STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 413 By: Jett

AS INTRODUCED

An Act relating to schools; creating the Oklahoma Sexual Education Reform and Parental Rights Protection Act; providing short title; defining terms; amending 25 O.S. 2021, Section 2003, which relates to the Parents' Bill of Rights; requiring written consent to provide certain sexual education instruction to a student; requiring a school district board of education to adopt procedures to provide notification and require written consent prior to providing certain instruction; updating statutory language; amending 70 O.S. 2021, Section 11-105.1, which relates to sex education curriculum and materials; requiring written consent from a parent or legal guardian for a student to participate in certain instruction; requiring certain information to be available on a school district's website; requiring written notification to include certain information; requiring certain classes or programs to only be taught by a certified teacher; prohibiting certain organizations from leading certain class or program; requiring only certain textbooks and instructional materials to be used in certain class or program; prohibiting the use of certain funds to purchase textbooks or materials not included on certain list; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-105.2 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Oklahoma Sexual Education Reform and Parental Rights Protection Act".

B. As used in this act:

1. "Comprehensive sexual education" or "sexual risk reduction" means any educational program that includes, endorses, or promotes any of the following:

a. the advocacy of sexual activity outside of marriage,

b. the advocacy or promotion of any form of sexual activity that deviates from the understanding of sexual norms within a traditional family structure,

c. the provision of information about contraceptive methods without emphasizing their potential risks and failure rates,

d. the endorsement or promotion of non-heterosexual orientations as equally valid or preferable to heterosexual orientations,

e. the teaching of explicit sexual techniques without a focus on abstinence as the preferred choice,

f. the inclusion of materials that may be considered obscene or harmful to minors,

g. the teaching of gender identity and gender expression outside the binary concept of male and female, without emphasizing the biological basis of sex,

h. rights-based, pleasure-based sexual response system,

i. teaching of consent and negotiation skills for sexual activity,

j. sexually transmitted infections (STIs) presented as normal or common,

k. instruction segmented for students of different sexual orientation and gender identity,

l. abortion presented as a safe, reproductive health care choice and a right, and

m. the undermining of the parent relationship, knowledge, and relevancy with students encouraged to seek other help; and

2. "Optimal sexual health education" or "sexual risk avoidance" means an educational program that emphasizes the following:

a. the importance of monogamous, heterosexual relationships within the context of marriage,

b. the benefits of abstaining from sexual activity,

c. the physical, psychological, and emotional risks and consequences of engaging in premarital sexual activity,

d. the importance of personal responsibility and self-discipline,

e. the positive aspects of healthy relationships including communication skills, mutual respect, and emotional intimacy,

f. the development of decision-making skills and setting personal boundaries,

g. the understanding of the potential social, emotional, and physical consequences of early sexual activity,

h. science-based, health-based information about the reproductive system,

i. refusal and resistance skills for sexual avoidance,

j. that sexually transmitted infections (STIs) can cause serious health concerns and can and should be avoided,

k. information provided and risk avoidance promoted for all students, regardless of sexual orientation or gender identity,

l. that abortion, if discussed, is presented in the context of state law and physical and emotional risks, and

m. parental involvement, communication, and authority are upheld and family values are supported.

SECTION 2. AMENDATORY 25 O.S. 2021, Section 2003, is amended to read as follows:

Section 2003. A. The board of education of a school district, in consultation with parents, teachers, and administrators, shall develop and adopt a policy to promote the involvement of parents and guardians of children enrolled in the schools within the school district, including:

1. A plan for parent participation in the schools which is designed to improve parent and teacher cooperation in such areas as homework, attendance, and discipline;

2. Procedures by which parents may learn about the course of study for their children and review learning materials~~,~~ including the source of any supplemental educational materials;

3. Procedures by which parents who object to any learning material or activity on the basis that it is harmful may withdraw their children from the activity or from the class or program in which the material is used. Objection to a learning material or activity on the basis that it is harmful includes objection to a material or activity because it questions beliefs or practices in sex, morality, or religion;

4. If a school district offers any sex education curricula pursuant to Section 11-105.1 of Title 70 of the Oklahoma Statutes or pursuant to any rules adopted by the State Board of Education, procedures to ~~opt out of a school district from providing sex education~~ require written consent from a parent for a child to participate in comprehensive sexual education or sexual risk reduction instruction ~~to a child if the child's parent provides written objection to the child's participation in the sex education curricula~~ or optimal sexual health education or sexual risk avoidance instruction, as defined in Section 1 of this act;

5. Procedures by which parents will be notified in advance of and given the opportunity to ~~withdraw their children from~~ provide written consent for a child to participate in any instruction or presentations regarding sexuality in courses other than formal ~~sex~~ comprehensive sexual education or sexual risk reduction curricula or optimal sexual health education or sexual risk avoidance curricula pursuant to Section 11-105.1 of Title 70 of the Oklahoma Statutes;

6. Procedures by which parents may learn about the nature and purpose of clubs and activities that are part of the school curriculum, as well as extracurricular clubs and activities that have been approved by the school; and

7. Procedures by which parents may learn about parental rights and responsibilities under the laws of this state~~,~~ including the following:

a. the right to opt ~~out of~~ in to a ~~sex~~ comprehensive sexual education or sexual risk reduction curriculum or an optimal sexual health education or sexual risk avoidance curriculum if ~~one~~ such a course or courses is provided by the school district,

b. open enrollment rights,

c. the right to opt out of assignments pursuant to this section,

d. the right to be exempt from the immunization laws of the state pursuant to Section 1210.192 of Title 70 of the Oklahoma Statutes,

e. the ~~promotion requirements prescribed in Section 1210.508E of Title 70 of the Oklahoma Statutes~~ provisions of the Strong Readers Act,

f. the minimum course of study and competency requirements for graduation from high school prescribed in Section 11-103.6 of Title 70 of the Oklahoma Statutes,

g. the right to opt out of instruction on the acquired immune deficiency syndrome pursuant to Section 11-103.3 of Title 70 of the Oklahoma Statutes,

h. the right to review test results,

i. the right to participate in gifted programs pursuant to Sections 1210.301 through 1210.308 of Title 70 of the Oklahoma Statutes,

j. the right to inspect instructional materials used in connection with any research or experimentation program or project pursuant to Section 11-106 of Title 70 of the Oklahoma Statutes,

k. the right to receive a school report card,

l. the attendance requirements prescribed in Section 10-106 of Title 70 of the Oklahoma Statutes,

m. the right to public review of courses of study and textbooks,

n. the right to be excused from school attendance for religious purposes,

o. policies related to parental involvement pursuant to this section,

p. the right to participate in parent-teacher associations and organizations that are sanctioned by the board of education of a school district, and

q. the right to opt out of any data collection instrument at the district level that would capture data for inclusion in the state longitudinal student data system except what is necessary and essential for establishing a student's public school record.

B. The board of education of a school district may adopt a policy to provide to parents the information required by this section in an electronic form.

C. A parent shall submit a written request for information pursuant to this section during regular business hours to either the school principal at the school site or the superintendent of the school district at the office of the school district. Within ten (10) days of receiving the request for information, the school principal or the superintendent of the school district shall either deliver the requested information to the parent or submit to the

parent a written explanation of the reasons for the denial of the requested information. If the request for information is denied or the parent does not receive the requested information within fifteen (15) days after submitting the request for information, the parent may submit a written request for the information to the board of education of a school district, which shall formally consider the request at the next scheduled public meeting of the board if the request can be properly noticed on the agenda. If the request cannot be properly noticed on the agenda, the board of education of a school district shall formally consider the request at the next subsequent public meeting of the board.

SECTION 3. 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~~ comprehensive sexual education or sexual risk reduction class or program ~~which is designed for the exclusive purpose of discussing sexual behavior or attitudes~~ or an optimal sexual health education or sexual risk avoidance class or program, as defined in Section 1 of this act, or any test, survey or questionnaire whose primary purpose is to elicit responses on sexual behavior or attitudes shall be available on the school district's website and through the superintendent or a designee of the school district for inspection by parents and legal guardians of the

student who will be involved with the class, program ~~or~~, test, survey, or questionnaire. Such curriculum, materials, classes, programs, tests, surveys, or questionnaires shall include information about consent and shall have as one of its primary purposes the teaching of or informing students about the practice of abstinence. For the purposes of this section, "consent" shall have the same meaning as that provided by Section 113 of Title 21 of the Oklahoma Statutes. The superintendent or a designee of the school district shall provide prior written notification to the parents or legal guardians of the students involved of their right to inspect the curriculum and material, the right to inspect a detailed outline of the curriculum, and ~~of their obligation to notify~~ the right of parents or legal guardians to provide the school ~~in writing~~ written consent if they ~~do not~~ want their child to participate in the class, program, test, survey, or questionnaire. Each ~~local~~ board of education shall determine the means of providing written notification to the parents and legal guardian which will ensure effective notice in an efficient and appropriate manner including a reasonable time period for the parent or legal guardian to review the curriculum. No student shall be required to participate in a ~~sex~~ comprehensive sexual education or sexual risk reduction class or program or an optimal sexual health education or sexual risk avoidance class or program which discusses sexual behavior or attitudes if a parent or legal guardian of the student ~~objects in~~

~~writing to~~ does not provide written consent for such participation. If the type of program referred to in this section is a part of or is taught during a credit course, a student may be required to enroll in the course but shall not be required to receive instruction in or participate in the program if a parent or legal guardian ~~objects in writing~~ does not provide written consent.

B. The superintendent or a designee of a school district in which ~~sex~~ a comprehensive sexual education or sexual risk reduction class or program or an optimal sexual health education or sexual risk avoidance class or program is taught or a program is offered which is designed for the exclusive purpose of discussing sexual behavior or attitudes shall approve all curriculum and materials which will be used for such education and any test, survey, or questionnaire whose primary purpose is to elicit responses on sexual behavior or attitudes used in the school prior to their use in the classroom or school. The teacher involved in the class, program, testing, or survey shall submit the curriculum, materials, tests, or surveys to the superintendent or a designee for approval prior to their use in the classroom or school. This section shall not apply to those students enrolled in classes, programs, testings, or surveys offered through an alternative education program.

C. A comprehensive sexual education or sexual risk reduction class or program or an optimal sexual health education or sexual risk avoidance class or program offered by a school district

pursuant to this section shall only be taught by a certified teacher who is employed by the school district. Outside organizations including, but not limited to, county health departments and city-county health departments shall be prohibited from leading such a class or program.

D. Only textbooks and other instructional materials included in the list of textbooks selected by the State Textbook Committee pursuant to Section 16-110 of this title shall be used in a comprehensive sexual education or sexual risk reduction class or program or an optimal sexual health education or sexual risk avoidance class or program offered pursuant to this section. A school district shall be prohibited from using state funds to purchase textbooks or other instructional materials not included in the list of textbooks selected by the State Textbook Committee.

SECTION 4. This act shall become effective July 1, 2025.

SECTION 5. It being immediately necessary for the preservation of the public peace, health, or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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