

SS HB 2061 -- PROHIBITING ANTISEMITIC ACTIONS

This bill defines "antisemitism" and requires that public schools, charter schools, school districts, and public institutions of higher education adopt a policy clearly defining antisemitism that utilizes context and other relevant factors for each educational institution's code of conduct. The bill prohibits antisemitic conduct in the same manner that discrimination motivated by race is treated.

This bill states that all persons are equal before the law and entitled to equal rights and opportunities. This bill further states that the General Assembly condemns discrimination in all forms, including antisemitism.

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 that public schools, charter schools, school districts, and public institutions of higher education must consider whether possible antisemitic speech relating to the criticism of Israel is related to public policy or if the speech is inconsistent with the same types of condemnations of nations with comparable circumstances to Israel. These considerations must be factored into the totality of the circumstances involved, and will only apply if the conduct relating to the speech also creates an atmosphere of fear or intimidation.

The bill requires Title VI coordinators at the State Board of Education and the Coordinating Board for Higher Education to monitor antisemitic discrimination and harassment at public schools, charter schools, school districts, and public institutions of higher education. The coordinators will investigate complaints and determine if an education institution allowed or failed to prohibit the discrimination and harassment, or if the educational institution made consistent use of their adopted policy defining antisemitism, and compile annual reports on antisemitic discrimination or harassment and all other Title VI complaints, to be submitted to the General Assembly by July 1st of each year. Except, those complaints involving public institutions of higher education that solely contain instances of political or religious speech that is protected under the First Amendment to the U.S. Constitution or Missouri Constitution will

not be reported, compiled, or published by the Coordinating Board. This bill also states that no public institution of higher education will create a list, registry, or database of students based on their religious or political views, opinions, or expressions, which are protected under the First Amendment to the U.S. Constitution or Missouri Constitution.