

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

HOUSE BILL 1998

By: Turner

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2021, Section 11-105.1, which relates to sex education; requiring parent permission to administer sex education to students; 70 O.S. 2021, Section 24-158, as amended by Section 2, Chapter 281, O.S.L. 2022 (70 O.S. Supp. 2024, Section 24-158), which relates to the Oklahoma Prevention Needs Assessment Survey; requiring parent permission to administer the survey to student; 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

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

1 course but shall not ~~be required to~~ receive instruction in or  
2 participate in the program if unless a parent or guardian ~~objects~~  
3 provides permission in writing.

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

17 SECTION 2. AMENDATORY 70 O.S. 2021, Section 24-158, as  
18 amended by Section 2, Chapter 281, O.S.L. 2022 (70 O.S. Supp. 2024,  
19 Section 24-158), is amended to read as follows:

20 Section 24-158. A. The "Oklahoma Prevention Needs Assessment  
21 Survey" means the biennial mental health prevention survey of public  
22 school students in grades six, eight, ten, and twelve managed by the  
23 Department of Mental Health and Substance Abuse Services.

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1 B. Beginning in the 2022-2023 school year, and biennially  
2 thereafter, public schools shall administer the Oklahoma Prevention  
3 Needs Assessment Survey, or an alternative survey as provided in  
4 subsection D of this section, to students who have parent permission  
5 to participate, for the purpose of providing direction to schools,  
6 school districts, and communities to effectively improve the lives  
7 of students regarding a variety of issues with a focus on alcohol,  
8 tobacco, other drug use, mental health, academic failure, and  
9 violence.

10 C. The Department of Mental Health and Substance Abuse Services  
11 shall maintain the Oklahoma Prevention Needs Assessment Survey and  
12 shall provide technical assistance for schools in survey  
13 administration, reporting, planning, and development of school  
14 mental health prevention and intervention strategies informed by the  
15 survey results.

16 D. If a school or school district chooses to administer an  
17 alternative survey or assessment tool to fulfill the purpose  
18 described in subsection B of this section, it may apply for a waiver  
19 through the Department of Mental Health and Substance Abuse  
20 Services.

21 E. The school district superintendent or his or her designee  
22 shall provide prior written notification to the parents or legal  
23 guardians of students ~~to be administered~~ of the intent to administer  
24 the Oklahoma Prevention Needs Assessment Survey or an alternative

1 survey or assessment tool adopted pursuant to subsection D of this  
2 section. The notification shall include information to parents and  
3 legal guardians that they ~~may~~ must opt their student ~~out of~~ in to  
4 the survey or assessment tool by providing written notice to the  
5 school district, if they wish for their student to participate.

6 F. Prior to the biennial administration of the Oklahoma  
7 Prevention Needs Assessment Survey, the Department of Mental Health  
8 and Substance Abuse Services shall submit the survey to the  
9 President Pro Tempore of the Oklahoma State Senate, the Speaker of  
10 the Oklahoma House of Representatives, the chairs of the committees  
11 with responsibility over common education in both houses of the  
12 Legislature, and the chairs of the committees with responsibility  
13 over public health in both houses of the Legislature.

14 G. The provisions of this section shall be subject to the  
15 availability of federal funding. If federal funding is insufficient  
16 to provide the Oklahoma Prevention Needs Assessment Survey to public  
17 schools on a biennial basis, administration of the survey shall not  
18 be required.

19 H. The Board of Mental Health and Substance Abuse Services and  
20 the State Board of Education may promulgate rules as necessary to  
21 carry out the provisions of this section.

22 SECTION 3. This act shall become effective July 1, 2025.

23 SECTION 4. 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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