



# HOUSE BILL 324: Ensuring Dignity & Nondiscrimination/Schools.

2021-2022 General Assembly

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<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	May 11, 2021
<b>Introduced by:</b>	Reps. Saine, Boles, Yarborough, Torbett	<b>Prepared by:</b>	Brian Gwyn
<b>Analysis of:</b>	Third Edition		Staff Attorney

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**OVERVIEW:** *The 3rd edition of HB 324 would 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 bill 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 bill 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 bill would define "promote" to mean any of the following:

- Compelling students, teachers, administrators, or other school employees to affirm or profess belief in the concepts.

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- 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 bill 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 bill would become effective July 1, 2021.