DAVIS JOINT UNIFIED SCHOOL DISTRICT
Davis, California