



HOUSE BILL 324: Ensuring dignity & nondiscrimination/schools.

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	May 11, 2021
Introduced by:	Reps. Saine, Boles, Yarborough, Torbett	Prepared by:	Brian Gwyn
Analysis of:	PCS to Second Edition H324-CSBE-25		Committee Co-Counsel

OVERVIEW: The 2nd edition of HB 324 would clarify charter school delivery of instruction for the 2020-2021 school year. The PCS would remove the contents of the 2nd edition and instead do the following:

- Demonstrate the General Assembly's intent that students, teachers, administrators, and other school employees recognize the equality and rights of all persons.
- Prohibit public school units from promoting certain concepts that are contrary to the equality and rights of all persons.

BILL ANALYSIS: The PCS would demonstrate the General Assembly's intent that students, teachers, administrators, and other school employees do the following:

- Respect the dignity of others.
- Acknowledge the right of others to express differing opinions.
- Foster and defend intellectual honesty, freedom of inquiry and instruction, and freedom of speech and association.

Additionally, the PCS would prohibit public school units from promoting the following concepts:

- One race or sex is inherently superior to another race or sex.
- An individual, solely by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.
- An individual's moral character is necessarily determined by his or her race or sex.
- An individual, solely by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.
- Any individual, solely by virtue of his or her race or sex, should feel discomfort, guilt, anguish, or any other form of psychological distress.
- The belief that the United States is a meritocracy is racist or sexist or was created by members of a particular race or sex to oppress members of another race or sex.

The PCS would define "promote" to mean any of the following:

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- Compelling students, teachers, administrators, or other school employees to affirm or profess belief in the concepts.
- Including the concepts in curricula, reading lists, seminars, workshops, trainings, or other educational or professional settings in a manner that could reasonably give rise to the appearance of official sponsorship, approval, or endorsement.
- Contracting with, hiring, or otherwise engaging speakers, consultants, diversity trainers, and other persons for the purpose of advocating the concepts.

The PCS would not prohibit:

- Speech protected by the First Amendment.
- Accessing materials for the purpose of research or independent study.
- Stating concepts or assigning materials that incorporate such concepts if it is made clear the public school unit does not sponsor, approve, or endorse the concepts or works.

EFFECTIVE DATE: The PCS would become effective July 1, 2021.