

By: Representatives Blackwell, Arnold, Boyd
(19th), Byrd, Eubanks, Fondren, Scoggin

To: Education

HOUSE BILL NO. 176

1 AN ACT TO REQUIRE SCHOOL ADMINISTRATORS, TEACHERS, COUNSELORS
 2 OR OTHER PERSONNEL OF THE SCHOOL TO PROVIDE WRITTEN NOTIFICATION
 3 TO THE PARENT OR LEGAL GUARDIAN OF ANY STUDENT IDENTIFYING AT
 4 SCHOOL AS A GENDER OR PRONOUN THAT DOES NOT ALIGN WITH THE CHILD'S
 5 SEX ON THEIR BIRTH CERTIFICATE, OTHER OFFICIAL RECORDS, SEX
 6 ASSIGNED AT BIRTH, OR IDENTIFYING AS AN ANIMAL SPECIES,
 7 EXTRATERRESTRIAL BEING OR INANIMATE OBJECT, OR USING
 8 SEX-SEGREGATED SCHOOL PROGRAMS AND ACTIVITIES OR SCHOOL FACILITIES
 9 THAT DO NOT ALIGN WITH THE CHILD'S SEX ASSIGNMENT AT BIRTH, WITHIN
 10 THREE DAYS OF BECOMING AWARE OF SUCH CONDUCT OR REQUEST BY THE
 11 AFFECTED STUDENT; TO PROVIDE THAT NO SCHOOL PERSONNEL SHALL BE
 12 DISCIPLINED OR SUFFER ANY UNLAWFUL REPRISAL FOR REFUSING TO
 13 ACKNOWLEDGE A STUDENT BY A PREFERRED GENDER, PRONOUN, ANIMAL
 14 SPECIES, EXTRATERRESTRIAL BEING OR INANIMATE OBJECT THAT IS
 15 INCONSISTENT WITH THE CHILD'S SEX ASSIGNMENT AT BIRTH; TO
 16 PRESCRIBE THE LEGISLATIVE INTENT; AND FOR RELATED PURPOSES.

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

18 **SECTION 1.** (1) (a) The parents and guardians of students
 19 enrolled in the public schools of the State of Mississippi have
 20 the right and should have the opportunity, as mutually supportive
 21 and respectful partners in the education of their children within
 22 the public schools, to be informed by the school, and to
 23 participate in the education of their children. Notwithstanding
 24 any other provision of law to the contrary, both parents, unless a
 25 parent's rights have been judicially terminated or legal guardian



26 of a student enrolled in a public school shall be notified in
27 writing within three (3) days from the date any school
28 administrator, teacher, counselor or other personnel of the school
29 becomes aware that their child is doing either of the following:

30 (i) Identifying at school as a gender or pronoun
31 that does not align with the child's sex on their birth
32 certificate, other official records, sex assigned at birth, or
33 identifying as an animal species, extraterrestrial being or
34 inanimate object; or

35 (ii) Using sex-segregated school programs and
36 activities, including athletic teams and competitions, or using
37 facilities that do not align with the child's sex on their birth
38 certificate, other official records or sex assigned at birth.

39 (b) In those instances where, due to a divorce decree,
40 parents are required to share joint custody of a child, both
41 parents shall receive individual notice from the school, and for
42 the parent who is not in physical custody of the child, the school
43 shall provide written notice to the last address of record for
44 said parent.

45 (2) No school administrator, teacher, counselor or personnel
46 of the school shall be disciplined, suffer any unlawful reprisal
47 or be otherwise punished for his or her refusal to acknowledge a
48 student by a preferred gender, pronoun, animal species,
49 extraterrestrial being or inanimate object that is inconsistent



50 with the child's sex on their birth certificate or other official
51 records which reflect the child's sex assigned at birth.

52 (3) Until such time that written notice has been provided,
53 no administrator, teacher, counselor or other school personnel
54 shall address the student by their preferred pronoun until the
55 parents, parent in physical custody legal guardian or person in
56 loco parentis has provided the school with written approval for
57 his or her child to be addressed by their pronoun of choice.

58 (4) It is the intent of the Legislature, in enacting
59 subsection (1) of this section, to do all of the following:

60 (a) Provide procedures designed to maintain and, in
61 some cases, restore trust between school districts and parents and
62 guardians of students;

63 (b) Bring parents and guardians into the
64 decision-making process for mental health and social-emotional
65 issues of their children at the earliest possible time in order to
66 prevent or reduce potential instances of self-harm;

67 (c) Promote communication and positive relationships
68 with parents and guardians of students that promote the best
69 outcomes for students' academic and social-emotional success; and

70 (d) Ensure timely notification to parents or guardians
71 if, during the school day or at school-related activities, their
72 student is being referred to by school employees as a gender or
73 pronoun that is different than the gender listed on the student's



74 birth certificate or other official records, or referred to as an
75 animal species, extraterrestrial being or inanimate object.

76 **SECTION 2.** This act shall take effect and be in force from
77 and after July 1, 2024.

