

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 1012

By: Sparks

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6 AS INTRODUCED

7 An Act relating to education; amending 70 O.S. 2011,
8 Section 11-103.3, which relates to AIDS prevention
9 education; modifying grade spans during which certain
10 education may be taught; modifying certain terms;
11 requiring AIDS prevention education to include
information on certain testing; requiring AIDS
prevention education to teach utilization of certain
barriers; providing an effective date; and declaring
an emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-103.3, is
16 amended to read as follows:

17 Section 11-103.3. A. Acquired immune deficiency syndrome
18 (AIDS) prevention education shall be taught in the public schools of
19 this state. AIDS prevention education shall be limited to the
20 discussion of the disease AIDS and its spread and prevention.
21 Students shall receive such education:

22 1. at the option of the local school district, a minimum of
23 once during the period from grade ~~five~~ three through grade ~~six~~ five;

1 2. a minimum of once during the period from grade ~~seven~~ six
2 through grade ~~nine~~ eight; and

3 3. a minimum of once during the period from grade ~~ten~~ nine
4 through grade twelve.

5 B. The State Department of Education shall develop curriculum
6 and materials for AIDS prevention education in conjunction with the
7 State Department of Health. A school district may also develop its
8 own AIDS prevention education curriculum and materials. Any
9 curriculum and materials developed for use in the public schools
10 shall be approved for medical accuracy by the State Department of
11 Health. A school district may use any curriculum and materials
12 which have been developed and approved pursuant to this subsection.

13 C. School districts shall make the curriculum and materials
14 that will be used to teach AIDS prevention education available for
15 inspection by the parents and guardians of the students that will be
16 involved with the curriculum and materials. Furthermore, the
17 curriculum must be limited in time frame to deal only with factual
18 medical information for AIDS prevention. The school districts, at
19 least one (1) month prior to teaching AIDS prevention education in
20 any classroom, shall conduct for the parents and guardians of the
21 students involved during weekend and evening hours at least one
22 presentation concerning the curriculum and materials that will be
23 used for such education. No student shall be required to
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1 participate in AIDS prevention education if a parent or guardian of
2 the student objects in writing to such participation.

3 D. AIDS prevention education shall specifically teach students
4 that:

5 1. engaging in ~~homosexual activity~~ intercourse between two
6 people with male anatomy, ~~promiscuous sexual activity~~ unprotected
7 sex with multiple sexual partners, intravenous drug use or contact
8 with contaminated blood products is now known to be primarily
9 responsible for contact with the AIDS virus;

10 2. avoiding the activities specified in paragraph 1 of this
11 subsection is the only certain method of preventing the spread of
12 the virus;

13 3. sexual intercourse, with or without condoms, with any person
14 testing positive for human immunodeficiency virus (HIV) antibodies
15 with detectable viral loads, or any other person infected with HIV
16 with detectable viral loads, places that individual in a high risk
17 category for developing AIDS;

18 4. HIV/AIDS testing is available and that there are resources
19 for free and low-cost testing.

20 E. The program of AIDS prevention education shall teach that
21 abstinence from sexual activity is the only certain means for the
22 prevention of the spread or contraction of the AIDS virus through
23 sexual contact. It shall also teach that artificial means of birth
24 control are not a certain means of preventing the spread of the AIDS

1 virus and reliance on such methods puts a person at risk for
2 exposure to the disease. It shall also teach utilization of
3 appropriate barriers for oral, anal and vaginal sex to reduce the
4 risk for exposure to HIV and AIDS.

5 F. The State Department of Health and the State Department of
6 Education shall update AIDS education curriculum material as newly
7 discovered medical facts make it necessary.

8 SECTION 2. This act shall become effective July 1, 2018.

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

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