

FOR YOUR INFORMATION

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IMPLEMENTATION OF SENATE BILL 89 MANDATES Part II: Improving Access to Sexual Health Education

The California Department of Social Services (CDSS) convened a Healthy Sexual Development Workgroup in February 2016 to address the concerns of pregnancy prevention and reproductive and sexual health care for youth and Non-Minor Dependents (NMDs) in foster care, resulting in the release of California's Plan for the Prevention of Unintended Pregnancy for Youth NMDs in October 2016. Senate Bill (SB) 89 subsequently went into effect in June 2017, resulting in further new requirements for child welfare agencies and those serving foster youth, related to the reproductive and sexual health care of youth in foster care, as described in [All County Letter 18-61](#), dated June 20, 2018.

This FYI Bulletin provides instructions to DCFS staff on complying with the following legal mandate of SB 89:

SB 89 REQUIREMENT:

I. Improve Access to Sexual Health Education [WIC 16501.1\(g\)\(20\),\(21\)](#)

1. For all youth in foster care age 10 and older who are enrolled in middle school, junior high or high school, Children's Social Workers (CSWs) are required to do the following:
 - A. Review the case plan annually and update it, as needed, to indicate that the case-carrying CSW has verified that the youth or NMD has received comprehensive sexual health education (CSHE) that meets the requirements of the [California Healthy Youth Act \(CHYA\)](#), once in middle school and once in high school.
 - B. Document this information in the youth's case plan.
2. For youth and NMDs in foster care who have not met this requirement, SB 89 requires the CSW to document in the case plan how the Department will ensure that the youth/NMD receives the CHYA-compliant CSHE instruction at least once before completing junior high or middle school and once before completing high school.

CSW Responsibilities:

1. Submit [DCFS 1726 DCFS School Records Request](#) and ensure that Verification of Completion of Comprehensive Sexual Health Education is requested, through checkbox-marked on first page of the DCFS 1726.



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2. Upon receipt of the completed DCFS 1726, review the information provided by the youth's school to ensure all requested information was given.
3. If the required CSHE information was not provided, contact the youth's school counselor to inquire if the youth completed the required CHYA-compliant CSHE. The attached [Unified School Districts CHYA Matrix](#) can be used as a tool to communicate with the school.
4. If the youth has not received the CHYA-compliant CSHE at his/her school, refer to information provided by the school on the DCFS 1726, **II. Availability of Alternative CHYA-compliant Comprehensive Sexual Health Education**, on the possibility of the youth taking the class out of sequence, in independent study, or in summer school.
5. With the youth's agreement to participate, coordinate with the school to assist the youth in participating and completing the alternative CSHE. If the youth is not able, or does not wish, to participate during the proposed alternative time, document this information in the CWS/CMS Contact Notebook.
6. If transportation is needed, explore the possibility of the caregiver assisting, or if the caregiver is unable to provide transportation, assist in facilitating transportation.
7. If there is no alternative CSHE available through the school, notify the DCFS Child Welfare Health Services (CWHHS) Section by emailing the Comprehensive Sexual Health Education In-Box at CSHE@dcfs.lacounty.gov with the youth's name, DOB, school name and grade level. The CWHHS Section is tracking the need for youth to receive an alternative curriculum. This notification is required to assist DCFS in establishing an alternative to the youth receiving the CSHE once in Middle School and once in High School.
8. Pending the youth being linked to and receiving an alternative CHYA-compliant CSHE, consider referring younger youth to [AMAZE](#), a free online sexual health education resource that includes engaging, educational, and age appropriate sex education videos. The AMAZE website works best on County computers when using Google Chrome. Consider referring older youth and NMDs to a similar resource, [BEDSIDER](#).
9. Document the information obtained from the youth's school in the [Case Plan](#) utilizing the Service Category, **Sexual Health Education Services**, and the two (2) Service Types, **Sexual Health Education High School** and **Sexual Health Education Middle School**.

Since Case Plans are attached to court reports, the Court will be kept apprised of the Department's mandate to ensure that the case plan is reviewed annually and updated, as needed, to indicate that the CSW has verified that the youth/NMD has received the CHYA-compliant CHSE, once in middle school and once in high school.



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10. Document the required activities in the CWS/CMS Contact Notebook. Documentation should include any actions the CSW took to obtain the required CSHE information.

PLEASE NOTE: *Instructions on meeting the SB 89 mandate of Informing Youth of Their Rights and Removing Barriers were addressed in **Part I** of [FYI 19-12](#).*

****Directives contained in this FYI Bulletin will be integrated into Procedural Guide [0600-507.10, Youth Reproductive Health and Pregnancy](#) in the future by the DCFS Policy Section.**



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