

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1507

By: Virgin

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5  
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,  
8 Section 11-105.1, which relates to curriculum and  
9 materials used in sex education class; authorizing  
10 school districts to provide sexual violence awareness  
11 and prevention programs; allowing programs to address  
12 consent to sexual activity and affirmative consent;  
13 providing for how programs are offered; requiring  
14 certain approval and publication of outline,  
15 curriculum and materials; letting certain students  
16 not participate; defining term; and declaring an  
17 emergency.

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

19 SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-105.1, is  
20 amended to read as follows:

21 Section 11-105.1 A. All curriculum and materials including  
22 supplementary materials which will be used to teach or will be used  
23 for or in connection with a sex education class or program which is  
24 designed for the exclusive purpose of discussing sexual behavior or  
attitudes, or any test, survey or questionnaire whose primary  
purpose is to elicit responses on sexual behavior or attitudes shall  
be available through the superintendent or a designee of the school

1 district for inspection by parents and guardians of the student who  
2 will be involved with the class, program or test, survey or  
3 questionnaire. Such curriculum, materials, classes, programs,  
4 tests, surveys or questionnaires shall have as one of its primary  
5 purposes the teaching of or informing students about the practice of  
6 abstinence. The superintendent or a designee of the school district  
7 shall provide prior written notification to the parents or guardians  
8 of the students involved of their right to inspect the curriculum  
9 and material and of their obligation to notify the school in writing  
10 if they do not want their child to participate in the class,  
11 program, test, survey or questionnaire. Each local board of  
12 education shall determine the means of providing written  
13 notification to the parents and guardian which will ensure effective  
14 notice in an efficient and appropriate manner. No student shall be  
15 required to participate in a sex education class or program which  
16 discusses sexual behavior or attitudes if a parent or guardian of  
17 the student objects in writing to such participation. If the type  
18 of program referred to in this section is a part of or is taught  
19 during a credit course, a student may be required to enroll in the  
20 course but shall not be required to receive instruction in or  
21 participate in the program if a parent or guardian objects in  
22 writing.

23 B. The superintendent or a designee of a school district in  
24 which sex education is taught or a program is offered which is

1 designed for the exclusive purpose of discussing sexual behavior or  
2 attitudes shall approve all curriculum and materials which will be  
3 used for such education and any test, survey or questionnaire ~~whose~~  
4 in which the primary purpose is to elicit responses on sexual  
5 behavior or attitudes used in the school prior to their use in the  
6 classroom or school. The teacher involved in the class, program,  
7 testing or survey shall submit the curriculum, materials, tests or  
8 surveys to the superintendent or a designee for approval prior to  
9 their use in the classroom or school. This section shall not apply  
10 to those students enrolled in classes, programs, testings or surveys  
11 offered through an alternative education program.

12 C. School districts may provide programs to students in grades  
13 seven through twelve addressing sexual violence, domestic violence,  
14 dating violence and stalking awareness and prevention. The programs  
15 may address the issue of consent to sexual activity and educate  
16 students about the affirmative consent standard. Programs may be  
17 offered as a separate program or as a part of a sex education class  
18 or program. The program outline, curriculum and materials shall be  
19 approved as provided for in subsection B of this section and shall  
20 be made available to the public online through the school district  
21 website. No student shall be required to participate in the program  
22 if a parent or guardian objects in writing. For purposes of this  
23 subsection "affirmative consent" means an affirmative, conscious and  
24 voluntary agreement to engage in sexual activity.

1       SECTION 2. It being immediately necessary for the preservation  
2 of the public peace, health and safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

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