

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1323

4 By: Brecheen

5
6 AS INTRODUCED

7 An Act relating to schools; providing definition;
8 directing a school district's State Aid allocation to
9 be withheld if the board of education adopts certain
10 policy and receives certain complaint; directing a
11 board of education to respond to certain complaint
12 within certain time period; providing method of
13 response to prevent withholding of State Aid
14 allocation; providing for promulgation of rules;
15 providing for codification; providing an effective
16 date; and declaring an emergency.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 18-203 of Title 70, unless there
20 is created a duplication in numbering, reads as follows:

21 A. As used in this section, "sex" means the physical condition
22 of being male or female, as identified at birth by that individual's
23 anatomy.

24 B. 1. If a school district board of education adopts a policy
which allows:

1 a. student restrooms or athletic changing facilities
2 designated for the exclusive use of the male sex to be
3 accessed by members of the female sex, and/or

4 b. student restrooms or athletic changing facilities
5 designated for the exclusive use of the female sex to
6 be accessed by members of the male sex; and

7 2. A parent or guardian of a student enrolled in a school
8 district submits a written complaint to a school district board of
9 education that has adopted such a policy and the board of education
10 does not respond as provided for in subsection C of this section,
11 the school district's State Aid allocation shall be withheld.

12 C. A school district board of education that receives a
13 complaint as provided for in paragraph 2 of subsection B of this
14 section shall respond within thirty (30) days of receiving the
15 complaint.

16 A school district's State Aid allocation shall not be withheld
17 if the board of education responds to the complaint by:

18 1. Reversing the policy allowing student restrooms or athletic
19 changing facilities designated for the exclusive use of the female
20 or male sex to be accessed by members of the opposite sex; and/or

21 2. Providing access to single-occupancy restrooms or athletic
22 changing facilities to students whose parent or guardian submits to
23 the school district board of education a written request to receive
24 accommodations.

1 D. The State Board of Education shall promulgate rules to
2 implement the provisions of this section.

3 SECTION 2. This act shall become effective July 1, 2016.

4 SECTION 3. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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