

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 973

By: Jett

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2021, Section 11-105.1, which relates to materials used in sex education class; updating statutory language; directing certain notification to take place with certain time to respond; prohibiting certain student from being penalized; prohibiting curriculum and materials in certain grades from including certain information; directing certain instruction to ensure equal time on certain perspective; providing an effective date; and declaring an emergency.

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

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

Section 11-105.1. A. All curriculum and materials including supplementary materials which will be used to teach or will be used for or in connection with a sex education class or program which is designed for the exclusive purpose of discussing sexual behavior or attitudes, or any test, survey, or questionnaire whose primary purpose is to elicit responses on sexual behavior or attitudes shall be available through the superintendent or a designee of the school district for inspection by parents and guardians of the student who

1 will be involved with the class, program ~~or~~, test, survey, or  
2 questionnaire. Such curriculum, materials, classes, programs,  
3 tests, surveys, or questionnaires shall include information about  
4 consent and shall have as one of ~~its~~ their primary purposes the  
5 teaching of or informing students about the practice of abstinence.  
6 For the purposes of this section, "consent" shall have the same  
7 meaning as that provided by Section 113 of Title 21 of the Oklahoma  
8 Statutes. The Prior to its introduction and in sufficient time for  
9 a parent or legal guardian to respond, the superintendent or a  
10 designee of the school district shall provide ~~prior~~ written  
11 notification to the parents or guardians of the students involved of  
12 their right to inspect the curriculum and material and of their  
13 obligation to notify the school in writing if they do not want their  
14 child to participate in the class, program, test, survey, or  
15 questionnaire. Each ~~local~~ board of education shall determine the  
16 means of providing written notification to the parents and guardian  
17 which will ensure effective notice in an efficient and appropriate  
18 manner. No student shall be required to participate in a sex  
19 education class or program which discusses sexual behavior or  
20 attitudes if a parent or guardian of the student objects in writing  
21 to such participation. If the type of program referred to in this  
22 section is a part of or is taught during a credit course, a student  
23 may be required to enroll in the course but shall not be required to  
24 receive instruction in or participate in the program if a parent or

1 guardian objects in writing, and the student shall not be penalized  
2 for not receiving instruction in or participating in the program.

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

16 C. Curriculum and materials provided pursuant to this section  
17 to students in grades kindergarten through six shall be prohibited  
18 from including information on sexual orientation or gender identity.  
19 For grades in which information on sexual orientation or gender  
20 identity is allowed, the teacher providing instruction shall ensure  
21 equal time is spent on the two-gender perspective.

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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