

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1282

By: Prieto

AS INTRODUCED

An Act relating to schools; amending 25 O.S. 2021, Sections 2001, 2002, 2003, 2004, and 2005, which relate to the Parents' Bill of Rights; modifying definition; modifying right to access and review certain medical records; expanding right to consent to include making of certain photograph; modifying certain exception regarding withholding of information from a child's parent; requiring written consent to provide sex education instruction to a child; requiring written consent to provide instruction or presentations regarding sexuality; providing for right to review certain books and materials; requiring boards of education to make available for public inspection certain information; reducing time period allowed for delivery of requested information or a written explanation for denial; requiring boards of education to adopt procedures for notification of parental concerns; providing for contents of procedures; providing process to request parental concern hearing; providing for promulgation of rules; providing for minimum contents of rules; providing for cause of action; requiring boards of education to adopt procedures to provide notification of certain remedies; prohibiting certain employee from performing certain assessments without certain written consent; defining term; requiring boards of education to adopt procedures to provide notification of certain changes in services and changes in certain names or pronouns; updating statutory language; amending 70 O.S. 2021, Section 11-105.1, which relates to sex education curriculum and materials; requiring written consent from a parent or guardian for a child to participate in certain instruction or

activities; updating statutory language; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 25 O.S. 2021, Section 2001, is amended to read as follows:

Section 2001. A. This act shall be known and may be cited as the "Parents' Bill of Rights".

B. This state, any political subdivision of this state, or any other governmental entity shall not infringe on the fundamental right of parents to direct the upbringing, education, health care, and mental health of their children without demonstrating that the compelling governmental interest as applied to the child involved is of the highest order, is narrowly tailored, and is not otherwise served by a less restrictive means.

C. As used in the Parents' Bill of Rights, "parent" means the natural or adoptive parent or legal guardian of a minor child. A person whose parental rights have been terminated by a court of this state shall not be considered a parent to that child for the purposes of the Parents' Bill of Rights.

SECTION 2. AMENDATORY 25 O.S. 2021, Section 2002, is amended to read as follows:

Section 2002. A. All parental rights are reserved to a parent of a minor child without obstruction or interference from this

1 state, any political subdivision of this state, any other
2 governmental entity, or any other institution, including, but not
3 limited to, the following rights:

4 1. The right to direct the education of the minor child;

5 2. All rights of parents identified in Title 70 of the Oklahoma
6 Statutes, including the right to access and review all school
7 records relating to the minor child;

8 3. The right to direct the upbringing of the minor child;

9 4. The right to direct the moral or religious training of the
10 minor child;

11 5. The right to make ~~healthcare~~ health care decisions for the
12 minor child, unless otherwise prohibited by law;

13 6. The right to access and review all medical records of the
14 minor child, whether held by the state, any political subdivision of
15 this state, or any other governmental entity or nongovernmental
16 entity, unless otherwise prohibited by law or the parent is the
17 subject of an investigation of a crime committed against the minor
18 child and a law enforcement official requests that the information
19 not be released;

20 7. The right to consent in writing before a biometric scan of
21 the minor child is made, shared, or stored;

22 8. The right to consent in writing before any record of the
23 minor child's blood or deoxyribonucleic acid (DNA) is created,
24 stored, or shared, except as required by Sections 1-516 and 1-524.1

1 of Title 63 of the Oklahoma Statutes, or unless authorized pursuant
2 to a court order;

3 9. The right to consent in writing before the state or any of
4 its political subdivisions makes a photograph, video, or voice
5 recording of the minor child, unless the photograph, video, or voice
6 recording is made during or as a part of a court proceeding, by law
7 enforcement officers during or as part of a law enforcement
8 investigation, during or as part of a forensic interview in a
9 criminal or Department of Human Services investigation, or to be
10 used solely for any of the following:

- 11 a. safety demonstrations, including the maintenance of
12 order and discipline in the common areas of a school
13 or on student transportation vehicles,
- 14 b. a purpose related to a legitimate academic or
15 extracurricular activity,
- 16 c. a purpose related to regular classroom instruction,
- 17 d. security or surveillance of buildings or grounds, and
- 18 e. a photo identification card; and

19 10. The right to be notified promptly if an employee of this
20 state, any political subdivision of this state, any other
21 governmental entity, or any other institution suspects that a
22 criminal offense has been committed against the minor child by
23 someone other than a parent, unless the incident has first been
24 reported to law enforcement and notification of the parent would

1 impede a law enforcement or Department of Human Services
2 investigation. This paragraph does not create any new obligation
3 for school districts and charter schools to report misconduct
4 between students at school, such as fighting or aggressive play,
5 that is routinely addressed as a student disciplinary matter by the
6 school.

7 B. This section does not authorize or allow a parent to engage
8 in conduct that is unlawful or to abuse or neglect a child in
9 violation of the laws of this state. This section shall not be
10 construed to apply to a parental action or decision that would end
11 life. This section does not prohibit courts, law enforcement
12 officers, or employees of a government agency responsible for child
13 welfare from acting in their official capacity within the reasonable
14 and prudent scope of their authority. This section does not
15 prohibit a court from issuing an order that is otherwise permitted
16 by law.

17 C. Any attempt to encourage or coerce a minor child to withhold
18 information from the child's parent shall be grounds for discipline
19 of an employee of this state, any political subdivision of this
20 state, or any other governmental entity, except for encouragement by
21 law enforcement personnel when a parent is the subject of an
22 investigation of a crime committed against the minor child.

23 D. Unless those rights have been legally waived or legally
24 terminated, parents have inalienable rights that are more

1 comprehensive than those listed in this section. The Parents' Bill
2 of Rights does not prescribe all rights of parents. Unless
3 otherwise required by law, the rights of parents of minor children
4 shall not be limited or denied. The Parents' Bill of Rights shall
5 not be construed to apply to a parental action or decision that
6 would end life.

7 SECTION 3. AMENDATORY 25 O.S. 2021, Section 2003, is
8 amended to read as follows:

9 Section 2003. A. The board of education of a school district,
10 in consultation with parents, teachers, and administrators, shall
11 develop and adopt a policy to promote the involvement of parents and
12 ~~guardians~~ of children enrolled in the schools within the school
13 district, including:

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

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

20 3. Procedures by which parents who object to any learning
21 material or activity on the basis that it is harmful may withdraw
22 their children from the activity or from the class or program in
23 which the material is used. Objection to a learning material or
24 activity on the basis that it is harmful includes objection to a

1 material or activity because it questions beliefs or practices in
2 sex, morality, or religion;

3 4. If a school district offers any sex education curricula
4 pursuant to Section 11-105.1 of Title 70 of the Oklahoma Statutes or
5 pursuant to any rules adopted by the State Board of Education,
6 ~~procedures to opt out of a school district from providing~~ requiring
7 written consent from a parent for a school district to provide sex
8 education instruction to a child if the child's parent provides
9 written objection to the child's participation in the sex education
10 curricula. In the absence of written consent from a parent, a child
11 shall be considered automatically withdrawn from the sex education
12 curricula;

13 5. Procedures by which parents will be notified in advance of
14 and given the opportunity to ~~withdraw~~ approve, in writing, the
15 participation of their children from in any instruction or
16 presentations regarding sexuality in courses other than formal sex
17 education curricula pursuant to Section 11-105.1 of Title 70 of the
18 Oklahoma Statutes. In the absence of written consent from a parent,
19 a child shall be considered automatically withdrawn from any
20 instruction or presentations regarding sexuality;

21 6. Procedures by which parents may learn about the nature and
22 purpose of clubs and activities that are part of the school
23 curriculum, as well as extracurricular clubs and activities that
24 have been approved by the school; and

1 7. Procedures by which parents may learn about parental rights
2 and responsibilities under the laws of this state, including the
3 following:

- 4 a. the right to opt ~~out of~~ in to a sex education
- 5 curriculum if one is provided by the school district,
- 6 b. open enrollment rights,
- 7 c. the right to opt out of assignments pursuant to this
- 8 section,
- 9 d. the right to be exempt from the immunization laws of
- 10 the state pursuant to Section 1210.192 of Title 70 of
- 11 the Oklahoma Statutes,
- 12 e. the ~~promotion requirements prescribed in Section~~
- 13 ~~1210.508E of Title 70 of the Oklahoma Statutes~~
- 14 provisions of the Strong Readers Act,
- 15 f. the minimum course of study and competency
- 16 requirements for graduation from high school
- 17 prescribed in Section 11-103.6 of Title 70 of the
- 18 Oklahoma Statutes,
- 19 g. the right to opt out of instruction on the acquired
- 20 immune deficiency syndrome pursuant to Section 11-
- 21 103.3 of Title 70 of the Oklahoma Statutes,
- 22 h. the right to review test results,

- 1 i. the right to participate in gifted programs pursuant
2 to Sections 1210.301 through 1210.308 of Title 70 of
3 the Oklahoma Statutes,
- 4 j. the right to inspect instructional materials used in
5 connection with any research or experimentation
6 program or project pursuant to Section 11-106 of Title
7 70 of the Oklahoma Statutes,
- 8 k. the right to receive a school report card,
- 9 l. the right to receive the attendance requirements
10 prescribed in Section 10-106 of Title 70 of the
11 Oklahoma Statutes,
- 12 m. the right to public review of courses of study and
13 textbooks,
- 14 n. the right to public review of library books and
15 materials used in the classrooms or any other school
16 room accessible to students,
- 17 o. the right to be excused from school attendance for
18 religious purposes,
- 19 ~~o.~~ p. policies related to parental involvement pursuant to
20 this section,
- 21 ~~p.~~ q. the right to participate in parent-teacher
22 associations and organizations that are sanctioned by
23 the board of education of a school district, and
24

1 ~~q. r.~~ r. the right to opt out of any data collection
2 instrument at the district level including those that
3 would capture data for inclusion in the state
4 longitudinal student data system except what is
5 necessary and essential for establishing a student's
6 public school record.

7 B. 1. The board of education of a school district shall adopt
8 a policy to make available for public inspection printed copies of
9 information required by this section including the board of
10 education's policy manual and any parent or student handbook.

11 2. The board of education of a school district may adopt a
12 policy to provide to ~~parents~~ the public the information required by
13 this section in an electronic form including the board of
14 education's policy manual and any parent or student handbook.

15 C. A parent shall submit a written request for information
16 pursuant to this section during regular business hours to either the
17 school principal at the school site or the superintendent of the
18 school district at the office of the school district. Within ~~ten~~
19 ~~(10)~~ seven (7) days of receiving the request for information, the
20 school principal or the superintendent of the school district shall
21 either deliver the requested information to the parent or submit to
22 the parent a written explanation of the reasons for the denial of
23 the requested information. If the request for information is denied
24 or the parent does not receive the requested information within

1 ~~fifteen (15)~~ ten (10) days after submitting the request for
2 information, the parent may submit a written request for the
3 information to the board of education of a school district, which
4 shall formally consider the request at the next scheduled public
5 meeting of the board if the request can be properly noticed on the
6 agenda. If the request cannot be properly noticed on the agenda,
7 the board of education of a school district shall formally consider
8 the request at the next subsequent public meeting of the board.

9 D. A school district board of education shall adopt procedures
10 for a parent to notify the principal of the school in which his or
11 her child is enrolled regarding concerns about the school district's
12 procedures or practices adopted to implement the Parents' Bill of
13 Rights and a process for resolving concerns within seven (7) days of
14 receiving the notification from a parent. If the parental concerns
15 have not been resolved within twenty-one (21) days of receiving the
16 notification from a parent, the school district shall provide a
17 statement of the reasons for not resolving the concerns. If a
18 parental concern submitted pursuant to this subsection is not
19 satisfactorily resolved by the school district within thirty (30)
20 days, a parent may:

21 1. Notify the State Board of Education of the concern and
22 request a parental concern hearing. The Board shall promulgate
23 rules establishing procedures for parental concern hearings, which
24 shall include at a minimum the following:

1 a. the State Board of Education shall appoint a qualified
2 hearing officer, who shall be admitted to practice law
3 in this state pursuant to Section 12 of Title 5 of the
4 Oklahoma Statutes with demonstrated experience in
5 education or administrative law within the last five
6 (5) years,

7 b. the hearing officer shall determine facts related to
8 the dispute over the school district's procedure or
9 practice, consider information provided by the school
10 district and the parent, and render a recommended
11 decision for resolution to the State Board of
12 Education within thirty (30) days of the concern being
13 referred to the hearing officer,

14 c. the State Board of Education shall approve or reject
15 the recommended decision for resolution at its next
16 regularly scheduled board meeting held within seven
17 (7) days of receipt of the recommended decision, and

18 d. the school district shall pay the cost of the hearing
19 officer and any associated costs incurred by the State
20 Board of Education for conducting the parental concern
21 hearing; or

22 2. Bring an action against the school district for injunctive
23 relief and a declaratory judgment that the district's procedure or
24 practice violates any provision of the Parents' Bill of Rights. The

1 court may award injunctive relief to a parent and shall award
2 reasonable attorney fees and costs to a parent awarded injunctive
3 relief.

4 E. Each school district board of education shall adopt
5 procedures to notify parents at the beginning of each school year of
6 the procedures to exercise parental remedies as outlined in
7 subsection D of this section.

8 SECTION 4. AMENDATORY 25 O.S. 2021, Section 2004, is
9 amended to read as follows:

10 Section 2004. A. 1. Except as otherwise provided by law, no
11 person, corporation, association, organization, state-supported
12 institution, or individual employed by any of these entities may
13 procure, solicit to perform, arrange for the performance of, perform
14 surgical procedures, or perform a physical examination upon a minor
15 or prescribe any prescription drugs to a minor without first
16 obtaining a written consent of a parent ~~or legal guardian~~ of the
17 minor. Provided, however, that if written consent is provided to a
18 school district for assessment or treatment, such consent shall be
19 effective for the school year for which it is granted and shall be
20 renewed each subsequent school year. If an assessment or treatment
21 is performed through telemedicine at a school site and if consent
22 has been provided by the parent and is currently effective, the
23 health professional shall not be required to verify that the parent
24 is at the site.

1 2. Notwithstanding the written consent provisions of paragraph
2 1 of this subsection, an employee of a school district who does not
3 possess the proper professional license issued by this state shall
4 not perform an assessment of the physical needs of a minor without
5 first obtaining the written consent of a parent of the minor.

6 B. Except as otherwise provided by law, no hospital as defined
7 in Section 1-701 of Title 63 of the Oklahoma Statutes may permit
8 surgical procedures to be performed upon a minor in its facilities
9 without first having received a written consent from a parent ~~or~~
10 ~~legal guardian~~ of the minor.

11 C. The provisions of this section shall not apply when it has
12 been determined by a physician that an emergency exists and that it
13 is necessary to perform such surgical procedures for the treatment
14 of an injury, illness or drug abuse, or to save the life of the
15 patient, or when such parent or other adult authorized by law to
16 consent on behalf of a minor cannot be located or contacted after a
17 reasonably diligent effort.

18 D. The provisions of this section shall not apply to an
19 abortion, which shall be governed by the provisions of Sections 1-
20 740 through 1-740.6 and Sections 1-744 through 1-744.6 of Title 63
21 of the Oklahoma Statutes or any successor statute.

22 E. A person who violates a provision of this section is guilty
23 of a misdemeanor, punishable by a fine ~~of~~ not more than One Thousand
24

1 Dollars (\$1,000.00) or imprisonment ~~of~~ not more than one (1) year in
2 the county jail, or by both such fine and imprisonment.

3 SECTION 5. AMENDATORY 25 O.S. 2021, Section 2005, is
4 amended to read as follows:

5 Section 2005. A. 1. Except as otherwise provided by law or a
6 court order, no person, corporation, association, organization, or
7 state-supported institution, or any individual employed by any of
8 these entities, may procure, solicit to perform, arrange for the
9 performance of, or perform an assessment for mental health therapy
10 on a minor without first obtaining the written consent of a parent
11 ~~or a legal guardian~~ of the minor child. Provided, however, that if
12 written consent is provided to a school district for assessment or
13 treatment, such consent shall be effective for the school year for
14 which it is granted and shall be renewed each subsequent school
15 year. If an assessment or treatment is performed through
16 telemedicine at a school site and if consent has been provided by
17 the parent and is currently effective, the health professional shall
18 not be required to verify that the parent is at the site. However,
19 a child shall not be seen without consent. For the purposes of this
20 section, "mental health treatment" includes therapy and counseling
21 services but does not include counseling on college and career
22 readiness.

23 2. Notwithstanding the written consent provisions of paragraph
24 1 of this subsection, an employee of a school district who does not

1 possess the proper professional license issued by this state shall
2 not perform an assessment of the mental or psychological needs of a
3 minor without first obtaining the written consent of a parent of the
4 minor.

5 B. This section does not apply when an emergency exists that
6 requires a person with the proper professional license issued by
7 this state to perform mental health screening or provide mental
8 health treatment to prevent serious injury to or save the life of a
9 minor child.

10 C. Each school district board of education shall adopt
11 procedures to notify a parent:

12 1. Prior to or contemporaneous with changes in services, notice
13 of changes in services, or monitoring related to his or her child's
14 mental, emotional, or physical health or well-being and the school
15 district's ability to provide a safe and supportive learning
16 environment for the child; and

17 2. Prior to any changes in the name or pronoun used for a child
18 in school records or by school personnel.

19 D. A person who violates this section is guilty of a
20 misdemeanor, punishable by a fine ~~of~~ not more than One Thousand
21 Dollars (\$1,000.00) or imprisonment ~~of~~ not more than one (1) year in
22 the county jail, or by both such fine and imprisonment.

23 SECTION 6. AMENDATORY 70 O.S. 2021, Section 11-105.1, is
24 amended to read as follows:

1 Section 11-105.1. A. All curriculum and materials including
2 supplementary materials which will be used to teach or will be used
3 for or in connection with a sex education class or program which is
4 designed for the exclusive purpose of discussing sexual behavior or
5 attitudes, or any test, survey, or questionnaire whose primary
6 purpose is to elicit responses on sexual behavior or attitudes shall
7 be available through the superintendent or a designee of the school
8 district for inspection by parents and legal guardians of the
9 student who will be involved with the class, program ~~or~~, test,
10 survey, or questionnaire. Such curriculum, materials, classes,
11 programs, tests, surveys, or questionnaires shall include
12 information about consent and shall have as one of ~~its~~ their primary
13 purposes the teaching of or informing students about the practice of
14 abstinence. For the purposes of this section, "consent" shall have
15 the same meaning as that provided by Section 113 of Title 21 of the
16 Oklahoma Statutes. The superintendent or a designee of the school
17 district shall provide prior written notification to the parents or
18 legal guardians of the students involved of their right to inspect
19 the curriculum and material and ~~of their obligation to notify the~~
20 right of parents or legal guardians to provide the school in writing
21 written consent if they ~~do not~~ want their child to participate in
22 the class, program, test, survey, or questionnaire. Each local
23 board of education shall determine the means of providing written
24 notification to the parents and ~~guardian~~ legal guardians which will

1 ensure effective notice in an efficient and appropriate manner. No
2 student shall be required to participate in a sex education class or
3 program which discusses sexual behavior or attitudes if a parent or
4 legal guardian of the student ~~objects in writing to~~ does not provide
5 written consent for such participation. If the type of program
6 referred to in this section is a part of or is taught during a
7 credit course, a student may be required to enroll in the course but
8 shall not be required to receive instruction in or participate in
9 the program if a parent or legal guardian ~~objects in writing~~ does
10 not provide written consent.

11 B. The superintendent or a designee of a school district in
12 which sex education is taught or a program is offered which is
13 designed for the exclusive purpose of discussing sexual behavior or
14 attitudes shall approve all curriculum and materials which will be
15 used for such education and any test, survey, or questionnaire whose
16 primary purpose is to elicit responses on sexual behavior or
17 attitudes used in the school prior to their use in the classroom or
18 school. 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 prior to their use in
21 the classroom or school. This section shall not apply to those
22 students enrolled in classes, programs, testings, or surveys offered
23 through an alternative education program.

24 SECTION 7. This act shall become effective July 1, 2026.

1 SECTION 8. It being immediately necessary for the preservation
2 of the public peace, health, or 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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