



BOOK BANNING BILL SB1142

SB1142: Schools; prohibiting certain schools and libraries from maintaining or promoting certain books; providing for cause of action. Effective date: July 1, 2022. Author(s): Standridge, Allen, Newhouse: Committee: Education

What does SB1142 do?

SB 1142 prohibits public school districts, public charter schools and public **school libraries from maintaining or promoting books** that make as their primary subject the study of sex, sexual or gender identity, or books that contain content of a sexual nature, **that a reasonable parent or legal guardian would want to know about or approve of** before their child is exposed to it. A reasonable parent or legal guardian is not defined in the bill.

SB 1142 allows a parent or legal guardian who believes a book violates this bill, to submit a written request to the school district superintendent or charter school administrator to remove the book. The bill requires: 1) the book must be removed within 30 days; 2) **if it is not removed, the employee tasked with removing the book is dismissed**, not reemployed, and cannot be employed by a public school district or public charter school for 2 years (subject to due process); and 3) **the parent or legal guardian seeking to remove the book may seek monetary damages, reasonable attorneys' fees and court costs against the public school district or public charter school.**

Damages impose a minimum of **\$10,000.00 for each day** that the book requested for removal remains in the school library.

Why is the bill unnecessary?

SB 1142 places undue burden on schools and educators--both logistically and financially.

- SB1142 adds another logistical burden on Oklahoma schools that already have administrative procedures in place to accept requests and feedback on school library materials from parents.
- SB1142 financially **penalizes public school districts, public charter schools, public school libraries and/or school administrators \$10,000 daily** for not removing books from school libraries within 30 days of the written request for removal.

SB 1142 is duplicative of existing laws and school policies.

- Current law requires every school district to have a policy allowing for parental review of all curriculum. 70 O.S. § 11-106.1
- SB1142 **is not based on an existing issue** resulting from the current school procedures in Oklahoma. This piece of legislation is attempting to solve a problem that *does not* exist in our state.

Why is this bill problematic?

- SB1142 would **ensor vital books** related to childhood development from school libraries.
- Oklahoma continues to have many of the worst health indicator rankings in the nation, ranking 46th for overall wellness. SB1142 is harmful for Oklahoma youth and our state's overall wellness rankings. Limiting or **preventing access to health resources from school libraries**, one of the few trusted places many young Oklahomans have for seeking education, **is harmful to the overall wellness of our state's youth** and perpetuates the cycle of poor wellness.
- Adults in Oklahoma and across the country overwhelmingly support young people having access to factual, age-appropriate sexual health information and resources at school.
- State law (70 OS § 11-103.6a) gives decision-making authority over curriculum to school districts.
- School districts currently have flexibility in implementing health education standards. This bill will strip districts of this flexibility and allow **one** parent to decide what books and resources are acceptable for **all** students throughout an entire school or possibly school district.
- The proposed damages against educators places an undue risk of financial burden on school administrators, will discourage qualified, top performing educators from joining the teaching profession in Oklahoma and will scare off current educators and administrators at a time when our state is facing a teacher shortage.

What outcomes can we expect from this bill?

- SB1142 contradicts SB89, a bill that passed in 2021 and requires that students *of all grade levels* be taught comprehensive health education standards previously approved by the Legislature. SB89 overwhelmingly passed across party lines. Many educators have commenced efforts to adjust curriculums and staffing requirements consistent with existing health education standards and SB89. SB1142 would force our already overwhelmed educators to make significant changes to future curriculums and adjust staffing needs.
- **When young people do not have access to factual, age-appropriate resources to answer health related questions, they will increasingly turn to their peers and the internet where they are susceptible to misinformation and greater harm.**

Frequently Asked Questions

What is SB 89?

The OSDE revised and the Legislature approved updated health education standards in 2016. SB89 expanded the health education standards, requiring that *all* students receive age appropriate health education instruction consistent with these standards in each of the grade bands (PK-2, 3-5, 6-8 and 9-12) when aligning instruction.

What are the current [Oklahoma Academic Standards for Health Education](#)?

The standards can be reviewed here:

<https://sde.ok.gov/sites/ok.gov.sde/files/documents/files/Health%20Standards%20-%20for%20Legislature.pdf>

What topics are covered by Oklahoma's current academic standards for health education?

- Physical Health: Nutrition, physical activity, safety, hygiene.
- Emotional: Relationship between feelings and behavior, appropriate ways to express and deal with emotions, coping skills for understanding and managing trauma.
- Social: Positive peer interactions, sharing, establishing and maintaining positive relationships.
- Intellectual: Analyze environmental effects on personal health and use resources to **access valid health information** or advocate for improving health.

Who is teaching this information to Oklahoma youth?

- Teachers with physical education and health teaching certificates are qualified to teach the health education standards in a stand-alone class.
- **There are approximately 2,300 Oklahoma teachers certified in Health, Health and Nutrition, or Physical Education.**
- There is a 2-year provisional certificate to be issued to teachers who pursue this certification area to allow for ample time for the teacher to be trained and pass the certification test.
- OSDE has committed to training teachers through professional development.