

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 1945

By: Coleman

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Section 11-103.3, which relates to AIDS prevention education; deleting language concerning optional participation; requiring prior written consent before participation in certain educational activities; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 1991, Section 11-103.3, is amended to read as follows:

Section 11-103.3 A. Acquired immune deficiency syndrome (AIDS) prevention education shall be taught in the public schools of this state. AIDS prevention education shall be limited to the discussion of the disease AIDS and its spread and prevention. Students shall receive such education:

1. At the option of the local school district, a minimum of once during the period from grade five through grade six;
2. A minimum of once during the period from grade seven through grade nine; and
3. A minimum of once during the period from grade ten through grade twelve.

B. The State Department of Education shall develop curriculum and materials for AIDS prevention education in conjunction with the State Department of Health. A school district may also develop its own AIDS prevention education curriculum and materials. Any curriculum and materials developed for use in the public schools shall be approved for medical accuracy by the State Department of Health. A school district may use any curriculum and materials which have been developed and approved pursuant to this subsection.

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

D. AIDS prevention education shall specifically teach students 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 the AIDS virus;

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

3. Sexual intercourse, with or without condoms, with any person 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.

E. The program of AIDS prevention education shall teach that abstinence from sexual activity is the only certain means for the prevention of the spread or contraction of the AIDS virus through sexual contact. It shall also teach that artificial means of birth control are not a certain means of preventing the spread of the AIDS virus and reliance on such methods puts a person at risk for exposure to the disease.

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

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-103.3A of Title 70, unless there is created a duplication in numbering, reads as follows:

No student shall be required to participate in any of the following activities without the prior written consent of the parent or guardian of the student:

1. Acquired immune deficiency syndrome (AIDS) prevention education;

2. Sex education, including sexual behavior and attitudes education; and

3. Any educational activity which requires the student to study or reveal information relating to the self-esteem or religious beliefs of the student.

SECTION 3. This act shall become effective September 1, 1994.

44-2-7503

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