

By: Representative Scoggin

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 MISSISSIPPIS
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



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

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

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

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

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

(d) Examine employment, postgraduation life based on 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



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

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

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

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

(a) "Diversity, equity and inclusion" includes:

(i) Any effort to manipulate or otherwise influence the composition of the faculty or student body with reference to race, sex, color, ethnicity, gender identity or sexual orientation apart from ensuring colorblind and sex-neutral admissions and hiring in accordance with state and federal anti-discrimination laws;



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

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

1. One (1) race, sex, color, ethnicity, gender identity or sexual orientation is inherently superior to another, sex, color, ethnicity, gender identity or sexual orientation;

2. An individual by virtue of his or her race, sex, color, ethnicity, gender identity or sexual orientation is inherently oppressive to others whether consciously or unconsciously;

3. An individual should be discriminated against or treated adversely solely because of his or her race, sex, color, ethnicity, gender identity or sexual orientation;

4. An individual by virtue of his or her race, sex, color, ethnicity, gender identity or sexual orientation bears responsibility for actions committed in the past by like individuals; or

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



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

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

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

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

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

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



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

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

- (i) The University of Mississippi;
- (ii) Mississippi State University of Agriculture and Applied Science;
- (iii) Mississippi University for Women;
- (iv) The University of Southern Mississippi;
- (v) Delta State University;
- (vi) Alcorn State University;
- (vii) Jackson State University;
- (viii) Mississippi Valley State University; and
- (ix) Any other of like kind which may be hereafter established by the state.

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

- (i) Coahoma Community College;
- (ii) Copiah-Lincoln Community College;
- (iii) East Central Community College;
- (iv) East Mississippi Community College;
- (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



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

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

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

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

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

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

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



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

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

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

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

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



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

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

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

(e) Data collection;

(f) Student recruitment or admissions;

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

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

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

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

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

