

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

COMMITTEE SUBSTITUTE FOR 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 COMMUNITY/JUNIOR COLLEGE, SCHOOL DISTRICT OR CHARTER SCHOOL SHALL
4 DIRECT OR COMPEL STUDENTS TO AFFIRM THAT ANY SEX, RACE, ETHNICITY,
5 RELIGION OR NATIONAL ORIGIN IS INHERENTLY SUPERIOR, OR THAT
6 INDIVIDUALS SHOULD BE ADVERSELY TREATED BASED ON SUCH
7 CHARACTERISTICS; TO PROVIDE THAT NO DISTINCTION OR CLASSIFICATION
8 OF STUDENTS SHALL BE MADE ON ACCOUNT OF RACE OTHER THAN THE
9 REQUIRED COLLECTION OR REPORTING OF DEMOGRAPHIC INFORMATION; TO
10 PROVIDE THAT NO COURSE OF INSTRUCTION SHALL BE TAUGHT THAT AFFIRMS
11 SUCH PRINCIPLES; TO PROVIDE THAT NO FUNDS SHALL BE EXPENDED BY THE
12 STATE DEPARTMENT OF EDUCATION, ANY ENTITY UNDER THE DEPARTMENT'S
13 JURISDICTION, SCHOOL DISTRICTS, CHARTER SCHOOLS, COMMUNITY/JUNIOR
14 COLLEGES, THE MISSISSIPPI COMMUNITY COLLEGE BOARD, THE BOARD OF
15 TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING OR PUBLIC
16 INSTITUTIONS OF HIGHER LEARNING FOR ANY PURPOSE THAT WOULD VIOLATE
17 THIS ACT; TO PROVIDE FOR THE SEVERABILITY OF THE ACT; AND FOR
18 RELATED PURPOSES.

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

20 SECTION 1. The following shall be codified as Section
21 37-13-2, Mississippi Code of 1972:

22 37-13-2. (1) No public institution of higher learning,
23 community/junior college, school district or public school,
24 including public charter schools, shall direct or otherwise compel
25 students to personally affirm, adopt or adhere to any of the
26 following tenets:



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

29 (b) That individuals should be adversely treated on the
30 basis of their sex, race, ethnicity, religion or national origin.

31 (2) No public institution of higher learning,
32 community/junior college, school district or public school,
33 including public charter schools, shall make a distinction or
34 classification of students based on account of race, provided that
35 nothing in this subsection shall be construed to prohibit the
36 required collection or reporting of demographic information by
37 such schools or institutions.

38 (3) No public institution of higher learning,
39 community/junior college, school district or public school,
40 including public charter schools, shall teach a course of
41 instruction or unit of study that directs or otherwise compels
42 students to personally affirm, adopt or adhere to any of the
43 tenets identified in subsection (1)(a) and (b) of this section.

44 (4) No funds shall be expended by the State Department of
45 Education, any entity under the Department of Education's
46 jurisdiction or purview, a school district, public charter school,
47 community/junior college, the Mississippi Community College Board,
48 the Board of Trustees of State Institutions of Higher Learning or
49 a public institution of higher learning for any purpose that would
50 violate the provisions of this section.



51 (5) The provisions of this section shall be severable, and
52 if any provision of this section or the application of such
53 provision to any person or circumstance is declared invalid for
54 any reason, such declaration shall not affect the validity of the
55 remaining portions of this section.

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

