

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 1538

By: Virgin

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 11-103.3, which relates to HIV and AIDS
9 education in schools; defining terms; requiring
10 education during certain grades; requiring medically
11 accurate materials for training; providing specific
12 training curriculum; requiring current information
13 for training; and providing an effective date.

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

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-103.3, is
16 amended to read as follows:

17 Section 11-103.3 A. ~~Acquired immune deficiency syndrome (AIDS)~~

18 Definitions:

19 1. "Human Immunodeficiency Virus" or "HIV" is a human
20 retrovirus and the virus known to cause Acquired Immune Deficiency
21 Syndrome;

22 2. "Acquired Immune Deficiency Syndrome" or "AIDS" is the final
23 and most serious stage of HIV, causing severe damage to the immune
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1 system and includes a great number of opportunistic infections which
2 normally result in death; and

3 3. "People living with HIV or AIDS" or "PLWHA" means people
4 currently afflicted with and living with HIV or AIDS.

5 B. HIV and AIDS prevention education shall be taught in the
6 public schools of this state. ~~AIDS prevention education shall be~~
7 ~~limited to the discussion of the disease AIDS and its spread and~~
8 ~~prevention.~~ Students shall receive such education:

9 1. ~~at~~ At the option of the local school district, a minimum of
10 once during the period from grade five through grade six;

11 2. ~~a~~ A minimum of once during the period from grade seven
12 through grade eight and a minimum of once during grade nine; and

13 3. ~~a~~ A minimum of once during the period from grade ten through
14 grade eleven and a minimum of once during grade twelve, all with
15 heightened emphasis on modes of transmission, prevention methods,
16 virology and relevant statistics.

17 ~~B.~~ C. The State Department of Education shall develop
18 ~~curriculum and materials~~ or provide medically accurate resources for
19 HIV and AIDS prevention education in conjunction with the State
20 Department of Health or the Centers for Disease Control and
21 Prevention. A school district may also develop its own HIV and AIDS
22 prevention education curriculum and materials. Any curriculum and
23 materials developed for use in the public schools shall be approved
24 by the State Department of Health for medical accuracy ~~by the State~~

1 ~~Department of Health~~ a minimum of once every two (2) years. A
2 school district may use any curriculum and materials ~~which~~ that have
3 been developed and approved pursuant to this subsection.

4 ~~C.~~ School districts shall make the curriculum and materials
5 that will be used to teach HIV and AIDS prevention education
6 available for inspection by the parents and guardians of the
7 students that will be involved with the curriculum and materials.
8 ~~Furthermore, the curriculum must be limited in time frame to deal~~
9 ~~only with factual medical information for AIDS prevention.~~ The
10 school districts, at least one (1) month prior to teaching HIV and
11 AIDS prevention education in any classroom, shall make available or
12 conduct for the parents and guardians of the students involved,
13 during weekend ~~and~~ or evening hours, at least one presentation
14 concerning the curriculum and materials that will be used for such
15 education. No student shall be required to participate in HIV and
16 AIDS prevention education if a parent or guardian of the student
17 objects in writing to such participation.

18 D. AIDS prevention education shall specifically teach students
19 that:

20 1. ~~engaging~~ Participating in ~~homosexual activity, promiscuous~~
21 high-risk sexual activity, ~~intravenous~~ injection drug use or contact
22 with contaminated blood products is now known to be ~~primarily~~
23 ~~responsible~~ the primary means for ~~contact with the AIDS virus~~ the
24 transmission and contraction of HIV;

1 2. ~~avoiding~~ Upon participating in an activity specified in
2 paragraph 1 of this subsection, a person should be regularly tested
3 for HIV so they may be linked to treatment as early as possible, as
4 an undetectable viral load greatly decreases the likelihood an
5 individual will transmit the virus to others;

6 3. Correctly using available prevention methods, including, but
7 not limited to, barrier and medicinal methods, greatly decreases a
8 person's likelihood of transmitting or contracting HIV;

9 4. Avoiding the activities specified in paragraph 1 of this
10 subsection and applying the prevention methods specified in
11 paragraphs 2 and 3 of this subsection is the only method of
12 preventing the spread of the virus, as well as any other methods
13 considered to be a safer sex practice, are the best means for
14 preventing the spread of HIV and AIDS;

15 ~~3.~~ 5. High-risk sexual intercourse behavior, with or without
16 condoms, with any person testing positive for human immunodeficiency
17 virus (HIV) antibodies, or any other person infected with HIV, a
18 PLWHA or a person who does not know their current HIV status places
19 that individual person in a high-risk category for developing AIDS
20 contracting HIV.

21 E. HIV and AIDS resources shall include current or updated
22 information on modes of transmission, prevention methods, virology
23 and statistics related to HIV, AIDS and PLWHA.
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1 F. The program of HIV and AIDS prevention education shall teach
2 that abstinence from sexual activity is the only certain means for
3 the prevention of the spread or contraction of ~~the AIDS virus~~ HIV
4 through sexual contact. It shall also teach that artificial means
5 of birth control are not a certain means of preventing the spread of
6 ~~the AIDS virus~~ HIV and reliance on such methods puts a person at
7 risk for exposure to the disease.

8 ~~F.~~ G. The State Department of Health and the State Department
9 of Education shall update HIV and AIDS education curriculum material
10 as newly discovered medical facts make it necessary.

11 SECTION 2. This act shall become effective November 1, 2017.

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