

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 253, Page 21, Section 167.1230, Line 20,
2 by inserting after all of said section and line the following:

3
4 "170.348. 1. As used in this section, "public school" has the same definition as in section
5 160.011.

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

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

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

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

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

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

18 (d) Members of one race or sex cannot and should not attempt to treat others without respect
19 to race or sex;

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

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

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

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

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

Action Taken _____ Date _____

1 4. If an individual holding a certificate of license to teach granted under chapter 168 violates
2 this section, the state board of education shall begin disciplinary proceedings against such individual
3 under section 168.071.

4 5. (1) If the state board of education determines that a publicly funded local education
5 agency or online program of instruction has violated this section, the board shall notify the entity of
6 its violation.

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

13 6. The state board of education may promulgate all necessary rules and regulations for the
14 administration of this section. Any rule or portion of a rule, as that term is defined in section
15 536.010, that is created under the authority delegated in this section shall become effective only if it
16 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
17 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
18 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
19 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any
20 rule proposed or adopted after the effective date of this section shall be invalid and void.

21 Section B. Because immediate action is necessary to prohibit discrimination in education,
22 section 170.348 of section A of this act is deemed necessary for the immediate preservation of the
23 public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the
24 meaning of the constitution, and section 170.348 of section A of this act shall be in full force and
25 effect upon its passage and approval."; and

26
27 Further amend said bill by amending the title, enacting clause, and intersectional references
28 accordingly.