

**Representative Tim Jimenez** proposes the following substitute bill:

**INDIVIDUAL FREEDOM IN PUBLIC EDUCATION**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Tim Jimenez**

Senate Sponsor: \_\_\_\_\_

---

**LONG TITLE**

**General Description:**

This bill prohibits the use of instructional materials and classroom instruction that are inconsistent with the principles of inalienable rights, equal opportunity, and individual merit.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ broadens a provision regarding prayer or religious devotionals;
- ▶ requires the State Board of Education (state board), local education agencies

(LEAs), and staff to ensure that instructional materials and classroom instruction:

- are not inconsistent with certain principles; or
- do not incentivize or force a student to ~~H~~→ [confront] change ←~~H~~ a sincerely held

belief, value, or

standard;

- ▶ prohibits the state board, LEAs, and staff from:
  - allowing the use of certain instructional materials and classroom instruction; or
  - adopting certain policies;
- ▶ prohibits the state board and the State Instructional Materials Commission from

recommending certain instructional materials;

**1st Sub. H.B. 427**



88 or groups for whom access to students is facilitated through, or not feasible without, the public  
 89 education system.

90 (2) The state board, the State Instructional Materials Commission, and each LEA shall

90a **H→ ; ←H**

91 **H→ (a) ←H** ensure that instructional and curricular materials are consistent with:

92 **H→ [(a)] (i) ←H** the principle that all individuals are equal before the law and have

92a inalienable

93 rights; and

94 **H→ [(b)] (ii) ←H** the following principles of individual freedom:

95 **H→ [(i)] (A) ←H** that no individual is inherently racist, sexist, or oppressive, whether

95a consciously or

96 unconsciously, solely by virtue of the individual's race, sex, or sexual orientation;

97 **H→ [(ii)] (B) ←H** that no race is inherently superior or inferior to another race;

98 **H→ [(iii)] (C) ←H** that no person should be subject to discrimination or adverse treatment

98a solely or

99 partly on the basis of the individual's race, color, national origin, religion, disability, sex, or

100 sexual orientation;

101 **H→ [(iv)] (D) ←H** that meritocracy or character traits, including hard work ethic, are not

101a racist but

102 fundamental to the right to pursue happiness and to be rewarded for industry; and

103 **H→ [(v)] (E) ←H** that an individual, by virtue of the individual's race or sex, does not bear

104 responsibility for actions that other members of the same race or sex committed in the past or

105 present **H→ [:] ; and**

105a **(b) allow an educator to facilitate an age-appropriate discussion or use age-appropriate**

105b **instructional or curricular materials to teach about sexism, slavery, racial oppression, racial**

105c **segregation, and racial discrimination, including topics relating to the enactment and**

105d **enforcement of laws resulting in sexism, racial oppression, racial segregation, and racial**

105e **discrimination.** ←H

106 (3) The state board, an LEA, or a member of administrative or instructional personnel

107 may not:

108 (a) subject a student to instruction that incentivizes or forces the student to **H→ [confront]**

108a **change** ←H a

109 sincerely held belief, value, or standard that is taught in the student's home;

110 (b) subject a member of administrative or instructional personnel to instruction. ☹

111 ~~☛~~training, coaching, or professional development concepts that incentivize or force the  
112 individual to ~~H→~~ [confront] change ~~←H~~ a sincerely held belief, value, or standard that the  
112a individual holds;

113 (c) allow instructional personnel or administrative personnel to use instructional,  
114 auxiliary, or curricular materials or to:

115 (i) expose a student to an environment, displays, or instruction that incentivizes or  
116 forces a student to ~~H→~~ [confront] change ~~←H~~ a sincerely held belief, value, or standard that is  
116a taught in the

117 student's home; or

118 (ii) attempt to persuade a student to a point of view that is inconsistent with: