

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

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

By: Bullard, Bergstrom, Jett,  
7 Merrick, and **Pederson** of  
8 the Senate

9 and

Williams and **Gann** of the  
10 House

11  
12 COMMITTEE SUBSTITUTE

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

19  
20  
21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. AMENDATORY 70 O.S. 2021, Section 11-105.1, is  
23 amended to read as follows:  
24

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~~,i~~; or any test, a school counselor led meeting and/or  
6 course, survey, or questionnaire whose primary purpose is to elicit  
7 responses on sexual behavior or attitudes; or any curriculum,  
8 materials, test, survey, questionnaire, activity, or instruction of  
9 any kind related to sexual orientation and gender identity,  
10 regardless of whether it is offered as part of a sex education class  
11 or program or as part of any other class, program, or activity shall  
12 be available through the superintendent or a designee of the school  
13 district for inspection by parents and guardians of the student who  
14 will be involved with the instruction, class, program ~~or,~~ test,  
15 activity, survey, or questionnaire. Such curriculum, materials,  
16 classes, programs, tests, a school counselor led meeting and/or  
17 course, surveys, or questionnaires shall include information about  
18 consent and shall have as one of its primary purposes the teaching  
19 of or informing students about the practice of abstinence. For the  
20 purposes of this section, "consent" shall have the same meaning as  
21 that provided by Section 113 of Title 21 of the Oklahoma Statutes.  
22 The superintendent or a designee of the school district shall  
23 provide prior written notification to the parents or guardians of  
24 the students involved of their right to inspect the curriculum and

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

19 B. The superintendent or a designee of a school district in  
20 which sex education or matters pertaining to sexual orientation or  
21 gender identity is taught or a program is offered which is designed  
22 for the exclusive purpose of discussing sexual behavior or attitudes  
23 or matters pertaining to sexual orientation or gender identity shall  
24 approve all curriculum and materials which will be used for such

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

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

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

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

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

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

1        2. Referring to the sexual orientation or gender identity of  
2 any historic person, group, or public figure when such information  
3 provides necessary context in relation to any topic of instruction;

4 or

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

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

12        F. For the purposes of this section:

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

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

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

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

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COMMITTEE REPORT BY: COMMITTEE ON STATE POWERS, dated 04/13/2022 -  
DO PASS, As Amended and Coauthored.