



ROSENSTEIN, FIST & RINGOLD

RED BANNER UPDATE

Date: May 5, 2021

Re: SB 89

Signed: April 28, 2021

Effective: July 1, 2021

Topic: The Health Education Act

Summary: This Act creates the Health Education Act and the Health Education Revolving Fund, amends the Oklahoma subject matter standards in OKLA. STAT. tit. 70, § 11-103.6 to include health education, and requires school districts to teach these health education subject matter standards.

By the 2022-2023 school year, the Act requires the Oklahoma State Department of Education (“OSDE”) to develop a micro-credential for teachers who are assigned the responsibility of teaching health education. The OSDE must also create professional development programs to help teachers provide instruction in health education and incorporate the curriculum into existing coursework and instruction where appropriate, which cannot be construed to be in addition to existing professional development requirements. The State Textbook Committee must also include review of health and physical education instructional materials as part of its textbook review and adoption cycle.

By the 2023-2024 school year, school districts must provide instruction addressing all health education subject matter standards created by this Act, which may be integrated into one or more existing subjects or provided as an addition to existing coursework. Teachers assigned to teach this subject as a stand-alone course must be certified in physical and health education, and the OSDE may issue provisional certificates, valid for not more than two (2) years, to those teachers assigned to teach a stand-alone health education course so that they can obtain certification in physical and health education.

The Act amends the state subject matter standards and requires that students receive instruction needed “to lead health and physically active lifestyles” which shall include, but is not limited to, the domains of physical, emotional, social and



intellectual health. **Health literacy** must include the “ability to obtain, process and understand basic health information and services needed to make appropriate health decisions.” **Health** must additionally include “the importance proper nutrition and exercise, mental health and wellness, substance abuse, coping skills for understanding and managing trauma, establishing and maintaining positive relationships and responsible decision making.” **Physical literacy** must include “the ability to move with competence and confidence in a wide variety of physical activities in multiple environments that benefit the healthy development of the whole person.”

Finally, the Act amends the *Healthy Fit Kids Act of 2004* (OKLA. STAT. tit. 70, § 24-110a) and requires every school’s Health and Fit School Advisory Committee to study and make recommendations to the school principal regarding the implementation of the Act’s provisions that are applicable to schools.

Please visit the firm’s website to view the signed Act.

RFR attorneys are reviewing this legislation and will be advising clients as to any recommended changes to existing district policies.