

SECOND REGULAR SESSION

HOUSE BILL NO. 1767

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SANDER.

3091H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 170, RSMo, by adding thereto one new section relating to nondiscrimination in public schools.

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 170.346, to read as follows:

170.346. 1. As used in this section, the following terms mean:

2 **(1) "Promote", compelling students, teachers, administrators, or other school**
3 **employees to affirm or profess belief in the concepts described in subsection 2 of this**
4 **section;**

5 **(2) "Public school", the same definition as in section 160.011.**

6 **2. No public school shall promote that:**

7 **(1) One race or sex is inherently superior to another race or sex;**

8 **(2) An individual, solely by virtue of such individual's race or sex, is inherently**
9 **racist, sexist, or oppressive;**

10 **(3) An individual should be discriminated against or receive adverse treatment**
11 **solely or partly because of such individual's race or sex;**

12 **(4) An individual's moral character is necessarily determined by such**
13 **individual's race or sex;**

14 **(5) An individual, solely by virtue of such individual's race or sex, bears**
15 **responsibility for actions committed in the past by other members of the same race or**
16 **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 **(6) Any individual, solely by virtue of such individual's race or sex, should feel**
18 **discomfort, guilt, anguish, or any other form of psychological distress;**

19 **(7) A meritocracy is inherently racist or sexist;**

20 **(8) The United States was created by members of a particular race or sex for the**
21 **purpose of oppressing members of another race or sex;**

22 **(9) The United States government should be violently overthrown;**

23 **(10) Particular character traits, values, moral or ethical codes, privileges, or**
24 **beliefs should be ascribed to a race or sex or to an individual because of the individual's**
25 **race or sex;**

26 **(11) The rule of law does not exist, but instead is a series of power relationships**
27 **and struggles among racial or other groups;**

28 **(12) All Americans are not created equal and are not endowed by their Creator**
29 **with certain unalienable rights including life, liberty, and the pursuit of happiness; or**

30 **(13) Governments should deny to any person within the government's**
31 **jurisdiction the equal protection of the law.**

32 **3. Public schools shall notify the department of elementary and secondary**
33 **education and make general information available on the public school's website, with**
34 **detailed information made available upon request, at least thirty days prior to any of the**
35 **following:**

36 **(1) Providing instruction regarding concepts described in subsection 2 of this**
37 **section in curricula, reading lists, seminars, workshops, trainings, or other educational**
38 **or professional settings;**

39 **(2) Contracting with, hiring, or otherwise engaging speakers, consultants,**
40 **diversity trainers, and other persons for the purpose of discussing concepts described in**
41 **subsection 2 of this section; or**

42 **(3) Contracting with, hiring, or otherwise engaging speakers, consultants,**
43 **diversity trainers, and other persons who have previously advocated for the concepts**
44 **described in subsection 2 of this section.**

45 **4. Subsections 2 and 3 of this section shall not be construed to apply to the**
46 **following:**

47 **(1) Speech protected by the First Amendment of the Constitution of the United**
48 **States;**

49 **(2) Using materials, as part of a course of instruction, curriculum, instructional**
50 **program, or supplemental instruction, that include the following:**

51 **(a) The history of an ethnic group, as described in textbooks and instructional**
52 **materials used in public schools;**

53 **(b) The impartial discussion of controversial aspects of history;**

- 54 **(c) The impartial instruction on the historical oppression of a particular group**
- 55 **of people based on race, ethnicity, class, nationality, religion, or geographic region; or**
- 56 **(d) Historical documents relevant to paragraphs (a) to (c) of this subdivision;**
- 57 **(3) Accessing materials on an individual basis that advocate concepts described**
- 58 **in subsection 2 of this section for the purpose of research or independent study; or**
- 59 **(4) Stating concepts described in subsection 2 of this section or assigning**
- 60 **materials that incorporate concepts for educational purposes in contexts that make clear**
- 61 **the public school does not sponsor, approve, or endorse such concepts or works.**

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