

HB 2189 -- CURRICULUM MATERIALS

SPONSOR: Coleman (97)

This bill modifies and creates provisions regarding curricula and programs taught in public schools.

This bill prohibits the State Board of Education and the Department of Elementary and Secondary Education (DESE) from promoting the curriculum to be used in public schools. Each local school board shall be required to approve and adopt the curriculum used by the school district at least six months prior to implementation. Each school board shall adopt policies and procedures to ensure the approved curriculum is properly implemented in the classroom. The bill details requirements for the choice of academic class offerings and curriculum materials. At least five years of data showing percentages of students by grade level and proficiency based on state assessment scores shall be posted in the same section as the curricula on the district's website (Section 160.516, RSMo).

All professional development and instructional materials offered to schools that are paid for with state funds, whether offered by DESE or another party shall be fully transparent and available to the public as outlined in the bill. Program materials shall be available to the public at no charge on DESE's website and program offerings shall be open for public attendance.

The bill details the posting and retention requirements for program offerings. For programs offered by third parties, DESE shall maintain data and information on its website as outlined in the bill (Section 161.023).

This bill creates the "Missouri Education Transparency and Accountability Portal". The portal shall be an Internet-based tool creating transparency in Missouri's public education system and providing citizens access to every school district's curriculum, source materials, and professional development materials. The portal shall consist of an easy-to-search database including certain information as outlined in the bill. The Commissioner of Education shall establish a form that school districts shall complete with the information required by the bill (Section 161.852).

The bill modifies provisions regarding courses on American history to provide that courses on American literature shall be given so students gain an understanding of our government institutions. Such courses on American history and literature shall promote an overall positive and comprehensive history and understanding of the

United States (Section 170.011).

Under this bill, school districts and charter schools shall publish on their websites all training materials used for staff and faculty training, all instructional materials, and all curricular materials related to nondiscrimination, diversity, equity, inclusion, race, ethnicity, sex, or bias, including certain information as described in the bill related to instructional materials and curricular materials.

Such materials shall be displayed within seven days after the use of such materials in training or instruction and shall remain displayed for at least two years.

No school district shall permit teachers or administrators to require coursework to include, or a grade or credit to be awarded, for a student's participation in certain political or social advocacy efforts described in the bill.

No school district or charter school shall compel a teacher, administrator, or student to affirm, adopt, or adhere to any belief or concept that racism, sexism, or certain immutable traits are fundamental or blameworthy, as further described in the bill.

No school district shall use public funds to contract, hire, or otherwise engage certain persons to speak on or compel support for such concepts or beliefs, except that such person may be engaged to advocate for such concepts or beliefs if the school district makes clear that it does not support such concepts or beliefs and allows students and employees to opt out from participating.

No school district, public school, or charter school may require a student or employee to attend or participate in a certain training, instruction, or therapy that promote such beliefs or concepts.

This bill shall not be construed to prohibit constitutionally-protected speech, access to research or study materials, the discussion or assignment of materials for educational purposes if the school district or school makes clear that it does not support the use of beliefs or concepts otherwise prohibited under the bill, or the use of curriculum that teaches the topics of sexism, slavery, racial oppression, racial segregation, or racial discrimination.

Any employee of a school district that discloses a violation of this provision shall be protected from any manner of retaliation as provided by current law.

Suit for alleged violations of the bill may be brought by DESE, the

Attorney General, local prosecuting attorney, local county counselor, local circuit attorney, or a local resident.

Such suit shall be brought in the circuit court for the city or county in which the alleged violator is located. Upon a finding of a violation, injunctive relief shall be issued to correct such violations. Knowing violations shall result in a civil penalty of up to \$1,000, and purposeful violations shall result in a civil penalty of up to \$10,000 in addition to attorney's fees and costs.

School districts and charter schools may bring suit in the local circuit court at their own expense, or may seek a formal opinion from the Attorney General, to ascertain the propriety of actions and decisions that may violate this bill. Such determination may include a review of proposed uses of school resources or particular materials (Section 170.360).

This bill contains an emergency clause.

This bill is similar to SB 645 (2022).