

**SUBSTITUTE FOR THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 729
OFFERED BY MR. OWENS OF UTAH**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Strength in Diversity
3 Act of 2021”.

4 SEC. 2. PURPOSE.

5 The purpose of this Act is to support the develop-
6 ment, implementation, and evaluation of comprehensive
7 strategies to address the effects of racial isolation or con-
8 centrated poverty by increasing diversity, including racial
9 diversity and socioeconomic diversity, in covered schools.

**10 SEC. 3. ACTIVITIES TO IMPROVE DIVERSITY AND REDUCE
11 OR ELIMINATE RACIAL OR SOCIOECONOMIC
12 ISOLATION.**

13 (a) LOCAL USES OF FUNDS.—A local educational
14 agency, or consortium of such agencies, that receives an
15 allocation under section 4105(a) of the Elementary and
16 Secondary Education Act of 1965 (20 U.S.C. 7115(a)) for
17 a fiscal year may use such funds to develop or implement
18 comprehensive strategies to improve diversity and reduce

1 or eliminate racial or socioeconomic isolation in covered
2 schools.

3 (b) LOCAL EDUCATIONAL AGENCY APPLICATIONS.—

4 A local educational agency, or consortium of such agen-
5 cies, that intends to use an allocation under section
6 4105(a) of the Elementary and Secondary Education Act
7 of 1965 (20 U.S.C. 7115(a)) for the purposes described
8 in subsection (a) shall include in the application such local
9 educational agency or consortium submits under section
10 4106 of such Act (20 U.S.C. 7116) a description of—

11 (1) the comprehensive strategies to be carried
12 out under subsection (a);

13 (2) the robust parent, student, teacher, school
14 leader, and community engagement that has been
15 conducted, or will be conducted, in the planning and
16 implementation of such comprehensive strategies,
17 such as through—

18 (A) consultation with appropriate officials
19 of Indian Tribes or Tribal organizations ap-
20 proved by the Tribes located in the area served
21 by such agency or consortium;

22 (B) consultation with other community en-
23 tities, which may include local housing or trans-
24 portation authorities;

1 (C) public hearings or other open forums
2 to inform the development of such comprehen-
3 sive strategies; and

4 (D) outreach to parents and students, in a
5 language that parents and students can under-
6 stand, and consultation with students and fami-
7 lies within such agency or consortium that is
8 designed to ensure participation in the planning
9 and development of such comprehensive strate-
10 gies; and

11 (3) how such projects or activities will comply
12 with Federal law.

13 (c) ASSURANCES.—A local educational agency, or
14 consortium of such agencies, that intends to use an alloca-
15 tion under section 4105(a) of the Elementary and Sec-
16 ondary Education Act of 1965 (20 U.S.C. 7115(a)) for
17 the purposes described in subsection (a) shall be required
18 to provide only one of the assurances described in subpara-
19 graphs (C), (D), and (E) of section 4106(e)(2) of such
20 Act (20 U.S.C. 7116(e)(2)).

21 (d) DEFINITIONS.—In this Act:

22 (1) COVERED SCHOOL.—The term “covered
23 school” means—

24 (A) a publicly-funded early childhood edu-
25 cation program;

1 (B) a public elementary school; or

2 (C) a public secondary school.

3 (2) ESEA TERMS.—The terms “elementary
4 school”, “local educational agency”, and “secondary
5 school” have the meanings given those terms in sec-
6 tion 8101 of the Elementary and Secondary Edu-
7 cation Act of 1965 (20 U.S.C. 7801).

8 (3) PUBLICLY-FUNDED EARLY CHILDHOOD
9 EDUCATION PROGRAM.—The term “publicly-funded
10 early childhood education program” means an early
11 childhood education program (as defined in section
12 103(8) of the Higher Education Act of 1965 (20
13 U.S.C. 1003(8)) that receives State or Federal
14 funds.

15 **SEC. 4. PROHIBITION.**

16 No officer or employee of the Federal Government
17 shall condition or incentivize the receipt of any allocation
18 referred to in this Act on the adoption by a local edu-
19 cational agency, or a consortium of such agencies, of any
20 content or pedagogy that violates title VI of the Civil
21 Rights Act of 1964 (42 U.S.C. 2000d et seq.), including
22 by—

23 (1) separating students or teachers based on
24 race, color, or national origin; or

1 (2) assigning characteristics or assumptions to
2 individuals based on race, color, or national origin.

3 **SEC. 5. FINDINGS; SENSE OF CONGRESS.**

4 (a) FINDINGS.—Congress finds that diversity in
5 schools is undermined by the teaching of critical race the-
6 ory, which assigns characteristics or assumptions to indi-
7 viduals based on race, color, or national origin, which has
8 resulted in students and teachers being separated into dif-
9 ferent groups based on race, color, or national origin.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that diversity in schools is helped by—

12 (1) students in the Nation’s schools being
13 taught all aspects of American history, including the
14 history of slavery and legal discrimination;

15 (2) students in the Nation’s schools being
16 taught the Nation’s founding principles, including
17 the belief that all are created equal;

18 (3) students in the Nation’s schools being
19 taught that abolishing slavery and progress toward
20 ending racism have occurred through unifying ap-
21 peals to the Nation’s founding principles; and

22 (4) students in the Nation’s schools not being
23 subjected to content and pedagogy that—

24 (A) separates students or teachers based
25 on race, color, or national origin;

1 (B) assigns characteristics or assumptions
2 to individuals based on race, color, or national
3 origin; or

4 (C) states or implies that the United
5 States is an inherently racist country.

