

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1981

By: Jett

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5  
6 AS INTRODUCED

7 An Act relating to schools; creating the Oklahoma  
8 Sexual Education Reform and Parental Rights  
9 Protection Act; providing short title; defining  
10 terms; amending 25 O.S. 2021, Section 2003, which  
11 relates to the Parents' Bill of Rights; requiring  
12 written consent to provide certain sexual education  
13 instruction to a student; requiring a school district  
14 board of education to adopt procedures to provide  
15 notification and require written consent prior to  
16 providing certain instruction; amending 70 O.S. 2021,  
17 Section 11-105.1, which relates to sex education  
18 curriculum and materials; requiring written consent  
19 from a parent or guardian for a student to  
20 participate in certain instruction; requiring certain  
21 information to be available on a school district's  
22 website; requiring written notification to include  
23 certain information; requiring certain classes or  
24 programs to only be taught by a certified teacher;  
25 prohibiting certain organizations from leading  
26 certain class or program; requiring only certain  
27 textbooks and instructional materials to be used in  
28 certain class or program; prohibiting the use of  
29 certain funds to purchase textbooks or materials not  
30 included on certain list; providing for codification;  
31 providing an effective date; and declaring an  
32 emergency.

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

1           SECTION 1.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 11-105.2 of Title 70, unless  
3 there is created a duplication in numbering, reads as follows:

4           A. This act shall be known and may be cited as the "Oklahoma  
5 Sexual Education Reform and Parental Rights Protection Act".

6           B. As used in this act:

7           1. "Comprehensive sexual education" or "sexual risk reduction"  
8 means any educational program that includes, endorses, or promotes  
9 any of the following:

- 10           a. the advocacy of sexual activity outside of marriage,
- 11           b. the advocacy or promotion of any form of sexual  
12           activity that deviates from the understanding of  
13           sexual norms within a traditional family structure,
- 14           c. the provision of information about contraceptive  
15           methods without emphasizing their potential risks and  
16           failure rates,
- 17           d. the endorsement or promotion of non-heterosexual  
18           orientations as equally valid or preferable to  
19           heterosexual orientations,
- 20           e. the teaching of explicit sexual techniques without a  
21           focus on abstinence as the preferred choice,
- 22           f. the inclusion of materials that may be considered  
23           obscene or harmful to minors,

- g. the teaching of gender identity and gender expression outside the binary concept of male and female, without emphasizing the biological basis of sex,
- h. rights-based, pleasure-based sexual response system,
- i. teaching of consent and negotiation skills for sexual activity,
- j. sexually transmitted infections (STIs) presented as normal or common,
- k. instruction segmented for students of different sexual orientation and gender identity,
- l. abortion presented as a safe, reproductive health care choice and a right, and
- m. the undermining of the parent relationship, knowledge, and relevancy with students encouraged to seek other help; and

2. "Optimal sexual health education" or "sexual risk avoidance"

means an educational program that emphasizes the following:

- a. the importance of monogamous, heterosexual relationships within the context of marriage,
- b. the benefits of abstaining from sexual activity,
- c. the physical, psychological, and emotional risks and consequences of engaging in premarital sexual activity,

- d. the importance of personal responsibility and self-discipline,
- e. the positive aspects of healthy relationships including communication skills, mutual respect, and emotional intimacy,
- f. the development of decision-making skills and setting personal boundaries,
- g. the understanding of the potential social, emotional, and physical consequences of early sexual activity,
- h. science-based, health-based information about the reproductive system,
- i. refusal and resistance skills for sexual avoidance,
- j. sexually transmitted infections (STIs) can cause serious health concerns and can and should be avoided,
- k. information provided and risk avoidance promoted for all students, regardless of sexual orientation or gender identity,
- l. abortion, if discussed, is presented in the context of state law and physical and emotional risks, and
- m. parental involvement, communication, and authority are upheld and family values are supported.

SECTION 2. AMENDATORY 25 O.S. 2021, Section 2003, is amended to read as follows:

1 Section 2003. A. The board of education of a school district,  
2 in consultation with parents, teachers, and administrators, shall  
3 develop and adopt a policy to promote the involvement of parents and  
4 guardians of children enrolled in the schools within the school  
5 district, including:

6 1. A plan for parent participation in the schools which is  
7 designed to improve parent and teacher cooperation in such areas as  
8 homework, attendance, and discipline;

9 2. Procedures by which parents may learn about the course of  
10 study for their children and review learning materials, including  
11 the source of any supplemental educational materials;

12 3. Procedures by which parents who object to any learning  
13 material or activity on the basis that it is harmful may withdraw  
14 their children from the activity or from the class or program in  
15 which the material is used. Objection to a learning material or  
16 activity on the basis that it is harmful includes objection to a  
17 material or activity because it questions beliefs or practices in  
18 sex, morality, or religion;

19 4. If a school district offers any sex education curricula  
20 pursuant to Section 11-105.1 of Title 70 of the Oklahoma Statutes or  
21 pursuant to any rules adopted by the State Board of Education,  
22 procedures to ~~opt out of a school district from providing sex~~  
23 education require written consent from a parent for a child to  
24 participate in comprehensive sexual education or sexual risk

1 reduction instruction to a child if the child's parent provides  
2 written objection to the child's participation in the sex education  
3 curricula or optimal sexual health education or sexual risk  
4 avoidance instruction, as defined in Section 1 of this act;

5 5. Procedures by which parents will be notified in advance of  
6 and given the opportunity to ~~withdraw their children from~~ provide  
7 written consent for a child to participate in any instruction or  
8 presentations regarding sexuality in courses other than formal sex  
9 comprehensive sexual education or sexual risk reduction curricula or  
10 optimal sexual health education or sexual risk avoidance curricula  
11 pursuant to Section 11-105.1 of Title 70 of the Oklahoma Statutes;

12 6. Procedures by which parents may learn about the nature and  
13 purpose of clubs and activities that are part of the school  
14 curriculum, as well as extracurricular clubs and activities that  
15 have been approved by the school; and

16 7. Procedures by which parents may learn about parental rights  
17 and responsibilities under the laws of this state, including the  
18 following:

19 a. the right to opt ~~out of~~ in to a sex comprehensive  
20 sexual education or sexual risk reduction curriculum  
21 or an optimal sexual health education or sexual risk  
22 avoidance curriculum if one such a course or courses  
23 is provided by the school district,

24 b. open enrollment rights,

- 1 c. the right to opt out of assignments pursuant to this  
2 section,
- 3 d. the right to be exempt from the immunization laws of  
4 the state pursuant to Section 1210.192 of Title 70 of  
5 the Oklahoma Statutes,
- 6 e. the promotion requirements prescribed in Section  
7 1210.508E of Title 70 of the Oklahoma Statutes,
- 8 f. the minimum course of study and competency  
9 requirements for graduation from high school  
10 prescribed in Section 11-103.6 of Title 70 of the  
11 Oklahoma Statutes,
- 12 g. the right to opt out of instruction on the acquired  
13 immune deficiency syndrome pursuant to Section 11-  
14 103.3 of Title 70 of the Oklahoma Statutes,
- 15 h. the right to review test results,
- 16 i. the right to participate in gifted programs pursuant  
17 to Sections 1210.301 through 1210.308 of Title 70 of  
18 the Oklahoma Statutes,
- 19 j. the right to inspect instructional materials used in  
20 connection with any research or experimentation  
21 program or project pursuant to Section 11-106 of Title  
22 70 of the Oklahoma Statutes,
- 23 k. the right to receive a school report card,  
24

- 1           l.    the attendance requirements prescribed in Section 10-  
2                    106 of Title 70 of the Oklahoma Statutes,  
3           m.    the right to public review of courses of study and  
4                    textbooks,  
5           n.    the right to be excused from school attendance for  
6                    religious purposes,  
7           o.    policies related to parental involvement pursuant to  
8                    this section,  
9           p.    the right to participate in parent-teacher  
10                    associations and organizations that are sanctioned by  
11                    the board of education of a school district, and  
12           q.    the right to opt out of any data collection instrument  
13                    at the district level that would capture data for  
14                    inclusion in the state longitudinal student data  
15                    system except what is necessary and essential for  
16                    establishing a student's public school record.

17           B.    The board of education of a school district may adopt a  
18 policy to provide to parents the information required by this  
19 section in an electronic form.

20           C.    A parent shall submit a written request for information  
21 pursuant to this section during regular business hours to either the  
22 school principal at the school site or the superintendent of the  
23 school district at the office of the school district. Within ten  
24 (10) days of receiving the request for information, the school



1 principal or the superintendent of the school district shall either  
2 deliver the requested information to the parent or submit to the  
3 parent a written explanation of the reasons for the denial of the  
4 requested information. If the request for information is denied or  
5 the parent does not receive the requested information within fifteen  
6 (15) days after submitting the request for information, the parent  
7 may submit a written request for the information to the board of  
8 education of a school district, which shall formally consider the  
9 request at the next scheduled public meeting of the board if the  
10 request can be properly noticed on the agenda. If the request  
11 cannot be properly noticed on the agenda, the board of education of  
12 a school district shall formally consider the request at the next  
13 subsequent public meeting of the board.

14 SECTION 3. AMENDATORY 70 O.S. 2021, Section 11-105.1, is  
15 amended to read as follows:

16 Section 11-105.1. A. All curriculum and materials including  
17 supplementary materials which will be used to teach or will be used  
18 for or in connection with a ~~sex~~ comprehensive sexual education or  
19 sexual risk reduction class or program ~~which is designed for the~~  
20 ~~exclusive purpose of discussing sexual behavior or attitudes~~ or an  
21 optimal sexual health education or sexual risk avoidance class or  
22 program, as defined in Section 1 of this act, or any test, survey or  
23 questionnaire whose primary purpose is to elicit responses on sexual  
24 behavior or attitudes shall be available on the school district's

1 website and through the superintendent or a designee of the school  
2 district for inspection by parents and guardians of the student who  
3 will be involved with the class, program ~~or,~~ test, survey, or  
4 questionnaire. Such curriculum, materials, classes, programs,  
5 tests, surveys, or questionnaires shall include information about  
6 consent and shall have as one of its primary purposes the teaching  
7 of or informing students about the practice of abstinence. For the  
8 purposes of this section, "consent" shall have the same meaning as  
9 that provided by Section 113 of Title 21 of the Oklahoma Statutes.  
10 The superintendent or a designee of the school district shall  
11 provide prior written notification to the parents or guardians of  
12 the students involved of their right to inspect the curriculum and  
13 material, the right to inspect a detailed outline of the curriculum,  
14 ~~and of their obligation to notify~~ the right of parents or guardians  
15 to provide the school in writing written consent if they ~~do not~~ want  
16 their child to participate in the class, program, test, survey, or  
17 questionnaire. Each ~~local~~ board of education shall determine the  
18 means of providing written notification to the parents and guardian  
19 which will ensure effective notice in an efficient and appropriate  
20 manner including a reasonable time period for the parent or guardian  
21 to review the curriculum. No student shall be required to  
22 participate in a ~~sex~~ comprehensive sexual education or sexual risk  
23 reduction class or program or an optimal sexual health education or  
24 sexual risk avoidance class or program which discusses sexual

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

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

23 C. A comprehensive sexual education or sexual risk reduction  
24 class or program or an optimal sexual health education or sexual

1 risk avoidance class or program offered by a school district  
2 pursuant to this section shall only be taught by a certified teacher  
3 who is employed by the school district. Outside organizations  
4 including, but not limited to, county health departments and city-  
5 county health departments shall be prohibited from leading such a  
6 class or program.

7 D. Only textbooks and other instructional materials included in  
8 the list of textbooks selected by the State Textbook Committee  
9 pursuant to Section 16-110 of this title shall be used in a  
10 comprehensive sexual education or sexual risk reduction class or  
11 program or an optimal sexual health education or sexual risk  
12 avoidance class or program offered pursuant to this section. A  
13 school district shall be prohibited from using state funds to  
14 purchase textbooks or other instructional materials not included in  
15 the list of textbooks selected by the State Textbook Committee.

16 SECTION 4. This act shall become effective July 1, 2024.

17 SECTION 5. It being immediately necessary for the preservation  
18 of the public peace, health, or safety, an emergency is hereby  
19 declared to exist, by reason whereof this act shall take effect and  
20 be in full force from and after its passage and approval.

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