

By: Senator(s) McLendon, Blackwell, Younger, Tate, Wiggins, McCaughn, Parks, Seymour, Caughman, Chassaniol, Sparks, Kirby, Whaley, England, Chism, Michel, McMahan, Fillingane, Branning, Moran, Suber To: Education

SENATE BILL NO. 2113

1 AN ACT TO CREATE NEW SECTION 37-13-2, MISSISSIPPI CODE OF
2 1972, TO PROVIDE THAT NO PUBLIC INSTITUTION OF HIGHER LEARNING,
3 SCHOOL DISTRICT OR CHARTER SCHOOL SHALL DIRECT OR COMPEL STUDENTS
4 TO AFFIRM THAT ANY SEX, RACE, ETHNICITY, RELIGION OR NATIONAL
5 ORIGIN IS INHERENTLY SUPERIOR, OR THAT INDIVIDUALS SHOULD BE
6 ADVERSELY TREATED BASED ON SUCH CHARACTERISTICS; TO PROVIDE THAT
7 NO DISTINCTION OR CLASSIFICATION OF STUDENTS SHALL BE MADE ON
8 ACCOUNT OF RACE OTHER THAN THE REQUIRED COLLECTION OR REPORTING OF
9 DEMOGRAPHIC INFORMATION; TO PROVIDE THAT NO COURSE OF INSTRUCTION
10 SHALL BE TAUGHT THAT AFFIRMS SUCH PRINCIPLES; TO PROVIDE THAT NO
11 FUNDS SHALL BE EXPENDED BY THE STATE DEPARTMENT OF EDUCATION, ANY
12 ENTITY UNDER THE DEPARTMENT'S JURISDICTION, SCHOOL DISTRICTS,
13 CHARTER SCHOOLS OR PUBLIC INSTITUTIONS OF HIGHER LEARNING FOR ANY
14 PURPOSE THAT WOULD VIOLATE THIS ACT; TO PROVIDE FOR THE
15 SEVERABILITY OF THE ACT; AND FOR RELATED PURPOSES.

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

17 SECTION 1. The following shall be codified as Section
18 37-13-2, Mississippi Code of 1972:

19 37-13-2. (1) No public institution of higher learning,
20 school district or public school, including public charter
21 schools, shall direct or otherwise compel students to personally
22 affirm, adopt or adhere to any of the following tenants:

23 (a) That any sex, race, ethnicity, religion or national
24 origin is inherently superior or inferior; or



25           (b) That individuals should be adversely treated on the  
26 basis of their sex, race, ethnicity, religion or national origin;

27           (2) No public institution of higher learning, school  
28 district or public school, including public charter schools, shall  
29 make a distinction or classification of students based on account  
30 of race, provided that nothing in this subsection shall be  
31 construed to prohibit the required collection or reporting of  
32 demographic information by such schools or institutions.

33           (3) No public institution of higher learning, school  
34 district or public school, including public charter schools, shall  
35 teach a course of instruction or unit of study that directs or  
36 otherwise compels students to personally affirm, adopt or adhere  
37 to any of the tenants identified in subsection (1)(a) and (b) of  
38 this section.

39           (4) No funds shall be expended by the state department of  
40 education, any entity under the department of education's  
41 jurisdiction or purview, a school district, public charter school  
42 or public institution of higher learning for any purpose that  
43 would violate the provisions of this section.

44           (5) The provisions of this section shall be severable, and  
45 if any provision of this section or the application of such  
46 provision to any person or circumstance is declared invalid for  
47 any reason, such declaration shall not affect the validity of the  
48 remaining portions of this section.



49           **SECTION 2.** This act shall take effect and be in force from  
50 and after its passage.

