

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1348

By: McDaniel (Jeanie)

4  
5 AS INTRODUCED

6 An Act relating to schools; amending 70 O.S. 2001,  
7 Section 11-105.1, which relates to approval of sex  
8 education curriculum and materials; requiring school  
9 board to ensure certain information is medically  
accurate; defining term; and providing an effective  
date.

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

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

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

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

20 B. The superintendent or a designee of a school district in  
21 which sex education is taught or a program is offered which is  
22 designed for the exclusive purpose of discussing sexual behavior or  
23 attitudes shall approve all curriculum and materials which will be  
24 used for such education and any test, survey or questionnaire whose

1 primary purpose is to elicit responses on sexual behavior or  
2 attitudes used in the school prior to their use in the classroom or  
3 school. The local school board shall ensure that all curricula and  
4 materials used are medically accurate. The teacher involved in the  
5 class, program, testing or survey shall submit the curriculum,  
6 materials, tests or surveys to the superintendent or a designee for  
7 approval prior to their use in the classroom or school. This  
8 section shall not apply to those students enrolled in classes,  
9 programs, testings or surveys offered through an alternative  
10 education program.

11 C. For the purposes of this section, "medically accurate" means  
12 verified or supported by research conducted in compliance with  
13 scientific methods and published in peer-reviewed journals, where  
14 appropriate, and recognized as accurate and objective by  
15 professional organizations and agencies with expertise in the  
16 relevant field, such as the Centers for Disease Control and  
17 Prevention and the American College of Obstetricians and  
18 Gynecologists.

19 SECTION 2. This act shall become effective November 1, 2009.

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