

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1368

By: Ikley-Freeman

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5
6 AS INTRODUCED

7 An Act relating to sex education; amending 70 O.S.
8 2011, Section 11-105.1, as amended by Section 1,
9 Chapter 133, O.S.L. 2019 (70 O.S. Supp. 2019, Section
10 11-105.1), which relates to approval of curriculum
11 and materials for sex education; requiring certain
12 curriculum and materials to be approved for medical
13 accuracy by the State Department of Health; providing
14 an effective date; and declaring an emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-105.1, as
17 amended by Section 1, Chapter 133, O.S.L. 2019 (70 O.S. Supp. 2019,
18 Section 11-105.1), is amended to read as follows:

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

1 will be involved with the class, program or test, survey or
2 questionnaire. Such curriculum, materials, classes, programs,
3 tests, surveys or questionnaires shall include information about
4 consent and shall have as one of its primary purposes the teaching
5 of or informing students about the practice of abstinence. For the
6 purposes of this section, "consent" shall have the same meaning as
7 that provided by Section 113 of Title 21 of the Oklahoma Statutes.
8 Any curriculum and materials developed for use in the public schools
9 to implement the provisions of this section shall be approved for
10 medical accuracy by the State Department of Health. The
11 superintendent or a designee of the school district shall provide
12 prior written notification to the parents or guardians of the
13 students involved of their right to inspect the curriculum and
14 material and of their obligation to notify the school in writing if
15 they do not want their child to participate in the class, program,
16 test, survey or questionnaire. Each local board of education shall
17 determine the means of providing written notification to the parents
18 and guardian which will ensure effective notice in an efficient and
19 appropriate manner. No student shall be required to participate in
20 a sex education class or program which discusses sexual behavior or
21 attitudes if a parent or guardian of the student objects in writing
22 to such participation. If the type of program referred to in this
23 section is a part of or is taught during a credit course, a student
24 may be required to enroll in the course but shall not be required to

1 receive instruction in or participate in the program if a parent or
2 guardian objects in writing.

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

16 SECTION 2. This act shall become effective July 1, 2020.

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

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