

SECOND REGULAR SESSION

HOUSE BILL NO. 1634

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SEITZ.

3667H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 170, RSMo, by adding thereto one new section relating to curricula implementing critical race theory.

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 known as section 170.353, to read as follows:

170.353. 1. In accordance with Article IX, Section 1(a) of the Missouri Constitution, which states that "A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people", and to ensure that the intellectual vitality of students and faculty is not infringed, the general assembly hereby enacts the following reform for history curricula used in schools and institutions of higher education in this state.

2. As used in this section, "curriculum implementing critical race theory" includes, but is not limited to, any curriculum that:

(1) Identifies people or groups of people, entities, or institutions in the United States as inherently, immutably, or systemically sexist, racist, anti-LGBT, bigoted, biased, privileged, or oppressed; and

(2) Employs immutable, inherited, or typically continuing characteristics such as race, income, appearance, religion, ancestry, sexual orientation, or gender identity to:

(a) Perpetuate stereotypes; and

(b) Assign blame for societal problems or ills to categories of living persons based on any such stereotypes or characteristics; or

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 **(3) Classifies persons into groups for the purpose of targeting only certain**
18 **groups for education, formation, indoctrination, or viewpoint transformation, other**
19 **than separation of students by biological sex where appropriate and conducive for state-**
20 **mandated sex education instruction.**

21 **3. For purposes of this section, curriculum implementing critical race theory**
22 **includes, but is not limited to, the following:**

23 **(1) The 1619 Project initiative of the New York Times;**

24 **(2) The Learning for Justice Curriculum of the Southern Poverty Law Center;**

25 **(3) We Stories;**

26 **(4) Programs of:**

27 **(a) Educational Equity Consultants;**

28 **(b) BLM at School;**

29 **(c) Teaching for Change; or**

30 **(d) The Zinn Education Project; or**

31 **(5) Any other similar predecessor or successor curriculum.**

32 **4. No state department, school district, charter school, online instruction funded**
33 **in any manner by the general assembly, or personnel or agent of such state department,**
34 **school district, charter school, or online instruction shall teach, use, or provide for use**
35 **by any pupil any curriculum, instructional material, or assignment designed to teach**
36 **components of critical race theory as part of any curriculum, course syllabus, or**
37 **instruction in any course or program of study.**

38 **5. (1) If the state board of education determines that a publicly funded local**
39 **education agency or online program of instruction has violated this section, the board**
40 **shall notify the entity of its violation.**

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

47 **6. (1) If the attorney general determines that a two-year or four-year institution**
48 **of higher education that receives state moneys has violated this section, the attorney**
49 **general shall notify the institution of its violation.**

50 **(2) If such institution fails to comply with this section within thirty days of such**
51 **notification, the attorney general may direct the department of higher education and**
52 **workforce development to withhold a maximum of ten percent of the distribution of**
53 **state funding to such institution. After the attorney general determines that such**

54 institution is in compliance with this section, the attorney general shall notify the
55 department to restore the distribution of state funding for the institution to its original
56 amount before the reduction was made if any such funding was withheld.

57 7. This section shall not be construed to:

58 (1) Inhibit or violate the First Amendment rights of students or faculty;

59 (2) Undermine the duty of a public institution of higher education to protect
60 intellectual freedom and free expression to the fullest degree; or

61 (3) Prevent a public institution of higher education from promoting racial,
62 cultural, ethnic, intellectual, or academic diversity or inclusiveness, provided such
63 efforts are consistent with the provisions of this section.

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