

By: Representative Yancey

To: Education

HOUSE BILL NO. 480

1 AN ACT TO PROHIBIT ANTISEMITISM IN PUBLIC EDUCATIONAL
2 INSTITUTIONS; TO PROHIBIT DISCRIMINATION ON THE BASIS OF RACE,
3 ETHNICITY, NATIONAL ORIGIN, SEX, DISABILITY, RELIGION OR MARITAL
4 STATUS AGAINST A STUDENT OR AN EMPLOYEE IN PUBLIC EDUCATIONAL
5 INSTITUTIONS; TO REQUIRE PUBLIC EDUCATIONAL INSTITUTIONS TO TREAT
6 DISCRIMINATION MOTIVATED BY OR INCLUDING ANTISEMITIC INTENT IN AN
7 IDENTICAL MANNER TO DISCRIMINATION MOTIVATED BY RACE; TO PROVIDE
8 EXAMPLES OF EVIDENCE OF ANTISEMITIC INTENT; TO REQUIRE THE STATE
9 BODY OF EACH PUBLIC EDUCATIONAL INSTITUTION TO MONITOR, ASSESS,
10 INVESTIGATE AND REPORT ON THE PERFORMANCE OF THE PUBLIC
11 EDUCATIONAL INSTITUTIONS WITH REGARD TO ANTISEMITIC ACTIVITY; TO
12 REQUIRE THE STATE BODY TO ELIMINATE ANY PERFORMANCE FUNDING AND/OR
13 IMPOSE ADDITIONAL FUNDING REDUCTIONS AND PUNITIVE ACTIONS AGAINST
14 THE PUBLIC EDUCATIONAL INSTITUTION FOR FAILING TO COMPLY WITH THIS
15 ACT AFTER RECEIVING WRITTEN NOTICE FROM THE STATE BODY; TO AMEND
16 SECTION 37-191-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE
17 LAWS PROHIBITING DIVERSITY, EQUITY AND INCLUSION STATEMENTS AND
18 POLICIES MAY NOT BE CONSTRUED TO APPLY TO THE PROVISIONS OF THIS
19 ACT; TO BRING FORWARD SECTIONS 37-15-35 AND 37-28-43, MISSISSIPPI
20 CODE OF 1972, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR
21 RELATED PURPOSES.

22 WHEREAS, a historic rise in antisemitic violence, harassment
23 and discrimination targeting Jewish students has occurred at K-12
24 schools, colleges and universities across the United States; and

25 WHEREAS, in April 2024, the Director of the Federal Bureau of
26 Investigation (FBI) found that the number of FBI investigations

27 into antisemitic hate crimes tripled in the months after October
28 7, 2023; and

29 WHEREAS, according to a recent Gallup Poll, eighty-one
30 percent (81%) of Americans now see antisemitism as either a very
31 or somewhat serious problem, up from fifty-seven percent (57%) two
32 (2) decades ago; and

33 WHEREAS, acts of antisemitism on our campuses undermine the
34 educational and social fabric of our institutions; and

35 WHEREAS, promoting understanding, tolerance and respect for
36 all students and faculty is imperative; and

37 WHEREAS, the purpose of this act is to require all public
38 educational institutions to address and prohibit antisemitic
39 discrimination and actions on their campuses; NOW, THEREFORE,

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

41 **SECTION 1.** As used in this act, the following terms have the
42 meanings as defined in this section, unless the context clearly
43 indicates otherwise:

44 (a) "Antisemitism" or "antisemitic" means the
45 International Holocaust Remembrance Alliance's (IHRA) Working
46 Definition of Antisemitism, including its contemporary examples,
47 as it was adopted on May 26, 2016.

48 (b) "Public educational institution" means any public
49 elementary school, secondary school, vocational school, community
50 or junior college, or university that receives or benefits from
51 federal or state financial assistance.



(c) "State body" means:

53 (i) The State Department of Education with regard
54 to public elementary schools, secondary schools, and vocational
55 schools;

60 **SECTION 2.** (1) Discrimination on the basis of race,
61 ethnicity, national origin, sex, disability, religion or marital
62 status against a student or an employee in public educational
63 institutions is prohibited. No person in this state shall, on the
64 basis of race, ethnicity, national origin, sex, disability,
65 religion or marital status, be excluded from participation in,
66 denied the benefits of, or subjected to discrimination under any
67 public education program or activity, or in any employment
68 conditions or practices, conducted by a public educational
69 institution.

70 (2) The criteria for admission to a program or course shall
71 not have the effect of restricting access by persons of a
72 particular race, ethnicity, national origin, sex, disability,
73 religion or marital status.

74 (3) All public educational institution classes shall be
75 available to all students without regard to race, ethnicity,
76 national origin, sex, disability, religion or marital status;



77 however, this subsection shall not be construed to eliminate
78 programs designed to meet the needs of students with limited
79 proficiency in English, gifted students, or students with
80 disabilities or programs tailored to students with specialized
81 talents or skills.

82 (4) Guidance services, counseling services, and financial
83 assistance services in public educational institutions shall be
84 available to all students equally and provided in the same manner,
85 regardless of race, ethnicity, national origin, sex, disability,
86 religion or marital status.

87 (5) All education programs, activities and opportunities
88 offered by public educational institutions must be made available
89 without discrimination on the basis of race, ethnicity, national
90 origin, sex, disability, religion or marital status.

91 **SECTION 3.** (1) A public educational institution must treat
92 harassment or discrimination by students or employees or resulting
93 from institutional policies or programs on their campuses
94 motivated by or including antisemitic intent in an identical
95 manner to discrimination motivated by race.

96 (2) Evidence of antisemitic intent includes, but is not
97 limited to:

98 (a) Encouraging, supporting, praising, participating in
99 or threatening violence, or vandalism against Jews or Jewish
100 property;

101 (b) Praising designated terrorist groups such as Hamas,
102 or any group or individual calling for the genocide or killing of
103 Jews;

104 (c) Wearing a mask to conceal one's identity with the
105 intent to demonstrate in general, including, but not limited to,
106 harassing or discriminating against Jewish and/or other students,
107 faculty and employees on school property;

108 (d) Participating in or supporting the Boycott,
109 Divestment or Sanctions (BDS) of Israeli companies, institutions
110 or individuals, including by any public educational institution
111 endowment;

112 (e) Allowing or participating in antisemitic events,
113 such as "Apartheid" Week, encampments, lock-ins, walk-outs or
114 similar demonstrations on school property, when such events
115 intimidate, harass or otherwise violate the protections provided
116 for Jewish students under Title VI of the Civil Rights Act of
117 1964. Students who participate in such events and miss class as a
118 result shall receive unexcused absences and failure grades for any
119 assignments or examinations taking place on the dates of
120 participation; or

121 (f) Incorporating or allowing funding of antisemitic
122 curriculum or activity in any domestic or study abroad programs or
123 classes.

124 (3) All public educational institutions shall integrate the
125 definition of antisemitism into their student, faculty and



126 employee codes of conduct with penalties for violations identical
127 to those imposed for conduct involving racism and prohibit such
128 conduct at or by their institutions. Additionally, prohibited
129 conduct as it relates specifically to antisemitism must be
130 incorporated and include harassing conduct and discrimination
131 against Jews.

132 (4) All public educational institutions are encouraged to
133 incorporate antisemitism awareness training for all students,
134 faculty, administrators and campus police, as well as Jewish
135 American Heritage curriculum for students that incorporates Jewish
136 experiences in America pre- and post-revolution, pre- and
137 post-World War II and the Holocaust, and in modern times.

138 **SECTION 4.** (1) The state body of each public educational
139 institution shall monitor, assess, investigate and report on the
140 performance of the public educational institutions under the state
141 body's purview with regard to antisemitic activity. If the state
142 body, after reasonable investigation, determines that the public
143 educational institution has engaged in, allowed or not
144 sufficiently disciplined prohibited antisemitic activity, the
145 state body shall provide written notice to the public educational
146 institution to address its concerns no later than thirty (30) days
147 after the notice is received.

148 (2) If the state body determines that the public educational
149 institution has not taken the necessary actions by the expiration
150 of the thirty-day period, the state body shall eliminate any



151 performance funding and/or impose additional funding reductions
152 and punitive actions against the public educational institution
153 for failing to comply with this act.

154 **SECTION 5.** (1) Criticism of Israel that is similar to
155 criticism toward any other country may not be regarded as
156 antisemitic.

157 (2) Nothing in this act shall be construed to diminish or
158 infringe upon any right protected under the First Amendment to the
159 United States Constitution or the Mississippi Constitution.

160 (3) Nothing in this act shall be construed to conflict with
161 federal or state discrimination laws.

162 **SECTION 6.** Section 37-191-9, Mississippi Code of 1972, is
163 amended as follows:

164 37-191-9. This chapter may not be construed to apply to
165 and/or prohibit:

166 (a) Programs for Military Veterans, students with
167 disabilities or students presently or formerly under a child
168 protective services order;

169 (b) Scholarly research or a creative work by students,
170 faculty, employee or staff at an institution, college or public
171 school or the dissemination of that work;

172 (c) An activity of a registered student organization,
173 guest speaker or performer at an institution, college or public
174 school as long as state funds are not used;

175 (d) A policy to limit or restrict freedom of speech
176 pursuant to the First Amendment of the United States Constitution
177 or Section 13 of the Mississippi Constitution or academic course
178 instruction that undermines the duty of a public school, or public
179 postsecondary educational institution to protect academic course
180 instruction, intellectual diversity and true expression provided
181 that none of these protected tenets conflict with this chapter;

182 (e) Data collection or reporting of demographic data by
183 a public school or public postsecondary educational institution;

184 (f) Student recruitment;

185 (g) Programs, campus activities or certifications for
186 compliance with state and federal laws or applicable court order;

187 (h) An institution, college or public school from
188 requiring or taking action against a student, employee, faculty,
189 staff or contractor for failing to comply with federal or state
190 law;

191 (i) Discussing pathological approaches or experience
192 with students with mental or physical disabilities; * * *

193 (j) Prohibit a public school or public postsecondary
194 education institution from complying with any applicable academic
195 accreditation standards or requirements; or

196 (k) Any provision of Sections 1 through 5 of this act.

197 **SECTION 7.** Section 37-15-35, Mississippi Code of 1972, is
198 brought forward as follows:

199 37-15-35. No person shall be assigned to or by, or
200 restricted from or to, any group, area, school, institution or
201 other political subdivision of the State of Mississippi on the
202 account of race, color, or national origin. There shall be no
203 governmentally enforced segregation by race, color or national
204 origin and there shall be no governmentally enforced integration
205 by reason of race, color or national origin.

206 **SECTION 8.** Section 37-28-43, Mississippi Code of 1972, is
207 brought forward as follows:

208 37-28-43. (1) A charter school may not discriminate against
209 any person on the basis of race, creed, color, sex, disability,
210 national origin or any other category that would be unlawful if
211 done by a noncharter public school.

212 (2) A charter school may not engage in any sectarian
213 practices in its educational program, admissions or employment
214 policies or operations.

215 (3) A charter school may not discriminate against any
216 student on the basis of national origin, minority status or
217 limited proficiency in English. Consistent with federal civil
218 rights laws, charter schools must provide limited English
219 proficient students with appropriate services designed to teach
220 them English and the general curriculum.

221 (4) A charter school may not charge tuition.

222 (5) The terms of each charter school must include a
223 transportation plan for students attending the charter school.

224 (6) Subject to the approval of the authorizer, a charter
225 school may contract with an accredited online course provider for
226 the delivery of virtual courses to students enrolled in the
227 charter school.

228 (7) Except to the extent authorized under paragraph (c) of
229 Section 37-28-41, the powers, obligations and responsibilities set
230 forth in the charter contract may not be delegated or assigned by
231 either party.

232 **SECTION 9.** This act shall take effect and be in force from
233 and after July 1, 2026.

