

By: Representative Hood

To: Education

HOUSE BILL NO. 1493

1 AN ACT TO ESTABLISH THE TEACHING RACIAL AND UNIVERSAL  
2 EQUALITY (TRUE) ACT; TO DEFINE TERMINOLOGY USED HEREIN; TO  
3 PROHIBIT THE STATE BOARD OF EDUCATION, SCHOOLS OR SCHOOL GOVERNING  
4 AUTHORITIES FROM INCLUDING OR PROMOTING DIVISIVE CONCEPTS AS PART  
5 OF ITS CURRICULUM OR INSTRUCTIONAL PROGRAM, OR ALLOWING TEACHERS  
6 OR OTHER EMPLOYEES OF THE SCHOOL TO USE SUPPLEMENTAL INSTRUCTIONAL  
7 MATERIALS THAT INCLUDE OR PROMOTE DIVISIVE CONCEPTS; TO PROVIDE  
8 FOR THE USE OF IMPARTIAL INSTRUCTION AND DISCUSSION OF HISTORICAL  
9 MATERIAL AND HISTORICAL OCCURRENCES THROUGH THE USE OF  
10 SUPPLEMENTAL HISTORICAL DOCUMENTS; TO PROHIBIT THE CONTENT-BASED  
11 CENSORSHIP OF AMERICAN OR MISSISSIPPI HISTORY OR HERITAGE BASED ON  
12 ANY RELIGIOUS REFERENCES CONTAINED IN SUCH DOCUMENTS, WRITINGS OR  
13 RECORDS; TO PROVIDE FOR THE WITHHOLDING OF STATE FUNDS TO ANY  
14 SCHOOL FOR ANY KNOWN VIOLATION OF THIS ACT; TO REQUIRE SCHOOL  
15 GOVERNING AUTHORITIES TO ENSURE THAT THE TRAINING PROVIDED AT EACH  
16 SCHOOL UNDER ITS JURISDICTION FOSTERS A LEARNING ENVIRONMENT AND  
17 WORKPLACE THAT IS RESPECTFUL OF ALL STUDENTS AND EMPLOYEES; TO  
18 PROVIDE THAT DIVERSITY AND INCLUSION PROGRAMS HELD AT OR SPONSORED  
19 BY SCHOOLS SHALL PROHIBIT EMPLOYEES AND STUDENTS FROM  
20 DISCRIMINATING AGAINST ANOTHER PERSON BASED ON ANY CHARACTERISTIC  
21 PROTECTED UNDER THE FEDERAL CIVIL RIGHTS ACT OF 1964; TO REQUIRE  
22 SCHOOL GOVERNING AUTHORITIES TO ADOPT POLICIES AND PROCEDURES FOR  
23 THE INVESTIGATION OF ANY COMPLAINTS RELATIVE TO NONCOMPLIANCE WITH  
24 THIS ACT; TO PROVIDE FOR THE SEVERABILITY OF PROVISIONS OF THIS  
25 ACT; AND FOR RELATED PURPOSES.

26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

27 **SECTION 1.** This act shall be known and may be cited as the  
28 Teaching Racial and Universal Equality (TRUE) Act.



29           **SECTION 2.** As used in this act, the following terms shall  
30 have the meanings ascribed in this section, unless context of use  
31 clearly requires otherwise:

32           (a) "Divisive concepts" includes any of the following,  
33 in accordance with the Civil Rights Act of 1964, as amended, the  
34 Elementary and Secondary Education Act of 1965, as amended, and  
35 this act:

36                   (i) That one (1) race or sex is inherently  
37 superior or inferior to another race or sex;

38                   (ii) That either the United States of America or  
39 the State of Mississippi is fundamentally, institutionally, or  
40 systemically racist or sexist;

41                   (iii) That an individual, by virtue of the  
42 individual's race or sex, is inherently or systemically racist,  
43 sexist, or oppressive, whether consciously or unconsciously, or  
44 has negative or positive characteristics that inhere in the  
45 individual's DNA;

46                   (iv) That an individual should be discriminated  
47 against, favored, or receive differential treatment solely or  
48 partly because of the individual's race or sex;

49                   (v) That an individual of one (1) race or sex  
50 should be treated disrespectfully regarding that individual's race  
51 or sex;



52 (vi) That an individual's moral character is any  
53 way defined, described, or determined by the individual's race or  
54 sex;

55 (vii) That an individual, by virtue of the  
56 individual's race or sex, bears responsibility or is to be held  
57 accountable for actions committed in the past by other members of  
58 the same race or sex;

59 (viii) That any individual should feel or be made  
60 to feel discomfort, guilt, anguish, or any other form of  
61 psychological or emotional distress on account of that  
62 individual's race or sex;

63 (ix) That the concept of meritocracy or traits  
64 such as a strong work ethic are racist or sexist or were created  
65 by a particular race or sex to oppress another race or sex;

66 (x) That the concepts of capitalism, free markets,  
67 or working for a private party in exchange for wages are racist  
68 and sexist or oppress a given race or sex;

69 (xi) That the concepts of racial equity and gender  
70 equity, meaning the unequal treatment of individuals because of  
71 their race, sex, or national origin, should be given preference in  
72 education and advocacy over the concepts of racial equality and  
73 gender equality, meaning the equal treatment of individuals  
74 regardless of their race, sex, or national origin;

75 (xii) That promotes or advocates the violent  
76 overthrow of the United States government;



77 (xiii) That promotes or the division between, or  
78 resentment of, a race, sex, religion, creed, nonviolent political  
79 affiliation, social class or class of people; or

80 (xiv) Any form of race or sex scapegoating or race  
81 or sex stereotyping.

82 (b) "Race or sex scapegoating" means assigning fault,  
83 blame, or bias to a race or sex or to members of a race or sex  
84 because of their race or sex or claiming that, consciously or  
85 unconsciously, and by virtue of a persons' race or sex, members of  
86 any race are inherently racist or inherently inclined to oppress  
87 others or that members of a sex are inherently sexist or  
88 inherently inclined to oppress others. Additionally, the term  
89 "race or sex stereotyping" means ascribing character traits,  
90 values, moral and ethical codes, privileges, status, or beliefs to  
91 a race or sex or to an individual because of the individual's race  
92 or sex.

93 (c) "School" means any of the following:

94 (i) A public elementary or secondary school;

95 (ii) A public charter school;

96 (iii) A nonpublic elementary or secondary school  
97 that receives state funds;

98 (iv) A public postsecondary educational  
99 institution; or

100 (v) A nonpublic postsecondary educational  
101 institution that receives state funds.



102 (d) "School governing authority" means any of the  
103 following:

104 (i) The local school board of a public elementary  
105 or secondary school;

106 (ii) The governing board of a public charter  
107 school;

108 (iii) The board of trustees or governing board of  
109 a nonpublic elementary or secondary school that receives state  
110 funds; or

111 (iv) The board of trustees or governing board of a  
112 public postsecondary educational institution or nonpublic  
113 postsecondary educational institution that receives state funds.

114 (e) "Board" means the State Board of Education.

115 (f) "Training" means the teaching and education of a  
116 student or employee by means of lecturing or textbooks,  
117 audio-visual materials, or any other kind of reference materials.

118 **SECTION 3.** (1) The State Board of Education, school or  
119 school governing authority shall not include or promote divisive  
120 concepts as part of a course of instruction or in a curriculum or  
121 instructional program, or allow teachers or other employees of the  
122 school to use supplemental instructional materials that include or  
123 promote divisive concepts.

124 (2) Notwithstanding subsection (1), this section does not  
125 prohibit a school from including, as part of a course of  
126 instruction or in a curriculum or instructional program, or from



127 allowing teachers or other employees of the school to use  
128 supplemental instructional materials that include:

129 (a) The history of an ethnic group, as described in  
130 textbooks and instructional materials adopted in accordance with  
131 Chapter 43, Title 37, Mississippi Code of 1972;

132 (b) The impartial discussion of controversial aspects  
133 of history;

134 (c) The impartial instruction on the historical  
135 oppression of a particular group of people based on race,  
136 ethnicity, class, nationality, religion, or geographic region; or

137 (d) Historical documents relevant to:

138 (i) The national motto;

139 (ii) The national anthem;

140 (iii) The Pledge of Allegiance;

141 (iv) The 1890 Constitution of Mississippi;

142 (v) The Declaration of Independence;

143 (vi) The writings, speeches, documents and

144 proclamations of the founders or presidents of the United States  
145 or the founders or governors of this state;

146 (vii) Opinions of the United States Supreme Court  
147 and the Mississippi Supreme Court;

148 (viii) Acts of the United States Congress and acts  
149 of the Mississippi Legislature; and

150 (ix) The United States Constitution.



151           (3) (a) The list of historically significant or venerated  
152 documents, writings or records set out in subsection (2)(d) shall  
153 not be construed to be exclusive, and the doctrine of ejusdem  
154 generis shall not be applied to prohibit the use, reading or  
155 posting of other such documents, writings or records.

156           (b) The use, reading or posting of the types of  
157 documents, writings and records authorized by this section shall  
158 be undertaken for educational purposes only and shall not be used  
159 to promote or establish any religion or religious belief.

160           (c) There shall be no content-based censorship of  
161 American or Mississippi history or heritage based on any religious  
162 references contained in such documents, writings or records.

163           (d) Each student shall be taught the documents,  
164 writings or records set out in subsection (2)(d).

165           (e) The documents, writings or records set out in  
166 subsection (2)(d) shall be taught at an age appropriate time prior  
167 to graduation from high school as determined by the State Board of  
168 Education.

169           (4) If it is determined that a school knowingly violated  
170 this section, then the Legislature shall withhold the  
171 appropriation of state funds to the appropriate school governing  
172 authority until the school provides evidence to the State Board of  
173 Education, the Board of Trustees of State Institutions of Higher  
174 Learning or the Mississippi Community College Board that the  
175 school is no longer in violation of this section.



176           **SECTION 4.** (1) Each school governing authority shall ensure  
177 the following:

178                   (a) The training provided at each school under its  
179 jurisdiction shall foster a learning environment and workplace  
180 that is respectful of all students and employees; and

181                   (b) No training that teaches, advocates, acts upon, or  
182 promotes divisive concepts shall be provided to students or  
183 employees.

184           (2) The provisions of subsection (1) of this section apply  
185 to any training provided, regardless of whether it is provided by  
186 an employee of the school or a nonemployee on a contract or  
187 volunteer basis.

188           **SECTION 5.** Diversity and inclusion programs held at schools  
189 or sponsored by schools shall prohibit employees and students from  
190 discriminating against another person based on color, race,  
191 ethnicity, sex, political ideology, or any other characteristic  
192 protected under the federal Civil Rights Act of 1964, as amended,  
193 and applicable state law.

194           **SECTION 6.** (1) Each school governing authority shall adopt  
195 policies and procedures for the investigation of any complaints  
196 relative to noncompliance with this act.

197                   (2) The policies and procedures, at a minimum, shall  
198 provide, upon a determination that a violation has been committed,  
199 for an appropriate remedy by means of reprimand, suspension, or  
200 termination.





201           **SECTION 7.** Nothing in this act shall be construed to do any  
202 of the following:

203           (a) Inhibit or violate the first amendment rights of  
204 students or employees or undermine intellectual freedom and  
205 freedom of expression;

206           (b) Prevent a school from promoting racial, cultural,  
207 ethnic, intellectual, or academic diversity or inclusiveness if  
208 such efforts are consistent with the provisions of this act;

209           (c) Prohibit discussion of divisive concepts as part of  
210 a larger course of academic instruction;

211           (d) Prevent individuals providing training from  
212 responding to questions regarding divisive concepts raised by  
213 students or employees; or

214           (e) Create any right or benefit, substantive or  
215 procedural, enforceable by any party against the State of  
216 Mississippi, its departments, agencies, or entities or its  
217 officers, employees, or agents or against any other person.

218           **SECTION 8.** If any section of this act or its application to  
219 any person or circumstance is held invalid, then the invalidity of  
220 one (1) section does not affect other sections or applications of  
221 this act, that can be given effect without the invalid section or  
222 application, and to that end, the sections of this act are  
223 severable.

224           **SECTION 9.** This act shall take effect and be in force from  
225 and after July 1, 2022.

