

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1338

By: Ivester

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5
6 AS INTRODUCED

7 An Act relating to schools; authorizing independent
8 school districts to offer elective courses on Hebrew
9 Scriptures and New Testament to certain students;
10 stating purposes; prohibiting a requirement that
11 students use specific translation as text; requiring
12 certain courses to follow applicable law and certain
13 guidelines; prohibiting certain courses from
14 promoting or disfavoring any religion or nonreligious
15 faith or religious perspective; stating Legislative
16 intent; directing State Board of Education to adopt
17 certain curricular standards by certain date;
18 requiring Attorney General to review standards and
19 ensure compliance with certain provisions;
20 prohibiting Board from adopting standards without
21 approval of Attorney General; directing Board to
22 approve certain teacher training materials and
23 resources by certain date; directing State
24 Superintendent of Public Instruction to distribute
list of approved training materials and resources to
districts by certain date; requiring certain
districts to provide certain materials to teachers of
certain courses; prohibiting certain construction;
prohibiting requirement of additional funds for
certain authority; providing for codification; and
providing an effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 11-103.11 of Title 70, unless
3 there is created a duplication in numbering, reads as follows:

4 A. Beginning with the 2011-12 school year, independent school
5 districts may offer to students in grade nine or above:

6 1. An elective course on the Hebrew Scriptures (Old Testament)
7 and its impact and an elective course on the New Testament and its
8 impact; or

9 2. An elective course that combines the courses described in
10 paragraph 1 of this subsection.

11 B. The purposes of courses authorized by this section are to:

12 1. Teach students knowledge of biblical content, characters,
13 poetry, and narratives that are prerequisites to understanding
14 contemporary society and culture, including literature, art, music,
15 mores, oratory, and public policy; and

16 2. Familiarize students with, as applicable:

- 17 a. the contents of the Hebrew Scriptures or New
18 Testament,
19 b. the history of the Hebrew Scriptures or New Testament,
20 c. the literary style and structure of the Hebrew
21 Scriptures or New Testament, and
22 d. the influence of the Hebrew Scriptures or New
23 Testament on law, history, government, literature,
24 art, music, customs, morals, values, and culture.

1 C. A student may not be required to use a specific translation
2 as the sole text of the Hebrew Scriptures or New Testament and may
3 use as the basic textbook a different translation of the Hebrew
4 Scriptures or New Testament from that chosen by the district board
5 of education or the student's teacher.

6 D. A course offered pursuant to this section shall follow
7 applicable law and all federal and state guidelines in maintaining
8 religious neutrality and accommodating the diverse religious views,
9 traditions, and perspectives of students in the school district. A
10 course offered pursuant to this section shall not endorse, favor, or
11 promote, or disfavor or show hostility toward, any particular
12 religion or nonreligious faith or religious perspective. Nothing in
13 this section is intended to violate any provision of the United
14 States Constitution or federal law, the Oklahoma Constitution or any
15 state law, or any rules or guidelines provided by the United States
16 Department of Education or the State Department of Education.

17 E. By November 1, 2010, the State Board of Education shall
18 adopt rules identifying the curricular standards for the courses
19 authorized pursuant to this section. Prior to such adoption, the
20 Board shall submit the proposed curricular standards to the Attorney
21 General. The Attorney General shall review the proposed curricular
22 standards to ensure that the standards comply with the First
23 Amendment to the United States Constitution and Section 5 of Article
24 II of the Oklahoma Constitution. The Board may not adopt rules

1 identifying the curricular standards for courses authorized pursuant
2 to this section without the Attorney General's approval as required
3 by this subsection.

4 F. By December 1, 2010, the State Board of Education, in
5 consultation with appropriate faculty members at institutions of
6 higher education, shall approve training materials and other teacher
7 training resources for school districts to use in assisting teachers
8 of courses authorized by this section in developing:

9 1. Expertise in the appropriate Hebrew Scriptures and New
10 Testament course curriculum;

11 2. Understanding of applicable Supreme Court rulings and
12 current constitutional law regarding how courses for the teaching of
13 the Hebrew Scriptures and the New Testament are to be taught in
14 public schools objectively as a part of a secular program of
15 education;

16 3. Understanding of how to present the Hebrew Scriptures and
17 New Testament courses in an objective, academic manner that neither
18 promotes nor disparages religion, nor is taught from a particular
19 sectarian point of view;

20 4. Proficiency in instructional approaches that present course
21 material in a manner that respects all faiths and religious
22 traditions, while favoring none; and

23 5. Expertise in how to avoid devotional content or
24 proselytizing in the classroom.

1 G. By January 1, 2011, the State Superintendent of Public
2 Instruction shall compile and distribute to each independent school
3 district a list of training materials and teacher training resources
4 approved pursuant to subsection F of this section.

5 H. Independent school districts that offer a course authorized
6 pursuant to this section shall ensure that each teacher selected to
7 teach a course authorized pursuant to this section are provided
8 training materials as approved by the State Board of Education
9 pursuant to subsection F of this section. A course provided
10 pursuant to this section shall only be taught by a teacher who has
11 received approved training materials as provided by subsection F of
12 this section.

13 I. This section shall not be construed to prohibit a district
14 board of education from offering an elective course based on the
15 books of a religion other than Christianity. In determining whether
16 to offer such a course, the board may consider various factors,
17 including student and parent demand for such a course and the impact
18 such books have had on history and culture.

19 J. This section shall not be construed to prohibit a district
20 board of education from offering a course, other than the courses
21 authorized by this section, in the academic study of the Hebrew
22 Scriptures, the New Testament, or both for required or elective
23 credit toward high school graduation.

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1 K. The State Board of Education shall require no additional
2 funds for its approval authority as required by this section.

3 SECTION 2. This act shall become effective November 1, 2010.
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