



SCHOOL & COLLEGE LEGAL SERVICES OF CALIFORNIA

*A Joint Powers Authority
serving school and
college districts
throughout the state.*

5350 Skylane Boulevard
Santa Rosa, CA 95403

Tel: (707) 524-2690
Fax: (707) 578-0517
santarosa@sclscal.org
www.sclscal.org

General Counsel
Carl D. Corbin

Attorneys
Ellie R. Austin
Monica D. Batanero
Nancy L. Klein
Damara L. Moore
Jennifer E. Nix
Steven P. Reiner
Loren W. Soukup
Erin E. Stagg
Frank Zotter, Jr.

Of Counsel
Robert J. Henry
Margaret M. Merchat
Patrick C. Wilson

LEGAL UPDATE

January 31, 2018

To: Superintendents, Member School Districts (K-12)
From: Carl D. Corbin *CDC*
General Counsel
Subject: Human Trafficking Prevention Education & Trafficking Act
Memo No. 04-2018

Assembly Bills (“ABs”) 1227 and 643 made revisions in the sexual health education program required for students in grades 7 through 12¹ to more specifically address human trafficking. As a reminder, parents of students may choose to “opt out” their children from any or all of the sexual health instruction.²

Effective January 1, 2018, the sexual health education program offered by school districts³ to students must include information “...on the prevalence, nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance.”⁴ The sexual health education program must also include “information about adolescent relationship abuse and intimate partner violence, including the early warning signs thereof.”⁵

Also added is a requirement for instructors of sexual health education programs to receive “continuation training” to “learn about new developments in the understanding of abuse, including sexual abuse, and human trafficking, and to receive instruction on current prevention efforts and methods.”⁶ While not required, school districts are encouraged to also provide training on “early identification of abuse, including sexual abuse, and human trafficking of pupils and other minors.”⁷

An additional requirement specific to county offices of education, is to provide a

¹ Please see Legal Update 27-2015 for more information on the Healthy Youth Act.

² Education Code section 51938.

³ The definition of “school districts” includes county boards of education and county superintendents of schools. See Education Code section 51931(g).

⁴ Education Code section 51934(a)(10).

⁵ Education Code section 51934(a)(11).

⁶ Education Code section 51950(f).

⁷ *Id.*



representative to an interagency team coordinated by the county human services department for the purpose of developing an interagency protocol to be utilized in serving sexually exploited children.⁸ Other required representatives on the interagency team include the county probation department, county mental health department, county public health department, juvenile court in the county, and the county sheriff's office. Please note this interagency team is only required in counties that have elected to receive funds from the state Commercially Sexually Exploited Children Program.

Please contact our office with questions regarding this Legal Update or any other legal matter.

The information in this Legal Update is provided as a summary of law and is not intended as legal advice. Application of the law may vary depending on the particular facts and circumstances at issue. We, therefore, recommend that you consult legal counsel to advise you on how the law applies to your specific situation.

© 2018 School and College Legal Services of California

All rights reserved. However, SCLS grants permission to any current SCLS client to use, reproduce, and distribute this Legal Update in its entirety for the client's own non-commercial purposes.

⁸ Welfare and Institutions Code section 16524.8.