

**FL General Assembly
Regular Session
2018-2019**

H.B. No. _____

Representatives _____, _____

Cosponsors: Representatives _____

A BILL

**To enact section _____ of the Revised Code to
define terms concerning anti-Semitism for use
by Education Institutions in the State of Ohio
when reviewing, investigating, or determining
violations of institutional policies prohibiting
discrimination.**

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
FLORIDA:**

WHEREAS, Title VI of the Civil Rights Act of 1964 (referred to herein as "Title VI") is one of the principal antidiscrimination statutes enforced by the federal Department of Education's Office for Civil Rights; and

WHEREAS, Title VI prohibits discrimination on the basis of race, color, or national origin; and

WHEREAS, both the United States Department of Justice and the federal Department of Education have properly concluded that Title VI prohibits discrimination against Jews, Muslims, Sikhs, and members of other religious groups when the discrimination is based on the group's actual or perceived shared ancestry or ethnic characteristics or when the discrimination is based on

actual or perceived citizenship or residence in a country whose residents share a dominant religion or a distinct religious identity; and

WHEREAS, anti-Semitism remains a persistent, disturbing problem in elementary and secondary schools and on college campuses in the State of Florida; and

WHEREAS, Jewish students are being threatened, harassed, or intimidated in their schools (including on their campuses) on the basis of their shared ancestry or ethnic characteristics, including through harassing conduct that creates a hostile environment so severe, pervasive, or persistent so as to interfere with or limit some students' ability to participate in or benefit from the services, activities, or opportunities offered by schools; and

WHEREAS, awareness of the federal definition of anti-Semitism, and its adoption as part of Florida education law, will increase understanding of the parameters of contemporary anti-Jewish conduct and will assist the Florida Department of Education in determining whether an investigation of anti-Semitism under Title VI is warranted.

NOW THEREFORE BE IT ENACTED:

Section 1. That Title ____, sections _____ of the Revised Code relating to primary and secondary education is amended by adding the following language as a new section: “section “____,” is enacted to read as follows:

Sec. (A) As used in this section:

(1) “Anti-Semitism” means:

(a) The definition of anti-Semitism set forth by the Special Envoy to Monitor and Combat Anti-Semitism of the federal Department of State in the Fact Sheet issued on June 8, 2010 which provides: “Anti-Semitism a certain perception of Jews,

which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism as directed toward Jewish or non-Jewish individuals or property, Jewish community institutions, and Jewish religious facilities; and

(b) The examples set forth under the headings "Contemporary Examples of Anti- Semitism" set forth in the Department of State Fact Sheet as described in subdivision (____)(____) as follows:

“(A) Calling for, aiding, or justifying the killing or harming of Jews which may be demonstrated in the name of a radical ideology or an extremist view of religion;

(B) Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective—especially, but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions;

(C) Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, the state of Israel, or even for acts committed by non-Jews;

(D) Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust; and

(E) Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.”

(c) The language under the heading "What is Anti-Semitism Relative to Israel?" set forth in the Department of State Fact Sheet as described in subdivision (1)(a) as follows:

“EXAMPLES of the ways in which anti-Semitism manifests itself with regard to the state of Israel, taking into account the overall context could include:

DEMONIZE ISRAEL:

Using the symbols and images associated with classic anti-Semitism to characterize Israel or Israelis;

Drawing comparisons of contemporary Israeli policy to that of the Nazis;

Blaming Israel for all inter-religious or political tensions;

DOUBLE STANDARD FOR ISRAEL:

Applying double standards by requiring of Israel a behavior not expected or demanded of any other democratic nation;

Multilateral organizations focusing only on Israel for peace or human rights investigations;

DELEGITIMIZE ISRAEL:

Denying the Jewish people their right to self-determination, and denying Israel the right to exist.

However, criticism of Israel similar to that leveled against any other country cannot be regarded as anti-Semitic.”

Sec. (____) In reviewing, investigating, or deciding whether there has been a violation of an elementary or secondary education policy prohibiting discriminatory practices on the basis of an individual's actual or perceived shared Jewish ancestry or Jewish ethnic characteristics, public elementary and secondary schools, and those of Florida’s private and charter elementary and secondary schools which receive any funding whatsoever from any local, state, or federal government agency or program, the educational institution shall take into consideration the definition of anti-Semitism for purposes of determining whether the alleged practice was motivated by anti-Semitic intent.

(____) Nothing in the act diminishes or infringes upon any right protected under Article ____, §____ of the Constitution of Florida and the First Amendment to the Constitution of the United States.

Section 2. That Title _____, sections _____ of the Revised Code relating to “Postsecondary and Higher Education,” is amended by adding the following language as a new section: “section _____” is enacted to read as follows:

Sec. (A) As used in this section:

(1) “Anti-Semitism” means:

(a) The definition of anti-Semitism set forth by the Special Envoy to Monitor and Combat Anti-Semitism of the federal Department of State in the Fact Sheet issued on June 8, 2010 which provides: “Anti-Semitism a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism as directed toward Jewish or non-Jewish individuals or property, Jewish community institutions, and Jewish religious facilities; and

(b) The examples set forth under the headings "Contemporary Examples of Anti- Semitism" set forth in the Department of State Fact Sheet as described in subdivision (1)(a) as follows:

“(A) Calling for, aiding, or justifying the killing or harming of Jews which may be demonstrated in the name of a radical ideology or an extremist view of religion;

(B) Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective—especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions;

(C) Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, the state of Israel, or even for acts committed by non-Jews;

(D) Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust; and

(E) Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interest of their own nations.”

(c) The language under the heading "What is Anti-Semitism Relative to Israel?" set forth in the Department of State Fact Sheet as described in subdivision (1)(a) as follows:

“EXAMPLES of the ways in which anti-Semitism manifests itself with regard to the state of Israel, taking into account the overall context could include:

DEMONIZE ISRAEL:

Using the symbols and images associated with classic anti-Semitism to characterize Israel or Israelis;

Drawing comparisons of contemporary Israeli policy to that of the Nazis;

Blaming Israel for all inter-religious or political tensions;

DOUBLE STANDARD FOR ISRAEL:

Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation;

Multilateral organizations focusing on Israel only for peace or human rights investigations;

DELEGITIMIZE ISRAEL:

Denying the Jewish people their right to self-determination, and denying Israel the right to exist.

However, criticism of Israel similar to that leveled against any other country cannot be regarded as anti-Semitic.”

Sec. (B) In reviewing, investigating, or deciding whether there has been a violation of a postsecondary or higher education policy prohibiting discriminatory practices on the basis of an individual's actual or perceived shared Jewish ancestry or Jewish ethnic characteristics, Florida’s public colleges and universities, and those of Florida’s private colleges and universities which receive any funding whatsoever from any local, state, or federal government agency or program, the educational institution shall take into consideration the definition of anti-Semitism for purposes of determining whether the alleged practice was motivated by anti-Semitic intent.

Sec. (C) Nothing in the act diminishes or infringes upon any right protected under Article ___, §___ of the Constitution of Florida and the First Amendment to the Constitution of the United States.

Section 3. This act shall take effect upon becoming a law, the public welfare requiring it.