

1 State of Arkansas As Engrossed: H3/15/23 S3/29/23

2 94th General Assembly

A Bill

3 Regular Session, 2023

HOUSE BILL 1559

4

5 By: Representative McAlindon

6 By: Senator K. Hammer

7

8

For An Act To Be Entitled

9 AN ACT CONCERNING IMPLICIT BIAS TRAINING REQUIRED BY
10 A PUBLIC SCHOOL OR STATE-SUPPORTED INSTITUTION OF
11 HIGHER EDUCATION; AND FOR OTHER PURPOSES.

12

13

14

Subtitle

15

CONCERNING IMPLICIT BIAS TRAINING

16

REQUIRED BY A PUBLIC SCHOOL OR STATE-

17

SUPPORTED INSTITUTION OF HIGHER

18

EDUCATION.

19

20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

22

23

SECTION 1. Arkansas Code Title 6, Chapter 17, Subchapter 1, is amended
24 to add an additional section to read as follows:

25

6-17-122. Implicit bias training.

26

(a) A school shall not:

27

(1) Require a school employee to complete or participate in

28

implicit bias training; or

29

(2) Take adverse employment action against a school employee for

30

the school employee's failure or refusal to complete or participate in

31

implicit bias training.

32

(b) The State Board of Education shall not require an individual who

33

is seeking to obtain or renew an educator license to complete or participate

34

in implicit bias training as a requirement for:

35

(1) Obtaining or renewing an educator license; or

36

(2) Professional development.



1 (c)(1) A school employee may leave a training that the school employee
2 is attending if the school employee determines that the training addresses
3 implicit biases.

4 (2) A school employee who leaves a training under subdivision
5 (c)(1) of this section shall have no recourse due to the school employee's
6 exposure to training that the school employee determines addresses implicit
7 biases.

8 (d) As used in this section:

9 (1) "Implicit bias training" means a training or educational
10 program designed to expose an individual to biases that the training's or
11 educational program's developer or designer presumes the individual to
12 unconsciously or unintentionally possess that predispose the individual to be
13 unfairly prejudiced in favor of or against a thing, person, or group to
14 adjust the individual's pattern of thinking in order to eliminate the
15 individual's unconscious or unintentional bias or prejudice; and

16 (2) "School" means:

17 (A) A public school or public school district; or

18 (B) An open-enrollment public charter school.

19
20 SECTION 2. Arkansas Code Title 6, Chapter 60, Subchapter 1, is amended
21 to add an additional section to read as follows:

22 6-60-119. Implicit bias training.

23 (a) An institution shall not:

24 (1) Require an institutional employee to complete or participate
25 in implicit bias training; or

26 (2) Take adverse employment action against an institutional
27 employee for the institution employee's failure or refusal to complete or
28 participate in implicit bias training.

29 (b)(1) An institutional employee may leave a training that the
30 institutional employee is attending if the institutional employee determines
31 that the training addresses implicit biases.

32 (2) An institutional employee who leaves a training under
33 subdivision (b)(1) of this section shall have no recourse due to the
34 institutional employee's exposure to training that the institutional employee
35 determines addresses implicit biases.

36 (c) For purposes of this section, an institution is not prohibited

1 from requiring implicit bias training if at least ninety-five percent (95%)
2 of the implicit bias training is required by an accreditor, grantor, or
3 licensor.

4 (d) As used in this section

5 (1) "Institution" means a state-supported two-year or four-year
6 institution of higher education; and

7 (2) "Implicit bias training" means a training or educational
8 program designed to expose an individual to biases that the training's or
9 educational program's developer or designer presumes the individual to
10 unconsciously or unintentionally possess that predispose the individual to be
11 unfairly prejudiced in favor of or against a thing, person, or group to
12 adjust the individual's pattern of thinking in order to eliminate the
13 individual's unconscious or unintentional bias or prejudice.

14
15 */s/McAlindon*
16

17
18 **APPROVED: 4/10/23**
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36