

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 3021

By: Virgin

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2011, Section 11-103.3, which relates to HIV and AIDS prevention education in schools; defining terms; updating language; requiring prevention education during certain grades; mandating medically accurate materials for curriculum; prescribing approval of materials at least once every two years; providing specific training curriculum; requiring current information for curriculum; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-103.3, is amended to read as follows:

Section 11-103.3 A. ~~Acquired immune deficiency syndrome (AIDS)~~

Definitions:

1. "Human Immunodeficiency Virus" or "HIV" is a human retrovirus and the virus known to cause Acquired Immune Deficiency Syndrome;

2. "Acquired Immune Deficiency Syndrome" or "AIDS" is the final and most serious stage of HIV, causing severe damage to the immune

1 system and includes a great number of opportunistic infections which  
2 normally result in death; and

3 3. "People living with HIV or AIDS" or "PLWHA" means people  
4 currently afflicted with and living with HIV or AIDS.

5 B. HIV and AIDS prevention education shall be taught in the  
6 public schools of this state. ~~AIDS prevention education shall be~~  
7 ~~limited to the discussion of the disease AIDS and its spread and~~  
8 ~~prevention.~~ Students shall receive such education:

9 1. ~~at~~ At the option of the local school district, a minimum of  
10 once during the period from grade five through grade six;

11 2. ~~a~~ A minimum of once during the period from grade seven  
12 through grade eight and a minimum of once during grade nine; and

13 3. ~~a~~ A minimum of once during the period from grade ten through  
14 grade eleven and a minimum of once during grade twelve, all with  
15 heightened emphasis on modes of transmission, prevention methods,  
16 virology and relevant statistics.

17 ~~B.~~ C. The State Department of Education shall develop  
18 ~~curriculum and materials~~ or provide medically accurate resources for  
19 HIV and AIDS prevention education in conjunction with the State  
20 Department of Health or the Centers for Disease Control and  
21 Prevention. A school district may also develop its own HIV and AIDS  
22 prevention education curriculum and materials. Any curriculum and  
23 materials developed for use in the public schools shall be approved  
24 by the State Department of Health for medical accuracy ~~by the State~~

1 ~~Department of Health~~ a minimum of once every two (2) years. A  
2 school district may use any curriculum and materials ~~which~~ that have  
3 been developed and approved pursuant to this subsection.

4 ~~C.~~ School districts shall make the curriculum and materials  
5 that will be used to teach HIV and AIDS prevention education  
6 available for inspection by the parents and guardians of the  
7 students that will be involved with the curriculum and materials.  
8 ~~Furthermore, the curriculum must be limited in time frame to deal~~  
9 ~~only with factual medical information for AIDS prevention.~~ The  
10 school districts, at least one (1) month prior to teaching HIV and  
11 AIDS prevention education in any classroom, shall make available or  
12 conduct for the parents and guardians of the students involved,  
13 during weekend ~~and~~ or evening hours, at least one presentation  
14 concerning the curriculum and materials that will be used for such  
15 education. No student shall be required to participate in HIV and  
16 AIDS prevention education if a parent or guardian of the student  
17 objects in writing to such participation.

18 D. AIDS prevention education shall specifically teach students  
19 that:

20 1. ~~engaging~~ Participating in ~~homosexual activity, promiscuous~~  
21 high-risk sexual activity, ~~intravenous~~ injection drug use or contact  
22 with contaminated blood products is now known to be ~~primarily~~  
23 ~~responsible~~ the primary means for ~~contact with the AIDS virus~~ the  
24 transmission and contraction of HIV;

1       2. ~~avoiding~~ Upon participating in an activity specified in  
2 paragraph 1 of this subsection, a person should be regularly tested  
3 for HIV so he or she may be linked to treatment as early as  
4 possible, as an undetectable viral load greatly decreases the  
5 likelihood an individual will transmit the virus to others;

6       3. Correctly using available prevention methods, including, but  
7 not limited to, barrier and medicinal methods, greatly decreases a  
8 person's likelihood of transmitting or contracting HIV;

9       4. Avoiding the activities specified in paragraph 1 of this  
10 subsection and applying the prevention methods specified in  
11 paragraphs 2 and 3 of this subsection ~~is the only method of~~  
12 ~~preventing the spread of the virus,~~ as well as any other methods  
13 considered to be a safer sex practice, are the best means for  
14 preventing the spread of HIV and AIDS;

15       ~~3.~~ 5. High-risk sexual intercourse behavior, with or without  
16 condoms, ~~with any person testing positive for human immunodeficiency~~  
17 ~~virus (HIV) antibodies, or any other person infected with HIV, a~~  
18 PLWHA or a person who does not know his or her current HIV status  
19 places that individual person in a high-risk category for developing  
20 AIDS contracting HIV.

21       E. HIV and AIDS resources shall include current or updated  
22 information on modes of transmission, prevention methods, virology  
23 and statistics related to HIV, AIDS and PLWHA.

1        F.    The program of HIV and AIDS prevention education shall teach  
2    that abstinence from sexual activity is the only certain means for  
3    the prevention of the spread or contraction of ~~the AIDS virus~~ HIV  
4    through sexual contact.    It shall also teach that artificial means  
5    of birth control are not a certain means of preventing the spread of  
6    ~~the AIDS virus~~ HIV and reliance on such methods puts a person at  
7    risk for exposure to the disease.

8        ~~F.~~ G.    The State Department of Health and the State Department  
9    of Education shall update HIV and AIDS education curriculum material  
10   as newly discovered medical facts make it necessary.

11        SECTION 2.    This act shall become effective November 1, 2018.

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13        56-2-8992            EK            01/02/18  
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