

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1195

By: McDaniel (Jeannie)

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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 creating the Adolescent Pregnancy Prevention Act of
10 2011; requiring board of education to provide age-
11 appropriate instruction in human growth and
12 development; requiring board of education to ensure
13 staff development program is offered to certain
14 teachers; requiring State Department of Education to
15 identify and disseminate certain information to
16 certain students; providing that curriculum and
17 materials used to teach sex education class be made
18 available annually for inspection by parents;
19 requiring curriculum and material to emphasize the
20 value of abstinence; requiring curriculum and
21 material to include certain subject matters;
22 requiring board of education to approve certain
23 curriculum and materials that includes certain
24 criteria; defining term; providing for certain
interpretation; and providing an effective date.

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

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

Section 11-105.1 A. This section shall be known and may be
cited as the "Adolescent Pregnancy Prevention Act of 2011".

1 B. Each board of education shall provide age-appropriate
2 instruction in human growth and development including instruction
3 regarding human sexuality, self-esteem, stress management,
4 interpersonal relationships, domestic abuse, sexually transmitted
5 disease ("STD"), Human Immunodeficiency Virus ("HIV"), and acquired
6 immune deficiency syndrome ("AIDS") in grades one through twelve.

7 C. Each board of education shall ensure that the school
8 district periodically offers a staff development program for
9 teachers who provide instruction in human growth and development.

10 D. The State Department of Education shall identify and
11 disseminate information about early intervention programs for
12 students who are at the greatest risk of suffering from the problem
13 of adolescent pregnancy.

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

1 primary purposes the teaching of or informing students about the
2 practice and emphasizing the value of abstinence from sexual
3 intercourse as the only completely effective protection against
4 unwanted pregnancy and STDs including HIV and AIDS when transmitted
5 sexually, while not ignoring students who may have had or are having
6 sex. In addition, each board of education shall ensure that such
7 curriculum, materials, classes, programs, tests, surveys or
8 questionnaires:

9 1. Stress that abstinence from sexual intercourse outside of
10 lawful marriage is the expected social standard for unmarried
11 school-age persons;

12 2. Provide accurate information about the health benefits and
13 side effects of all contraceptives and barrier methods used as a
14 means to prevent pregnancy and to reduce the risk of contracting
15 sexually transmitted diseases, including HIV and AIDS;

16 3. Encourage family communication between parent and child
17 about sexuality;

18 4. Teach students the skills to make responsible decisions
19 about sexuality, including how to avoid unwanted verbal, physical,
20 and sexual advances and how to avoid making verbal, physical, and
21 sexual advances that are not wanted by the other party;

22 5. Teach students psychologically sound methods of resisting
23 unwanted peer pressure;

24

1 6. Explore the components of healthy relationships, including
2 the prevention of dating and sexual violence;

3 7. Provide information concerning the laws prohibiting sexual
4 abuse, the need to report such abuse and the legal options available
5 to victims of sexual abuse;

6 8. Provide information concerning the laws relating to the
7 financial responsibilities associated with pregnancy, childbirth and
8 child rearing;

9 9. Teach young people how alcohol and drug use can affect
10 responsible decision-making; and

11 10. Provide comprehensive instruction in parenting skills and
12 responsibilities, including the responsibility to pay child support
13 by noncustodial parents, the penalties for nonpayment of child
14 support, and the legal and ethical responsibilities of child care
15 and child rearing.

16 F. The superintendent or a designee of the school district
17 shall provide prior written notification to the parents or guardians
18 of the students involved of their right to inspect the curriculum
19 and material and of their obligation to notify the school in writing
20 if they do not want their child to participate in the class,
21 program, test, survey or questionnaire. Each local board of
22 education shall determine the means of providing written
23 notification to the parents and guardian which will ensure effective
24 notice in an efficient and appropriate manner. No student shall be

1 required to participate in a sex education class or program which
2 discusses sexual behavior or attitudes if a parent or guardian of
3 the student objects in writing to such participation. If the type
4 of program referred to in this section is a part of or is taught
5 during a credit course, a student may be required to enroll in the
6 course but shall not be required to receive instruction in or
7 participate in the program if a parent or guardian objects in
8 writing.

9 B. G. The ~~superintendent or a designee~~ board of education of a
10 school district in which sex education is taught ~~or a program is~~
11 ~~offered which is designed for the exclusive purpose of discussing~~
12 ~~sexual behavior or attitudes~~ shall approve all curriculum and
13 materials which will be used for such education and any test, survey
14 or questionnaire whose primary purpose is to elicit responses on
15 sexual behavior or attitudes used in the school prior to their use
16 in the classroom or school. The board of education shall ensure
17 that all curricula and materials are age-appropriate and medically
18 accurate. The teacher involved in the class, program, testing or
19 survey shall submit the curriculum, materials, tests or surveys to
20 the superintendent or a designee for approval by the board of
21 education prior to their use in the classroom or school. ~~This~~
22 ~~section shall not apply to those students enrolled in classes,~~
23 ~~programs, testings or surveys offered through an alternative~~
24 ~~education program.~~

1 H. For purposes of this act, "medically accurate" means
2 curricula and materials that are:

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

5 2. Consistent with generally recognized scientific theory;

6 3. Conducted under accepted scientific methods;

7 4. Published in peer-reviewed journals; and

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

9 a. professional medical organizations, such as the

10 American Medical Association, the American College of

11 Obstetrics and Gynecology, the American Public Health

12 Association, and the American Academy of Pediatrics,

13 b. governmental agencies, such as the Centers for Disease

14 Control and Prevention, the U.S. Food and Drug

15 Administration, and the National Institutes of Health,

16 and

17 c. scientific advisory groups, such as the Institute of

18 Medicine and the Advisory Committee on Immunization

19 Practices.

20 I. For purposes of subsection H of this section, the deliberate
21 withholding of information that is needed to protect life and health
22 and that is therefore relevant to informed decision-making shall not
23 be considered medically accurate.

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SECTION 2. This act shall become effective November 1, 2011.

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