

THE HOUSE OF REPRESENTATIVES
Tuesday, February 19, 2008

House Bill No. 2628

HOUSE BILL NO. 2628 - By: FAUGHT and KERN of the House and ____ of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 11-105.1, which relates to sex education curriculum and materials; clarifying statutory language; prohibiting school districts from allowing certain nongovernmental entities to teach or provide curriculum and materials for sex education classes and programs; providing an effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 70 O.S. 2001, Section 11-105.1, is amended to
2 read as follows:

3 Section 11-105.1 A. All curriculum and materials including supplementary
4 materials which will be used to teach or will be used for or in connection with a sex
5 education class or program which is designed for the exclusive purpose of discussing
6 sexual behavior or attitudes, or any test, survey or questionnaire whose primary purpose
7 is to elicit responses on sexual behavior or attitudes shall be available through the
8 superintendent or a designee of the school district for inspection by parents and
9 guardians of the student who will be involved with the class, program or test, survey or
10 questionnaire. ~~Such~~ All curriculum, materials, classes, programs, tests, surveys or
11 questionnaires shall have as one of its primary purposes the teaching of or informing
12 students about the practice of abstinence.

1 B. The superintendent or a designee of the school district shall provide prior
2 written notification to the parents or guardians of the students involved in a sex
3 education class or program of their right to inspect the curriculum and material and of
4 their obligation to notify the school in writing if they do not want their child to
5 participate in the class, program, test, survey or questionnaire. Each local board of
6 education shall determine the means of providing written notification to the parents and
7 guardian which will ensure effective notice in an efficient and appropriate manner. No
8 student shall be required to participate in a sex education class or program which
9 discusses sexual behavior or attitudes if a parent or guardian of the student objects in
10 writing to such participation. If the type of program referred to in this section is a part of
11 or is taught during a credit course, a student may be required to enroll in the course but
12 shall not be required to receive instruction in or participate in the program if a parent or
13 guardian objects in writing.

14 ~~B.~~ C. The superintendent or a designee of a school district in which sex education is
15 taught or a program is offered which is designed for the exclusive purpose of discussing
16 sexual behavior or attitudes shall approve all curriculum and materials which will be
17 used for such education and any test, survey or questionnaire whose primary purpose is
18 to elicit responses on sexual behavior or attitudes used in the school prior to their use in
19 the classroom or school. The teacher involved in the class, program, testing or survey
20 shall submit the curriculum, materials, tests or surveys to the superintendent or a
21 designee for approval prior to their use in the classroom or school. A school district shall
22 not allow a nongovernmental entity, organization, or agency that promotes abortions.

1 provides abortion services, or provides information about abortion services to be involved
2 in the teaching of a sex education class or program which is designed for the exclusive
3 purpose of discussing sexual behavior or attitudes in the public school or to provide any
4 curriculum, materials, tests, or surveys to the school or teacher for use in a sex education
5 class or program.

6 D. This section shall not apply to those students enrolled in classes, programs,
7 ~~testings~~ tests or surveys offered through an alternative education program.

8 SECTION 2. This act shall become effective July 1, 2008.

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

13 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 02-18-08 - DO
14 PASS, As Coauthored.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.