STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 846 By: Standridge

AS INTRODUCED

An Act relating to higher education; creating the Stop DEI Act; providing short title; 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; directing alleged violations to be submitted to the Oklahoma State Regents for Higher Education on certain form; directing the State Regents to adopt certain policy; requiring policy to include certain procedures; directing an institution found in certain violation to be ineligible to receive certain allocations; requiring submission of certain annual report on certain date; providing for contents of report; 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. This act shall be known and may be cited as the "Stop DEI Act".

B. 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 student to complete or progress toward completion of a degree or program requirements;

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

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

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

a. relates any of the following topics to contemporary American society: critical theory, whiteness, systemic racism, institutional racism, anti-racism, microaggressions, systemic bias, implicit bias, unconscious bias, intersectionality, gender identity, social justice, cultural competence, allyship, race-based reparations, or race-based privilege, race- or gender-based diversity, race- or gender-based equity, or race- or gender-based inclusion,

b. promotes the idea that racially neutral or color-blind laws, policies, or institutions perpetuate oppression,

injustice, race-based privilege including white supremacy or white privilege, or inequity by failing to actively differentiate on the basis of race, sex, or gender,

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

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

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

5. "DEI-CRT practices" means:

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

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

DEI-CRT practices does not mean any programming explicitly required by and limited to an institution of higher education's obligations to comply with: Title IX of the Education Amendments of 1972, as

amended; the Americans with Disabilities Act, as amended; the Age Discrimination in Employment Act, as amended; Title VI of the Civil Rights Act of 1964; or an applicable court order; and

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

C. The governing board of each institution of higher education shall establish curricula and designate courses at the institution in a manner that does not constrain or require students to enroll in a DEI-CRT related education, major, minor, or certificate requirement, except as provided for in subsection E of this section.

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

E. Academic degree program requirements of any major, minor, certificate, or department with a title that clearly establishes its course of study as primarily focused on racial, ethnic, or gender

studies may be exempted in writing by the governing board of the institution of higher education from the prohibitions of subsections C and D of this section, subject to the following:

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

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

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

F. 1. An alleged violation of the provisions of this section shall be submitted to the Oklahoma State Regents for Higher Education on a form prescribed by the State Regents.

2. The State Regents shall adopt a policy providing for the investigation of alleged violations submitted pursuant to paragraph 1 of this subsection. The policy shall include due process procedures. An institution of higher education found to be in violation of the provisions of this section shall be ineligible to

receive funding allocations from the Oklahoma State Regents for Higher Education for the following fiscal years.

3. The State Regents shall submit a report by December 31, 2026, and each December 31 thereafter to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the chairs of the committees with responsibility over appropriations in both houses of the Legislature detailing the alleged violations submitted pursuant to paragraph 1 of this subsection and the findings of investigations conducted pursuant to paragraph 2 of this subsection.

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

SECTION 2. This act shall become effective July 1, 2025.

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

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