

Amendment to SB 100-FN

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

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3 AN ACT relative to the prohibition on teaching discrimination.

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5 Amend the bill by replacing all after section 1 with the following:

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7 2 Discrimination in Public Schools; Prohibition on Teaching Discrimination. RSA 193:40, II-V is
8 repealed and reenacted to read as follows:

9 II. Nothing in this section shall be construed to prohibit discussion by educators or others,
10 as part of a larger course of academic instruction, of the historical existence of ideas and subjects
11 identified in this section, or construed to mean that educators have any positive interest in teaching,
12 instructing, or inculcating discrimination against any group of people.

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

17 IV. A report of intentional or knowing violation of this section by an educator shall be
18 considered a possible violation of the educator code of conduct which shall justify investigation and
19 potentially disciplinary sanction by the state board of education.

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

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

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

30 3 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill revises the construction of and the mental state applicable to the prohibition on teaching discrimination in public schools.