

1 STATE OF OKLAHOMA

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

3 SENATE BILL 535

By: Johnson (Constance)

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5
6 AS INTRODUCED

7 An Act relating to school curriculum; amending 70
8 O.S. 2001, Section 11-105.1, which relates to sex
9 education in public schools; creating the Adolescent
10 Pregnancy Prevention Act of 2011; providing short
11 title; requiring school boards to provide age-
12 appropriate instruction on human growth and
13 development; requiring school boards to provide staff
14 development instruction in human growth and
15 development; requiring the State Department of
16 Education to provide information about certain
17 programs; providing certain criteria for curriculum
18 used; requiring school boards to ensure all curricula
19 is age-appropriate; providing religious exception;
20 providing definition; providing an effective date;
21 and declaring an emergency.

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

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

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

27 B. Each school board shall provide age-appropriate instruction
28 in human growth and development, including instruction regarding

1 human sexuality, self-esteem, stress management, interpersonal
2 relationships, domestic abuse, sexually transmitted diseases (STD),
3 Human Immunodeficiency Virus (HIV) and acquired immune deficiency
4 syndrome (AIDS), in grades one through twelve.

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

8 D. The State Department of Education shall identify and
9 disseminate information about early intervention programs for
10 students who are at the greatest risk of unintended pregnancy.

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

1 sexually transmitted diseases, including HIV/AIDS, when transmitted
2 sexually, while not ignoring students who may have had or are having
3 sex. In addition, the board shall ensure that such curriculum,
4 materials, classes, programs, tests, surveys or questionnaires:

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

8 2. Provide accurate information about the health benefits and
9 side effects of all contraceptives and barrier methods used:

10 a. as a means to prevent pregnancy, and

11 b. to reduce the risk of contracting sexually transmitted
12 diseases, including HIV/AIDS;

13 3. Encourage family communication between parent and child
14 about sexuality;

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

19 5. Teach students psychologically sound methods of resisting
20 unwanted peer pressure;

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

1 7. Provide information concerning the laws prohibiting dating
2 and sexual abuse or violence, the need to report such acts and the
3 legal options available to victims of such acts;

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

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

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

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

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

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

22 H. Provisions of this section shall not apply if a parent
23 objects on religious grounds.

24

1 I. As used in this act, "medically accurate" means curricula
2 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. government 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 J. For purposes of subsection I 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.

24 SECTION 2. This act shall become effective July 1, 2011.

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

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