

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2628

By: Faught

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5
6 AS INTRODUCED

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

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

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

18 Section 11-105.1 A. All curriculum and materials including
19 supplementary materials which will be used to teach or will be used
20 for or in connection with a sex education class or program which is
21 designed for the exclusive purpose of discussing sexual behavior or
22 attitudes, or any test, survey or questionnaire whose primary
23 purpose is to elicit responses on sexual behavior or attitudes shall
24 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~~ All curriculum, materials, classes, programs,
3 tests, surveys or questionnaires shall have as one of its primary
4 purposes the teaching of or informing students about the practice of
5 abstinence.

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

23 ~~B.~~ C. The superintendent or a designee of a school district in
24 which sex education is taught or a program is offered which is

1 designed for the exclusive purpose of discussing sexual behavior or
2 attitudes shall approve all curriculum and materials which will be
3 used for such education and any test, survey or questionnaire whose
4 primary purpose is to elicit responses on sexual behavior or
5 attitudes used in the school prior to their use in the classroom or
6 school. The teacher involved in the class, program, testing or
7 survey shall submit the curriculum, materials, tests or surveys to
8 the superintendent or a designee for approval prior to their use in
9 the classroom or school. A school district shall not allow a
10 nongovernmental entity, organization, or agency that promotes
11 abortions, provides abortion services, or provides information about
12 abortion services to be involved in the teaching of a sex education
13 class or program which is designed for the exclusive purpose of
14 discussing sexual behavior or attitudes in the public school or to
15 provide any curriculum, materials, tests, or surveys to the school
16 or teacher for use in a sex education class or program.

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

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

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

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