

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1381

By: Easley

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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 curriculum and
9 materials used in sex education classes; requiring
10 certain curricula and materials to be medically
11 accurate; defining term; and providing an effective
12 date.

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 purposes of this section, "medically accurate" shall
12 mean curricula and materials that are:

13 1. Relevant to informed decision-making based on the weight of
14 scientific evidence;

15 2. Consistent with generally recognized scientific theory;

16 3. Conducted under accepted scientific methods;

17 4. Published in peer-reviewed journals; and

18 5. Recognized as accurate, objective, and complete by:

19 a. mainstream professional organizations, such as the
20 American Medical Association, the American College of
21 Obstetrics and Gynecology, the American Public Health
22 Association, and the American Academy of Pediatrics,

23 b. government agencies, such as the Centers for Disease
24 Control and Prevention, the U.S. Food and Drug

1 Administration, and the National Institutes of Health,
2 and

3 c. scientific advisory groups, such as the Institute of
4 Medicine and the Advisory Committee on Immunization
5 Practices.

6 D. For purposes of subsection C, the deliberate withholding of
7 information that is needed to protect life and health and that is
8 therefore relevant to informed decision-making shall not be
9 considered medically accurate.

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

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