

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1669
101ST GENERAL ASSEMBLY

3668H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 170, RSMo, by adding thereto one new section relating to discrimination in education, with an emergency clause.

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 170.348, to read as follows:

**170.348. 1. As used in this section, "public school" has the same definition as in
2 section 160.011.**

**3 2. (1) No pupil in any public school shall be required to engage in any form of
4 mandatory gender or sexual diversity training or counseling. Any orientation or
5 requirement that presents any form of race or sex stereotyping or a bias on the basis of
6 race or sex is prohibited.**

7 (2) This subsection shall not be construed to prohibit voluntary counseling.

**8 3. (1) No school or school employee shall compel a teacher or student to adopt,
9 affirm, adhere to, or profess ideas in violation of Title IV or Title VI of the federal Civil
10 Rights Act of 1964, as amended, including, but not limited to, the following:**

11 (a) One race or sex is inherently superior to another race or sex;

**12 (b) An individual, by virtue of the individual's race or sex, is inherently racist,
13 sexist, or oppressive, whether consciously or unconsciously;**

**14 (c) An individual should be discriminated against or receive adverse treatment
15 solely or partly because of the individual's race or sex;**

**16 (d) Members of one race or sex can not and should not attempt to treat others
17 without respect to race or sex;**

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.

18 **(e) An individual's moral character is necessarily determined by the individual's**
19 **race or sex;**

20 **(f) An individual, by virtue of the individual's race or sex, bears responsibility**
21 **for actions committed in the past by other members of the same race or sex;**

22 **(g) An individual should feel discomfort, guilt, anguish, or any other form of**
23 **psychological distress on account of the individual's race or sex; or**

24 **(h) Meritocracy or traits such as a strong work ethic are racist or sexist or were**
25 **created by members of a particular race to oppress members of another race.**

26 **(2) This subsection shall not be construed to prohibit the teaching of concepts**
27 **that align with the academic performance standards, learning standards, or the**
28 **statewide assessment system as established under chapter 160.**

29 **4. If an individual holding a certificate of license to teach granted under chapter**
30 **168 violates this section, the state board of education shall begin discipline proceedings**
31 **against such individual under section 168.071.**

32 **5. (1) If the state board of education determines that a publicly funded local**
33 **education agency or online program of instruction has violated this section, the board**
34 **shall notify the entity of its violation.**

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

41 **6. The state board of education may promulgate all necessary rules and**
42 **regulations for the administration of this section. Any rule or portion of a rule, as that**
43 **term is defined in section 536.010, that is created under the authority delegated in this**
44 **section shall become effective only if it complies with and is subject to all of the**
45 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
46 **536 are nonseverable, and if any of the powers vested with the general assembly**
47 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
48 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
49 **and any rule proposed or adopted after the effective date of this section shall be invalid**
50 **and void.**

 Section B. Because immediate action is necessary to prohibit discrimination in
2 education, section A of this act is deemed necessary for the immediate preservation of the

3 public health, welfare, peace, and safety, and is hereby declared to be an emergency act within
4 the meaning of the constitution, and section A of this act shall be in full force and effect upon
5 its passage and approval.

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