

# Facts about the California Foster Youth Sexual Health Education Act (Senate Bill 89)

In July 2017, California adopted a new law requiring comprehensive sexual health education for youth in foster care and new training requirements for foster caregivers, social workers and judges. Here are some facts about the law.

SB 89 includes the following four requirements, all of which went into effect on 7/1/17.

## **1. Improve Access to Sexual Health Education** (WIC 16501.1(g)(20),(21))

SB 89 requires the child welfare worker to do the following for all youth in foster care age 10 and older who are enrolled in middle school, junior high or high school:

- Review the case plan annually and update it as needed to indicate that the case management worker has verified that the youth or young adult has received comprehensive sexual health education that meets the requirements of the California Healthy Youth Act, once in middle school and once in high school. (CA Education Code Sections 51930- 51939)
- For youth and young adults in foster care who have not met this requirement, SB 89 requires the child welfare worker to document in the case plan how the county child welfare agency will ensure that the youth receives the instruction at least once before completing junior high or middle school and once before completing high school

## **2. Inform Youth of Their Rights and Remove Barriers** (WIC 16501.1(g)(20),(21))

SB 89 requires the case plan to be updated annually to indicate that the case management worker has done all of the following, for a youth in foster care 10 years of age and older, including young adults in foster care:

- Informed the youth or young adult that he or she may access age-appropriate, medically accurate information about reproductive and sexual health care, including, but not limited to, unplanned pregnancy prevention, abstinence, use of birth control, abortion, and the prevention and treatment of sexually transmitted infections.
- Informed the youth or young adult, in an age- and developmentally appropriate manner, of his or her

right to consent to sexual and reproductive health services and his or her confidentiality rights regarding those services.

- Informed the youth or young adult how to access reproductive and sexual health care services and facilitated access to that care, including by assisting with any identified barriers to care, as needed.

## **3. Develop Quality Sexual Health Training** (WIC 16521.5)

SB 89 requires the California Department of Social Services to develop a curriculum that includes all of the following information:

1. The rights of youth and young adult in foster care to sexual and reproductive health care and information, to confidentiality of sensitive health information, and the reasonable and prudent parent standard
2. How to document sensitive health information, including, but not limited to, sexual and reproductive health issues, in a case plan.
3. The duties and responsibilities of the assigned case management worker and the foster care provider in ensuring youth and young adults in foster care can obtain sexual and reproductive health services and information.
4. Guidance about how to engage and talk with youth and young adults about healthy sexual development and reproductive and sexual health in a manner that is medically accurate, developmentally and age-appropriate, trauma-informed, and strengths-based.
5. Information about current contraception methods and how to select and provide appropriate referral resources and materials for information and service delivery.

## **4. Require Sexual Health Education for Adults** (WIC 304.7, 16206, 16519.5)

SB 89 requires all social workers, foster caregivers and judges to be trained using a curriculum that complies with the requirements listed above.