

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1339

By: Rosecrants

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6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2021,
8 Section 24-157, which relates to prohibited course
9 concepts; requiring written notification when an
10 alleged violation is being investigated by the State
11 Department of Education; specifying who to notify;
12 mandating an opportunity to provide a written
13 statement; providing for applicability of certain
14 rights and laws in certain suspension or revocation
15 proceedings; directing written notification to
16 certain school officials when an alleged violation is
17 being investigated; requiring an opportunity to
18 provide a written statement; mandating written notice
19 prior to reclassification of accreditation status;
20 prescribing compliance with certain rules and laws;
21 providing an effective date; and declaring an
22 emergency.

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

24 SECTION 1. AMENDATORY 70 O.S. 2021, Section 24-157, is
amended to read as follows:

Section 24-157. A. 1. No enrolled student of an institution
of higher education within The Oklahoma State System of Higher
Education shall be required to engage in any form of mandatory
gender or sexual diversity training or counseling; provided,

1 voluntary counseling shall not be prohibited. Any orientation or
2 requirement that presents any form of race or sex stereotyping or a
3 bias on the basis of race or sex shall be prohibited.

4 2. Pursuant to the provisions of the Administrative Procedures
5 Act, the Oklahoma State Regents for Higher Education shall
6 promulgate rules, subject to approval by the Legislature, to
7 implement the provisions of this subsection.

8 B. The provisions of this subsection shall not prohibit the
9 teaching of concepts that align to the Oklahoma Academic Standards.

10 1. No teacher, administrator, or other employee of a school
11 district, charter school, or virtual charter school shall require or
12 make part of a course the following concepts:

- 13 a. one race or sex is inherently superior to another race
14 or sex,
- 15 b. an individual, by virtue of his or her race or sex, is
16 inherently racist, sexist or oppressive, whether
17 consciously or unconsciously,
- 18 c. an individual should be discriminated against or
19 receive adverse treatment solely or partly because of
20 his or her race or sex,
- 21 d. members of one race or sex cannot and should not
22 attempt to treat others without respect to race or
23 sex,

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- 1 e. an individual's moral character is necessarily
2 determined by his or her race or sex,
3 f. an individual, by virtue of his or her race or sex,
4 bears responsibility for actions committed in the past
5 by other members of the same race or sex,
6 g. any individual should feel discomfort, guilt, anguish
7 or any other form of psychological distress on account
8 of his or her race or sex, or
9 h. meritocracy or traits such as a hard work ethic are
10 racist or sexist or were created by members of a
11 particular race to oppress members of another race.

12 2. The State Board of Education shall promulgate rules, subject
13 to approval by the Legislature, to implement the provisions of this
14 subsection.

15 C. If an employee of a school district, charter school, or
16 virtual charter school is accused of violating paragraph 1 of
17 subsection B of this section, the school employee and administrator
18 of the school district, charter school, or virtual charter school
19 shall be notified in writing that an alleged violation is being
20 investigated by the State Department of Education. The Department
21 shall give the school employee and school district, charter school,
22 or virtual charter school administrator an opportunity to provide a
23 written statement about the alleged violation to be included in the
24 investigation. Once the investigation is completed, if the

1 Department makes a determination to initiate proceedings to suspend
2 or revoke the license or certificate of the school employee, the due
3 process rights afforded to certificate or license holders, as well
4 as state and federal rules and laws shall apply to any suspension or
5 revocation proceedings.

6 D. If a school district, charter school, or virtual charter
7 school is accused of violating paragraph 1 of subsection B of this
8 section, the administrator and board of education or governing board
9 of the school district, charter school, or virtual charter school
10 shall be notified in writing that an alleged violation is being
11 investigated by the State Department of Education. The Department
12 shall give a representative of the school district, charter school,
13 or virtual charter school an opportunity to provide a written
14 statement about the alleged violation to be included in the
15 investigation. Once the investigation is completed, if the State
16 Board of Education makes a determination to reclassify the
17 accreditation status of the school district, charter school, or
18 virtual charter school, the Board shall provide prior written notice
19 of any meeting, hearing, or vote to the school district, charter
20 school, or virtual charter school, and comply with state and federal
21 rules and laws applicable to school accreditation.

22 SECTION 2. This act shall become effective July 1, 2023.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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