

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



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

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

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

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

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

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

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

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

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



(c) "State body" means:

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

(ii) The Mississippi Community College Board with regard to public community and junior colleges; or

(iii) The Board of Trustees of State Institutions of Higher Learning with regard to public universities.

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

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

(3) All public educational institution classes shall be available to all students without regard to race, ethnicity, 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



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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

(f) Student recruitment;

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

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

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

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

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

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





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

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

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

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

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

(4) A charter school may not charge tuition.

(5) The terms of each charter school must include a 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.

