

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 284, Page 1, Section A, Line 2, by inserting after all of said section and
2 line the following:
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4 "160.014. 1. As used in this section and section 160.015, the following terms mean:

5 (1) "Antisemitism" or "antisemitic", the International Holocaust Remembrance Alliance's
6 (IHRA) Working Definition of Antisemitism, including its contemporary examples, as it was
7 adopted on May 26, 2016, which states that antisemitism is a certain perception of Jews that may be
8 expressed as hatred toward Jews and that rhetorical and physical manifestations of antisemitism are
9 directed toward Jewish or non-Jewish individuals, their property, or both, and toward Jewish
10 community institutions and religious facilities;

11 (2) "Educational institution", each public school and school district in this state.

12 2. Each educational institution shall treat harassment or discrimination against students or
13 employees or resulting from institutional policies or programs on such educational institution's
14 campuses that is motivated by or including antisemitic intent in an identical manner to
15 discrimination motivated by race.

16 3. (1) Each educational institution shall integrate the definition of antisemitism in this
17 section into such educational institution's student, faculty, and employee codes of conduct and shall
18 prohibit such conduct at or by such educational institution if such conduct creates an atmosphere or
19 circumstance in which individuals working at, visiting, or attending the educational institution are
20 impeded from their normal course of work, study, or access to the educational institution and the
21 educational institution's services and facilities either by physically impeding such activity or by
22 creating an atmosphere of fear or intimidation.

23 (2) Prohibited conduct as it relates specifically to antisemitism shall be incorporated into
24 such educational institution's student, faculty, and employee codes of conduct and shall include
25 penalties for harassment of and discrimination against Jews in compliance with antidiscrimination
26 regulations promulgated under Title VI of the federal Civil Rights Act of 1964, as amended, by the
27 United States Department of Education and the United States Department of Justice.

28 4. Each educational institution is encouraged to integrate a Jewish American heritage
29 curriculum for students that incorporates Jewish experiences in America pre- and post-revolution,
30 pre- and post-World War II and the Holocaust, and in modern times.

Action Taken _____ Date _____

1 5. (1) Criticism of Israel that is similar to criticism toward any other country shall not be
2 construed to be antisemitic.

3 (2) Nothing in this section shall be construed to diminish or infringe upon any right
4 protected under the First Amendment to the Constitution of the United States or the Constitution of
5 Missouri.

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

8 160.015. 1. (1) No educational institution shall discriminate on the basis of race, ethnicity,
9 national origin, sex, disability, religion, or marital status against a student or an employee in the
10 state system of public elementary and secondary education.

11 (2) No person in this state shall, on the basis of race, ethnicity, national origin, sex,
12 disability, religion, or marital status, be excluded from participation in, denied the benefits of, or
13 subjected to discrimination under any program or activity or in any employment conditions or
14 practices conducted by an educational institution that receives or benefits from federal or state
15 financial assistance.

16 2. An educational institution's criteria for admission to a program or course shall not have
17 the effect of restricting access by persons of a particular race, ethnicity, national origin, sex,
18 disability, religion, or marital status.

19 3. (1) All of an educational institution's classes shall be available to all students without
20 regard to race, ethnicity, national origin, sex, disability, religion, or marital status.

21 (2) This subsection shall not be construed to eliminate the provision of programs designed
22 to meet the needs of students with limited proficiency in English, gifted students, or students with
23 disabilities or programs tailored to students with specialized talents or skills.

24 4. Guidance services, counseling services, and financial assistance services in an
25 educational institution shall be available to all students equally and provided in the same manner
26 regardless of race, ethnicity, national origin, sex, disability, religion, or marital status.

27 5. All education programs, activities, and opportunities offered by educational institutions
28 shall be made available without discrimination on the basis of race, ethnicity, national origin, sex,
29 disability, religion, or marital status.

30 6. (1) Nothing in this section shall be construed to diminish or infringe upon any right
31 protected under the First Amendment to the Constitution of the United States or the Constitution of
32 Missouri.

33 (2) Nothing in this section shall be construed to conflict with federal or state discrimination
34 laws.

35 7. (1) The state board of education shall establish a Title VI coordinator to monitor
36 antisemitic discrimination and harassment at educational institutions. Each educational institution
37 shall report incidents and complaints of antisemitic discrimination or harassment to such coordinator
38 through a process established for such reporting.

(2) The Title VI coordinator shall thoroughly investigate the actions of the educational institution in response to all complaints made under this subsection. After a reasonable investigation, if the coordinator determines that an educational institution has engaged in, allowed, or failed to sufficiently prohibit antisemitic discrimination or harassment, the state board of education shall notify, in writing, the educational institution of such determination and that such educational institution is required to address the issues described in such determination within thirty days after receipt of such written notice.

(3) After the expiration of the thirty days to address issues in the coordinator's determination, if the Title VI coordinator determines the educational institution has failed to take the necessary actions to address such issues, the state board of education shall report the coordinator's determination to the United States Department of Education and the United States Department of Justice by making a complaint under Title VI of the federal Civil Rights Act of 1964, as amended.

(4) The Title VI coordinator shall compile an annual report on antisemitic discrimination and harassment monitored, reported, and investigated under this section. Such report shall be submitted to the general assembly before July first of each year."; and

Further amend said bill, Page 2, Section 160.082, Line 40, by inserting after all of said section and line the following:

"173.001. 1. As used in this section and section 173.002, the following terms mean:

(1) "Antisemitism" or "antisemitic", the International Holocaust Remembrance Alliance's (IHRA) Working Definition of Antisemitism, including its contemporary examples, as it was adopted on May 26, 2016, which states that antisemitism is a certain perception of Jews that may be expressed as hatred toward Jews and that rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals, their property, or both, and toward Jewish community institutions and religious facilities;

(2) "Educational institution", a public postsecondary educational institution governed or supervised by a:

(a) Board erected under chapter 172, 174, 175, or 178;

(b) Board of trustees of a community college; or

(c) State board for any other technical school.

2. Each educational institution shall treat harassment or discrimination against students or employees or resulting from institutional policies or programs on such educational institution's campuses that is motivated by or including antisemitic intent in an identical manner to discrimination motivated by race.

3. (1) Each educational institution shall integrate the definition of antisemitism in this section into such educational institution's student, faculty, and employee codes of conduct and shall prohibit such conduct at or by such educational institution if such conduct creates an atmosphere or circumstance in which individuals working at, visiting, or attending the educational institution are

1 impeded from their normal course of work, study, or access to the educational institution and the
2 educational institution's services and facilities either by physically impeding such activity or by
3 creating an atmosphere of fear or intimidation.

4 (2) Prohibited conduct as it relates specifically to antisemitism shall be incorporated into
5 such educational institution's student, faculty, and employee codes of conduct and shall include
6 penalties for harassment of and discrimination against Jews in compliance with antidiscrimination
7 regulations promulgated under Title VI of the federal Civil Rights Act of 1964, as amended, by the
8 United States Department of Education and the United States Department of Justice.

9 4. Each educational institution is encouraged to integrate a Jewish American heritage
10 curriculum for students that incorporates Jewish experiences in America pre- and post-revolution,
11 pre- and post-World War II and the Holocaust, and in modern times.

12 5. (1) Criticism of Israel that is similar to criticism toward any other country shall not be
13 construed to be antisemitic.

14 (2) Nothing in this section shall be construed to diminish or infringe upon any right
15 protected under the First Amendment to the Constitution of the United States or the Constitution of
16 Missouri.

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

19 173.002. 1. (1) No educational institution shall discriminate on the basis of race, ethnicity,
20 national origin, sex, disability, religion, or marital status against a student or an employee in the
21 state system of public postsecondary education.

22 (2) No person in this state shall, on the basis of race, ethnicity, national origin, sex,
23 disability, religion, or marital status, be excluded from participation in, denied the benefits of, or
24 subjected to discrimination under any program or activity or in any employment conditions or
25 practices conducted by an educational institution that receives or benefits from federal or state
26 financial assistance.

27 2. An educational institution's criteria for admission to a program or course shall not have
28 the effect of restricting access by persons of a particular race, ethnicity, national origin, sex,
29 disability, religion, or marital status.

30 3. (1) All of an educational institution's classes shall be available to all students without
31 regard to race, ethnicity, national origin, sex, disability, religion, or marital status.

32 (2) This subsection shall not be construed to eliminate the provision of programs designed
33 to meet the needs of students with limited proficiency in English, gifted students, or students with
34 disabilities or programs tailored to students with specialized talents or skills.

35 4. Guidance services, counseling services, and financial assistance services in an
36 educational institution shall be available to all students equally and provided in the same manner
37 regardless of race, ethnicity, national origin, sex, disability, religion, or marital status.

1 5. All education programs, activities, and opportunities offered by educational institutions
2 shall be made available without discrimination on the basis of race, ethnicity, national origin, sex,
3 disability, religion, or marital status.

4 6. (1) Nothing in this section shall be construed to diminish or infringe upon any right
5 protected under the First Amendment to the Constitution of the United States or the Constitution of
6 Missouri.

7 (2) Nothing in this section shall be construed to conflict with federal or state discrimination
8 laws.

9 7. (1) The coordinating board for higher education shall establish a Title VI coordinator to
10 monitor antisemitic discrimination and harassment at educational institutions. Each educational
11 institution shall report incidents and complaints of antisemitic discrimination or harassment to such
12 coordinator through a process established for such reporting.

13 (2) The Title VI coordinator shall thoroughly investigate the actions of the educational
14 institution in response to all complaints made under this subsection. After a reasonable
15 investigation, if the coordinator determines that an educational institution has engaged in, allowed,
16 or failed to sufficiently prohibit antisemitic discrimination or harassment, the coordinating board for
17 higher education shall notify, in writing, the educational institution of such determination and that
18 such educational institution is required to address the issues described in such determination within
19 thirty days after receipt of such written notice.

20 (3) After the expiration of the thirty days to address issues in the coordinator's
21 determination, if the Title VI coordinator determines the educational institution has failed to take the
22 necessary actions to address such issues, the coordinating board for higher education shall report the
23 coordinator's determination to the United States Department of Education and the United States
24 Department of Justice by making a complaint under Title VI of the federal Civil Rights Act of 1964,
25 as amended.

26 (4) The Title VI coordinator shall compile an annual report on antisemitic discrimination
27 and harassment monitored, reported, and investigated under this section. Such report shall be
28 submitted to the general assembly before July first of each year."; and
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30 Further amend said bill by amending the title, enacting clause, and intersectional references
31 accordingly.