

§ 116-417. Ensuring dignity and nondiscrimination in public institutions of higher education.

- (a) Public institutions of higher education shall not do any of the following:
 - (1) Engage in or advocate for discriminatory practices.
 - (2) Compel students, professors, administrators, or other employees to affirm or profess belief in divisive concepts.
 - (3) Endorse divisive concepts.
 - (4) Maintain an office, division, or other unit (i) promoting discriminatory practices or divisive concepts or (ii) referred to as or named diversity, equity, and inclusion.
 - (5) Employ or assign an employee whose duties for a public institution of higher education include promoting discriminatory practices or divisive concepts.
 - (6) Require completion of a course related to divisive concepts for purposes of awarding a degree or completion of a program, except as provided in subdivision (5) of subsection (b) of this section.
- (b) This section shall not be construed to limit any of the following:
 - (1) Speech protected by the First Amendment of the U.S. Constitution.
 - (2) Materials accessed on an individual basis that advocate divisive concepts or discriminatory practices for the purpose of research or independent study.
 - (3) Policies or procedures required by State or federal law.
 - (4) Instruction or discussion on divisive concepts that makes it clear the public institution of higher education does not endorse divisive concepts.
 - (5) In the discretion of the chancellor, a course related to divisive concepts that is required for a specific degree program. The chancellor shall report to the applicable governing board on any course that is required under this subdivision.
- (c) Each public institution of higher education shall certify annually in writing by September 1 to the applicable governing board that the public institution of higher education fully complies with the requirements of this section, including any actions taken to achieve compliance. The applicable governing board shall summarize the certifications in a consolidated report by January 15 annually to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Education Oversight Committee. (2026-21, s. 2.)