

1 HB312  
2 217223-3  
3 By Representatives Oliver, Crawford, Lipscomb, Stringer,  
4 Stadthagen, Sorrell, Wadsworth, Smith, Sullivan, Treadaway,  
5 Kiel, Moore (P), Farley, Robertson, Wood (D), Shaver, Robbins,  
6 Easterbrook, Shedd, Brown (K), Lovvorn, Ledbetter, Marques,  
7 Brown (C), Sorrells, Mooney, Fincher, Holmes, Wingo, Dismukes,  
8 Clouse, Reynolds, Drake, Carns, Greer, McCutcheon, Garrett and  
9 Standridge  
10 RFD: State Government  
11 First Read: 08-FEB-22

1 ENGROSSED

2  
3  
4 A BILL  
5 TO BE ENTITLED  
6 AN ACT

7  
8 Relating to education and training; to prohibit this  
9 state and any of its political subdivisions or agencies from  
10 teaching certain concepts relating to race, sex, or religion  
11 in certain training; to prohibit public K-12 schools from  
12 teaching certain concepts relating to race, sex, or religion;  
13 to prohibit public institutions of higher education from  
14 compelling students to assent to certain concepts relating to  
15 race, sex, or religion; and to authorize state agencies,  
16 political subdivisions, public K-12 schools, and public  
17 institutions of higher education to discipline or terminate  
18 certain employees.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. For the purposes of this act, the  
21 following terms have the following meanings:

22 (1) CONTRACTOR. Any person, individual, or entity  
23 that in any manner has entered into a contract, or that  
24 performs a subcontract pursuant to a contract, with this  
25 state.

26 (2) DIVISIVE CONCEPT. Any of the following concepts:

1           a. That one race, sex, or religion is inherently  
2 superior to another race, sex, or religion.

3           b. That this state or the United States is  
4 inherently racist or sexist.

5           c. That an individual, solely by virtue of his or  
6 her race or sex, is inherently racist, sexist, or oppressive,  
7 whether consciously or unconsciously.

8           d. That an individual should be discriminated  
9 against or receive adverse treatment solely on the basis of  
10 his or her race.

11          e. That members of one race should attempt to treat  
12 others differently solely on the basis of race.

13          f. That an individual's moral character is  
14 determined solely on the basis of his or her race, sex, or  
15 religion.

16          g. That an individual, solely by virtue of his or  
17 her race, sex, or religion, bears responsibility for actions  
18 committed in the past by other members of the same race, sex,  
19 or religion.

20          h. That fault, blame, or bias should be assigned to  
21 a race, sex, or religion, or to members of a race, sex, or  
22 religion, solely on the basis of their race, sex, or religion.

23          i. That any individual should be asked to accept,  
24 acknowledge, affirm, or assent to a sense of guilt,  
25 complicity, or a need to work harder solely on the basis of  
26 his or her race or sex.

1           ~~j. That meritocracy or traits such as a hard work~~  
2 ~~ethic are racist or sexist.~~

3           ~~k. That with respect to American values, slavery and~~  
4 ~~racism are anything other than deviations from, betrayals of,~~  
5 ~~or failures to live up to the founding principles of the~~  
6 ~~United States, which include liberty and equality.~~

7           (3) STATE. Includes agencies and political  
8 subdivisions of the State of Alabama, including school  
9 districts and public K-12 schools and institutions of higher  
10 education.

11           (4) STUDENT. Any individual enrolled in a state  
12 public K-12 school or institution of higher education.

13           Section 2. (a) No state agency nor any public K-12  
14 school may teach, instruct, or train any employee, contractor,  
15 staff member, teacher, student, or any other individual or  
16 group of individuals to adopt or believe a divisive concept. A  
17 public institution of higher education or employee of a public  
18 institution of higher education may teach about doctrines  
19 pertaining to a divisive concept as part of a larger course of  
20 academic instruction, provided the institution or employee  
21 does not compel students to assent to the concept and the  
22 instruction follows the requirements of subsection (f).

23           (b) No employee, contractor, staff member, teacher,  
24 trainer, or student of the state shall face any penalty or  
25 discrimination on account of his or her refusal to support,  
26 believe, endorse, embrace, confess, act upon, or otherwise  
27 assent to a divisive concept.

1 (c) No state employee, contractor, staff member,  
2 teacher, or trainer shall be compelled by a policy of any  
3 subdivision of this state, public school district, or public  
4 K-12 school to share his or her personal point of view on  
5 widely debated and currently controversial issues of public  
6 policy or social affairs.

7 (d) The state shall not apply for or accept a  
8 federal grant or federal funding if the grant or funding is  
9 granted for the purpose of compelling assent to any divisive  
10 concept or practice, or if the grant or funding is granted for  
11 the purpose of training in any divisive concept or practice as  
12 described in subsection (f).

13 (e) The state shall not accept private funding for  
14 curriculum development, purchase, or choice of curricular  
15 materials, teacher training, or professional development that  
16 requires adherence to any divisive concept or practice as  
17 described in subsection (f).

18 (f) No state agency, employee, contractor, staff  
19 member, teacher, or trainer of a public K-12 school, or public  
20 institution of higher education, as part of any course work,  
21 for any class credit, or for professional training, may do any  
22 of the following:

23 (1) Promote or inculcate students of a public K-12  
24 school with any divisive concept.

25 (2) Compel students of a public institution of  
26 higher education to assent to any divisive concept.

1           (3) Require students or trainees to participate in a  
2           practicum, action project, or similar activity that involves  
3           lobbying for legislation at the federal, state, or local  
4           level, or any activity involving social or public policy  
5           advocacy as part of the course work expressly related to any  
6           divisive concept.

7           Section 3. (a) The fair and equal treatment of  
8           individuals is an inviolable principle that must be maintained  
9           in the state workplace. Each agency shall continue all  
10          training that will foster a workplace that is respectful of  
11          all employees.

12          (b) The head of each state agency shall use his or  
13          her authority to ensure that the agency, agency employees  
14          while on duty status, and any contractors hired by the agency  
15          to provide required training, workshops, forums, or similar  
16          programming for purposes of training, do not teach, advocate,  
17          act upon, or promote to agency employees any divisive concept.

18          (c) Agency diversity and inclusion efforts shall  
19          encourage agency employees not to judge each other by their  
20          color, race, ethnicity, sex, religion, or any other  
21          characteristic protected by federal or state law.

22          Section 4. (a) Nothing in this act shall prevent  
23          agencies or contractors from promoting racial, cultural, or  
24          ethnic diversity or inclusiveness, provided these efforts are  
25          consistent with the requirements of this act.

26          (b) Nothing in this act shall be construed to  
27          prohibit a public institution of higher education from

1 providing any instruction in furtherance of satisfying any  
2 accreditation standard or discussing any divisive concept in  
3 an objective manner and without endorsement as part of a  
4 larger course of academic instruction, provided the general  
5 provisions for all state employees in Section 2 are adhered  
6 to, in addition to the following conditions:

7 (1) The institution does not require a student,  
8 teacher, administrator, trainee, or other state employee to  
9 attend or participate in a class session, training seminar,  
10 continuing education course, orientation, or therapy session  
11 that compels assent to a divisive concept as described in  
12 Section 1.

13 (2) The institution expressly makes clear that it  
14 does not endorse these divisive concepts.

15 Section 5. It is the intent of the Legislature that  
16 all constitutionally created boards of trustees comply with  
17 the requirements of this act.

18 Section 6. All state agencies and political  
19 subdivisions, including public K-12 schools and public  
20 institutions of higher education, may discipline or terminate  
21 the employment of any employee or contractor who violates this  
22 act. Any disciplinary action or termination of an employee of  
23 a public institution of higher education shall remain subject  
24 to relevant policies established by the institution. Public  
25 K-12 school terminations remain subject to the appeal of the  
26 termination to the local board of education or State Board of  
27 Education if applicable, or, if applicable, the Teacher

1 Accountability Act, Chapter 24B of Title 16, Code of Alabama  
2 1975, and the Students First Act, Chapter 24C of Title 16,  
3 Code of Alabama 1975.

4 Section 7. If any provision of this act, or the  
5 application of this act to any individual or circumstance, is  
6 held to be invalid, the remainder of this act and the  
7 application of this act to any other individual or  
8 circumstance shall not be affected thereby.

9 Section 8. Nothing in this act shall be construed to  
10 prohibit the teaching of topics or historical events in a  
11 historically accurate context.

12 Section 9. This act shall become effective on the  
13 first day of the third month following its passage and  
14 approval by the Governor, or its otherwise becoming law.



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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on State Government  
..... 08-FEB-22

Read for the second time and placed  
on the calendar 1 amendment ..... 15-MAR-22

Read for the third time and passed  
as amended..... 17-MAR-22

Yeas 65, Nays 32, Abstains 1

Jeff Woodard  
Clerk