

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 952
101ST GENERAL ASSEMBLY

2087H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 170, RSMo, by adding thereto one new section relating to the 1619 Project in school districts and charter 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 170.352, to read as follows:

**170.352. 1. Declaratory statement. In accordance with Article IX, Section 1(a) of
2 the Missouri Constitution, which states that "A general diffusion of knowledge and
3 intelligence being essential to the preservation of the rights and liberties of the people," the
4 general assembly hereby enacts the following reform for Missouri school history curricula.**

**5 2. Definition. As used in this section, "curriculum implementing critical race
6 theory" shall include any curriculum that does any of the following:**

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

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

12 (a) Perpetuate stereotypes; and

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

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

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.

19 **3. Exemplary programs. Curricula implementing critical race theory include, but**
20 **are not limited to, the 1619 Project initiative of the New York Times, the Learning for**
21 **Justice Curriculum of the Southern Poverty Law Center, We Stories, programs of**
22 **Educational Equity Consultants, BLM at School, Teaching for Change, Zinn Education**
23 **Project, and any other similar, predecessor, or successor curricula.**

24 **4. No state agency, school district, charter school, online instruction funded in any**
25 **manner by the Missouri legislature, or personnel or agent of such state agency, school**
26 **district, charter school, or online instruction shall teach, use, or provide for use by any**
27 **pupil any curriculum, instructional materials, or assignments designed to teach**
28 **components of critical race theory as part of any curriculum, course syllabi, or instruction**
29 **in any course or program of study.**

30 **5. If the state board of education determines that a publicly funded local education**
31 **agency or online program of instruction has violated this section, the state board shall**
32 **notify the entity of its violation.**

33 **6. If the entity fails to comply with this section within thirty days of notification of**
34 **its failure to comply under this section, the state board shall direct the department of**
35 **elementary and secondary education to withhold a maximum of ten percent of the monthly**
36 **distribution of state formula funding to the education entity. Once the state board**
37 **determines that the education entity has complied with this section, the department of**
38 **elementary and secondary education shall restore the distribution of the funding to its**
39 **original amount before the reduction was made.**

40 **7. If the attorney general determines that a state-supported two-year or four-year**
41 **institution of higher education has violated this section, the attorney general shall notify**
42 **the institution of its violation.**

43 **8. If a state-supported two-year or four-year institution of higher education fails**
44 **to comply with this section within thirty days of notification of its failure to comply under**
45 **this section, the attorney general may direct the department of higher education and**
46 **workforce development to withhold the maximum of ten percent of the distribution of state**
47 **funding to the institution.**

48 **9. Once the attorney general determines that a state-supported two-year or four-**
49 **year institution of higher education has complied with this section, the attorney general**
50 **shall restore the distribution of state funding for the institution to its original amount**
51 **before the reduction was made.**

52 **10. This section shall not be construed to inhibit or violate the first amendment**
53 **rights of students or faculty, or undermine a public institution of higher education's duty**
54 **to protect to the fullest degree intellectual freedom and free expression, and the intellectual**

55 **vitality of students and faculty shall not be infringed; or prevent a public institution of**
56 **higher education from promoting racial, cultural, ethnic, intellectual, or academic diversity**
57 **or inclusiveness, provided such efforts are consistent with provisions of this section.**

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