

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1810

By: Conley

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5
6 AS INTRODUCED

7 An Act relating to schools; defining terms;
8 prohibiting sensitive materials in the school
9 setting; requiring inclusion of certain parents when
10 determining if an instructional material is sensitive
11 material; assigning training and reporting duties to
12 State Board of Education; authorizing promulgation of
13 rules; providing for codification; and providing an
14 effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 11-106.2 of Title 70, unless
18 there is created a duplication in numbering, reads as follows:

19 A. As provided in this section:

20 1. "Instructional material" means a material, regardless of
21 format, used:

22 a. as or in place of textbooks to deliver curriculum for
23 courses of study by students, or

24 b. to support a student's learning in the school setting.

1 Instructional material includes reading materials, handouts,
2 videos, digital materials, websites, online applications, and live
3 presentations;

4 2. "Governing board" means:

5 a. for a school district, the school district board of
6 education,

7 b. for a charter school or virtual charter school, the
8 charter school or virtual charter school governing
9 board, or

10 c. for the Oklahoma School for the Deaf and the Oklahoma
11 School for the Blind, the Department of Rehabilitation
12 Services;

13 3. "Minor" means any person who is younger than eighteen (18)
14 years of age;

15 4. "Public school" means a school district school, charter
16 school, virtual charter school, the Oklahoma School for the Deaf, or
17 the Oklahoma School for the Blind;

18 5. "School setting" means in a classroom, in a school library,
19 or on school property. School setting includes the following
20 activities that an organization or individual or organization
21 outside of a public school conducts, if a public school sponsors or
22 requires the activity:

23 a. an assembly,

24 b. a guest lecture,

1 c. a live presentation, or

2 d. an event; and

3 6. "Sensitive material" means an instructional material that is
4 child pornography or obscene material as both are defined in Section
5 1024.1 of Title 21 of the Oklahoma Statutes. Sensitive material
6 shall not include instructional material:

7 a. for medical courses,

8 b. for family and consumer science courses, or

9 c. for another course the State Board of Education
10 exempts by rule.

11 B. Sensitive materials shall be prohibited in the school
12 setting. A public school shall not:

13 1. Adopt, use, distribute, provide a student access to, or
14 maintain in the school setting, sensitive materials; or

15 2. Permit a speaker or presenter in the school setting to
16 display or distribute sensitive materials.

17 C. A governing board shall include parents who are reflective
18 of the members of the school's community when determining if an
19 instructional material is sensitive material.

20 D. The State Board of Education shall:

21 1. Provide guidance and training to support public schools in
22 identifying instructional materials; and

1 2. Report to the Speaker of the House of Representatives and
2 the President Pro Tempore of the Senate, on or before February 1,
3 2024, on implementation and compliance with this section, including:

4 a. any policy the Board or a governing board adopts to
5 implement or comply with this section,

6 b. any rule the Board promulgates to implement or comply
7 with this section, and

8 c. any complaints a governing board or the Board receives
9 regarding a violation of this section, including:

10 (1) action taken in response to a complaint, and

11 (2) if a governing board retains an instructional
12 material for which the governing board or the
13 Board receives a complaint, the rationale for
14 retaining the instructional material.

15 E. The Board may promulgate rules to implement the provisions
16 of this section.

17 SECTION 2. This act shall become effective November 1, 2023.

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