

SECOND REGULAR SESSION

HOUSE BILL NO. 1315

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CUNNINGHAM (86) (Sponsor), SCHARNHORST, JONES (89), COX, NIEVES, STEVENSON, DAVIS, DUSENBERG, SCHAD, NOLTE AND MCGHEE (Co-sponsors).

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D. ADAM CRUMBLISS, Chief Clerk

3282L.011

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to intellectual diversity.

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

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be
2 known as section 173.057, to read as follows:

3 **173.057. 1. The provisions of this section shall be known and cited as the "Emily**
4 **Brooker Higher Education Sunshine Act". As used in this section, "intellectual diversity"**
5 **is defined as the diversity of ideas that provides the foundation of a learning environment**
6 **that exposes students to a variety of political, ideological, religious, and other perspectives,**
7 **when such perspectives relate to the subject matter being taught or issues being discussed.**
8 **As used in this section, "free exchange of ideas" includes intellectual pluralism and**
9 **students' right to learn in an environment that exposes them to an abundance of new**
10 **knowledge, different perspectives, competing ideas, and alternative claims of truth.**

11 **2. The coordinating board for higher education shall require each public institution**
12 **to report annually to the general assembly detailing the steps the institution is taking to**
13 **ensure intellectual diversity and the free exchange of ideas.**

14 **(1) The report required in this subsection shall address the specific measures taken**
by the institution to ensure and promote intellectual diversity and academic freedom. The
report may include steps taken by the institution to:

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.

- 15 (a) Conduct a study to assess the current state of intellectual diversity on its
16 campus;
- 17 (b) Incorporate intellectual diversity into institution statements, grievance
18 procedures, and activities on diversity;
- 19 (c) Encourage a balanced variety of campus-wide panels and speakers and annually
20 publish the names of panelists and speakers;
- 21 (d) Establish clear campus policies that ensure that hecklers or threats of violence
22 do not prevent speakers from speaking;
- 23 (e) Include intellectual diversity concerns in the institution's guidelines on teaching
24 and program development;
- 25 (f) Include intellectual diversity issues in student course evaluations;
- 26 (g) Develop hiring, tenure, and promotion policies that protect individuals against
27 viewpoint discrimination and track any reported grievances in that regard;
- 28 (h) Establish clear campus policies to ensure freedom of the press for students and
29 report any incidents of student newspaper thefts or destruction;
- 30 (i) Establish clear campus policies to prohibit viewpoint discrimination in the
31 distribution of student fee funds;
- 32 (j) Develop methods for disseminating best practices to ensure that conflicts
33 between personal beliefs and classroom assignments that may contradict such beliefs can
34 be resolved in a manner that achieves educational objectives without requiring a student
35 to act against his or her conscience;
- 36 (k) Eliminate any speech codes that restrict the freedom of speech; or
- 37 (l) Create an institutional ombudsman on intellectual diversity or specifically
38 charge an existing ombudsman with monitoring the state of intellectual diversity.
- 39 (2) The report shall be distributed to the members of the general assembly no later
40 than December thirty-first of each year, beginning in 2009.
- 41 (3) The report shall be posted on each public higher education institution's web site.
- 42 3. Each public higher education institution shall ensure that students are notified
43 that measures to promote intellectual diversity are in place and how to report alleged
44 violations of policy.

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