

**AVAILABILITY OF CONDOMS**

The Board of Education strongly encourages students to abstain from sexual activity. However, the Board also believes it has a responsibility to take steps to prevent pregnancy among minors, Human Immunodeficiency Virus (HIV) infection and Acquired Immune Deficiency Syndrome (AIDS), and other sexually transmitted infections among students who do not abstain from sexual activity.

*(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 and other sexually transmitted infections. The Board therefore finds it appropriate for condoms to be available to students at secondary schools.

The Superintendent or designee shall notify parents/guardians of Board policy regarding the availability of condoms and 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 infections.

Condoms shall be available, as resources permit, to individual secondary school students at locations identified by the Superintendent or designee. Related information shall be provided at the same locations, and a licensed health care professional shall be available to counsel students.

Condoms shall 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.

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

The Superintendent or designee may provide contact information for resources that provide further information and counseling regarding testing and treatment for HIV/AIDS and other sexually transmitted diseases, and pregnancy testing and prevention.

*(cf. 1020 - Youth Services)*

*Legal Reference: (see next page)*

**AVAILABILITY OF CONDOMS (continued)**

*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*

288 *Lewd or lascivious acts with child under age 14*

UNITED STATES CODE, TITLE 20

7906 *Prohibition against use of federal funds for contraceptive distribution*

*Management Resources:*

WEB SITES

*CDE: <http://www.cde.ca.gov>*

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

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

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

Policy

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**SAN DIEGO UNIFIED SCHOOL DISTRICT**

San Diego, California