

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1678

By: Dahm

AS INTRODUCED

An Act relating to higher education; prohibiting certain institutions of higher education from using state funds, property, or resources to support or require certain activities related to diversity, equity, and inclusion; requiring certain institutions of higher education to initiate certain review after certain date; providing for restructuring or elimination of certain unnecessary functions; providing certain construction; requiring certain institutions to submit certain annual certificate of compliance by certain date; providing for promulgation of rules; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3251 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. No institution of higher education within The Oklahoma State System of Higher Education shall utilize state funds, property, or resources to:

1. Grant or support diversity, equity, and inclusion positions, departments, activities, procedures, or programs to the extent they

1 grant preferential treatment based on one person's particular race,
2 color, ethnicity, or national origin over another's;

3 2. Mandate any person to participate in, listen to, or receive
4 any education, training, activities, procedures, or programming to
5 the extent such education, training, activities, procedures, or
6 programming grants preferences based on one person's particular
7 race, color, sex, ethnicity, or national origin over another's;

8 3. Mandate any person swear, certify, or agree to any loyalty
9 oath that favors or prefers one particular race, color, sex,
10 ethnicity, or national origin over another's;

11 4. Mandate any person to certify or declare agreement with,
12 recognition of, or adherence to any particular political,
13 philosophical, religious, or other ideological viewpoint;

14 5. Mandate any applicant for employment provide a diversity,
15 equity, and inclusion statement or give any applicant for employment
16 preferential consideration based on the provision of such a
17 diversity, equity, and inclusion statement; or

18 6. Mandate any person to disclose their pronouns.

19 B. After the effective date of this act, institutions of higher
20 education within The Oklahoma State System of Higher Education shall
21 initiate a review of diversity, equity, and inclusion positions,
22 departments, activities, procedures, and programs and, if deemed
23 necessary, restructure or eliminate functions that are not necessary
24

1 for compliance, accreditation, or student or employee support
2 services intended to broadly support success.

3 C. Nothing in this section shall be construed to limit or
4 prohibit institutions of higher education within The Oklahoma State
5 System of Higher Education, including any agency of the executive
6 branch supporting those institutions' work, from applying for a
7 grant or complying with the accreditation requirements of an
8 accrediting or licensing agency including, but not limited to,
9 submitting to the grantor or accreditation agency a statement that:

10 1. Highlights the institution's or agency's work in supporting:

- 11 a. first-generation college students,
- 12 b. students from low-income families,
- 13 c. students with unique abilities, or
- 14 d. underserved student populations; or

15 2. Certifies compliance with applicable anti-discrimination
16 laws, rules, and regulations.

17 D. The provisions of this section shall not be construed to
18 apply to institutions of higher education within The Oklahoma State
19 System of Higher Education with respect to:

20 1. A policy, practice, procedure, program, class, or activity
21 required for compliance with state or federal laws, rules, or
22 regulations for obtaining or retaining institutional, academic, or
23 discipline-specific accreditation or licensure;

1 2. The academic freedom of any individual faculty member to
2 direct the instruction within his or her own course;

3 3. Scholarly research or creative work by an institution of
4 higher education's students, faculty, or other research personnel or
5 the dissemination of such research or work;

6 4. An activity of a student organization registered with or
7 recognized by an institution of higher education;

8 5. Guest speakers or performances on short-term engagements;

9 6. Academic support, tutoring, and career services and student
10 success centers, so long as the programming is designed and
11 implemented without regard to race, sex, color, national origin, or
12 ethnicity;

13 7. Data collection; or

14 8. Access programs for military, veterans, Pell Grant
15 recipients, first-generation college students, students from low-
16 income families, students with unique abilities, or underserved
17 student populations.

18 E. By July 1, 2025, and each July 1 thereafter, institutions of
19 higher education within The Oklahoma State System of Higher
20 Education shall electronically submit to the Governor, the President
21 Pro Tempore of the Senate, and the Speaker of the House of
22 Representatives a certificate of compliance with the provisions of
23 this section.
24
25

1 F. Nothing in this section shall be construed to prohibit the
2 promotion of civil discourse, debate, or speech that is protected by
3 the First Amendment to the United States Constitution.

4 G. The Oklahoma State Regents for Higher Education may
5 promulgate rules to implement the provisions of this section.

6 SECTION 2. This act shall become effective July 1, 2024.

7 SECTION 3. It being immediately necessary for the preservation
8 of the public peace, health, or safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

11
12 59-2-3388 EB 1/16/2024 2:24:22 PM
13
14
15
16
17
18
19
20
21
22
23
24