

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 213

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES CUNNINGHAM (86) (Sponsor) AND RUESTMAN (Co-sponsor).

Pre-filed January 2, 2007 and copies ordered printed.

Read 1st time January 3, 2007.

Read 2nd time January 4, 2007 and referred to the Committee on Higher Education February 1, 2007.

Reported from the Committee on Higher Education February 28, 2007 with recommendation that the bill Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

Reported from the Committee on Rules March 6, 2007 with recommendation that the bill Do Pass.

Taken up for Perfection April 11, 2007. Bill ordered Perfected and printed, as amended.

D. ADAM CRUMBLISS, Chief Clerk

0462L.03P

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## AN ACT

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

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*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 known as section 173.057, to read as follows:

**173.057. 1. The provisions of this section shall be known and cited as the "Emily Brooker Intellectual Diversity Act". As used in this section, "intellectual diversity" is defined as the foundation of a learning environment that exposes students to a variety of political, ideological, religious, and other perspectives, when such perspectives relate to the subject matter being taught or issues being discussed.**

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

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.

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

12           **(a) Conduct a study to assess the current state of intellectual diversity on its**  
13 **campus, including diversity-related criteria used in admissions, scholarship awards, and**  
14 **hiring which shall include racial and gender diversity;**

15           **(b) Incorporate intellectual diversity into institution statements, grievance**  
16 **procedures, which may include filing a complaint directly with the governing board, and**  
17 **activities on diversity;**

18           **(c) Encourage a balanced variety of campus-wide panels and speakers and annually**  
19 **publish the names of panelists and speakers;**

20           **(d) Establish clear campus policies that ensure that hecklers or threats of violence**  
21 **do not prevent speakers from speaking;**

22           **(e) Include intellectual diversity concerns in the institution's guidelines on teaching**  
23 **and program development and such concerns shall include but not be limited to the**  
24 **protection of religious freedom including the viewpoint that the Bible is inerrant;**

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;**

37           **(l) Hold meetings periodically with students to determine if the students believe**  
38 **they are receiving a sound and respectful education; or**

39           **(m) Create an institutional ombudsman on intellectual diversity.**

40           **(2) The report shall be distributed to the members of the general assembly no later**  
41 **than December thirty-first of each year, beginning in 2008.**

42           **(3) The report shall be posted on each public higher education institution's web site.**

43           **3. Each public higher education institution shall ensure that students are notified**  
44 **that measures to promote intellectual diversity are in place and how to report alleged**

45 violations of policy. When any student asks how to pursue filing a grievance about an  
46 alleged violation of policy or expresses the belief to an instructor that his or her viewpoint  
47 has been discriminated against, the instructor shall inform the student of all the options  
48 available for resolving the student's grievance.

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