

HOUSE BILL NO. 1669

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SEITZ.

3668H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 170, RSMo, by adding thereto one new section relating to discrimination in education, with an emergency clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 170, RSMo, is amended by adding thereto one new section, to be
2 known as section 170.348, to read as follows:

3 **170.348. 1. As used in this section, "public school" has the same definition as in**
4 **section 160.011.**

5 **2. (1) No pupil in any public school shall be required to engage in any form of**
6 **mandatory gender or sexual diversity training or counseling. Any orientation or**
7 **requirement that presents any form of race or sex stereotyping or a bias on the basis of**
8 **race or sex is prohibited.**

9 **(2) This subsection shall not be construed to prohibit voluntary counseling.**

10 **3. (1) No teacher, administrator, or other employee of a school district or public**
11 **school shall require or make part of a course the concept that:**

12 **(a) One race or sex is inherently superior to another race or sex;**

13 **(b) An individual, by virtue of the individual's race or sex, is inherently racist,**
14 **sexist, or oppressive, whether consciously or unconsciously;**

15 **(c) An individual should be discriminated against or receive adverse treatment**
16 **solely or partly because of the individual's race or sex;**

17 **(d) Members of one race or sex can not and should not attempt to treat others**
18 **without respect to race or sex;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

17 (e) An individual's moral character is necessarily determined by the individual's
18 race or sex;

19 (f) An individual, by virtue of the individual's race or sex, bears responsibility
20 for actions committed in the past by other members of the same race or sex;

21 (g) An individual should feel discomfort, guilt, anguish, or any other form of
22 psychological distress on account of the individual's race or sex; or

23 (h) Meritocracy or traits such as a strong work ethic are racist or sexist or were
24 created by members of a particular race to oppress members of another race.

25 (2) This subsection shall not be construed to prohibit the teaching of concepts
26 that align with the academic performance standards, learning standards, or the
27 statewide assessment system as established under chapter 160.

28 4. If an individual holding a certificate of license to teach granted under chapter
29 168 violates this section, the state board of education shall begin discipline proceedings
30 against such individual under section 168.071.

31 5. (1) If the state board of education determines that a publicly funded local
32 education agency or online program of instruction has violated this section, the board
33 shall notify the entity of its violation.

34 (2) If such entity fails to comply with this section within thirty days of such
35 notification, the state board of education shall direct the department of elementary and
36 secondary education to withhold a maximum of ten percent of the monthly distribution
37 of state formula funding to such entity. After the board determines that such entity is in
38 compliance with this section, the department shall restore the distribution of the funding
39 to its original amount before the percentage of the distribution was withheld.

40 6. The state board of education may promulgate all necessary rules and
41 regulations for the administration of this section. Any rule or portion of a rule, as that
42 term is defined in section 536.010, that is created under the authority delegated in this
43 section shall become effective only if it complies with and is subject to all of the
44 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter
45 536 are nonseverable, and if any of the powers vested with the general assembly
46 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul
47 a rule are subsequently held unconstitutional, then the grant of rulemaking authority
48 and any rule proposed or adopted after the effective date of this section shall be invalid
49 and void.

 Section B. Because immediate action is necessary to prohibit discrimination in
2 education, section A of this act is deemed necessary for the immediate preservation of the

3 public health, welfare, peace, and safety, and is hereby declared to be an emergency act within
4 the meaning of the constitution, and section A of this act shall be in full force and effect upon
5 its passage and approval.

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