

## Freedom From Indoctrination Act

*This model legislation may be adopted as standalone language or paired with any of the following related model legislation:*

- [Campus Free Speech Act](#) (Goldwater Institute)
  - [Protecting Students from Bias Reporting Systems](#) (Speech First-Goldwater)
  - [Abolish DEI Bureaucracies](#) (Manhattan Institute-Goldwater)
1. **Section 1:** Ensures that no student is forced to take university or college level courses promoting ideological activism such as critical race theory (CRT) or “diversity, equity, and inclusion” (DEI) as a condition of obtaining a degree from a public university or community college, while protecting the academic freedom of faculty from mandatory infusions of DEI-related course content.
  2. **Section 2:** Ensures that each public university or college bachelor’s degree program provides student instruction in the founding principles of our constitutional republic.
  3. **Section 3:** Ensures that university sponsored student orientation programs at public universities and community colleges affirm the principles of free speech and do not require students to engage in exercises pertaining to DEI, CRT or identity politics.

### **Section 1: Prohibit Mandatory DEI / CRT Based Course Requirements**

A. The board of each public institution of higher education shall establish curricula and designate courses at the institution in a manner that does not require or constrain students to enroll in a DEI-CRT related course in order to satisfy the requirements of any academic degree program, including general education, major, minor, or certificate requirements, except as provided in subsection C.

B. A public institution of higher education, or any employee, appointee, or committee acting on behalf thereof may not require, solicit, or incentivize faculty to apply or participate in DEI-CRT practices or include DEI-CRT related content in any course as a condition of approval, designation, or listing as part of any academic degree program, including general education, major, minor, or certificate requirements, or as a condition of consideration in any faculty member’s performance assessment, promotion, tenure, salary adjustment, or any other incentive, except as provided in subsection C.

C. Academic degree program requirements of any major, minor, certificate, or department whose title clearly establishes its course of study as primarily focused on racial, ethnic, or gender studies may be exempted in writing by the board from the prohibitions of subsections A and B of this section, subject to the following:

1. A student may not be required or constrained to enroll in any such program, department, or course in order to satisfy the requirements of any other academic degree program, including general education requirements, or any other major, minor, or certificate requirements.
2. [optional]: Courses offered or listed under such programs shall satisfy the academic degree program requirements of those respective departments, majors, minors, or certificates only and shall not be used to satisfy degree requirements for general education or other major, minor, or certificate requirements beyond satisfying university credit hour graduation requirements.
3. [optional]: The title of any currently established department, major, minor, or certificate program shall not be altered or replaced to establish an emphasis on racial, ethnic, or gender studies.

C. For the purposes of this section:

1. “Constrain” means failure during any semester to provide sufficient open seats in alternative courses for a student to complete or progress toward completion of a degree or program requirements.
2. “DEI-CRT” means diversity, equity, inclusion, and critical race theory.
3. “DEI-CRT related course” means any course whose course description, course overview, course objectives, proposed student learning outcomes, written examinations, or written or oral assignments for which the student will receive a grade, include DEI-CRT related content.
4. “DEI-CRT related content”:
  - (a) Means content that does one or more of the following:
    - (i) Relates any of the following topics to contemporary American society: critical theory, whiteness, systemic racism, institutional racism, “anti-racism”, microaggressions, systemic bias, implicit bias, unconscious bias, intersectionality, gender identity, social justice, cultural competence, allyship, race-based reparations, or race-based privilege, race- or gender-based diversity, race or gender-based equity, or race or gender-based inclusion.
    - (ii) Promotes the idea that racially neutral or colorblind laws, policies, or institutions perpetuate oppression, injustice, race-based privilege, including white supremacy or white privilege, or inequity by failing to actively differentiate on the basis of race, sex, or gender.
    - (iii) Promotes the differential treatment of any individual or groups of individuals based on race or ethnicity in contemporary American society.
    - (iv) Promotes the idea that a student is biased on account of his or her race or sex.
    - (v) Does not include identifying and discussing historical movements, ideologies or instances of racial hatred or discrimination, including, but not limited to slavery, Indian removal, the Holocaust, or Japanese-American internment.
5. “DEI-CRT Practices”:
  - (a) Include any requirement or guidance that a course instructor include or curate materials on the basis of the race, sex, or gender identity of an author or authors.

- (b) Include participating in any workshop, training, seminar, or professional development on any DEI-CRT related content.
- (c) Do not include any programming explicitly required by, and limited to, the institution of higher education's obligations to comply with Title IX of the Education Amendments of 1972, as amended, the Americans with Disabilities Act, as amended, the Age Discrimination in Employment act, as amended, Title VI of the Civil Rights Act of 1964, or applicable court order.

D. It is the intent of the legislature that:

- 1. Nothing in this section shall be construed to limit the academic freedom of any individual university or community college faculty to direct the instruction within his or her own class, nor limit the free discussion of ideas in a classroom setting.

## **Section 2: Ensure Basic Instruction in American Institutions**

A. The governing board of each public university and college shall award such degrees and diplomas on the completion of such courses and curriculum requirements as it deems appropriate in a manner that:

- 1. For students completing an undergraduate bachelor's degree program in fiscal year [2027-2028] or thereafter, shall include among general education requirements the study of American institutions as described in subsection B.

B. For the purposes of this section, in order for a course to satisfy the American institutions general education requirement:

1. It shall:

(a) Include an understanding and appreciation of the basic principles of American constitutional democracy and how they are applied under a republican form of government, including:

(i) The United States Constitution and major American constitutional debates and developments.

(ii) A limited federal government of enumerated powers.

(iii) A federal system that respects the dual sovereignty of the States.

(iv) The separation of powers.

(v) A network of checks and balances.

(vi) Equal protection under the law.

(vii) Freedom of speech.

(viii) Landmark supreme court cases that have shaped law and society.

(b) Include significant use of the nation's essential founding documents and other primary source materials, including significant use of, at a minimum, the Constitution, the Declaration of Independence, and the Federalist Papers, and how they have shaped the nature and functions of American institutions of self-governance.

(c) Include a comparative discussion of the impacts of political ideologies of communism and totalitarianism that conflict with the principles of freedom and democracy that are essential to the founding principles of the United States.

2. It may, if offered as part of a two-course sequence on the United States Constitution, satisfy the requirements of this section upon a student's completion of both courses, provided that the courses together meet the content requirements prescribed in this section.

3. [optional] It must be approved by the [state civics-based educational institution] as adequately meeting the content requirements of this section.

### **Section 3: Ensure Freshman Orientation Programs Promote the Free Exchange of Ideas rather than Political Indoctrination**

A. Freshman orientation programs at each public university and community college:

1. Shall include a section describing to all students the policies and regulations regarding free expression consistent with [the [Campus Free Speech Act](#)].

2. Shall include programming that includes, at a minimum:

(a) The text of the first amendment of the United States Constitution.

(b) Resources discussing the principles and importance of free speech and viewpoint diversity.

(c) Historical examples demonstrating the necessity of protecting unpopular speech in the United States and other nations.

3. May offer programming pertaining to DEI-CRT related content, as defined in [Section 1] only during orientation sessions in which students are offered a selection of sessions on unrelated topics comparably promoted or advertised by the university or the community college. Each college or university shall make available on its website, to the maximum extent allowed by law, a copy of or link to any audio or video materials, printed materials or presentation slides distributed to or presented to students as part of the freshman orientation programming [optional: related to diversity, equity, inclusion, gender identity or any DEI-CRT related content].

4. Shall be operated in accordance with the [[Abolish DEI Bureaucracy – End Mandatory Diversity Training Act](#)].