

## 2022 Bill Draft: Protecting Students from Critical Race Theory

FOR AN ACT ENTITLED, An Act to protect students from critical race theory.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

**Section 1. That a NEW SECTION be added:**

No institution of higher education under the control of either the Board of Regents or the Board of Technical Education or a state accredited school district shall direct or otherwise compel students to personally affirm, adopt, or adhere to any of the following tenets:

- 1) That any race, color, religion, sex, ethnicity, or national origin is inherently superior or inferior; or
- 2) That individuals should be adversely treated or feel discomfort, guilt, anguish, or any other form of psychological distress because of their race, color, religion, sex, ethnicity, or national origin; or
- 3) That individuals, by virtue of race, color, religion, sex, ethnicity, or national origin, are inherently responsible for actions committed in the past by other members of the same race, color, religion, sex, ethnicity, or national origin.

**Section 2. That a NEW SECTION be added:**

No distinction or classification of students shall be made on account of race or color. No course of instruction or unit of study directing or otherwise compelling students to personally affirm, adopt, or adhere to any of the tenets identified in Section 1 of this Act shall be used or introduced in any institution of higher education under the control of either the Board of Regents or the Board of Technical Education or a state accredited school district. Nothing in this section should be construed to prohibit the required collection or reporting of demographic data by institutions of higher education or state accredited school districts.

**Section 3. That a NEW SECTION be added:**

No funds may be expended for any purpose prohibited in Section 1 or Section 2 by any institution of higher education under the control of either the Board of Regents or the Board of Technical Education, the department of education or its boards or agencies, or state accredited school district.