## LEGISLATURE OF NEBRASKA

## ONE HUNDRED EIGHTH LEGISLATURE

SECOND SESSION

## **LEGISLATIVE BILL 1330**

Introduced by Murman, 38; Aguilar, 35; Albrecht, 17; Bostelman, 23; Brewer, 43; Clements, 2; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Ibach, 44; Lippincott, 34; Lowe, 37; Meyer, 41.

Read first time January 17, 2024

## Committee:

- 1 A BILL FOR AN ACT relating to public educational institutions; to define
- 2 terms; to prohibit public educational institutions from taking
- 3 certain actions relating to diversity, equity, and inclusion; and to
- 4 provide for injunctive relief.
- 5 Be it enacted by the people of the State of Nebraska,

- 1 Section 1. (1) For purposes of this section:
- 2 (a) Diversity, equity, and inclusion program means a program that
- 3 <u>requires an employee of a public educational institution to participate</u>
- 4 in or attend a training, orientation, workshop, therapy session, or
- 5 <u>similar activity that focuses on any of the following:</u>
- 6 (i) Describing structures, systems, relations of power, privilege,
- 7 or subordination on the basis of race, sex, color, gender, ethnicity,
- 8 gender identity, or sexual orientation;
- 9 (ii) Describing methods to identify, dismantle, or oppose any such
- 10 structure, system, relation of power, privilege, or subordination;
- 11 (iii) Justifying differential treatment or benefit on the basis of
- 12 race, sex, color, gender, ethnicity, gender identity, or sexual
- 13 <u>orientation; or</u>
- 14 (iv) Advancing theories of unconscious or implicit bias, cultural
- 15 <u>appropriation</u>, <u>allyship</u>, <u>transgenderism</u>, <u>microaggressions</u>,
- 16 <u>microinvalidation</u>, <u>group marginalization</u>, <u>anti-racism</u>, <u>systemic</u>
- 17 oppression, ethnocentrism, structural racism or inequity, social justice,
- 18 <u>intersectionality</u>, <u>neopronouns</u>, <u>inclusive language</u>, <u>heteronormativity</u>,
- 19 <u>disparate impact, gender identity or theory, racial or sexual privilege,</u>
- 20 or any concept substantially related to any of these theories; and
- 21 (b) Public educational institution means the University of Nebraska,
- 22 the state colleges, and the community colleges.
- 23 (2) A public educational institution shall not:
- 24 (a) Require an employee to engage in a diversity, equity, and
- 25 inclusion program;
- 26 (b) Spend public money on a diversity, equity, and inclusion
- 27 <u>program;</u>
- 28 (c) Require, as a condition of a contract, participation in a
- 29 <u>diversity</u>, equity, and inclusion program;
- 30 (d) Spend public money to acquire services, supplies, information
- 31 technology, or goods for a diversity, equity, and inclusion program;

- 1 (e) Establish, support, sustain, or employ an office or individual
- 2 whose duties include coordinating, creating, developing, designing,
- 3 implementing, organizing, planning, or promoting diversity, equity, and
- 4 <u>inclusion programs;</u>
- 5 <u>(f) Except as required by federal law:</u>
- 6 (i) Advance or adopt any policy or procedure designed to influence
- 7 the composition of its workforce on the basis of race, sex, or color; or
- 8 (ii) Advance or adopt any policy or procedure designed or
- 9 <u>implemented on the basis of race, sex, or color; or</u>
- 10 (g) Promote or adopt any theory of unconscious or implicit bias,
- 11 cultural appropriation, allyship, transgenderism, microaggressions,
- 12 <u>microinvalidation, group marginalization, anti-racism, systemic</u>
- 13 oppression, ethnocentrism, structural racism or inequity, social justice,
- 14 intersectionality, neopronouns, inclusive language, heteronormativity,
- 15 disparate impact, gender identity or theory, racial or sexual privilege,
- or any related theory as the official position of the public educational
- 17 institution.
- 18 (3) An employee of a public educational institution who is required
- 19 to participate in a diversity, equity, and inclusion program may bring an
- 20 <u>action against the public educational institution. If the employee</u>
- 21 demonstrates that the public educational institution violated this
- 22 section, the employee is entitled to injunctive relief.
- 23 (4) This section does not preclude a public educational institution
- 24 from:
- 25 (a) Offering training on sexual harassment; or
- 26 (b) Operating an office staffed by, or employing, licensed attorneys
- 27 <u>and legal support staff whose sole purpose is ensuring compliance with</u>
- 28 <u>federal law or an applicable court order.</u>