

By: Representative Scoggins

To: Universities and
Colleges; Accountability,
Efficiency, Transparency

HOUSE BILL NO. 1246

1 AN ACT TO ENACT THE "REQUIRING EFFICIENCY FOR OUR COLLEGES
2 AND UNIVERSITIES SYSTEM (REFOCUS) ACT"; TO ESTABLISH THE
3 "MISSISSIPPI UNIVERSITY SYSTEM EFFICIENCY TASK FORCE" TO EXAMINE
4 THE EFFICIENCY AND EFFECTIVENESS OF THE PUBLIC UNIVERSITY SYSTEM
5 IN MISSISSIPPI, AS IT RELATES TO THE UNIVERSITIES' COLLECTIVE
6 MISSION OF ENROLLING AND GRADUATING MORE DEGREED MISSISSIPPIANS
7 AND RETAINING THEM IN THE STATE, AND ANTICIPATED NATIONWIDE
8 CHALLENGES WITH REGARD TO DEMOGRAPHIC SHIFTS AND A PROJECTED
9 OVERALL DECLINE IN ENROLLMENT; TO REQUIRE THE TASK FORCE TO
10 DEVELOP RECOMMENDATIONS TO THE LEGISLATURE ON CHANGES TO POLICY
11 AND LAWS IN MISSISSIPPI WITH A GOAL OF INCREASING THE EFFICIENCY
12 OF THE PUBLIC UNIVERSITY SYSTEM IN THE STATE; TO SET THE
13 MEMBERSHIP OF THE TASK FORCE; TO PROVIDE FOR OTHER PROVISIONS
14 RELATED THERETO, INCLUDING PER DIEM AND VOTING; TO ESTABLISH THE
15 PURPOSE OF SECTION 4 OF THIS ACT; TO DEFINE TERMS; TO REQUIRE
16 PUBLIC INSTITUTIONS OF HIGHER LEARNING AND COMMUNITY COLLEGES TO
17 ENSURE THAT EACH UNIT DOES NOT ESTABLISH OR MAINTAIN A DIVERSITY,
18 EQUITY AND INCLUSION OFFICE; TO ENSURE UNIVERSITIES AND COLLEGES
19 TREAT EACH STUDENT, FACULTY, AND STAFF MEMBER FAIRLY; TO REQUIRE
20 UNIVERSITIES AND COLLEGES TO MAKE A REPORT TO THEIR RESPECTIVE
21 GOVERNING BOARDS; TO REQUIRE THE GOVERNING BOARDS TO MAKE REPORTS
22 TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

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

24 **SECTION 1.** This act shall be known and may be cited as the
25 "Requiring Efficiency For Our Colleges and Universities System
26 (REFOCUS) Act."

27 **SECTION 2.** (1) There is hereby established the "Mississippi
28 University System Efficiency Task Force" created to examine the

29 efficiency and effectiveness of the public university system in
30 Mississippi, as it relates to the universities' collective mission
31 of enrolling and graduating more degreed Mississippians and
32 retaining them in the state, and anticipated nationwide challenges
33 with regard to demographic shifts and a projected overall decline
34 in enrollment. The task force shall develop recommendations to
35 the Legislature on changes to policy and laws in Mississippi with
36 a goal of increasing the efficiency of the public university
37 system in Mississippi, planning for future demographic shifts and
38 possible enrollment declines at all institutions and the state
39 level, and continuing progression toward the goal of increasing
40 the post-secondary education attainment level in the state.

41 (2) The members of the task force shall be as follows:

42 (a) The Chairmen of the Universities and Colleges
43 Committees of the Mississippi Senate and Mississippi House of
44 Representatives, or their designees from their respective
45 committee membership;

46 (b) The Chairmen of the Appropriation Committees of the
47 Mississippi Senate and the Mississippi House of Representatives,
48 or their designees from their respective committee membership;

49 (c) The Chairmen of the Finance Committee of the
50 Mississippi Senate and the Ways and Means Committee of the
51 Mississippi House of Representatives, or their designees from
52 their respective committee membership;

53 (d) The Director of the University Research Center and
54 State Economist, or his or her designee;

55 (e) One (1) designee who holds an undergraduate degree
56 from one (1) of the four (4) public regional universities in
57 Mississippi appointed by the Speaker of the House. Such designee
58 shall have significant business or other professional experience
59 and shall be a resident of the State of Mississippi;

60 (f) One (1) designee who holds an undergraduate degree
61 from one (1) of the three (3) public historically black
62 universities in Mississippi appointed by the Governor. Such
63 designee shall have significant business or other professional
64 experience and shall be a resident of the State of Mississippi;

65 (g) One (1) designee who holds an undergraduate degree
66 from one (1) of the four (4) public research universities in
67 Mississippi appointed by the Lieutenant Governor. Such designee
68 shall have significant business or other professional experience
69 and shall be a resident of the State of Mississippi:

70 (h) One (1) member of the Board of Trustees of the
71 Mississippi State Institutions of Higher Learning appointed by the
72 Speaker of the House;

73 (i) One (1) member of the Board of Trustees of the
74 Mississippi State Institutions of Higher Learning appointed by the
75 Lieutenant Governor; and

76 (j) One (1) member of the Board of Trustees of the
77 Mississippi State Institutions of Higher Learning appointed by the
78 Governor.

79 (3) The task force shall meet within forty-five (45) days of
80 the effective date of this act and shall evaluate the current
81 data, resources, laws and policies of the State of Mississippi.
82 Specifically, the task force shall:

83 (a) Evaluate the current funding formula and
84 appropriations process for the Mississippi public university
85 system, particularly as it relates to enrollment and graduation
86 rates;

87 (b) Evaluate the process of developing physical plant
88 plans for Mississippi's public universities, including the use of
89 enrollment data and projections in such plans and the Mississippi
90 Institution of Higher Learning's role in determining collective
91 system needs requiring additional state resources;

92 (c) Collect and analyze publicly available data and
93 statistics related to enrollment and graduation rates and
94 projections, with particular focus on the enrollment and
95 graduation rates of Mississippi residents, as well as other data
96 relating to shifting demographics, at all of Mississippi's public
97 universities;

98 (d) Examine employment, postgraduation life based on
99 degrees, employability, salary and location;



100 (e) Examine staffing levels for teaching faculty by
101 program and degrees;

102 (f) Examine any existing or developing plans, both on
103 an individual public university and university system basis, to
104 address projected demographic shifts and enrollment declines;

105 (g) Evaluate successful strategies for addressing
106 challenges in efficiency and enrollment in the Mississippi
107 university system and across the nation, including current
108 partnerships across the system; and

109 (h) Review any other matters related to the above
110 issues or the efficiency and effectiveness of the public
111 university system in Mississippi.

112 (4) The task force may request the assistance of the
113 Mississippi Institutions of Higher Learning and any other related
114 agency, entity or organization with expertise in higher education,
115 demographic, enrollment and other issues.

116 (5) The Chairmen of the Universities and Colleges Committees
117 in the Mississippi Senate and Mississippi House of Representatives
118 shall call the first meeting. The members of the task force shall
119 elect a Chair or co-Chairs from among the members at its first
120 meeting. The task force shall develop and report its findings and
121 recommendations to the Mississippi Legislature on or before
122 December 1, 2025. A majority of the membership shall be required
123 to approve any final report and recommendation. Meetings of the
124 task force shall be held at the State Capitol; however, if it is



125 not feasible for the task force to hold an in-person meeting, the
126 task force may convene utilizing an online meeting platform that
127 is accessible for viewing by the public.

128 (6) The Joint Legislative Committee on Performance
129 Evaluation and Expenditure Review shall provide necessary clerical
130 support for the meetings of the task force and the preparation of
131 the report.

132 **SECTION 3.** The purpose of Section 4 of this act is to
133 prohibit institutions of higher learning and community colleges
134 from taking certain actions and engaging in discriminatory
135 practices. This act seeks to ensure that employment, academic
136 opportunities and student engagement are based solely on
137 individual merit, qualifications and academic performance, without
138 consideration of an individual's views on diversity, equity and
139 inclusion.

140 **SECTION 4.** (1) For the purposes of this section, the
141 following words shall have the meanings ascribed herein unless the
142 context clearly requires otherwise:

143 (a) "Diversity, equity and inclusion" includes:
144 (i) Any effort to manipulate or otherwise
145 influence the composition of the faculty or student body with
146 reference to race, sex, color, ethnicity, gender identity or
147 sexual orientation apart from ensuring colorblind and sex-neutral
148 admissions and hiring in accordance with state and federal
149 anti-discrimination laws;

150 (ii) Any effort to promote differential treatment
151 of or provide special benefits to individuals on the basis of
152 race, sex, color, ethnicity, gender identity or sexual
153 orientation;

154 (iii) Any effort to promote or promulgate
155 policies, procedures, trainings, programming, contracts or
156 activities indicating that:

172 5. An endorsement of concepts promoting
173 transgender ideology, gender-neutral pronouns, heteronormativity,



174 gender theory, sexual privilege or related formulation of these
175 concepts.

176 (b) "Diversity, equity and inclusion office" means an
177 office, division or other unit of an institution of higher
178 learning established for the purpose of:

179 (i) Influencing hiring or employment practices at
180 the institution with respect to race, sex, color, ethnicity,
181 gender identity or sexual orientation other than through the use
182 of color-blind and sex-neutral hiring processes in accordance with
183 any applicable state and federal anti-discrimination laws;

184 (ii) Promoting differential treatment of or
185 providing special benefits to individuals on the basis of race,
186 sex, color, ethnicity, gender identity or sexual orientation;

187 (iii) Promoting policies or procedures designed or
188 implemented in reference to race, sex, color, ethnicity, gender
189 identity or sexual orientation, other than policies or procedures
190 approved in writing by the institution's general counsel and the
191 Board of Trustees of the Mississippi State Institutions of Higher
192 Learning or the Mississippi Community College Board, as
193 applicable, for the sole purpose of ensuring compliance with any
194 applicable court order or state or federal law; or

195 (iv) Conducting trainings, programs or activities
196 designed or implemented in reference to race, color, sex,
197 ethnicity, gender identity or sexual orientation, other than
198 trainings, programs or activities developed by an attorney and



199 approved in writing by the institution's general counsel and the
200 Board of the respective institution which includes the Board of
201 Trustees of the Mississippi State Institutions of Higher Learning
202 or the Mississippi Community College Board, as applicable, for the
203 sole purpose of ensuring compliance with any applicable court
204 order or state or federal law.

205 (c) "Institution of higher learning" means any one of
206 the following, as stipulated in Section 37-101-1:

207 (i) The University of Mississippi;
208 (ii) Mississippi State University of Agriculture
209 and Applied Science;
210 (iii) Mississippi University for Women;
211 (iv) The University of Southern Mississippi;
212 (v) Delta State University;
213 (vi) Alcorn State University;
214 (vii) Jackson State University;
215 (viii) Mississippi Valley State University; and
216 (ix) Any other of like kind which may be hereafter
217 established by the state.

218 (d) "Community college" means any one of the following:

219 (i) Coahoma Community College;
220 (ii) Copiah-Lincoln Community College;
221 (iii) East Central Community College;
222 (iv) East Mississippi Community College;
223 (v) Hinds Community College;

224 (vi) Holmes Community College;
225 (vii) Itawamba Community College;
226 (viii) Jones County Junior College;
227 (ix) Meridian Community College;
228 (x) Mississippi Delta Community College;
229 (xi) Mississippi Gulf Coast Community College;
230 (xii) Northeast Mississippi Community College;
231 (xiii) Northwest Mississippi Community College;
232 (xiv) Pearl River Community College; and
233 (xv) Southwest Mississippi Community College.

234 (2) The governing board of each public institution of higher
235 learning and the community college board shall ensure that each
236 unit of the institutions and colleges:

237 (a) Do not, except as required by federal law:
238 (i) Establish or maintain a diversity, equity and
239 inclusion office;
240 (ii) Hire or assign an employee of the institution
241 or contract with a third party to perform the duties of a
242 diversity, equity and inclusion office;
243 (iii) Compel, require, induce or solicit any
244 person to provide a diversity, equity and inclusion statement or
245 give preferential consideration to any person based on the
246 provision of a diversity, equity and inclusion statement;
247 (iv) Give preference on the basis of race, sex,
248 color, ethnicity, gender identity or sexual orientation to an

249 applicant for employment, an employee or a participant or
250 contractor in any function of the institution;

251 (v) Require as a condition of enrolling at the
252 institution or performing any institution function any person to
253 participate in diversity, equity and inclusion training, which:

254 1. Includes a training, program or activity
255 designed or implemented in reference to race, color, ethnicity,
256 gender identity or sexual orientation; and

257 2. Does not include a training, program or
258 activity developed by an attorney and approved in writing by the
259 institution or college's general counsel and either the Board of
260 Trustees of the Mississippi State Institutions of Higher Learning
261 or the Mississippi Community College Board, as applicable, for the
262 sole purpose of ensuring compliance with any applicable court
263 order or state or federal law; and

264 (vi) Penalize or discriminate against a student,
265 employee or contractor and the basis of their refusal to support,
266 believe, endorse, embrace, confess, act upon or otherwise assent
267 to a diversity equity or inclusion concept.

268 (b) Within one hundred twenty (120) days of the
269 effective date of this act, adopts policies and procedures for
270 appropriately disciplining an employee or contractor of the
271 institution who engages in conduct in violation of paragraph (a).

272 (c) Within one hundred twenty (120) days of the
273 effective date of this act, adopts policies and procedures for

274 students, employees or contractors to confidentially report
275 violations of paragraph (a).

276 (d) Beginning in 2026, by July 30th of each year, each
277 institution of higher learning shall submit to the Board of
278 Trustees of the Institutions of Higher Learning and each community
279 college shall submit to the Mississippi Community College Board an
280 annual report summarizing all reported incidents and the
281 disposition of those investigations and violations. By October
282 30th of each year, each board shall prepare a report that compiles
283 the reports from each institution and college and makes
284 recommendations for any proposed changes to this act, and submit
285 it to the Legislature.

286 (3) Nothing in this section may be construed to limit or
287 prohibit an institution of higher learning or community college,
288 or an employee of such, from submitting to the grantor or
289 accrediting agency a statement that certifies compliance with
290 state and federal anti-discrimination laws for purposes of
291 applying for a grant or complying with the terms of accreditation
292 by an accrediting agency.

293 (4) Subsection (2) (a) may not be construed to apply to:

294 (a) Programs for Military Veterans, Pell Grant
295 recipients, first-generation college students, nontraditional
296 students, students from low-income families, or students presently
297 or formerly under a child protective services order;

298 (b) Scholarly research or a creative work by an
299 institution of higher learning's students, faculty or other
300 research personnel or the dissemination of that research or work;

301 (c) An activity of a registered student organization,
302 an institution or community college;

303 (d) A policy, practice, procedure, program or activity
304 to enhance student academic achievement or postgraduate outcomes
305 that is designed and implemented without regard to race, sex,
306 color, ethnicity, gender identity or sexual orientation;

307 (e) Data collection;

308 (f) Student recruitment or admissions;

309 (g) Programs, campus activities or certifications for
310 compliance with state and federal laws;

311 (h) Prohibiting an institution or college from
312 requiring or taking action against a student, employee or
313 contractor for failing to comply with federal or state law;

314 (i) To discuss pathological approaches or experience
315 with students with mental or physical disabilities; or

316 (j) To affirm fidelity to provide an oath to uphold the
317 Constitution and the laws of the State of Mississippi and the
318 United States.

319 **SECTION 5.** Section 2 of this act shall take effect and be in
320 force from and after its passage, and Sections 3 and 4 of this act
321 shall take effect and be in force from and after January 1, 2026.

