

Your Question:

You asked about legislation related to culturally inclusive curriculum.

Our Response:

Below, we include an update to a previous version of this state information request on multicultural curriculum. We have included new examples of state legislative activity enacted since the 2021 version and updated total figures for state policy prohibiting instruction.

The information in this request covers:

1. Legislative action requiring new instruction.
2. Legislative action prohibiting instruction.

State Policy Requiring Instruction

Most legislative action related to culturally inclusive curriculum requires instruction on the perspectives and history of specific racial and ethnic groups. This legislation may also include changes to required instruction around issues such as ethnic studies, culturally inclusive instruction generally and LGBTQIA+ issues.

Some bills, however, address the topics of racism and oppression more broadly and require instruction on diversity and inclusion, anti-racism or the country's racist history. Below are some examples of introduced and enacted legislation addressing culturally inclusive curriculum. We've included examples of legislation that is broader and legislation that is narrower in its focus. To see all enacted and vetoed bills on this topic and others, visit our [State Education Policy Tracking](#) tool.

Broad Legislation

- **New Jersey** — [A. 4454](#) (enacted, 2021) makes amendments to current law regarding curriculum to require that students in kindergarten through grade 12 receive instruction on diversity and inclusion in an appropriate place in the curriculum. Previously, instruction was required for students in grades nine through 12 as part of comprehensive health and physical education curriculum.
- **Virginia** — [H.B. 916/S.B. 853](#) (enacted, 2020) requires the department of education and the commonwealth's director of diversity, equity and inclusion to establish a Culturally Relevant and Inclusive Education Practices Advisory Committee. It also requires the advisory committee to provide recommendations on standards, age-appropriate anti-bias education and meaningful professional development related to culturally relevant and inclusive education practices.

- **Utah** — [S.B. 244](#) (enacted, 2022) requires the state board to incorporate ethnic studies into the core standards for public schools in the state and outlines requirements that must be met by the board in incorporating the instruction. The bill requires districts to select curriculum and instructional materials for teaching ethnic studies by Aug. 1, 2024. The bill also creates the Ethnic Studies Commission to consider and review the contributions of Utahns of diverse ethnicities to the state and make recommendations to the state board for incorporating ethnic studies in core standards.
- **Washington** — [S.B. 6066](#) (enacted, 2020) amends the existing law to expand the requirement that the superintendent of public instruction identify resources and materials to be used in ethnic studies for students in kindergarten through grade 12 and encourages public schools with kindergarten to grade six classes to incorporate such materials. The bill amends the requirements of the ethnic studies advisory committee to include developing a framework for ethnic studies for students in kindergarten through grade 12, and to consider the need to pilot ethnic studies materials and provide professional development.

Narrow Legislation

- **Colorado** — [H.B. 1192](#) (enacted, 2019) appropriates funds for instruction in public schools of history and civil government of the United States and Colorado, including but not limited to the history, culture and social contributions of American Indians, Latinos, African Americans and Asian Americans, the lesbian, gay, bisexual and transgender individuals within these groups, and the intersectionality of significant social and cultural features within these communities.
- **Illinois** — [H.B. 376/S.B. 648](#) (enacted, 2021) beginning in the 2022-23 school year, requires every public elementary and high school to include a unit of instruction studying the events of Asian American history and outlines requirements for the instruction. The bill also allows the state superintendent of education to prepare instructional materials that may be used as guidelines for developing this unit of instruction and to make these materials available to all school boards. Compliance with this requirement will be monitored by the regional superintendent of schools during their annual compliance visit.
- **New Jersey** — [S. 1569](#) (enacted, 2019) requires each board of education to provide instruction on the political, economic and social contributions of persons with disabilities and lesbian, gay, bisexual and transgender people in an appropriate place in the curriculum of middle school and high school students as part of the district's implementation of the New Jersey Student Learning Standards. The bill also requires the board of education to have policies and procedures in place regarding the selection of these materials. The bill does not specify the subject in which instruction must be included.
- **New Mexico** — [H.B. 43](#) (enacted, 2021) creates the position of Black Education Liaison and the Black Education Advisory Council to, among other things, recommend curricula and instructional materials that include the history and culture of Black people in New Mexico, America and the world.
- **Rhode Island** — [H. 7272/S. 2910](#) (enacted, 2022) requires public schools to include a unit of instruction studying the events of Asian American, Native Hawaiian and Pacific Islander history beginning in the 2023-24 school year. The bill also requires the commissioner of education to make available instructional materials that can be used as guidelines for localities.

State Policy Prohibiting Instruction

In addition to bills requiring instruction on the perspectives and histories of specific populations, or legislation requiring instruction on racism and oppression more broadly, some legislation in recent sessions prohibits instruction on related concepts. As of August 29, 2022, we are aware of at least 121 bills, two resolutions and two constitutional amendments introduced in 36 states that aim to prohibit instruction in certain concepts. At least 14 of these bills have been enacted, and one has been vetoed. At least one resolution has been enacted, one resolution has failed, and both constitutional amendments failed. Most of this legislation includes language that prohibits instruction in some or all of the following concepts:

- One race or sex is inherently superior to another;
- The United States is inherently racist or sexist;
- An individual is inherently racist, sexist or oppressive;
- An individual should be discriminated against solely or partly because of their race or sex;
- Members of one race or sex cannot and should not attempt to treat others without respect to race or sex;
- That an individual's moral character is determined by their race or sex;
- An individual, by virtue of their race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;
- Any individual should feel discomfort, guilt, anguish or any other form of psychological distress on account of their race or sex;
- Meritocracy or traits such as a hard work ethic are racist or sexist or were created by a particular race to oppress another race; or
- Any other form of race or sex scapegoating or any form of race or sex stereotyping.