

HCS SS SB 160 -- EDUCATIONAL INSTITUTIONS

SPONSOR: Hudson

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Emerging Issues by a vote of 11 to 3. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 6 to 1, with 2 voting present.

The following is a summary of the House Committee Substitute for SB 160.

This bill defines "antisemitism" or "antisemitic" and requires that public schools, school districts, and public institutions of higher education integrate the definition of antisemitism into codes of conduct and prohibit antisemitic conduct.

Public schools, school districts, and public institutions of higher education are encouraged to integrate a Jewish American heritage curriculum for students. (Section 160.014 and 173.001)

The bill prohibits discrimination by public schools, school districts, and public institutions of higher education on the basis of race, ethnicity, national origin, sex, disability, religion, or marital status against students or employees. The bill provides that classes, guidance services, counseling services, and financial assistance services be available equally.

The bill requires the State Board of Education and the Coordinating Board for Higher Education to establish Title VI coordinators to monitor antisemitic discrimination and harassment at public schools and education institutions. The coordinators will investigate complaints and determine if an education institution has engaged in, allowed, or failed to prohibit the discrimination and harassment and compile annual reports to be submitted to the General Assembly by July 1st of each year. (Section 160.015 and 173.002)

This bill creates the "Missouri Creating a Respectful and Open World for Natural Hair (Missouri CROWN) Act", which governs discriminatory practices in elementary and secondary educational institutions as they relate to protective hairstyles. The bill defines an "educational institution" as including any public or private prekindergarten program, public or private elementary or secondary school, charter school, or public or private school board, charter school governing board, or other school administrative body.

Under the bill, educational institutions that receive state financial assistance or enroll students who receive state financial aid will not discriminate based on a person's hair texture or protective hairstyle if it is commonly associated with a particular race or origin. However, educational institutions can require hair nets, coverings, or secured hair for safety reasons in career and technical training courses, as needed to meet safety regulations.

These provisions will not apply to an educational institution that is controlled by a religious organization if the application of such provision would not be consistent with the religious tenets of that organization. (Section 160.082)

This bill defines a "multiple-occupancy restroom or changing area", and limits civil liability for private schools, serving students in prekindergarten to grade 12, that establish such restrooms and changing areas for the exclusive use of males or females. The bill prohibits political subdivisions from adopting any ordinance, rule, or regulation prohibiting private schools from establishing multiple-occupancy restrooms and requires the entities to pay for attorney fees and costs incurred by a private school for a valid defense (Section 160.231).

This section contains an emergency clause.(Section B).

This bill prohibits public institutions of higher learning, such as state colleges, community colleges, and technical schools, from taking adverse action against a student association because of the association's beliefs or the actions of its leaders. Specifically, these institutions will not deny a belief-based student association, such as a political, ideological, or religious association, any benefits that are available to other student groups, including access to campus facilities and communication channels. A belief-based student association will be responsible for defining its own mission, beliefs, and conduct standards. A belief-based student association can seek relief in a judicial or administrative proceeding against an institution that violates the provisions of the bill.

The provisions of this bill will not apply to a belief-based student association if there is substantial evidence that such association's viewpoint or expression of the viewpoint would materially and substantially disrupt the educational environment or interfere with the rights of others, in accordance with the U.S. Supreme Court's decision in *Healy v. James*, 408 U.S. 169 (1972). (Sections 173.155 and 173.1556)

This bill states that the University of Missouri must be the only state college or university to offer research doctorates, and that

the Board of Governors of Missouri State University will have the power and authority to grant doctor of philosophy degrees in disciplines other than engineering and to grant bachelors of science degrees in veterinary technology. (Sections 172.280 and 174.160)

This bill specifies that, prior to June 30, 2027, the coordinating board, with the assistance of an advisory committee, must approve a 60-credit-hour transferable lower-division courses and common course numbering equivalency matrix for the five applicable degree programs outlined in the bill beginning in the 2027-28 academic year. Each public institution of higher education, offering the approved degree programs, must include in its programs of study an approved 60 hour program equivalency matrix. (Section 178.786)

If a student successfully completes the 60-credit-hour, transferable, lower-division courses at a public institution of higher education, such courses can be transferred and will be substituted for core curriculum courses in the same degree program at a receiving institution. The transferring student receives credit toward the student's degree and is not required to take additional core classes for the same degree program at the receiving institution. Transferring students who have not fully completed the transferable coursework curriculum can be required to satisfy further course requirements at the receiving institution. The coordinating board must report to the House Higher Education Committee and the Senate Education Committee on progress related to the requirements of the bill. (Section 178.787)

The following is a summary of the public testimony from the committee hearing. The testimony was based on the Senate Perfected version of the bill.

PROPOSERS: Supporters say that the provisions of this bill curb efforts made by public colleges and universities to infringe upon a student's religious speech. Supporters further say that a student shouldn't be ridiculed just because they want to worship or practice their religion.

Testifying in person for the bill were Senator Hudson; 1st Amendment Partnership; Timothy Faber; Jamie Morris, Missouri Catholic Conference; Arnie Dienoff; Curtis Lee Cole, Chi Alpha Campus Ministries USA; Matt Sharp, Alliance Defending Freedom.

OPPOSERS: Those who oppose the bill say that this bill hides behind so-called anti-discrimination measures, when in fact the true intent is to actively discriminate.

Testifying in person against the bill were American Civil Liberties Union of Missouri; Dava-Leigh Brush, Missouri Equity Education Partnership; and Katy Erker-Lynch, Promo.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.