

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE JOINT RESOLUTION NO. 1078

By: Hamilton (Jeff) of the
House

and

Monson of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

A Joint Resolution requiring certain acquired immune deficiency syndrome (AIDS) prevention education; providing for more specific requirements for such education; specifying criteria for AIDS education classes; requiring AIDS prevention education to emphasize certain points; requiring applicable in-service training programs for teachers and administrators; requiring approval of such training programs by certain state agencies; and directing distribution.

WHEREAS, Enrolled House Bill No. 1476, which was passed in 1987 in the 1st Regular Session of the 41st Oklahoma Legislature, mandated acquired immune deficiency syndrome (AIDS) prevention education to be taught in the public schools of this state; and

WHEREAS, such education may be provided at least once from grade five through grade six, is required to be provided at least once from grade seven through grade nine and at least once from grade ten through grade twelve; and

WHEREAS, Oklahoma ranks twenty-seventh among the fifty states in total number of AIDS cases reported through 1993; and

WHEREAS, in 1992, Oklahoma ranked third in the nation in the percentage increase of reported AIDS cases, which adds to any concern of a major epidemic being present in this state; and

WHEREAS, current Sexually Transmitted Disease (STD) data suggests that Oklahoma youth are very much at risk for STDs, including human immunodeficiency virus (HIV); and

WHEREAS, a study done in 1993 of in-state college freshman concluded that over seventy-six percent (76%) of these young people had engaged in sexual intercourse, and forty percent (40%) had already had four or more sexual partners; and

WHEREAS, college students included in the study had also attended Oklahoma public schools from the years 1987 through 1992, the years immediately following mandatory AIDS education in Oklahoma; and

WHEREAS, young people, particularly adolescents, are vulnerable to HIV infection and AIDS, and until a cure or vaccine can be developed, education and prevention are the only hope for altering the course of the epidemic; and

WHEREAS, an education program, to be effective, must be of sufficient duration, and a one-hour lecture every three (3) years is inadequate.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 44TH OKLAHOMA LEGISLATURE:

SECTION 1. The requirement of AIDS prevention education at least once from grade seven through grade nine and once from grade ten through grade twelve, and preferably at least once from grade five through grade six, shall include, but not be limited to at least ninety (90) minutes of instruction that present functional knowledge in a consistent, sequential manner.

SECTION 2. All public elementary, junior high, and senior high school classes that teach AIDS education shall emphasize that abstinence from sexual activity is the only completely reliable means of preventing the sexual transmission of acquired immune deficiency syndrome (AIDS) and other sexually transmitted diseases.

All AIDS education courses that discuss sexual intercourse shall satisfy the following criteria:

1. Course material and instruction shall be age-appropriate. Discretion shall be used in determining the class makeup;

2. Course material and instruction shall provide pupils with statistics based on the latest medical information citing failure

and success rates of condoms in preventing AIDS and other sexually transmitted diseases; and

3. Course material and instruction should emphasize that the pupil has the power to control personal behavior. Pupils shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, and self-control.

SECTION 3. AIDS prevention education required in the public schools shall specifically emphasize that:

1. Engaging in homosexual activity, promiscuous sexual activity, intravenous drug use or contact with contaminated blood products is now known to be primarily responsible for contact with AIDS virus;

2. Avoiding the activities specified in paragraph 1 of this section is the only method of preventing the spread of the virus;

3. Sexual intercourse, with or without condoms, with any persons testing positive for human immunodeficiency virus (HIV) antibodies, or any other person infected with HIV places that individual in a high-risk category for developing AIDS; and

4. Abstinence from sexual activity is the only certain means for the prevention of the spread or contraction of the AIDS virus through sexual contact.

SECTION 4. Public school teachers and administrators in grades five through twelve shall participate on a regular basis in an in-service training program related to AIDS prevention education. The training program shall be approved by the State Department of Education and the State Department of Health, and shall qualify towards staff development requirements for the participating teachers as provided in Section 6-158 of Title 70 of the Oklahoma Statutes.

SECTION 5. The Secretary of State shall distribute copies of this resolution to the Governor of the State of Oklahoma, the Superintendent of Public Instruction and the Commissioner of Health.

44-2-L9722 MCD