

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE SUBSTITUTE FOR

# HOUSE BILL NO. 2061

## 103RD GENERAL ASSEMBLY

4529S.04T

2026

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### AN ACT

To amend chapters 160 and 173, RSMo, by adding thereto four new sections relating to prohibiting antisemitic actions that threaten students and staff at educational institutions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapters 160 and 173, RSMo, are amended by adding thereto four new sections, to be known as sections 160.014, 160.015, 173.001, and 173.002, to read as follows:

2 **160.014. 1. The general assembly finds that all persons are equal before the law**  
3 **and are entitled to equal rights and opportunities under the law pursuant to article I,**  
4 **section 2 of the Constitution of Missouri and the Fourteenth Amendment to the**  
5 **Constitution of the United States. The general assembly condemns discrimination in all**  
6 **forms. Antisemitism is a form of discrimination. The purpose of this section and section**  
7 **160.015 is to address discrimination, harassment, intimidation, and denial of equal**  
8 **access arising from antisemitism in educational institutions, consistent with the**  
9 **constitutional rights of all persons.**

2. As used in this section and section 160.015, the following terms mean:

10 (1) "Antisemitism" or "antisemitic", the International Holocaust Remembrance  
11 Alliance's (IHRA) Working Definition of Antisemitism, including its contemporary  
12 examples, as it was adopted on May 26, 2016, as a tool and guide for recognizing and  
13 combating antisemitism;

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

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

16           **3. Each educational institution shall treat harassment of or discrimination**  
17 **against students or employees, or harassment or discrimination resulting from**  
18 **institutional policies or programs on such educational institution's campuses, that is**  
19 **motivated by or including antisemitism in an identical manner to discrimination**  
20 **motivated by race.**

21           **4. (1) Each educational institution shall adopt a policy clearly defining**  
22 **antisemitism utilizing context and other relevant factors into such educational**  
23 **institution's student, faculty, and employee codes of conduct and shall prohibit such**  
24 **conduct at or by such educational institution if such conduct creates an atmosphere or**  
25 **circumstance in which individuals working at, visiting, or attending the educational**  
26 **institution and the educational institution's services and facilities either by physically**  
27 **impeding such activity or by creating an atmosphere of fear or intimidation.**

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

34           **5. (1) Criticism of Israel that is similar to criticism toward any other country**  
35 **shall not be construed to be antisemitic. In determining a complaint regarding possible**  
36 **antisemitic speech relating to criticism of Israel, the educational institution shall**  
37 **consider whether the speech is explicitly related to public policy or applies materially**  
38 **inconsistent standards, expectations, or condemnation to Israel as compared with other**  
39 **nations in comparable circumstances. Such consideration shall be one factor among the**  
40 **totality of the circumstances and shall not be independently determinative of whether**  
41 **the speech is antisemitic. This section shall only apply if the conduct relating to the**  
42 **speech is also determined to have created an atmosphere or circumstance in which**  
43 **individuals working at, visiting, or attending the educational institution and the**  
44 **educational institution's services and facilities either by physically impeding such**  
45 **activity or by creating an atmosphere of fear or intimidation.**

46           **(2) Nothing in this section shall be applied in ways that diminish or infringe**  
47 **upon any right protected under the First Amendment to the Constitution of the United**  
48 **States or the Constitution of Missouri.**

49           **(3) Nothing in this section shall be construed to conflict with federal or state**  
50 **discrimination laws.**

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

(2) 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 program or activity or in any employment conditions or practices conducted by an educational institution that receives or benefits from federal or state financial assistance.

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

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

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

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

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

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

7. (1) Each educational institution shall report incidents and complaints of antisemitic discrimination or harassment to the Title VI coordinator at the department of elementary and secondary education.

(2) The Title VI coordinator shall establish, maintain, and publicize a formal reporting process by which students, parents, staff, and faculty can submit complaints of antisemitic discrimination and harassment.

37           **(3) The Title VI coordinator shall thoroughly investigate all complaints made**  
38 **under this subsection. After a reasonable investigation, if the coordinator determines**  
39 **that an educational institution has engaged in, allowed, or failed to sufficiently prohibit**  
40 **antisemitic discrimination or harassment in a manner consistent with the educational**  
41 **institution's policy adopted under subsection 3 of section 160.014, the department of**  
42 **elementary and secondary education shall notify, in writing, the educational institution**  
43 **of such determination and that such educational institution is required to address the**  
44 **issues described in such determination within thirty days after receipt of such written**  
45 **notice.**

46           **(4) After the expiration of the thirty days to address issues in the coordinator's**  
47 **determination, if the Title VI coordinator determines the educational institution has**  
48 **failed to take the necessary actions to address such issues, the department of elementary**  
49 **and secondary education shall report the coordinator's determination to the United**  
50 **States Department of Education and the United States Department of Justice by making**  
51 **a complaint under Title VI of the federal Civil Rights Act of 1964, as amended.**

52           **(5) The Title VI coordinator shall compile an annual report on complaints of**  
53 **antisemitic discrimination and harassment as well as other Title VI complaints**  
54 **monitored, reported, and investigated under this section. Such report shall be published**  
55 **on the website of the department of elementary and secondary education and submitted**  
56 **to the general assembly before July first of each year.**

**173.001. 1. The general assembly finds that all persons are equal before the law**  
2 **and are entitled to equal rights and opportunities under the law pursuant to article I,**  
3 **section 2 of the Constitution of Missouri and the Fourteenth Amendment to the**  
4 **Constitution of the United States. The general assembly condemns discrimination in all**  
5 **forms. Antisemitism is a form of discrimination. The purpose of this section and section**  
6 **173.002 is to address discrimination, harassment, intimidation, and denial of equal**  
7 **access arising from antisemitism in educational institutions, consistent with the**  
8 **constitutional rights of all persons.**

9           **2. As used in this section and section 173.002, the following terms mean:**

10           **(1) "Antisemitism" or "antisemitic", the International Holocaust Remembrance**  
11 **Alliance's (IHRA) Working Definition of Antisemitism, including its contemporary**  
12 **examples, as it was adopted on May 26, 2016, as a tool and guide for recognizing and**  
13 **combating antisemitism;**

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

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

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

18 (c) State board for any other technical school.

19 3. Each educational institution shall treat harassment of or discrimination  
20 against students or employees, or harassment or discrimination resulting from  
21 institutional policies or programs on such educational institution's campuses, that is  
22 motivated by or including antisemitism in an identical manner to discrimination  
23 motivated by race.

24 4. (1) Each educational institution shall adopt a policy clearly defining  
25 antisemitism utilizing context and other relevant factors into such educational  
26 institution's student, faculty, and employee codes of conduct and shall prohibit such  
27 conduct at or by such educational institution if such conduct creates an atmosphere or  
28 circumstance in which individuals working at, visiting, or attending the educational  
29 institution and the educational institution's services and facilities either by physically  
30 impeding such activity or by creating an atmosphere of fear or intimidation.

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

37 5. (1) Criticism of Israel that is similar to criticism toward any other country  
38 shall not be construed to be antisemitic. In determining a complaint regarding possible  
39 antisemitic speech relating to criticism of Israel, the educational institution shall  
40 consider whether the speech is explicitly related to public policy or applies materially  
41 inconsistent standards, expectations, or condemnation to Israel as compared with other  
42 nations in comparable circumstances. Such consideration shall be one factor among the  
43 totality of the circumstances and shall not be independently determinative of whether  
44 the speech is antisemitic. This section shall only apply if the conduct relating to the  
45 speech is also determined to have created an atmosphere or circumstance in which  
46 individuals working at, visiting, or attending the educational institution and the  
47 educational institution's services and facilities either by physically impeding such  
48 activity or by creating an atmosphere of fear or intimidation.

49 (2) Nothing in this section shall be applied in ways that diminish or infringe  
50 upon any right protected under the First Amendment to the Constitution of the United  
51 States or the Constitution of Missouri.

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

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

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

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

12 3. (1) All of an educational institution's classes shall be available to all students  
13 without regard to race, ethnicity, national origin, sex, disability, religion, or marital  
14 status.

15 (2) This subsection shall not be construed to eliminate the provision of programs  
16 designed to meet the needs of students with limited proficiency in English, gifted  
17 students, or students with disabilities or programs tailored to students with special  
18 needs.

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

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

26 6. (1) Nothing in this section shall be applied in ways that diminish or infringe  
27 upon any right protected under the First Amendment to the Constitution of the United  
28 States or the Constitution of Missouri.

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

31 7. (1) Each educational institution shall report incidents and complaints of  
32 antisemitic discrimination or harassment to the Title VI coordinator of the coordinating  
33 board for higher education under the department of higher education and workforce  
34 development.

35 (2) The Title VI coordinator shall establish, maintain, and publicize a formal  
36 reporting process by which students, parents, staff, and faculty can submit complaints  
37 of antisemitic discrimination and harassment.

38           **(3) The Title VI coordinator shall thoroughly investigate all complaints made**  
39 **under this subsection. After a reasonable investigation, if the coordinator determines**  
40 **that an educational institution has engaged in, allowed, or failed to sufficiently prohibit**  
41 **antisemitic discrimination or harassment in a manner consistent with the educational**  
42 **institution's policy adopted under subsection 3 of section 173.001, the coordinating**  
43 **board for higher education shall notify, in writing, the educational institution of such**  
44 **determination and that such educational institution is required to address the issues**  
45 **described in such determination within thirty days after receipt of such written notice.**

46           **(4) After the expiration of the thirty days to address issues in the coordinator's**  
47 **determination, if the Title VI coordinator determines the educational institution has**  
48 **failed to take the necessary actions to address such issues, the coordinating board for**  
49 **higher education shall report the coordinator's determination to the United States**  
50 **Department of Education and the United States Department of Justice by making a**  
51 **complaint under Title VI of the federal Civil Rights Act of 1964, as amended, except that**  
52 **those complaints solely containing instances of political or religious speech protected**  
53 **under the First Amendment to the Constitution of the United States or the Constitution**  
54 **of Missouri shall not be reported, compiled, or published by the coordinating board for**  
55 **higher education.**

56           **(5) The Title VI coordinator shall compile an annual report on complaints,**  
57 **except those complaints that solely contain instances of political or religious speech**  
58 **protected under the First Amendment to the Constitution of the United States or the**  
59 **Constitution of Missouri, of antisemitic discrimination and harassment as well as other**  
60 **Title VI complaints monitored, reported, and investigated under this section. Such**  
61 **report shall be published on the website of the coordinating board for higher education**  
62 **and submitted to the general assembly before July first of each year.**

63           **(6) No educational institution shall create a list, registry, or database of students**  
64 **based on their religious or political views, opinions, or expressions, which are protected**  
65 **under the First Amendment to the Constitution of the United States or the Constitution**  
66 **of Missouri.**

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