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2/25/22

Sectional Analysis

SB 196

32-LS0768\O

“An Act relating to transparency and compelled speech in public education.”

Section One: AS 14.18.070 is amended to replace the words “this chapter” with the sections 14.18.010-14.18.110 related to affirmative action.

Section Two: AS 14.18.080 Implementation adopted by the board of regents

Section Three: AS 14.18.090 (a) The board shall enforce compliance by school districts and regional educational attendance areas. The board shall institute appropriate proceedings to abate the practices found by the board found to be in violation of AS 14.18.010-14.18.110.

Section Four: Remedies: A person aggrieved by a violation of AS 14.18.010-14.18.110 or of a regulation or procedure adopted under the chapter may file the complaint with the board and has independent right of action in superior court for civil damages and for such equitable relief as the court may determine.

Section Five: Effect is supplementary to and does not supersede existing laws relating to unlawful discrimination based on race or sex.

Section Six: Adds a new section to include transparency, prohibiting compelled speech and enforcement.

Section 14.18.150 Transparency: Curriculum and instructional materials used for teacher and other staff training on nondiscrimination, diversity, equity, inclusion, race, ethnicity, sex, bias, or another concept that includes one or more of those concepts will be displayed on the school’s website and updated regularly. Instructional material on the website will include the title and author of the material as well as any organization or website associated with the material.

Section 14.18.160 Prohibiting Compelled Speech: A state agency, school districts' governing body, charter school, or public school may not allow a teacher, administrator, or other employee to include in a course or award course grading or extra credit for political activism, lobbying or effort to persuade members of the executive or legislative branch at local, state, or federal level to take specific action, or any practicum or similar activity involving social or public policy advocacy. An individual by virtue of sex, race, ethnicity, religion, color, or national origin is inherently superior or inferior. Students, teachers, administrators, and other employees have the opportunity to opt out of any speech, training or session.

Section 14.18.170, the Attorney General may commence a civil action in the superior court to enjoin a state agency, school district's governing body, charter school or public school from violating AS 14.18.150 or 14.18.160. Within 60 days after receiving a complete written request, the Attorney General may reconsider, revoke, or modify an advisory opinion at any time.

Section 7: Definitions Public school does not include the University of Alaska or another postsecondary institution, School District means a borough school district, a city school district, a regional educational attendance area, a state boarding school, and the state centralized correspondence study program, State Agency means a department, office, agency, state board, commission, public corporation, or other organization unit of or created under the executive branch of the state government.