

SECOND REGULAR SESSION

SENATE BILL NO. 983

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PURGASON.

Read 1st time January 22, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4593S.01I

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to intellectual diversity.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be known as section 173.057, to read as follows:

173.057. 1. The provisions of this section shall be known and cited as the "Emily Brooker Higher Education Sunshine Act". As used in this section, "intellectual diversity" is defined as the diversity of ideas that provides the foundation of a learning environment that exposes students to a variety of political, ideological, religious, and other perspectives, when such perspectives relate to the subject matter being taught or issues being discussed. As used in this section, "free exchange of ideas" includes intellectual pluralism and students' right to learn in an environment that exposes them to an abundance of new knowledge, different perspectives, competing ideas, and alternative claims of truth.

2. The coordinating board for higher education shall require each public institution to report annually to the general assembly detailing the steps the institution is taking to ensure intellectual diversity and the free exchange of ideas.

(1) The report required in this subsection shall address the specific measures taken by the institution to ensure and promote intellectual diversity and academic freedom. The report may include steps taken by the institution to:

20 (a) Conduct a study to assess the current state of intellectual
21 diversity on its campus;

22 (b) Incorporate intellectual diversity into institution statements,
23 grievance procedures, and activities on diversity;

24 (c) Encourage a balanced variety of campus-wide panels and
25 speakers and annually publish the names of panelists and speakers;

26 (d) Establish clear campus policies that ensure that hecklers or
27 threats of violence do not prevent speakers from speaking;

28 (e) Include intellectual diversity concerns in the institution's
29 guidelines on teaching and program development;

30 (f) Include intellectual diversity issues in student course
31 evaluations;

32 (g) Develop hiring, tenure, and promotion policies that protect
33 individuals against viewpoint discrimination and track any reported
34 grievances in that regard;

35 (h) Establish clear campus policies to ensure freedom of the
36 press for students and report any incidents of student newspaper thefts
37 or destruction;

38 (i) Establish clear campus policies to prohibit viewpoint
39 discrimination in the distribution of student fee funds;

40 (j) Develop methods for disseminating best practices to ensure
41 that conflicts between personal beliefs and classroom assignments that
42 may contradict such beliefs can be resolved in a manner that achieves
43 educational objectives without requiring a student to act against his or
44 her conscience;

45 (k) Eliminate any speech codes that restrict the freedom of
46 speech; or

47 (l) Create an institutional ombudsman on intellectual diversity
48 or specifically charge an existing ombudsman with monitoring the state
49 of intellectual diversity.

50 (2) The report shall be distributed to the members of the general
51 assembly no later than December thirty-first of each year, beginning in
52 2009.

53 (3) The report shall be posted on each public higher education
54 institution's web site.

55 3. Each public higher education institution shall ensure that
56 students are notified that measures to promote intellectual diversity

57 are in place and how to report alleged violations of policy.

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