

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1305

By: Standridge

AS INTRODUCED

An Act relating to higher education; defining terms; requiring institution of higher education governing boards to establish certain curricula and designate courses in certain manner; prohibiting an institution and certain individuals from requiring, soliciting, or incentivizing participation in certain practices or content; providing certain exemption; providing certain construction; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3260 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. For the purposes of this section:

1. "Constrain" means failure during any semester of an academic year to provide sufficient open seats in alternative courses for a

1 student to complete or progress toward completion of a degree or  
2 program requirements;

3 2. "DEI-CRT" means diversity, equity, inclusion, and critical  
4 race theory;

5 3. "DEI-CRT related course" means any course with a  
6 description, course overview, course objectives, proposed student  
7 learning outcomes, written examinations, or written or oral  
8 assignments for which the student will receive a grade that includes  
9 DEI-CRT related content;

10 4. "DEI-CRT related content" means content that does one or  
11 more of the following:

- 12 a. relates any of the following topics to contemporary  
13 American society: critical theory, whiteness,  
14 systemic racism, institutional racism, anti-racism,  
15 microaggressions, systemic bias, implicit bias,  
16 unconscious bias, intersectionality, gender identity,  
17 social justice, cultural competence, allyship, race-  
18 based reparations, or race-based privilege, race- or  
19 gender-based diversity, race- or gender-based equity,  
20 or race- or gender-based inclusion,
- 21 b. promotes the idea that racially neutral or colorblind  
22 laws, policies, or institutions perpetuate oppression,  
23 injustice, race-based privilege including white  
24 supremacy or white privilege, or inequity by failing

1 to actively differentiate on the basis of race, sex,  
2 or gender,

3 c. promotes the differential treatment of any individual  
4 or groups of individuals based on race or ethnicity in  
5 contemporary American society,

6 d. promotes the idea that a student is biased on account  
7 of his or her race or sex, or

8 e. does not include identifying and discussing historical  
9 movements, ideologies, or instances of racial hatred  
10 or discrimination including, but not limited to,  
11 slavery, Indian tribe removal, the Holocaust, or  
12 Japanese-American internment;

13 5. "DEI-CRT practices" means:

14 a. any requirement or guidance that a course instructor  
15 include or curate materials on the basis of the race,  
16 sex, or gender identity of an author or authors, or

17 b. participating in any workshop, training, seminar, or  
18 professional development on any DEI-CRT related  
19 content.

20 DEI-CRT practices does not mean any programming explicitly required  
21 by and limited to an institution of higher education's obligations  
22 to comply with: Title IX of the Education Amendments of 1972, as  
23 amended; the Americans with Disabilities Act, as amended; the Age  
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1 Discrimination in Employment Act, as amended; Title VI of the Civil  
2 Rights Act of 1964; or an applicable court order; and

3 6. "Institution of higher education" means an institution of  
4 higher education within The Oklahoma State System of Higher  
5 Education.

6 B. The governing board of each institution of higher education  
7 shall establish curricula and designate courses at the institution  
8 in a manner that does not require or constrain students to enroll in  
9 a DEI-CRT related education, major, minor, or certificate  
10 requirements, except as provided for in subsection D of this  
11 section.

12 C. An institution of higher education or any employee,  
13 appointee, or committee acting on behalf thereof may not require,  
14 solicit, or incentivize faculty to apply or participate in DEI-CRT  
15 practices or include DEI-CRT related content in any course as a  
16 condition of approval, designation, or listing as part of any  
17 academic degree program including general education, major, minor,  
18 or certificate requirements or as a condition of consideration in  
19 any faculty member's performance assessment, promotion, tenure,  
20 salary adjustment, or any other incentive, except as provided for in  
21 subsection D of this section.

22 D. Academic degree program requirements of any major, minor,  
23 certificate, or department with a title that clearly establishes its  
24 course of study as primarily focused on racial, ethnic, or gender  
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1 studies may be exempted in writing by the governing board of the  
2 institution of higher education from the prohibitions of subsections  
3 B and C of this section, subject to the following:

4 1. A student may not be required or constrained to enroll in  
5 any such program, department, or course to satisfy the requirements  
6 of any other academic degree program including general education  
7 requirements or any other major, minor, or certificate requirements;

8 2. Courses offered or listed under such programs shall satisfy  
9 the academic degree program requirements of the respective  
10 departments, majors, minors, or certificates only and shall not be  
11 used to satisfy degree requirements for general education or other  
12 major, minor, or certificate requirements beyond satisfying  
13 university credit-hour graduation requirements; and

14 3. The title of any currently established department, major,  
15 minor, or certificate program shall not be altered or replaced to  
16 establish an emphasis on racial, ethnic, or gender studies.

17 E. Nothing in this section shall be construed to limit the  
18 academic freedom of any individual institution of higher education's  
19 faculty to direct the instruction within his or her own class, nor  
20 limit the free discussion of ideas in a classroom setting.

21 SECTION 2. This act shall become effective July 1, 2024.

22 SECTION 3. It being immediately necessary for the preservation  
23 of the public peace, health, or safety, an emergency is hereby  
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1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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