

By: Representative McLean

To: Education

HOUSE BILL NO. 1496

1 AN ACT TO PROHIBIT THE INSTRUCTION OF "CRITICAL RACE THEORY"  
 2 IN PUBLIC SCHOOL DISTRICTS, PUBLIC SCHOOLS AND STATE INSTITUTIONS  
 3 OF HIGHER LEARNING; TO PRESCRIBE THE TENETS OF CRITICAL RACE  
 4 THEORY EXPRESSLY PROHIBITED IN PUBLIC EDUCATION; TO PROVIDE THAT  
 5 THIS ACT SHALL NOT BE CONSTRUED TO PROHIBIT THE REQUIRED  
 6 COLLECTION OR REPORTING OF DEMOGRAPHIC DATA IN PUBLIC SCHOOLS; TO  
 7 PROHIBIT THE EXPENDITURE OF FUNDS BY THE STATE BOARD OF EDUCATION,  
 8 ANY OF ITS SUBSIDIARY DIVISIONS, PUBLIC SCHOOLS OR STATE  
 9 INSTITUTIONS OF HIGHER LEARNING FOR PURPOSES PROHIBITED BY TITLE  
 10 37, MISSISSIPPI CODE OF 1972; TO PROVIDE FOR THE SEVERABILITY OF  
 11 PROVISIONS OF THIS ACT DEEMED TO BE LAWFULLY INVALID; AND FOR  
 12 RELATED PURPOSES.

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

14 **SECTION 1.** (1) It is the intent of the Legislature that  
 15 administrators, faculty members, other employees, and students at  
 16 public schools, including public charter schools and state  
 17 institutions of higher learning, respect the dignity of others,  
 18 acknowledge the right of others to express differing opinions, and  
 19 foster and defend intellectual honesty, freedom of inquiry and  
 20 instruction, and freedom of speech and association.

21 (2) The Mississippi Legislature finds that tenets outlined  
 22 in subsection (3)(a) of this section, often found in "critical  
 23 race theory," undermined the objectives outlined in subsection (1)



24 of this section and exacerbate and inflame divisions on the basis  
25 of sex, race, ethnicity, religion, color, national origin or other  
26 criteria in ways contrary to the unity of the nation and the  
27 well-being of the State of Mississippi and its citizens.

28 (3) (a) No state institution of higher education, public  
29 school district, or public school, including a public charter  
30 school, shall direct or otherwise compel students to personally  
31 affirm, adopt or adhere to any of the following tenets:

32 (i) That any sex, race, ethnicity, religion, color  
33 or national origin is inherently superior or inferior;

34 (ii) That individuals should be adversely treated  
35 on the basis of their sex, race, ethnicity, religion, color or  
36 national origin; or

37 (iii) That individuals, by virtue of sex, race,  
38 ethnicity, religion, color or national origin, are inherently  
39 responsible for the actions committed in the past by other members  
40 of the same sex, race, ethnicity, religion, color or national  
41 origin.

42 (b) No distinction or classification of students shall  
43 be made on account of race or color.

44 (c) No course of instruction or unit of study directing  
45 or otherwise compelling students to personally affirm, adopt or  
46 adhere to any of the tenets identified in paragraph (a) of this  
47 subsection shall be used or introduced in any state institution of



48 higher education, any public school district or any public school,  
49 including a public charter school.

50 (4) Nothing in this section should be construed to prohibit  
51 the required collection or reporting of demographic data by public  
52 schools or state institutions of higher learning.

53 **SECTION 2.** No monies shall be expended by the State Board of  
54 Education, any entity under the board's jurisdiction, or any  
55 school district, public charter school or state institution of  
56 higher learning for any purpose prohibited in Title 37,  
57 Mississippi Code of 1972.

58 **SECTION 3.** The provisions of this act are hereby declared to  
59 be severable, and if any provision of this act or the application  
60 of such provision to any person or circumstance is declared  
61 invalid for any reason, such declaration shall not affect the  
62 validity of the remaining portions of this act.

63 **SECTION 4.** This act shall take effect and be in force from  
64 and after July 1, 2022.

