

OFFICE OF THE STATE SUPERINTENDENT
Summary of State Board of Education Agenda Items
June 19, 2025

OFFICE OF ADVOCACY AND COUNSEL

05. Action: Approval to establish Miss. Admin. Code 7-3: 100.1, State Board Policy, Chapter 100, Rule 100.1, "Compliance with State Law Regarding Diversity Equity and Inclusion Prohibitions, Complaint Process, and Investigations" [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan]
(Has cleared the Administrative Procedures Act process with public comments)

Background Information: During the 2025 Legislative Session, the legislature passed House Bill 1193, which became effective upon passage, April 17, 2025.

House Bill 1193 is an act to prohibit public schools and public postsecondary educational institutions from taking certain actions and engaging in discrimination practices, specifically related to diversity, equity, and inclusion ("DEI"). It seeks to ensure that employment, academic opportunities, and student engagement are based solely on individual merit, qualifications and academic performance, without consideration of an individual's race, sex, color, national origin, or expressed opposition to, or refusal to affirm or participate in diversity, equity, and inclusion.

The law requires that within 90 days of passage, the State Board of Education shall adopt a model complaint process, investigative procedures and all other policies and procedures for appropriately investigating violations under House Bill 1193.

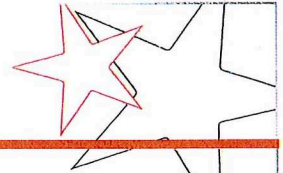
The State Board of Education approved the MDE's request to begin to the APA process to establish Miss. Admin. Code 7-3: 100.1, State Board Policy, Chapter 100, Rule 100.1, "Compliance with State Law Regarding Diversity Equity and Inclusion Prohibitions, Complaint Process, and Investigations," on May 15, 2025. The public comment period opened on May 15, 2025, and closed on June 10, 2025, at 5:00 p.m. The MDE received public comments, and NO changes are recommended to the policy.

This item references Goals 1, 2, 3, 4, 5, and 6 of the *Mississippi Board of Education Strategic Plan*.

Recommendation: Approval

Back-up material attached

PUBLIC COMMENT



Comment	MDE Response
<p>First, the complaint process does not include any notification of the complaint to the person, office, or educational body against whom the claim is filed. This is a serious, harmful lack of transparency, which limits the ability of that person or office to provide their own witnesses, accounts, and relevant information. This lack of transparency continues through the investigation process, where the complainant is required to receive notification at every step of the process, but the person or office under investigation is extended no equivalent courtesy.</p> <p>Second, in the investigation process, beyond defining a 30-day timeline, there are no standards for what due process should entail. This is an incredibly short timeline for educational institutions to comply with, and without clear minimums for what an investigative process, it is likely that these investigations will over-rely on the information submitted by the complainant, and that the teachers and offices charged will not receive fair treatment or due process.</p> <p>Third, the policy mandates “curative action” within 25 days of any determination that a violation has occurred but does not place any limits on what that curative action may be. Without limits to curative actions, this opens the process to hugely disproportionate punishment of teachers, creating a culture of retribution and fear that is a detriment to education.</p> <p>In conclusion, this policy does nothing to define the rights or protections that should be afforded to those under complaint or investigation. As it currently stands, without transparency, due process, or proportional justice for those against whom complaints are filed, this policy reads as a recipe for a witch hunt—a metaphor I do not use lightly.</p>	<p>HB 1193 requires the State Board of Education (SBE) to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements. Issues involving local school district policies and procedures are governed by Miss. Code Ann. § 37-7-301.1, which provides wide latitude to school districts to “adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi.” Based on this home rule, the superintendent and the local school board have the authority to address the concerns raised, including defining notifications, additionally requested information, corrective measures, etc., that meet the needs of their school district.</p>
<p>The policy, like the law, violates the First Amendment’s protections of free speech for both teachers and students. The Supreme Court has repeatedly upheld the First Amendment rights of students. The policy, like the law, has a chilling effect on the classroom, particularly prohibiting schools from “maintaining any</p>	<p>As it relates to this policy, HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. Local school districts will be required to develop,</p>



MISSISSIPPI
DEPARTMENT OF
EDUCATION

Office of the State Superintendent
Public Comments DEI Policy • 6/19/25 • mdek12.org

Comment	MDE Response
<p>programs, including academic programs or courses, or offices that promote diversity, equity and inclusion, endorse divisive concept or concepts promoting transgender ideology, gender-neutral pronouns, deconstruction of heteronormativity, gender theory, sexual privilege or any related formulation of these concepts." Federal law protects the rights of LBTQ students. Prohibiting—or appearing to prohibit—students and teachers from addressing or discussing topics related to sex and gender is a clear violation of the First Amendment.</p> <p>This policy does nothing to define the rights or protections that should be afforded to teachers and students. As it currently stands, the policy, like the law, is a gross violation of the United States Constitution.</p>	<p>adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements.</p>
<p>I am deeply concerned with how HB 1193 censors classroom speech and places non-white or non-heteronormative teachers at increased risk of workplace discrimination. I fear that reporters—be they students, parents, or staff—will unduly weaponize this law against teachers, especially those within these particularly vulnerable groups. Furthermore, HB 1193's definition of "divisive concepts" prohibits academic institutions from acting as space for teachers, students, and staff to learn from one another and exchange ideas. This transaction is the backbone of the education system, so State efforts to censor dialogue in the classroom will have a greatly adverse educational experience in Mississippi.</p>	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements.</p> <p>The policy does not establish definitions or interpret prohibitions or exceptions enumerated in HB 1193; they are only referenced.</p>
<p>I am concerned about the vagueness of Part 3 Chapter 100 A.2 and the ways I could see that unintentionally hampering secondary school teachers' abilities to instruct Mississippi students.</p>	<p>A.2. provides the prohibitions outlined in HB 1193. The SBE is not tasked with defining or interpreting these.</p>
<p>How will this policy impact the celebration of Black History Month, Women's History, and other cultural heritage observances?</p> <p>Will the policy limit or prohibit the teaching of courses such as African American Studies, African American Literature, Survey of African American Writing?</p>	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements. Issues involving local school district policies and procedures are governed by Miss. Code Ann. § 37-7-301.1, which provides wide latitude to school districts to "adopt any orders,</p>



Comment	MDE Response
	<p>resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi.” Based on this home rule, the superintendent and the local school board have the authority to address the concerns/questions raised.</p>
<p>How will the policy impact practices specifically designed to address the over-identification of African American students and students with disabilities in special education or discipline categories?</p>	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. The policy does not impact the identification of African American students and students with disabilities or discipline categories.</p> <p>Eligibility criteria is outlined in Miss. Admin. Code 7-3: 74, 19, State Board Education Policy Chapter 74, Rule 74.19.</p>
<p>The Mississippi Professional Growth System (PGS) for Administrators includes Standard 3, which requires administrators to engage in “courageous conversations about diversity”. How will this policy align with that standard?</p>	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level.</p> <p>The Administrator Growth Rubric (AGR) is organized into domains, standards, and indicators. An administrator's performance level on a particular standard is determined by evidence of the indicators therein. While Standard 3 of the AGR references conversations about diversity, the indicators themselves are focused on merit and the degree to which administrators maintain high expectations for all students and impact student learning. Neither Standard 3 nor its indicators promote differential treatment based on race, color, or national origin as the standard is agnostic regarding individuals’ backgrounds yet consistent in expecting success for all students.</p>



Comment	MDE Response
<p>How will the policy be reconciled with federal civil rights obligations and Title VI and Title IX requirements that explicitly address race and sex-based disparities?</p>	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements.</p> <p>Neither this policy, nor HB 1193 shall be construed to apply to or prohibit a local school district requiring or taking action against a student, employee, faculty, staff or contractor for failing to comply with federal or state law.</p>
<p>In June of 2019, the Jackson Public School District Board of Trustees adopted six core values for the district, including the core value of “equity.” The district defines equity in the following way: “Put simply, ‘all means all.’ We ensure equity by celebrating each scholar’s individuality, interests, abilities and talents; providing each scholar in each school with equitable access to high-quality instruction, courses, and resources; and holding high expectations for all scholars to graduate college-ready and career-minded. Similarly, we recognize and value the individual abilities, experiences and talents of our staff; providing all staff with equitable access to opportunities for development and growth; and ensuring that such opportunities are provided through clear and transparent processes.” Based on this definition, is the District in compliance with HB 1193?</p>	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements. Issues involving local school district policies and procedures are governed by Miss. Code Ann. § 37-7-301.1, which provides wide latitude to school districts to “adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi.” Based on this home rule, the superintendent and the local school board will have to make the determination of whether this complies with HB 1193.</p>
<p>As part of the District’s curriculum, middle school scholars read excerpts from Sharon G. Flake’s <i>The Skin I’m In</i>. The book’s main character is a seventh grader, Maleeka Madison, who struggles with low self-esteem due to her dark skin color. Maleeka is teased by classmates but ultimately finds self-acceptance and confidence through the support of her English teacher. Given the book’s explicit focus on color and colorism, or prejudice or discrimination against individuals with a dark skin tone, typically among people of the same ethnic or racial group, is this book’s use prohibited under HB 1193?</p>	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements. Issues involving local school district policies and procedures are governed by Miss. Code Ann. § 37-7-301.1, which provides wide latitude to school districts to “adopt any orders, resolutions or ordinances with respect to school district affairs,</p>



Comment	MDE Response
	property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi.” Based on this home rule, the superintendent and the local school board will have to make the determination of whether this complies with HB 1193.
How does HB 1193 define “divisive concepts”? What are some practical examples of this prohibited conduct?	HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. The policy does not require SBE to define, clarify, or interpret the definitions, prohibitions, or exceptions provided for in HB 1193.
Is explicit teaching about the causes of the Civil War prohibited under HB 1193 as a “divisive concept”?	HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. The policy does not require SBE to define, clarify, or interpret the definitions, prohibitions, or exceptions provided for in HB 1193.
HB 1193 bars formal education “that focus[es] on increasing awareness or understanding of issues related to... gender identity.” How will this prohibition impact the teaching of biology, specifically units addressing genetics and the determination of sex?	HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. The policy only addresses the model policy SBE is required to establish.
The District has engaged in efforts to support greater representation of males in the teaching profession. These efforts are well supported by the academic research on achievement, especially for boys. Are such efforts in recruitment and retention prohibited by HB 1193?	Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements. Issues involving local school district policies and procedures are governed by Miss. Code Ann. § 37-7-301.1, which provides wide latitude to school districts to “adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi.” Based on this home rule, the superintendent and the local school board will have to make the determination of whether these efforts comply with HB 1193.
Mississippi state social studies standards (7th grade) require that students “analyze the power held by each class of the Indian caste system.” Given that	HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process



Comment	MDE Response
<p>the Indian caste system has both social class and color underpinnings, is this prohibited under HB 1193?</p>	<p>and investigation procedures at the local school district level. The policy does not require SBE to define, clarify, or interpret the definitions, prohibitions, or exceptions provided for in HB 1193.</p> <p>HB 1193 includes statements and a definition of divisive comments with reference to the promotion of discriminatory ideals, such as those based on class. The social studies objective does not promote any ideals and merely educates that the Indian caste system existed and informs what the system entailed.</p>
<p>Clarify Definitions and Prohibited Activities: Terms like “divisive concepts” and “diversity, equity, and inclusion” should be clearly defined to avoid broad misinterpretation that could chill legitimate educational practices.</p> <p>Provide Protections for Culturally Relevant Pedagogy: The policy should explicitly protect teachers’ and schools’ ability to provide culturally relevant instruction and to discuss issues of race, history, and identity in ways that are age-appropriate and aligned with academic standards.</p> <p>Allow Local Flexibility: Local districts should have the flexibility to design and implement initiatives that promote diversity and equity in ways that align with their unique student populations.</p> <p>Ensure Due Process Protections: The investigation process should include strong due process protections for educators and staff accused of violations, including clear timelines, right to representation, and an appeals process.</p>	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. The policy does not require SBE to define, clarify, or interpret the definitions, prohibitions, or exceptions provided for in HB 1193.</p> <p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. The policy only addresses the model policy SBE is required to establish.</p> <p>Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements. Issues involving local school district policies and procedures are governed by Miss. Code Ann. § 37-7-301.1, which provides wide latitude to school districts to “adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi.” Based on this home rule, the superintendent and the local school board will have to make the determination of compliance with HB 1193.</p>



Comment	MDE Response
	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements. Issues involving local school district policies and procedures are governed by Miss. Code Ann. § 37-7-301.1, which provides wide latitude to school districts to “adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi.” Based on this home rule, the superintendent and the local school board have the authority to expand on the minimum requirements that meet the needs of their school district.</p>
<ol style="list-style-type: none"> 1. It is imperative that a task force be convened by the MS Department of Education consisting of early childhood educators, elementary, middle school and high school classroom teachers, librarians, parents, teacher educators, students, and those with a demonstrated working knowledge of child development and developmental psychology that are representative of diverse elements of Mississippi's population. The task force will be charged to develop a working definition of divisive. 2. The approved definition will be used to determine measurement of divisive concepts when curriculum, book content or student events are called into question. 3. The bill requires certain categories of individuals not be discussed in training related to excluding concepts but does not make it optional. School districts are not out of compliance if they chose to provide voluntary classes. This should be included as optional. 4. Delay final decisions on this until court cases are settled on this matter, 5. Provide a rubric for use by librarians that follows the definition of divisive adopted by the State Board of Education in the event removal of a book or books are considered. 	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level, within 90 days of passage. The SBE is obligated under state law to follow the directives required by the legislature and lacks the authority to delay action.</p> <p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. The policy does not authorize the SBE to define, clarify, or interpret the prohibitions provided for in HB 1193. Such recommendations may be considered during the next legislative session.</p>



Comment	MDE Response
<ol style="list-style-type: none"> 6. Provide guidance for schools and staff that illustrates what actions or event at the primary, middle school and high school level that warrant punitive action by the school district against a teacher or staff should a complaint be lodged against staff. This information should be provided to parents as well. 7. Develop a document for staff and parents to use in the event of a punitive action is proposed to be taken against a staff member or administrator. 	
<p>To provide transparency to taxpayers, the following revisions should be made to Rule 100.1, Section D. Assurance and Reporting</p> <ol style="list-style-type: none"> 4. Beginning in 2026, by July 30 of each year, every local superintendent shall submit to their local school board an annual report summarizing all formal complaints and the dispositions of those investigations and violations. <u>The report must include invoices for any expenditures related to the investigation and response to each formal complaint.</u> 5. Each annual report submitted to the local school board of a local public school district, or State Board of Education for state-operated schools, shall also be submitted to the Mississippi Department of Education by August 15, 2025. <u>The report must include invoices for any expenditures related to the investigation and response to each formal complaint.</u> 6. The State Board of Education shall annually prepare a report to submit to the Legislature, as required by House Bill 1193, consisting of the reports and documentation of expenditures from all local public school districts and its state-operated schools, along with any recommendations. <u>The annual report submitted to the legislature shall be posted on the Mississippi Department of Education website.</u> 	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. This policy reiterates the reporting requirement required by the HB 1193 but does not require details regarding the submissions of expenditures. Such mandates may be recommended and considered during the next legislative session.</p> <p>The Mississippi Department of Education (MDE) routinely posts annual reports to its website, absent any statutory or regulatory requirement and will continue to do so. Additionally, such reports are considered “public records” under the Publics Record Act and available upon request.</p>
<p>To provide transparency to taxpayers, the following revisions should be made to Rule 100.1, Section E, Withholding of Funds:</p> <ol style="list-style-type: none"> 2. The State Department of Education shall provide written notification to the local public school district or state-operated school of the disbursement withholding, along with the amount being withheld. <u>The State Department of Education shall public notice in a newspaper of</u> 	<p>Absent any statutory requirement, the SBE declines to revise its policy to include an unfunded obligation, such as providing notice in a newspaper of general circulation.</p>



Comment	MDE Response
<u>general circulation in the school district that funds have been withheld, including the amount being withheld.</u>	
How will the Mississippi Department of Education ensure clarity and consistency across districts in interpreting terms like “divisive concepts” and “diversity, equity and inclusion”?	HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. The policy does not require SBE to define, clarify, or interpret the prohibitions the provided for in HB 1193.
How will this policy interact with federal protections under Title VI, Title IX, Section 504, and the Individuals with Disabilities Education Act, which require that schools provide non-discriminatory environments and culturally responsive supports?	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements.</p> <p>Neither this policy, nor HB 1193 shall be construed to apply to or prohibit a local school district requiring or taking action against a student, employee, faculty, staff or contractor for failing to comply with federal or state law.</p>
Will educators and staff receive guidance that protects their ability to engage in lawful instruction, academic inquiry, and student support without fear of retaliation or sanction?	Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements. Issues involving local school district policies and procedures are governed by Miss. Code Ann. § 37-7-301.1, which provides wide latitude to school districts to “adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi.” Based on this home rule, the superintendent and the local school board have the authority to address this.
What steps will be taken to thoughtfully engage school districts, educators, families, and communities throughout the rulemaking process—especially	HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level.



Comment	MDE Response
<p>those most directly affected by changes related to Diversity, Equity, and Inclusion efforts?</p>	<p>Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements. Issues involving local school district policies and procedures are governed by Miss. Code Ann. § 37-7-301.1, which provides wide latitude to school districts to “adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi.” Based on this home rule, the superintendent and the local school board will be in the position to engage their communities.</p>
<p>Regarding “Any employee, faculty, staff or contractor, or student who desires to assert a violation of House Bill 1193, may file a Formal Complaint. Any student under the age of 18 may file a complaint through a parent, guardian or next friend, and may file a complaint in his or her own name upon reaching the age of 18.”</p> <p>In this case, it seems that a “next friend” opens up the possibility for individuals and institutions seeking to encourage the assertion of violations, through those under the age of 18, to participate in the complaint process. Why “next friend” as opposed to “formally appointed guardian”?</p>	
<p>2. Regarding “The Formal Complaint shall be written and signed by the complainant, and shall include the following: Names of any potential witnesses”</p> <p>In the classroom context, how does this apply to witnesses under the age of 18? In addition, how are named witnesses incorporated into the complaint process. This should be specifically outlined when an entire classroom or assembly, etc. can be witnesses.</p>	<p>Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements. As part of their policy, local school districts shall continue to adhere to all state and federal laws regarding confidentiality of students and investigatory matters.</p>
<p>Regarding “Upon receipt of a complete, timely, and properly filed Formal Complaint, the local school board of a local public school district, or State Board of Education for state-operated schools, shall investigate the</p>	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. The</p>



Comment	MDE Response
<p>reported violation or potential violation under the board's adopted procedures."</p> <p>There are several ambiguities in the state law, which are up to interpretation--in this case likely up to the interpretation of the local school board or the State Board of Education. Who specifically interprets these parts of the law, for example what's a "divisive concept," what do "promote" and "endorse" mean in the context of classroom education, "transgender ideology" (it's not an ideology), "deconstruction of heteronormativity," or "sexual privilege." For example, our founding fathers had the sexual privilege to make laws at a time when women were restricted from doing so. Does the very nature of saying our founding fathers endorse or promote the sexual privilege of men? If I, as an academic professional, can see the potential problems in not clarifying such language, then how will employees, faculty, staff or contractors, or students, in general, make such distinctions without clearer language and nuanced understanding of these terms. It seems that it is the responsibility of the State Board or local boards to clarify these terms, with such accuracy as to minimize confusion and disruption of classrooms and other educational spaces. How these terms will be interpreted during these investigative processes, and by whom, should be clearly outlined.</p> <p>Does a class trip to the Two Mississippi Museums, or a blues festival focused on the contributions of Black musicians, the Ohr-O'Keefe Museum of Art, or an archaeology excavation focused on the history of the Choctaws violate the state law, or campus visit from Robin Roberts fall under "the increasing awareness or understanding of issues related to race, sex, color, gender identity, sexual orientation, or national origin"? If so, then there should be some mention of supplementary classroom education venues/events, with specific examples named, and where they fit into potential violations, prior to being introduced in the complaint process.</p>	<p>policy does not authorize SBE to define, clarify, or interpret the definitions, prohibitions, or exceptions provided for in HB 1193.</p>
<p>Regarding "Any other relevant information that would support an investigation."</p> <p>Extensive documentation should be required in these cases (more specifics needed by the MDE here), as well as non-anonymity for complainants. If the</p>	<p>HB 1193 requires the SBE to develop and adopt a model policy that meets the minimum requirements under the law for a complaint process and investigation procedures at the local school district level. Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum</p>



Comment	MDE Response
<p>latter is not the case, then what kind of case can “anyone aggrieved by a formal finding of the governing board” make for judicial review?</p>	<p>requirements. Issues involving local school district policies and procedures are governed by Miss. Code Ann. § 37-7-301.1, which provides wide latitude to school districts to “adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi.” Based on this home rule, the superintendent and the local school board have the authority to further expand on the concerns raised to ensure they meet the needs to the local school district.</p>
<p>If a formal complaint is filed against an educator, or other school employee, who presumes that they are following the law, then does that educator temporarily cease instruction until the end of the 30-day period, risking the filing of additional complaints, or do they continue with instruction as planned until the review process is complete?</p>	<p>Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements established by SBE. Issues involving local school district policies and procedures are governed by Miss. Code Ann. § 37-7-301.1, which provides wide latitude to school districts to “adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi.” Based on this home rule, the superintendent and the local school board have the authority to make this determination.</p>
<p>There seems to be economic consequences for the local public school district, or state-operated school, if determined to be in violation of any provision. Are there punitive consequences for individuals found to be in violation and, if so, what are those?</p>	<p>Neither HB 1193, nor the proposed SBE policy addresses consequences for an individual. Local school districts will be required to develop, adopt, and establish their own complaint and investigation policy that builds upon the minimum requirements established by SBE. Issues involving local school district policies and procedures are governed by Miss. Code Ann. § 37-7-301.1, which provides wide latitude to school districts to “adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi.” Based on</p>



Comment	MDE Response
<p>Finally, I noticed that there were several people in the audience this morning who were either unaware that the hearing was specifically about the complaint process and unaware that they had to register to speak at the public hearing. It is clear to me that the person who did speak this morning thought that the hearing was about the law, and not the specific complaint process related to the law. I spoke to a couple of MDE employees who affirmed the registration process as standard protocol, which I understand.</p>	<p>this home rule, the superintendent and the local school board have the authority to make this determination.</p> <p>In accordance with Administrative Procedures Act, the rules adopted by the Secretary of State, and the SBE's rules regarding the same, the SBE properly afforded persons the opportunity to submit, in writing, argument, data and views on its proposed policy (not on HB 1193), as well as the opportunity for an oral proceeding to provide public comment on the proposed policy (not on HB 1193).</p>



Subject: Public Comment Regarding Proposed Diversity, Equity, and Inclusion Compliance Policy – Chapter 100, Rule 100.1

To: Erin Meyer, Chief of Advocacy and Counsel

Date: June 5, 2025

Re: Community Concerns Regarding Proposed Compliance Policy – State Board Policy Chapter 100, Rule 100.1

We, the undersigned organizations and community leaders, respectfully submit this comment regarding the Mississippi Department of Education’s proposed compliance policy under State Board Policy Chapter 100, Rule 100.1.

We recognize that the Department is working in good faith to respond to recent statutory requirements and directives. We also appreciate the difficult position the Mississippi Department of Education is in—charged with both aligning with new state laws and maintaining obligations under federal civil rights law, constitutional protections, and accreditation standards. Our intention in submitting this letter is to raise concerns about the potential unintended consequences of this proposed policy and to urge additional clarification, engagement, and transparency as this rule moves forward.

We share a common goal: thriving schools for all students.

Mississippi has made important strides in student achievement in recent years, and it is the recognition of those efforts—by educators, families, communities, and parents—that led to the “Mississippi Miracle.” However, significant disparities remain—particularly across race, geography, and ability. Diversity, Equity, and Inclusion efforts—including student support services and culturally responsive teaching—play a vital role in sustaining continued growth. The proposed rule’s broad language, particularly around banning “divisive concepts” and Diversity, Equity, and Inclusion practices, could unintentionally undermine those gains, introduce legal risk, and erode educator and student well-being.

Our public schools should be safe, supportive, and high-quality learning environments for all students—regardless of their background, race, gender identity, ability, or ZIP code. We believe Diversity, Equity, and Inclusion are not political concepts, but educational values that help ensure every student is seen, respected, and prepared to succeed.

We are concerned that the language within this policy, especially around “divisive concepts” and prohibitions on diversity-related programming, could unintentionally restrict conversations and practices that are central to strong teaching, student development, and legal compliance.

We respectfully encourage the Department to consider additional engagement with the communities most impacted by this proposed policy—including school districts, educators,

families, and students. Given the policy's potential impact on classroom instruction and school climate, we believe that broad and comprehensive dialogue can help ensure the rule is both practical and responsive to the varied needs of Mississippi's communities. Creating opportunities for clear communication, regional listening sessions, and ongoing feedback from district leaders and local stakeholders can help strengthen public trust and support thoughtful implementation.

As this process continues, we believe it is important to carefully consider several practical and legal questions, including:

- How will the Mississippi Department of Education ensure clarity and consistency across districts in interpreting terms like “divisive concepts” and “diversity, equity and inclusion”?
- How will this policy interact with federal protections under Title VI, Title IX, Section 504, and the Individuals with Disabilities Education Act, which require that schools provide non-discriminatory environments and culturally responsive supports?
- Will educators and staff receive guidance that protects their ability to engage in lawful instruction, academic inquiry, and student support without fear of retaliation or sanction?
- What steps will be taken to thoughtfully engage school districts, educators, families, and communities throughout the rulemaking process—especially those most directly affected by changes related to Diversity, Equity, and Inclusion efforts?

We respect the Mississippi Department of Education's role in implementing recent legislation and trust that the Department will act with care and integrity. We hope this feedback is received in the spirit intended: as a call for further discussion and clarity to protect students, uphold legal standards, and support educators in continuing to do the vital work of serving Mississippi's children.

We remain engaged and committed to supporting student learning across the state.

Signed,

One Voice

Pastor Haven Boyd

MS State Conference NAACP

Mark McLain, MD

David White, Retired Educator

Chere Peel, MD

Reverend Dawn Douglas Flowers

Response to DEI policies

From Cathy Webb Grace <cwgrace@olemiss.edu>

Date Tue 6/10/2025 12:23 PM

To Erin Meyer <EMeyer@mdek12.org>

External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Please consider these elements in your development of processes, regulations and policies specific to HB 1193.

1. It is imperative that a task force be convened by the MS Department of Education consisting of early childhood educators, elementary, middle school and high school classroom teachers, librarians, parents, teacher educators, students, and those with a demonstrated working knowledge of child development and developmental psychology that are representative of diverse elements of Mississippi's population. The task force will be charged to develop a working definition of divisive.
2. The approved definition will be used to determine measurement of divisive concepts when curriculum, book content or student events are called into question.
3. The bill requires certain categories of individuals not be discussed in training related to excluding concepts but does not make it optional. School districts are not out of compliance if they chose to provide voluntary classes. This should be included as optional.
4. **Delay final decisions on this until court cases are settled on this matter,**
5. Provide a rubric for use by librarians that follows the definition of divisive adopted by the State Board of Education in the event removal of a book or books are considered.
6. Provide guidance for schools and staff that illustrates what actions or event at the primary, middle school and high school level that warrant punitive action by the school district against a teacher or staff should a complaint be lodged against staff. This information should be provided to parents as well.
7. Develop a document for staff and parents to use in the event of a punitive action is proposed to be taken against a staff member or administrator.

Should you have questions or need for clarification, please contact me at 662-312-1395., Thank you.

Cathy Grace, Ed.D.

Request for Oral Proceeding

From Gaven Wallace <gavenw98@gmail.com>

Date Tue 5/20/2025 8:43 AM

To Erin Meyer <EMeyer@mdek12.org>

External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Erin Meyer,

I am writing to request an oral proceeding on the rule to establish Title 7, Education K-12, Part 3, Chapter 100, Rule 100.1 – Compliance with State Law Regarding Diversity, Equity, and Inclusion Prohibitions, Complaint Process, and Investigations.

As a Mississippi educator, I am deeply concerned with how HB 1193 censors classroom speech and places non-white or non-heternormative teachers at increased risk of workplace discrimination. I fear that reporters—be they students, parents, or staff—will unduly weaponize this law against teachers, especially those within these particularly vulnerable groups. Furthermore, HB 1193's definition of "divisive concepts" prohibits academic institutions from acting as space for teachers, students, and staff to learn from one another and exchange ideas. This transaction is the backbone of the education system, so State efforts to censor dialogue in the classroom will have a greatly adverse educational experience in Mississippi.

While I understand that the Department of Education must uphold Mississippi law, it is my hope that an oral proceeding would help alleviate these concerns amongst others.

Sincerely,
Gaven Wallace

Oral Proceeding on Rule 100.1

From Laura Mammina <lmammina@gmail.com>

Date Tue 5/20/2025 4:27 PM

To Erin Meyer <EMeyer@mdek12.org>

External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Meyer,

I am writing in regards to the Mississippi Department of Education's recently proposed policy, Rule 100.1, which details the requirements for the complaint and investigation procedures under HB 1193. I am requesting an oral hearing of this policy because it, like the statute it seeks to enforce, tramples on the constitutional rights of students and teachers.

The policy, like the law, violates the First Amendment's protections of free speech for both teachers and students. The Supreme Court has repeatedly upheld the First Amendment rights of students. The policy, like the law, has a chilling effect on the classroom, particularly prohibiting schools from "maintaining any programs, including academic programs or courses, or offices that promote diversity, equity and inclusion, endorse divisive concept or concepts promoting transgender ideology, gender-neutral pronouns, deconstruction of heteronormativity, gender theory, sexual privilege or any related formulation of these concepts." Federal law protects the rights of LGBTQ students. Prohibiting--or appearing to prohibit--students and teachers from addressing or discussing topics related to sex and gender is a clear violation of the First Amendment.

This policy does nothing to define the rights or protections that should be afforded to teachers and students. As it currently stands, the policy, like the law, is a gross violation of the United States Constitution.

This issue will impact the quality of education in our state, and have effects on current students that may last for decades to come. It is critical that this receive a public hearing.

Sincerely,

Dr. Laura Mammina
University of Southern Mississippi.

Re: Hearing request re: Title 7, Education K-12, Part 3, Chapter 100, Rule 100.1

From Sarah Elizabeth Baechle <sebaechl@olemiss.edu>

Date Sat 5/17/2025 1:45 PM

To Erin Meyer <EMeyer@mdek12.org>

External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Erin,

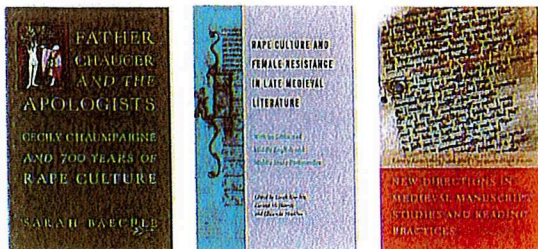
Thank you so much for the clarification! For the record, I would still like to request a hearing—I am concerned about the vagueness of Part 3 Chapter 100 A.2 and the ways I could see that unintentionally hampering secondary school teachers' abilities to instruct Mississippi students.

Thank you again!

Best,
Sarah

--

Sarah Baechle, Ph.D., she/her
Associate Professor of English,
University of Mississippi
Bondurant Hall, P.O. Box 1848
University, MS 38677
<https://english.olemiss.edu/sarah-baechle/>



From: Erin Meyer <EMeyer@mdek12.org>

Date: Saturday, May 17, 2025 at 2:25 PM

To: Sarah Elizabeth Baechle <sebaechl@olemiss.edu>

Subject: Re: Hearing request re: Title 7, Education K-12, Part 3, Chapter 100, Rule 100.1

[EXTERNAL]



Public Hearing for Rule 100.1

From erika.luckert@gmail.com <erika.luckert@gmail.com>

Date Wed 5/21/2025 11:35 PM

To Erin Meyer <EMeyer@mdek12.org>

External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Erin Meyer, Chief of Advocacy and Council

I have worked in education for over a decade, and have watched with growing concern as HB 1193 has moved through the Mississippi legislative system and into law. Today, I am writing in regards to the Mississippi Department of Education's recently proposed policy, Rule 100.1, which details minimum requirements for the complaint and investigation procedures under HB 1193. Specifically, I am requesting an oral hearing of this policy, for reasons that I outline below.

First, the complaint process does not include any notification of the complaint to the person, office, or educational body against whom the claim is filed. This is a serious, harmful lack of transparency, which limits the ability of that person or office to provide their own witnesses, accounts, and relevant information. This lack of transparency continues through the investigation process, where the complainant is required to receive notification at every step of the process, but the person or office under investigation is extended no equivalent courtesy.

Second, in the investigation process, beyond defining a 30-day timeline, there are no standards for what due process should entail. This is an incredibly short timeline for educational institutions to comply with, and without clear minimums for what an investigative process, it is likely that these investigations will over-rely on the information submitted by the complainant, and that the teachers and offices charged will not receive fair treatment or due process.

Third, the policy mandates "curative action" within 25 days of any determination that a violation has occurred but does not place any limits on what that curative action may be. Without limits to curative actions, this opens the process to hugely disproportionate punishment of teachers, creating a culture of retribution and fear that is a detriment to education.

In conclusion, this policy does nothing to define the rights or protections that should be afforded to those under complaint or investigation. As it currently stands, without transparency, due process, or proportional justice for those against whom complaints are filed, this policy reads as a recipe for a witch hunt—a metaphor I do not use lightly.

This is an issue of extreme importance, that will impact the quality of education in our state and have effects on current students that may last for decades to come. It is critical that this receives a public hearing.

Sincerely,
Dr. Erika Luckert
University of Southern Mississippi



Michael L. Cormack, Ed.D.
Deputy Superintendent

Phone: 601-960-8738
Facsimile: 601-960-8713
Email: mcormack@jackson.k12.ms.us
www.jackson.k12.ms.us

Erin Meyer, Chief of Advocacy & Counsel
Mississippi Department of Education
359 N. West Street
PO Box 771
Jackson, MS 39205-0771

Dear Ms. Meyer:

The Jackson Public School District respectfully submits these clarifying questions and recommendations regarding House Bill 1193 to support its thoughtful implementation in our district and across Mississippi's public schools. We recognize the Legislature's intent to promote a unified civic culture and avoid practices that may foster division. At the same time, as practitioners responsible for delivering instruction and upholding federal and state mandates, we seek clarity on how the policy will intersect with current educational standards, curricular content, and student support practices. Our questions are rooted in a desire to ensure compliance while maintaining high-quality, standards-based instruction and a welcoming environment for all scholars. We invite dialogue on the practical considerations of implementing HB 1193 and welcome guidance to ensure fidelity and transparency moving forward.

1. Clarifying Questions on HB 1193

In order to understand the full implications of this policy, JPS respectfully requests clarity on the following questions:

- How will this policy impact the celebration of Black History Month, Women's History, and other cultural heritage observances?
- Will the policy limit or prohibit the teaching of courses such as African American Studies, African American Literature, Survey of African American Writing?
- How will the policy impact practices specifically designed to address the over-identification of African American students and students with disabilities in special education or discipline categories?
- The Mississippi Professional Growth System (PGS) for Administrators includes Standard 3, which requires administrators to engage in "courageous conversations about diversity". How will this policy align with that standard?

JACKSON PUBLIC SCHOOL DISTRICT



Michael L. Cormack, Ed.D.
Deputy Superintendent

Phone: 601-960-8738
Facsimile: 601-960-8713
Email: mcormack@jackson.k12.ms.us
www.jackson.k12.ms.us

- How will the policy be reconciled with federal civil rights obligations and Title VI and Title IX requirements that explicitly address race and sex-based disparities?
- In June of 2019, the Jackson Public School District Board of Trustees adopted six core values for the district, including the core value of “equity.” The district defines equity in the following way: “Put simply, ‘all means all.’ We ensure equity by celebrating each scholar’s individuality, interests, abilities and talents; providing each scholar in each school with equitable access to high-quality instruction, courses, and resources; and holding high expectations for all scholars to graduate college-ready and career-minded. Similarly, we recognize and value the individual abilities, experiences and talents of our staff; providing all staff with equitable access to opportunities for development and growth; and ensuring that such opportunities are provided through clear and transparent processes.” Based on this definition, is the District in compliance with HB 1193?
- As part of the District’s curriculum, middle school scholars read excerpts from Sharon G. Flake’s *The Skin I’m In*. The book’s main character is a seventh grader, Maleeka Madison, who struggles with low self-esteem due to her dark skin color. Maleeka is teased by **classmates, but ultimately finds self-acceptance and confidence through the support of her English teacher.** Given the book’s explicit focus on color and colorism, or prejudice or discrimination against individuals with a dark skin tone, typically among people of the same ethnic or racial group, is this book’s use prohibited under HB 1193?
- How does HB 1193 define “divisive concepts”? What are some practical examples of this prohibited conduct?
- Is explicit teaching about the causes of the Civil War prohibited under HB 1193 as a “divisive concept”?
- HB 1193 bars formal education “that focus[es] on increasing awareness or understanding of issues related to... gender identity.” How will this prohibition impact the teaching of biology, specifically units addressing genetics and the determination of sex?
- The District has engaged in efforts to support greater representation of males in the teaching profession. These efforts are well supported by the academic research on achievement, especially for boys. Are such efforts in recruitment and retention prohibited by HB 1193?

JACKSON PUBLIC SCHOOL DISTRICT



Michael L. Cormack, Ed.D.
Deputy Superintendent

Phone: 601-960-8738
Facsimile: 601-960-8713
Email: mcormack@jackson.k12.ms.us
www.jackson.k12.ms.us

- Mississippi state social studies standards (7th grade) require that students “analyze the power held by each class of the Indian caste system.” Given that the Indian caste system has both social class and color underpinnings, is this prohibited under HB 1193?

2. Recommendations for Revision

- **Clarify Definitions and Prohibited Activities:** Terms like “divisive concepts” and “diversity, equity, and inclusion” should be clearly defined to avoid broad misinterpretation that could chill legitimate educational practices.
- **Provide Protections for Culturally Relevant Pedagogy:** The policy should explicitly protect teachers’ and schools’ ability to provide culturally relevant instruction and to discuss issues of race, history, and identity in ways that are age-appropriate and aligned with academic standards.
- **Allow Local Flexibility:** Local districts should have the flexibility to design and implement initiatives that promote diversity and equity in ways that align with their unique student populations.
- **Ensure Due Process Protections:** The investigation process should include strong due process protections for educators and staff accused of violations, including clear timelines, right to representation, and an appeals process.

Thank you in advance for your thoughtful answers and consideration of our recommendations.

Sincerely,

Michael L. Cormack, Jr., Ed.D.

Deputy Superintendent, Jackson Public Schools

JACKSON PUBLIC SCHOOL DISTRICT

662 South President Street

Post Office Box 2338

Jackson, Mississippi 39225-2338

EXECUTIVE BOARD

Kabir Karriem, Chairman
Representative, District 41

Rod Hickman, Vice-Chairman
Senator, District 32

Zakiya Summers, Secretary
Representative, District 68

Tammarra G. Butler Washington,
Assistant Secretary
Representative, District 69

Oscar Denton, Treasurer
Representative, District 55

John Faulkner,
Parliamentarian
Representative, District 5

Gary Brumfield, Chaplain
Senator, District 38

Robert L. Sanders, Sergeant-At-Arms
Representative, District 29

SENATORS

Juan Barnett, District 34
Bradford Blackmon, District 21
Albert Butler, Sr., District 36
Angela Turner-Ford, District 16
Hillman T. Frazier, District 27
John Horhn, District 26
Reginald D. Jackson, District 11
David Jordan, District 24
Sollie B. Norwood, District 28
Sarita M. Simmons, District 13
Derriek T. Simmons, District 12
Joseph C. Thomas, District 22

REPRESENTATIVES

Jeramey D. Anderson, District 110
Otis L. Anthony, II, District 31
Willie L. Bailey, District 49
Earle S. Banks, District 67
Chris Bell, District 65
Lawrence Blackmon, District 57
William "Bo" Brown, District 70
Cedric Burnett, District 9
Bryant W. Clark, District 47
Angela Cockerham, District 96
Ronnie Crudup, Jr., District 71
Stephanie M. Foster, District 63
Justis Gibbs, District 72
Karl Gibbs, District 36
Jeffery Harness, District 85
John W. Hines, Sr., District 50
Kenji Holloway, District 27
Gregory L. Holloway, Sr., District 76
Jeffery Hulum, III, District 119
Kelth Jackson, District 45
Lataisha Jackson, District 11
Hester Jackson-McCray, District 40
Timaka James-Jones, District 51
Robert L. Johnson, III, District 94
Carl L. Mickens, District 42
Fabian Nelson, District 66
Solomon Osborne, District 32
Orlando W. Paden, District 26
Darryl L. Porter, Jr., District 98
Tracey T. Rosebud, District 30
Omeria Scott, District 80
Cheikh Taylor, District 38
Rickey W. Thompson, District 16
Percy W. Watson, District 103



MISSISSIPPI LEGISLATIVE BLACK CAUCUS

June 3, 2025

Mississippi Department of Education
Attention: Office of Accreditation
P.O. Box 771
Jackson, MS 39205

RE: Request for Public Hearing on Proposed Rules — Diversity, Equity, and Inclusion (DEI) Prohibition in K-12 Schools (Admin Code Filing No. 00028044b)

To Whom It May Concern,

Pursuant to the provisions of the Mississippi Administrative Procedures Act, we, the undersigned legislators, are writing to formally request a public hearing on the proposed rules published by the Mississippi Department of Education (Admin Code Filing No. 00028044b) concerning the implementation of the statutory prohibition on Diversity, Equity, and Inclusion (DEI) programming in Mississippi's K-12 public schools.

These rules raise significant questions regarding academic freedom, student support services, culturally responsive education, and the legal and constitutional rights of both educators and students. The magnitude of their potential impact warrants an open and transparent public hearing to ensure full community input and deliberation.

We believe it is imperative that affected stakeholders have an opportunity to voice their concerns, seek clarification, and propose alternative approaches before these rules are finalized.

In accordance with the requirement that at least ten individuals submit written requests to initiate a hearing, please consider that this letter and the undersigned individuals have fulfilled the requirement requesting such a hearing.

Thank you for your attention to this important matter and for honoring the public's right to participate in the policymaking process. Please confirm receipt of this request and provide details regarding the date, time, and location of the hearing once scheduled.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kabir Karriem".

Rep. Kabir Karriem, MLBC Chairman

/s/ Rep. Rickey Thompson, District 16

/s/ Rep. Otis Anthony, District 31

/s/ Rep. Solomon Osborne, District 32

/s/ Rep. Cheikh Taylor, District 38

/s/ Rep. Bryant Clark, District 47

/s/ Rep. John Hines, Sr., District 50

/s/ Rep. Timaka James-Jones, District 51

/s/ Rep. Oscar Denton, District, District 55

/s/ Rep. Fabian Nelson, District 66

/s/ Rep. Earle Banks, District 67

/s/ Rep. Zakiya Summers, District 68

/s/ Rep. Grace Butler-Washington, District 69

/s/ Rep. Justis Gibbs, District 72

/s/ Rep. Jefferey Harness, District 85

/s/ Rep. Jeffrey Hulum, District 119

Public Comments for Part 3 Chapter 100: Compliance with State Law Regarding Diversity, Equity, and Inclusion in Public Education.

June 11, 2025

I wish the Mississippi Department of Education would decline to develop and implement policies regarding HB 1193, the diversity, equity, and inclusion legislation, because neither the intent behind this legislation nor how it will be applied is ~~not~~ in the interest of the citizens of Mississippi. This legislation was written and passed to implement Project 2025 in the state of Mississippi.

Unfortunately, since that is unlikely to happen, I will make the following comments:

To provide transparency to taxpayers, the following revisions should be made to Rule 100.1, Section D, Assurances and Reporting:

4. Beginning in 2026, by July 30 of each year, every local superintendent shall submit to their local school board an annual report summarizing all formal complaints and the dispositions of those investigations and violations. **The report must include invoices for any expenditures related to the investigation and response to each formal complaint.**

5. Each annual report submitted to the local school board of a local public school district, or State Board of Education for state-operated schools, shall also be submitted to the Mississippi Department of Education by August 15, 2025. **The report must include invoices for any expenditures related to the investigation and response to each formal complaint.**

6. The State Board of Education shall annually prepare a report to submit to the Legislature, as required by House Bill 1193, consisting of the reports **and documentation of expenditures** from all local public school districts and its state-operated schools, along with any recommendations. **The annual report submitted to the legislature shall be posted on the Mississippi Department of Education website.**

To provide transparency to taxpayers, the following revisions should be made to Rule 100.1, Section E, Withholding of Funds:

2. The State Department of Education shall provide written notification to the local public school district or state-operated school of the disbursement withholding, along with the amount being withheld. **The State Department of Education shall publish notice in a newspaper of general circulation in the school district that funds have been withheld, including the amount being withheld.**

Thank you for your time today,

Mandy Rogers
PO Box 2405
Madison, MS 39130
601-594-7990
Mom424@aol.com

A District Superintendent's response to Secretary of Education, Linda McMahon, who sent out a blanket warning to all public school superintendents to stop doing their various programs which help the special needs kids, teach about civil rights, and use equity in hiring practices.

April 8, 2025

To Whom It May (Unfortunately) Concern at the U.S. Department of Education:

Thank you for your April 3 memorandum, which I read several times — not because it was legally persuasive, but because I kept checking to see if it was satire. Alas, it appears you are serious.

You've asked me, as superintendent of a public school district, to sign a "certification" declaring that we are not violating federal civil rights law — by, apparently, acknowledging that civil rights issues still exist. You cite Title VI of the Civil Rights Act, then proceed to argue that offering targeted support to historically marginalized students is somehow discriminatory.

That's not just legally incoherent — it's a philosophical Möbius strip of bad faith.

Let me see if I understand your logic:

If we acknowledge racial disparities, that's racism.

If we help English learners catch up, that's favoritism.

If we give a disabled child a reading aide, we're denying someone else the chance to struggle equally.

And if we train teachers to understand bias, we're indoctrinating them — but if we train them to ignore it, we're "restoring neutrality"?

How convenient that your sudden concern for "equal treatment" seems to apply only when it's used to silence conversations about race, identity, or inequality.

Let's talk about our English learners. Would you like us to stop offering translation services during parent-teacher conferences? Should we cancel bilingual support staff to avoid the appearance of "special treatment"? Or would you prefer we just teach all content in English and hope for the best, since acknowledging linguistic barriers now counts as discrimination?

And while we're at it — what's your official stance on IEPs? Because last I checked, individualized education plans intentionally give students with disabilities extra support. Should we start removing accommodations to avoid offending the able-bodied majority? Maybe cancel occupational therapy altogether so no one feels left out?

If a student with a learning disability receives extended time on a test, should we now give everyone extended time, even if they don't need it? Just to keep the playing field sufficiently flat and unthinking?

Your letter paints equity as a threat. But equity is not the threat. It's the antidote to decades of failure. Equity is what ensures all students have a fair shot. Equity is what makes it possible for a child with a speech impediment to present at the science fair. It's what helps the nonverbal kindergartner use an AAC device. It's what gets the newcomer from Ukraine the ESL support she needs without being left behind.

And let's not skip past the most insulting part of your directive — the ten-day deadline. A national directive sent to thousands of districts with the subtlety of a ransom note, demanding signatures within a week and a half or else you'll cut funding that supports... wait for it... low-income students, disabled students, and English learners.

Brilliant. Just brilliant. A moral victory for bullies and bureaucrats everywhere.

So no, we will not be signing your "certification."

We are not interested in joining your theater of compliance.

We are not interested in gutting equity programs that serve actual children in exchange for your political approval.

We are not interested in abandoning our legal, ethical, and educational responsibilities to satisfy your fear of facts.

We are interested in teaching the truth.

We are interested in honoring our students' identities.

We are interested in building a school system where no child is invisible, and no teacher is punished for caring too much.

And yes — we are prepared to fight this. In the courts. In the press. In the community. In Congress, if need be.

Because this district will not be remembered as the one that folded under pressure.

We will be remembered as the one that stood its ground — not for politics, but for kids.

Sincerely,

District Superintendent

Still Teaching. Still Caring. Still Not Signing.

Groups sue Mississippi education boards over new DEI law



by Candice Wilder and Devna Bose
June 9, 2025



Groups sue Mississippi education boards over new DEI law

0:00 / 3:26

1x

Everlit

A coalition of civil rights and legal organizations filed a federal lawsuit Monday against Mississippi's education boards challenging diversity, equity and inclusion policies imposed by the Legislature at public schools, colleges and universities.

The complaint was filed Monday in the Southern District Federal Court by the American Civil Liberties Union of Mississippi and partner legal groups against the Institutions of Higher Learning, Mississippi Community College Board, Mississippi State Department of Education and Mississippi Charter School authorizer Board. According to an ACLU press release, the lawsuit was prompted by concerned teachers, parents, students and organizations.

The lawsuit alleges that House Bill 1193, which was passed by the Legislature in April and is part of a national trend of anti-DEI legislative efforts, violates the First and Fourteenth amendments — which respectively constitutionally protect free speech and equal protection under the law — by imposing the government's views on race, gender and sexuality on students and educators.

We use our own and third-party cookies and similar technologies to enhance and personalize your experience, analyze use of our website, and conduct marketing. For more information about these technologies, please see our [Privacy Policy](#).

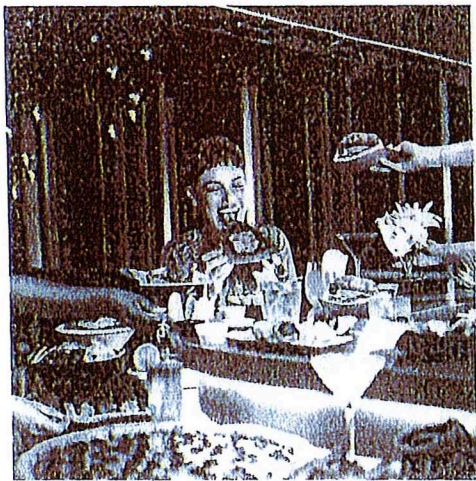
✕


It also claims that the vagueness of the law allows officials to enforce it “in an arbitrary and discriminatory fashion,” and that it doesn’t provide a clear process for rectifying violations.

Rob McDuff, a Mississippi Center for Justice attorney on the case, said the measure will force a complete revamp of various K-12, college and law-school courses, including Mississippi history, biology and English literature.


“It’s one of the most ridiculous things to come out of the Legislature in a long time, and that’s saying something,” he said. “It’s really going to alter education as we know it in Mississippi.”

ADVERTISING



 ARIA - Sponsored



 ARIA - Sponsored

We use our own and third-party cookies and similar technologies to enhance and personalize your experience, analyze use of our website, and conduct marketing. For more information about these technologies, please see our [Privacy Policy](#).

READ MORE: Mississippi Legislature approves DEI ban after heated debate

A spokesperson for IHL said the board is reviewing the lawsuit and could not comment. A spokesperson for the Mississippi Department of Education directed questions to the Mississippi attorney general's office.

Sen. Nicole Boyd, R-Oxford, one of the bill's authors, declined to comment on the lawsuit when reached by Mississippi Today.

Marvis Dortch, director of the ACLU of Mississippi, said in a press release, "Members of the Mississippi legislature may very well be incapable of having productive discussions on race, gender, or our state's history. That doesn't mean our educators and students aren't up to handling difficult conversations."

The First Amendment protects the right to share ideas, including teachers' and students' right to receive and exchange knowledge," Dortch said. "Open and honest dialogue benefits all students and, if given a try, it would benefit the Mississippi Legislature."

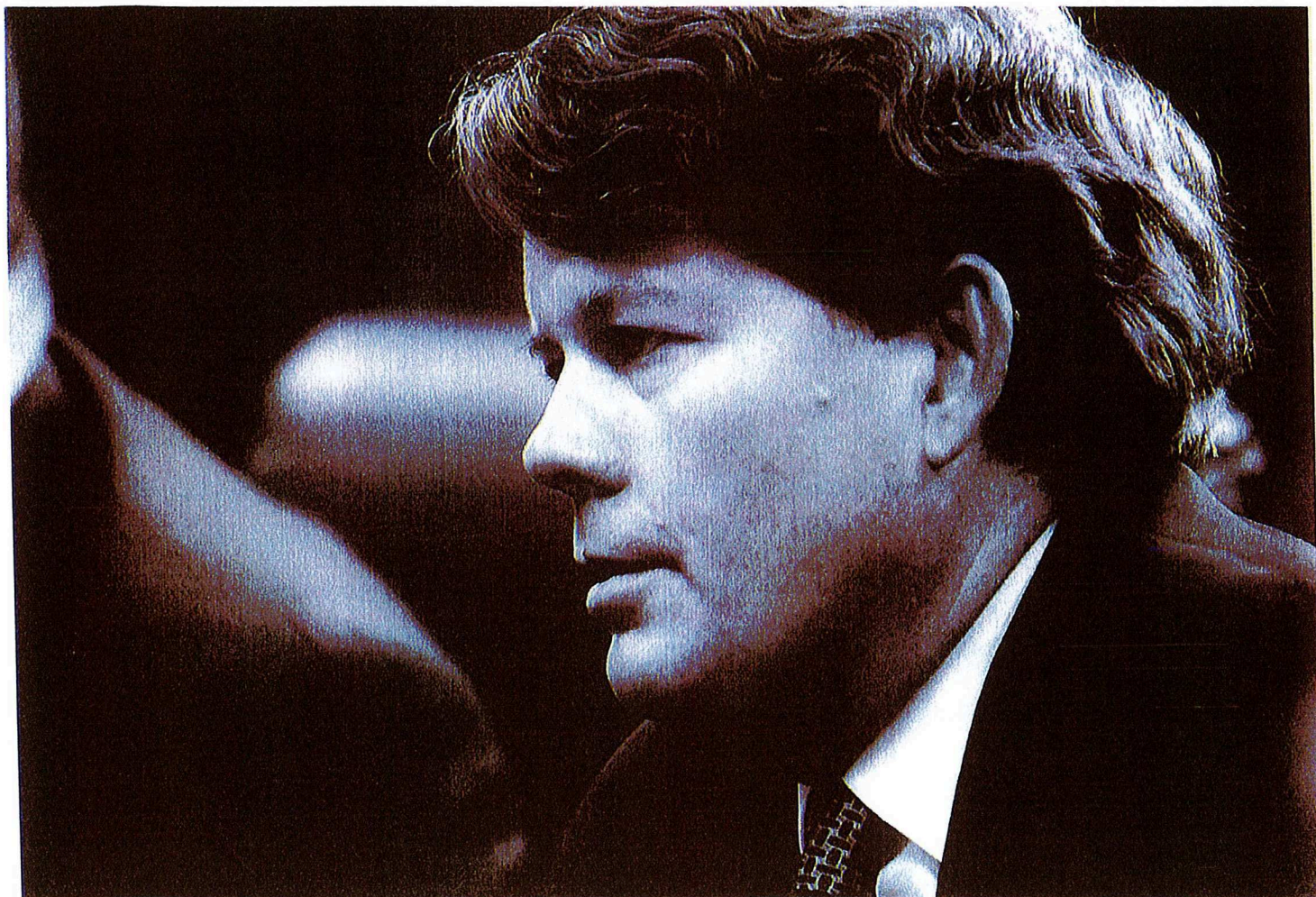
© 2025 Deep South Today
Powered by Newspack

We use our own and third-party cookies and similar technologies to enhance and personalize your experience, analyze use of our website, and conduct marketing. For more information about these technologies, please see our [Privacy Policy](#).

Mississippi Legislature approves DEI ban after heated debate



by Michael Goldberg
April 2, 2025



House Rep. Joey Hood, R-Ackerman, listens to discussions regarding the cost of Medicaid expansion, during a public meeting held at the state Capitol, Tuesday, April 23, 2024. Credit: Vickie D. King/Mississippi Today

Mississippi lawmakers have reached an agreement to ban diversity, equity and inclusion programs and a list of “divisive concepts” from public schools across the state education system, following the lead of numerous other Republican-controlled states and President Donald Trump’s administration.

House and Senate lawmakers approved a compromise bill, HB 1193, in votes on Tuesday and Wednesday. It will likely head to Republican Gov. Tate Reeves for his signature after it clears a procedural motion.

The agreement between the Republican-dominated chambers followed hours of heated debate in which Democrats, almost all of whom are Black, excoriated the legislation as a setback in the long struggle to make Mississippi a fairer place for minorities. They also said the bill could bog universities down with costly legal fights and erode academic freedom.

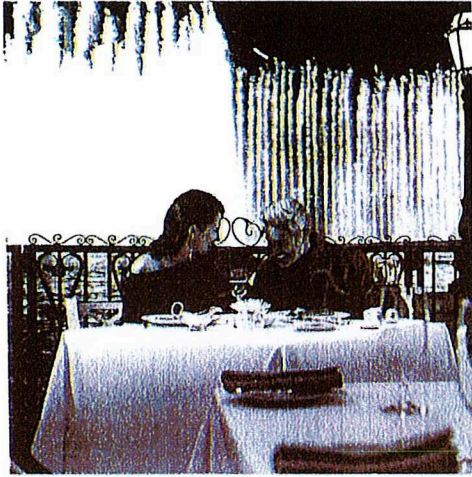
ADVERTISING


Democratic Rep. Bryant Clark, who seldom addresses the entire House chamber from the podium during debates, rose to speak out against the bill on Tuesday. He is the son of the late Robert Clark, the first Black Mississippian elected to the state Legislature since the 1800s and the first Black Mississippian to serve as speaker pro tempore and preside over the House chamber since Reconstruction.

“We are better than this, and all of you know that we don’t need this with Mississippi’s history,” Clark said. “We should be the ones that say, ‘listen, we may be from Mississippi, we may have a dark past, but you know what, we’re going to be the first to stand up this time and say there is nothing wrong with DEI.’”

Legislative Republicans argued that the measure — which will apply to all public schools from the K-12 level through universities — will elevate merit in education and remove a list of so-called “divisive concepts” from academic settings. More broadly, conservative critics of DEI say the programs divide people into categories of victims and oppressors and infuse left-wing ideology into campus life.

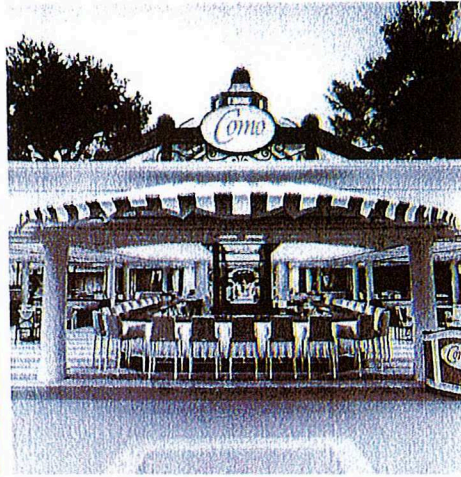
ADVERTISING




 Bellagio - Sponsored

**Dine on Us – Enjoy \$150
With A 2-Night Stay.**

[Book Vegas](#)



 Bellagio - Sponsored

**Life Tastes Sweeter at
Sunset.**

[Book Vegas](#)

[Book](#)

[Refi
Up](#)

[Book](#)

“We are a diverse state. Nowhere in here are we trying to wipe that out,” said Republican Sen. Tyler McCaughn, one of the bill’s authors. “We’re just trying to change the focus back to that of excellence.”

The House and Senate initially passed proposals that differed in who they would impact, what activities they would regulate and how they aim to reshape the inner workings of the state’s education system. Some House leaders wanted the bill to be “semi-vague” in its language and wanted to create a process for withholding state funds based on complaints that almost anyone could lodge. The Senate wanted to pair a DEI ban with a task force to study inefficiencies in the higher education system, a provision the upper chamber later agreed to scrap.

The concepts that will be rooted out from curricula include the idea that gender identity can be a “subjective sense of self, disconnected from biological reality.” The move reflects another effort to align with the Trump administration, which has declared via executive order that there are only two sexes.

The House and Senate disagreed on how to enforce the measure but ultimately settled on an agreement that would empower students, parents of minor students, faculty members and contractors to sue schools for violating the law.

People could only sue after they go through an internal campus review process and a 25-day period when schools could fix the alleged violation. Republican Rep. Joey Hood, one of the House negotiators, said that was a compromise between the chambers. The House wanted to make it possible for almost anyone to file lawsuits over the DEI ban, while Senate negotiators initially bristled at the idea of fast-tracking internal campus disputes to the legal system.

The House ultimately held firm in its position to create a private cause of action, or the right to sue, but it agreed to give schools the ability to conduct an investigative process and potentially resolve the alleged violation before letting people sue in chancery courts.

“You have to go through the administrative process,” said Republican Sen. Nicole Boyd, one of the bill’s lead authors. “Because the whole idea is that, if there is a violation, the school needs to cure the violation. That’s what the purpose is. It’s not to create litigation, it’s to cure violations.”

If people disagree with the findings from that process, they could also ask the attorney general’s office to sue on their behalf.

Under the new law, Mississippi could withhold state funds from schools that don’t comply. Schools would be required to compile reports on all complaints filed in response to the new law.

Trump promised in his 2024 campaign to eliminate DEI in the federal government. One of the first executive orders he signed did that. Some Mississippi lawmakers introduced bills in the 2024 session to restrict DEI, but the proposals never made it out of committee. With the national headwinds at their backs and several other laws in Republican-led states to use as models, Mississippi lawmakers made plans to introduce anti-DEI legislation.

The policy debate also unfolded amid the early stages of a potential Republican primary matchup in the 2027 governor’s race between State Auditor Shad White and Lt. Gov. Delbert Hosemann. White, who has been one of the state’s loudest advocates for banning DEI, had branded Hosemann in the months before the 2025 session “DEI Delbert,” claiming the Senate leader has stood in the way of DEI restrictions passing the Legislature.

During the first Senate floor debate over the chamber's DEI legislation during this year's legislative session, Hosemann seemed to be conscious of these political attacks. He walked over to staff members and asked how many people were watching the debate live on YouTube.

As the DEI debate cleared one of its final hurdles Wednesday afternoon, the House and Senate remained at loggerheads over the state budget amid Republican infighting. It appeared likely the Legislature would end its session Wednesday or Thursday without passing a \$7 billion budget to fund state agencies, potentially threatening a government shutdown.

"It is my understanding that we don't have a budget and will likely leave here without a budget. But this piece of legislation ... which I don't think remedies any of Mississippi's issues, this has become one of the top priorities that we had to get done," said Democratic Sen. Rod Hickman. "I just want to say, if we put that much work into everything else we did, Mississippi might be a much better place."

Public Hearing on Education Policy Regarding Diversity, Equity, and Inclusion

From Jodi Skipper <jskipper107@gmail.com>

Date Wed 6/11/2025 4:34 PM

To Erin Meyer <EMeyer@mdek12.org>

External Email

CAUTION: This email originated from outside of the MDE organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Erin Meyer,

I attended the public hearing this morning and included questions and comments below.
Thanks for the opportunity.

Best,
Dr. Jodi Skipper

1. Regarding **"Any employee, faculty, staff or contractor, or student who desires to assert a violation of House Bill 1193, may file a Formal Complaint. Any student under the age of 18 may file a complaint through a parent, guardian or next friend, and may file a complaint in his or her own name upon reaching the age of 18."**

In this case, it seems that a "next friend" opens up the possibility for individuals and institutions seeking to encourage the assertion of violations, through those under the age of 18, to participate in the complaint process. Why "next friend" as opposed to "formally appointed guardian"?

2. Regarding **"The Formal Complaint shall be written and signed by the complainant, and shall include the following: Names of any potential witnesses"**

In the classroom context, how does this apply to witnesses under the age of 18? In addition, how are named witnesses incorporated into the complaint process. This should be specifically outlined when an entire classroom or assembly, etc. can be witnesses.

3. Regarding **"Upon receipt of a complete, timely, and properly filed Formal Complaint, the local school board of a local public school district, or State Board of Education for state-operated schools, shall investigate the reported violation or potential violation under the board's adopted procedures."**

There are several ambiguities in the state law, which are up to interpretation--in this case likely up to the interpretation of the local school board or the State Board of Education. Who specifically interprets these parts of the law, for example what's a "divisive concept," what do "promote" and "endorse" mean in the context of classroom education, "transgender ideology" (it's not an ideology), "deconstruction of heteronormativity," or "sexual privilege." For example, our founding fathers had the sexual privilege to make laws at a time when women were restricted from doing so. Does the very nature of saying our founding fathers endorse or

promote the sexual privilege of men? If I, as an academic professional, can see the potential problems in not clarifying such language, then how will employees, faculty, staff or contractors, or students, in general, make such distinctions without clearer language and nuanced understanding of these terms. It seems that it is the responsibility of the State Board or local boards to clarify these terms, with such accuracy as to minimize confusion and disruption of classrooms and other educational spaces. How these terms will be interpreted during these investigative processes, and by whom, should be clearly outlined.

Does a class trip to the Two Mississippi Museums, or a blues festival focused on the contributions of Black musicians, the Ohr-O'Keefe Museum of Art, or an archaeology excavation focused on the history of the Choctaws violate the state law, or campus visit from Robin Roberts fall under "the increasing awareness or understanding of issues related to race, sex, color, gender identity, sexual orientation, or national origin"? If so, then there should be some mention of supplementary classroom education venues/events, with specific examples named, and where they fit into potential violations, prior to being introduced in the complaint process.

4. Regarding **"Any other relevant information that would support an investigation."**

Extensive documentation should be required in these cases (more specifics needed by the MDE here), as well as non-anonymity for complainants. If the latter is not the case, then what kind of case can "anyone aggrieved by a formal finding of the governing board" make for judicial review?

5. If a formal complaint is filed against an educator, or other school employee, who presumes that they are following the law, then does that educator temporarily cease instruction until the end of the 30-day period, risking the filing of additional complaints, or do they continue with instruction as planned until the review process is complete?

6. There seems to be economic consequences for the local public school district, or state-operated school, if determined to be in violation of any provision. Are there punitive consequences for individuals found to be in violation and, if so, what are those?

7. Finally, I noticed that there were several people in the audience this morning who were either unaware that the hearing was specifically about the complaint process and unaware that they had to register to speak at the public hearing. It is clear to me that the person who did speak this morning thought that the hearing was about the law, and not the specific complaint process related to the law. I spoke to a couple of MDE employees who affirmed the registration process as standard protocol, which I understand.

I consider myself a well-informed citizen but would have not even realized that there was a public hearing if someone hadn't posted that information to Facebook with a comment stipulating that the information was included in a *Mississippi Free Press* article. The friend who traveled with me from Oxford to Jackson this morning, who is an educator, would not have known about the hearing if I hadn't texted her that information. Although I believe that the MDE is doing what's legally obligated, as stated by the former superintendent this morning, there is a gap in communication between the MDE and the public, including those K-12 educators, parents, and students present this morning. Even with the best of intentions, the members of the public present today did not seem clear about the purpose of the hearing or the process. I suggest that all efforts should be made to more than meet those obligations for the sake of transparency and to minimize conflicts in the schools. Many educators are afraid of the consequences of this bill, and transparency and widespread accessibility is necessary to advance attempts to retain teachers in a state where retention is paramount issue.

Chapter 100: Compliance with State Law Regarding Diversity, Equity, and Inclusion in Public Education.

Rule 100.1 This policy implements House Bill 1193¹, passed by the Mississippi Legislature during the 2025 Regular Session. This act prohibits public schools and public postsecondary educational institutions from taking certain actions and engaging in discrimination practices, specifically related to diversity, equity, and inclusion (“DEI”). It seeks to ensure that employment, academic opportunities, and student engagement are based solely on individual merit, qualifications and academic performance, without consideration of an individual’s race, sex, color, national origin, or expressed opposition to, or refusal to affirm or participate in diversity, equity, and inclusion.

A. Diversity, Equity and Inclusion Prohibitions

As defined in House Bill 1193, State law prohibits public schools from:

1. Establishing or maintaining a diversity, equity and inclusion office.
2. Engaging in divisive concepts.
3. Hiring or assigning faculty, staff, or employees of the public school or contracting with a third party to perform the duties of a diversity, equity, and inclusion office.
4. Requiring, requesting, or considering diversity statements or similar materials from job applicants as part of the hiring process, contract renewal process, evaluation or promotion process.
5. Giving preference based on race, sex, color, or national origin to an applicant for employment, or when awarding a contract at the public school.
6. Maintaining any programs, including academic programs or courses, or offices that promote diversity, equity and inclusion, endorse divisive concept or concepts promoting transgender ideology, gender-neutral pronouns, deconstruction of heteronormativity, gender theory, sexual privilege or any related formulation of these concepts.
7. Requiring, as a condition of enrolling at, accepting employment with, or being awarded a contract at a public school, or as a requirement of continuing enrollment,

¹ Statutory reference shall be added once provided.

employment, or contractual obligations at a public school, any person to participate in diversity, equity, and inclusion training.

8. Penalizing or discriminating against a student, employee, faculty, staff, or contractor on the basis of his or her refusal to support, believe, endorse, embrace, confess, act upon or otherwise assent to a diversity, equity or inclusion concept.
9. Requiring any “diversity training” or any other policies or procedures that result in any formal or informal education, seminars, workshops, or institutional program that focus on increasing awareness or understanding of issues related to race, sex, color, gender identity, sexual orientation, or national origin.

B. Complaint Process

Local school boards of a local public school district, or the State Board of Education for all state-operated schools, shall develop, adopt, and communicate complaint policies and processes to implement the requirements of House Bill 1193 with the minimum required elements.

1. Any employee, faculty, staff or contractor, or student who desires to assert a violation of House Bill 1193, may file a Formal Complaint. Any student under the age of 18 may file a complaint through a parent, guardian or next friend, and may file a complaint in his or her own name upon reaching the age of 18.
2. The Formal Complaint shall be written and signed by the complainant, and shall include the following:
 - a. The full name, address, and telephone number of the individual filing the complaint.
 - b. Name of potential individuals impacted by alleged violation.
 - c. Dated and/or times of the alleged violation.
 - d. Specific nature of the alleged violation, including identification of which section of House Bill 1193 was allegedly violated.
 - e. A statement explaining how the complainant has been harmed by the public school’s alleged failure to comply with House Bill 1193.
 - f. Names of any potential witnesses.
 - g. A statement as to whether any internal or external grievance, charge, complaint, or civil action has been instituted by the complainant in any other form or forum, based

upon the same allegation contained in the Formal Complaint, together with a statement as to the status or disposition of such other action.

- h. Any other relevant information that would support an investigation.
- 3. The Formal Complaint shall be filed with the local school board of the local public school district in which the violation occurred, or the State Board of Education for all state-operated schools.
- 4. The Formal Complaint shall be filed within 30 days of the alleged violation.
- 5. Local school boards of a local public school district, or the State Board of Education for all state-operated schools, shall prescribe the manner in which the Formal Complaint shall be delivered.

C. Investigations

Local school boards of a local public school district, or the State Board of Education for all state-operated schools, shall develop, adopt, and communicate investigative policies and procedures to implement the requirements of House Bill 1193 with the minimum required elements.

- 1. Upon receipt of a complete, timely, and properly filed Formal Complaint, the local school board of a local public school district, or State Board of Education for state-operated schools, shall investigate the reported violation or potential violation under the board's adopted procedures.
- 2. Within thirty (30) days of receipt of a complete, timely, and properly filed Formal Complaint, the local school board of a local public school district, or State Board of Education for state-operated schools, shall take action on the Formal Complaint.
 - a. If the local school board of a local public school district, or State Board of Education for state-operated schools, determines there is no violation of House Bill 1193, they shall provide written notification reflecting that determination. Such final ruling shall be provided to the complainant.
 - b. If the local school board of a local public school district, or State Board of Education for state-operated schools, determines that a violation of House Bill 1193 has occurred, the local school board of a local public school district, or State Board of Education for state-operated schools, shall provide written notification to the local public school superintendent or superintendent/executive director of the state-

operated school, with a copy sent to the complainant. The local public school district or state-operated school shall have twenty-five (25) days from receipt of the formal notice of violation to cure the violation and to provide documentation of the curative actions to the local school board of the local public school district, or State Board of Education for state-operated schools. After the twenty-five (25) day period, the local school board of the local public school district, or State Board of Education for state-operated schools, shall issue a final ruling to the local public school district or state-operated school and complainant setting forth the violation and the curative response.

- c. Anyone aggrieved by a formal finding of the governing board is entitled to judicial review in accordance with House Bill 1193.

D. Assurances and Reporting

1. Within 90 days of this adoption of this policy, every local public school district or state-operated school shall adopt and communicate policies, procedures, or other guidance governing the complaint process and investigative procedures regarding House Bill 1193.
2. The local public school district superintendent, or the superintendent/executive director of a state-operated school shall, upon confirming the school district's compliance with this policy, submit to the State Department of Education, a certification on behalf of the school district, that the school district complies with House Bill 1193.
3. The required form of certification shall be prescribed by the State Department of Education and shall be due annually by July 30th.
4. Beginning in 2026, by July 30 of each year, every local superintendent shall submit to their local school board an annual report summarizing all formal complaints and the dispositions of those investigations and violations.
5. Each annual report submitted to the local school board of a local public school district, or State Board of Education for state-operated schools, shall also be submitted to the Mississippi Department of Education by August 15, 2025.
6. The State Board of Education shall annually prepare a report to submit to the Legislature, as required by House Bill 1193, consisting of the reports from all local public school districts and its state-operated schools, along with any recommendations.

E. Withholding of Funds

1. If a local public school district, or a state-operated school, is determined, through final adjudication of the administrative procedures process and exhaustion of all judicial appeals, to be in violation of any provision of the Act on two separate instances, and if the local school board, or State Board of Education for state-operated schools, determines that the second or subsequent violation remains uncured by the local public school district or state-operated school beyond thirty (30) days of the exhaustion of all judicial appeals, the State Department of Education shall withhold disbursement of the state share of the total student funding formula funds to the local public school district, or state-operated school.
2. The State Department of Education shall provide written notification to the local public school district or state-operated school of the disbursement withholding, along with the amount being withheld.
3. Funds shall be withheld until the local school board, or the State Board of Education, certify that the local public school district or state-operated school is compliant with the Act and that certification is affirmed by the Mississippi Attorney General or a court of competent jurisdiction.

Source: House Bill 1193, Miss. Leg. 2025 (Reg. Session)