
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 211 Session of
2023

INTRODUCED BY GLEIM, STAMBAUGH, HAMM, STAATS, OWLETT, ROWE,
LEADBETER, MOUL, SMITH, ZIMMERMAN AND KEEFER, MARCH 8, 2023

REFERRED TO COMMITTEE ON EDUCATION, MARCH 8, 2023

AN ACT

1 Prohibiting public school entities from engaging in certain
2 communications and actions involving prohibited
3 indoctrination; and providing for requirements for public
4 contractors and for enforcement.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Honesty in
9 Teaching Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Contractor." An individual, organization, corporation or
15 business that enters into a contract, or a subcontract pursuant
16 to a contract, with a public school entity.

17 "Department." The Department of Education of the
18 Commonwealth.

19 "Professional employee." As the term "professional employe"

1 is defined in section 1101(1) of the act of March 10, 1949
2 (P.L.30, No.14), known as the Public School Code of 1949.

3 "Public school entity." A school district, intermediate
4 unit, area career and technical school, charter school, cyber
5 charter school or regional charter school.

6 Section 3. Communication and actions by public school entities.

7 (a) Prohibited indoctrination.--No communication by a public
8 school entity, an official representative thereof, professional
9 employee or guest speaker shall compel a person to adopt,
10 affirm, adhere to or profess an idea in violation of Title IV
11 and Title VI of the Civil Rights Act of 1964 (Public Law 88-352,
12 78 Stat. 241), including that:

13 (1) People of one age, sex, gender identity, sexual
14 orientation, race, creed, color, marital status, familial
15 status, mental or physical disability, religion or national
16 origin, are inherently superior or inferior to people of
17 another age, sex, gender identity, sexual orientation, race,
18 creed, color, marital status, familial status, mental or
19 physical disability, religion or national origin.

20 (2) An individual should be discriminated against or
21 receive adverse treatment solely or partly because of the
22 individual's age, sex, gender identity, sexual orientation,
23 race, creed, color, marital status, familial status, mental
24 or physical disability, religion or national origin.

25 (3) People of one age, sex, gender identity, sexual
26 orientation, race, creed, color, marital status, familial
27 status, mental or physical disability, religion or national
28 origin, cannot and should not attempt to treat others equally
29 and without regard to age, sex, gender identity, sexual
30 orientation, race, creed, color, marital status, familial

1 status, mental or physical disability, religion or national
2 origin.

3 (b) Construction.--Nothing in this section shall be
4 construed to prohibit the discussion of ideas and history of the
5 concepts described in subsection (a), or shall be construed to
6 prohibit the discussion of public policy issues of the day or
7 ideas that individuals may find unwelcome, disagreeable or
8 offensive.

9 (c) Penalty prohibited.--No public school entity,
10 professional employee, contractor or student in a public school
11 entity may face a penalty or adverse treatment due to a refusal
12 to engage in prohibited indoctrination.

13 (d) Use of funds prohibited.--No public school entity may
14 use funds from any source to engage in prohibited
15 indoctrination.

16 (e) Teacher training.--The department shall develop and make
17 available to professional employees technical assistance,
18 guidance and professional development in accordance with the
19 following principles:

20 (1) For education to create citizens capable of self-
21 government, students need to engage with a variety of
22 viewpoints on challenging issues, led by a professional
23 employee who understands that there is greater value in
24 promoting independent thinking than in advancing the
25 employee's own beliefs.

26 (2) A professional employee should be prepared to engage
27 students in academic discussions about all topics, so long as
28 the employee imparts vital knowledge and skills without
29 imposing the employee's own beliefs.

30 (3) A professional employee should be prepared to

1 address challenging issues in the classroom, not avoid them.

2 (4) A professional employee should be prepared to help
3 students become discerning consumers of information, to
4 evaluate and analyze information, to question and verify the
5 credibility of the information's source and to make the
6 employee's own reasoned judgments supported by evidence.

7 Section 4. Requirements for public contractors.

8 (a) Statement in contract.--A contract entered into by a
9 public school entity with a contractor after the effective date
10 of this section shall include the following statement:

11 "During the performance of this contract, the contractor
12 may not engage in workplace training of a professional
13 employee that includes prohibited indoctrination as
14 defined in the Honesty in Teaching Act."

15 (b) Statement in subcontracts.--A contractor shall include
16 in a subcontract the statement under subsection (a) as a
17 contractual duty imposed on the subcontractor.

18 Section 5. Enforcement.

19 (a) Complaints and investigations.--

20 (1) A parent, student, professional employee or other
21 person interacting with a public school entity may file a
22 complaint with the governing board of a public school entity
23 alleging a violation of section 3 by a professional employee
24 or contractor. A complaint filed under this section is
25 subject to the penalties enumerated in 18 Pa.C.S. § 4904
26 (relating to unsworn falsification to authorities).

27 (2) A public school entity shall develop a policy on how
28 a complaint under paragraph (1) may be filed. The policy
29 shall be made available on the public school entity's
30 publicly accessible Internet website.

1 (3) Upon receipt of a complaint, the governing board of
2 a public school entity shall provide written notice to the
3 professional employee or contractor detailing the complaint
4 and stating the time and place for a hearing. The hearing
5 shall be held no earlier than 15 days and not later than 30
6 days from the receipt of the complaint. Proceedings under
7 this section shall be held in accordance with 2 Pa.C.S. Ch. 5
8 Subch. B (relating to practice and procedure of local
9 agencies).

10 (4) A written notice of decision of the governing board
11 of a public school entity shall be sent by registered mail to
12 the professional employee or contractor and the complainant
13 within 10 days after such hearing is concluded.

14 (5) If the complainant, professional employee or
15 contractor disagrees with the findings of the governing board
16 of the public school entity, an appeal may be filed with the
17 Secretary of Education, within 15 days after receipt by
18 registered mail of the written notice of the decision of the
19 governing board of a public school entity. The appeal shall
20 be governed by 2 Pa.C.S. (relating to administrative law and
21 procedure). The Secretary of Education shall issue a final
22 ruling with detailed support for the conclusion within 60
23 days of receipt of the appeal.

24 (6) The ruling or decision of the Secretary of Education
25 shall be final unless an appeal is taken in accordance with 2
26 Pa.C.S. Ch. 7 (relating to judicial review).

27 (b) Penalty.--

28 (1) If a violation is established involving a
29 professional employee, the school entity involved, as well as
30 any involved professional employee, shall engage in

1 professional development in compliance with this section. The
2 families of students impacted by the violation shall receive
3 notice and a copy of the decision and action to be taken,
4 which notice shall be provided by registered mail. The public
5 school entity shall report the violation to the department
6 through the Pennsylvania Information Management System.

7 (2) If a violation is established involving a
8 contractor, the contract may be canceled, terminated or
9 suspended, in whole or in part, and the contractor may be
10 declared ineligible for further government contracts for a
11 period of one year. The families of students impacted by the
12 violation shall receive notice and a copy of the decision and
13 actions to be taken, which notice shall be provided by
14 registered mail.

15 Section 6. Effective date.

16 This act shall take effect immediately.