

Amendment to HB 50

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to intentional or knowing violation of the prohibition on teaching
4 discrimination.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Education; Pupils; Discrimination in Public Schools; Prohibition on Teaching Discrimination.

9 RSA 193:40, II-V is repealed and reenacted to read as follows:

10 II. Nothing in this section shall be construed to prohibit discussion by educators, or others
11 as part of a larger course of academic instruction, the historical existence of ideas and subjects
12 identified in this section.

13 III. Prohibitions in this section apply only to teaching, instruction, and inculcation targeting
14 members of any racial group, including but not limited to, white people or people of European
15 descent, black people or people of Sub-Saharan African descent, Hispanic or Latino.

16 IV. Intentional or knowing violation of this section by an educator shall be considered a
17 violation of the educator code of conduct, which shall justify investigation and, potentially,
18 disciplinary sanction by the state board of education.

19 V. Any person claiming to be aggrieved by an intentional or knowing violation of this
20 section, including the attorney general, may initiate a civil action against a school or school district
21 in superior court for legal or equitable relief, or with the commission for human rights as provided in
22 RSA 354-A:34.

23 VI. Discrimination shall not be justified by special considerations for any racial group. The
24 intent of this section is to equally protect all New Hampshire citizens from discrimination,
25 regardless of race.

26 VII. For the purposes of this section, "educator" means a professional employee of any school
27 district whose position requires certification by the state board pursuant to RSA 189:39.
28 Administrators, specialists, and teachers are included within the definition of this term.

29 2 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill:

I. Allows a person aggrieved by the intentional or knowing violation of the prohibition on teaching discrimination to initiate civil action against the offending school or district.

II. Deems the intentional or knowing violation of the prohibition by an educator a violation of the educator code of conduct.