

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 615

By: Bullard, Bergstrom, Jett,
and Merrick of the Senate

6 and

7 Williams of the House

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11 COMMITTEE SUBSTITUTE

12 [schools - sex education curriculum and materials -
13 be available for inspection - superintendent or
14 designee to approve all curriculum and materials to
15 be used for certain matters - certain prior written
16 notification - effective date -
17 emergency]

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

21 SECTION 1. AMENDATORY 70 O.S. 2021, Section 11-105.1, is
22 amended to read as follows:

23 Section 11-105.1. A. All curriculum and materials including
24 supplementary materials which will be used to teach or will be used

1 for or in connection with a sex education class or program which is
2 designed for the exclusive purpose of discussing sexual behavior or
3 attitudes~~;~~ or any test, a school counselor led meeting and/or
4 course, survey, or questionnaire whose primary purpose is to elicit
5 responses on sexual behavior or attitudes; or any curriculum,
6 materials, test, survey, questionnaire, activity, or instruction of
7 any kind related to sexual orientation and gender identity,
8 regardless of whether it is offered as part of a sex education class
9 or program or as part of any other class, program, or activity shall
10 be available through the superintendent or a designee of the school
11 district for inspection by parents and guardians of the student who
12 will be involved with the instruction, class, program ~~or,~~ test,
13 activity, survey, or questionnaire. Such curriculum, materials,
14 classes, programs, tests, a school counselor led meeting and/or
15 course, surveys, or questionnaires shall include information about
16 consent and shall have as one of its primary purposes the teaching
17 of or informing students about the practice of abstinence. For the
18 purposes of this section, "consent" shall have the same meaning as
19 that provided by Section 113 of Title 21 of the Oklahoma Statutes.
20 The superintendent or a designee of the school district shall
21 provide prior written notification to the parents or guardians of
22 the students involved of their right to inspect the curriculum and
23 material and of their obligation to notify the school in writing if
24 they do not want their child to participate in the instruction,

1 class, program, test, activity, survey, or questionnaire. Each
2 local board of education shall determine the means of providing
3 written notification to the parents and guardian which will ensure
4 effective notice in an efficient and appropriate manner. No student
5 shall be required to participate in a sex education class or program
6 or participate in a school counselor led meeting and/or course which
7 discusses sexual behavior or attitudes, or any instruction, class,
8 program, test, activity, survey, or questionnaire which discusses
9 sexual orientation and gender identity if a parent or guardian of
10 the student objects in writing to such participation. If the type
11 of instruction, program, test, activity, survey, or questionnaire
12 referred to in this section is a part of or is taught during a
13 credit course, a student may be required to enroll in the course but
14 shall not be required to receive instruction in or participate in
15 the program, test, activity, survey, or questionnaire if a parent or
16 guardian objects in writing.

17 B. The superintendent or a designee of a school district in
18 which sex education or matters pertaining to sexual orientation or
19 gender identity is taught or a program is offered which is designed
20 for the exclusive purpose of discussing sexual behavior or attitudes
21 or matters pertaining to sexual orientation or gender identity shall
22 approve all curriculum and materials which will be used for such
23 education and any test, school counselor led meeting and/or course,
24 survey, or questionnaire whose primary purpose is to elicit

1 responses on sexual behavior or attitudes used in the school prior
2 to their use in the classroom or school. The teacher or school
3 counselor involved in the instruction, class, program, ~~testing~~ test,
4 activity, meeting, or survey shall submit the curriculum, materials,
5 tests, or surveys to the superintendent or a designee for approval
6 prior to their use in the classroom or school. This section shall
7 not apply to those students enrolled in classes, programs, ~~testings~~
8 tests, or surveys offered through an alternative education program.

9 C. The prior written notification required by subsection A of
10 this section shall include a list with the audio-visual or written
11 curriculum and materials to be used in the instruction, class,
12 program, test, activity, meeting, or survey. The notification shall
13 include:

14 1. A link to the audio-visual or written curriculum and
15 materials to be used if they are available electronically; or

16 2. Information on how and where to review a hard copy of the
17 audio-visual or written curriculum and materials.

18 D. The provisions of this section shall not be construed to
19 require written notification prior to:

20 1. A teacher responding to student questions during class
21 regarding sexual orientation and gender identity as it relates to
22 any topic of instruction;

23 2. Referring to the sexual orientation or gender identity of
24 any historic person, group, or public figure when such information

1 provides necessary context in relation to any topic of instruction;
2 or

3 3. Referring to sexual orientation and gender identity if
4 necessary to address a disciplinary matter, such as an instance of
5 bullying.

6 E. The provisions of this section shall not be construed to
7 require that a public school offer instruction, a class, a program,
8 a test, an activity, a meeting, or a survey on sex education, sexual
9 behavior or attitudes, sexual orientation, or gender identity.

10 F. For the purposes of this section:

11 1. "Gender identity" means one's psychological sense of their
12 gender. Gender identity may also be known as "gender dysphoria", a
13 clinically significant distress or impairment related to a strong
14 desire to be of another gender, which may include a desire to change
15 primary and/or secondary sex characteristics; and

16 2. "Sexual orientation" means an individual's actual or
17 perceived orientation as heterosexual, homosexual, or bisexual.

18 SECTION 2. This act shall become effective July 1, 2022.

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

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24 58-2-11355 LRB 04/13/22

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