

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2118

By: Swope

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2021,
8 Section 11-105.1, which relates to sex education
9 curriculum and materials; including information about
10 state laws and criminal penalties in curriculum; and
11 providing an effective date.

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

13 SECTION 1. AMENDATORY 70 O.S. 2021, Section 11-105.1, is
14 amended to read as follows:

15 Section 11-105.1 A. All curriculum and materials including
16 supplementary materials which will be used to teach or will be used
17 for or in connection with a sex education class or program which is
18 designed for the exclusive purpose of discussing sexual behavior or
19 attitudes, or any test, survey, or questionnaire whose primary
20 purpose is to elicit responses on sexual behavior or attitudes shall
21 be available through the superintendent or a designee of the school
22 district for inspection by parents and guardians of the student who
23 will be involved with the class, program ~~or~~, test, survey, or
24 questionnaire. ~~Such~~

1 B. The curriculum, materials, classes, programs, tests,
2 surveys, or questionnaires shall include information about consent
3 and shall have as one of its primary purposes the teaching of or
4 informing students about the practice of abstinence. For the
5 purposes of this section, "consent" shall have the same meaning as
6 that provided by Section 113 of Title 21 of the Oklahoma Statutes.
7 The curriculum, materials, classes, programs, tests, surveys, or
8 questionnaires shall include information about state laws and
9 criminal penalties including, but not limited to:

- 10 1. Age of consent for sexual intercourse;
- 11 2. Child pornography and disseminating nude photographs; and
- 12 3. Nonconsensual dissemination of private sexual images.

13 C. The superintendent or a designee of the school district
14 shall provide prior written notification to the parents or guardians
15 of the students involved of their right to inspect the curriculum
16 and material and of their obligation to notify the school in writing
17 if they do not want their child to participate in the class,
18 program, test, survey, or questionnaire. Each local board of
19 education shall determine the means of providing written
20 notification to the parents and guardian which will ensure effective
21 notice in an efficient and appropriate manner. No student shall be
22 required to participate in a sex education class or program which
23 discusses sexual behavior or attitudes if a parent or guardian of
24 the student objects in writing to such participation. If the type

1 of program referred to in this section is a part of or is taught
2 during a credit course, a student may be required to enroll in the
3 course but shall not be required to receive instruction in or
4 participate in the program if a parent or guardian objects in
5 writing.

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

19 SECTION 2. This act shall become effective November 1, 2023.

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