

Amendment No. _____

Signature of Sponsor

FILED
Date _____
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Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1209*

House Bill No. 1188

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 50, is amended by adding the following as a new part:

49-50-1801.

(a) As used in this part:

(1) "Antisemitism" has the same meaning as the working definition of antisemitism described in § 49-7-181; and

(2) "Public institution of education" includes LEAs, public charter schools, and public institutions of higher education.

(b) Discrimination on the basis of race, ethnicity, national origin, sex, or religion against a student or an employee of a public institution of education is prohibited. A public institution of education shall not discriminate against a person on the basis of race, ethnicity, national origin, sex, or religion by:

(1) Excluding the person from participating in a program offered by the public institution of education;

(2) Denying the person the benefits of participating in a program offered by the public institution of education;

(3) Subjecting the person participating in a program offered by the public institution of education to discrimination;

(4) Denying the person any employment benefit; or



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(5) Subjecting the person to an employment condition or practice based solely on the person's race, ethnicity, national origin, sex, or religion.

(c) A public institution of education shall not use criteria for admission to a school, program, or course that has the effect of restricting access for persons of a particular race, ethnicity, national origin, or religion.

(d) All programs and classes offered at a public institution of education must be available to students without regard to the student's race, ethnicity, national origin, sex, or religion. This subsection (d) does not eliminate programs designed to meet the needs of students with limited proficiency in the English language, gifted students, or students with disabilities or programs tailored to students with specialized talents or skills.

(e) A public institution of education shall ensure that guidance services, counseling services, and financial assistance services offered by the public institution of education are available to all students equally and provided in the same manner, regardless of race, ethnicity, national origin, sex, or religion.

49-50-1802.

(a) A public institution of education shall prohibit antisemitic harassment or discrimination against students and employees, including discrimination resulting from a policy of the public institution of education or a program offered by the public institution of education that is conducted on the public institution of education's campus or school grounds, in the same manner as the public institution of education applies to any other form of discrimination prohibited under Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.).

(b) All public institutions of education shall:

(1) Integrate the definition of antisemitism into the public institution of education's codes of conduct or antidiscrimination policies to prohibit antisemitic harassment and discrimination; and

(2) Prohibit conduct of harassment and discrimination against Jews in compliance with Title VI of the Civil Rights Act of 1964 and with the antidiscrimination regulations established by the United States department of education and United States department of justice.

(c) All public institutions of education are encouraged to:

(1) Incorporate antisemitism awareness training for all students, staff, faculty, administrators, and police or school security assigned to the campus or school grounds of the public institution of education; and

(2) Integrate Jewish American Heritage curricula for students that incorporate Jewish experiences in America pre-American revolution and post-American revolution, pre-World War II and post-World War II, the Holocaust, and in modern times into a course provided by the public institution of education.

(d) All public institutions of education shall place reasonable time, place, and manner restrictions on speech to ensure order and protect the rights of all students.

49-50-1803.

(a)

(1) By July 1, 2025, the department of education shall designate a Title VI coordinator to monitor antisemitic discrimination and harassment at public institutions of education that serve students in any of the grades kindergarten through grade twelve (K-12).

(2) Each public institution of higher education shall designate a Title VI coordinator to monitor antisemitic discrimination and harassment at the public institution of higher education.

(b) All public institutions of education shall formally report incidents and complaints of antisemitic discrimination and harassment to the appropriate Title VI coordinator.

(c) A Title VI coordinator designated pursuant to this section shall thoroughly investigate all complaints reported by a public institution of education. If, after reasonable investigation, the respective Title VI coordinator determines that the public institution of education has engaged in, allowed, or not sufficiently prohibited antisemitic discrimination, then the Title VI coordinator shall give written notice to the public institution of education to take the necessary actions to address the prohibited antisemitic discrimination. The public institution of education must take such necessary actions no later than sixty (60) days after the date on which the Title VI coordinator notifies the public institution of education pursuant to this subsection (c).

(d) If the Title VI coordinator determines that the public institution of education has not taken the necessary actions to address the prohibited antisemitic discrimination by the end of the sixty-day period, then the Title VI coordinator shall report their findings to the attorney general and reporter.

(e) Each Title VI coordinator shall, no later than June 30 of each year, issue an annual report on antisemitism at the public institution of education overseen by the coordinator to the attorney general and reporter and to the general assembly.

(f) The general assembly is encouraged to conduct hearings or investigations, as deemed necessary, to assess whether a public institution of education has adequately addressed antisemitic discrimination.

49-50-1804.

(a) Criticism of Israel that is similar to criticism toward any other country is not considered antisemitism discrimination or harassment for purposes of this part.

(b) This part does not diminish or infringe on any right protected under the First Amendment to the United States Constitution or the Tennessee Constitution.

(c) Implementation of this part must not conflict with federal or state antidiscrimination laws and must be implemented consistently with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.).

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.