

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: H3/15/23

A Bill

HOUSE BILL 1559

5 By: Representative McAlindon
6

For An Act To Be Entitled

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

Subtitle

12 CONCERNING IMPLICIT BIAS TRAINING
13 REQUIRED BY A PUBLIC SCHOOL OR STATE-
14 SUPPORTED INSTITUTION OF HIGHER
15 EDUCATION.
16
17
18
19

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

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

24 6-17-122. Implicit bias training.

25 (a) A school shall not:

26 (1) Require a school employee to complete or participate in
27 implicit bias training; or

28 (2) Take adverse employment action against a school employee for
29 the school employee's failure or refusal to complete or participate in
30 implicit bias training.

31 (b) The State Board of Education shall not require an individual who
32 is seeking to obtain or renew an educator license to complete or participate
33 in implicit bias training as a requirement for:

34 (1) Obtaining or renewing an educator license; or

35 (2) Professional development.

36 (c)(1) A school employee may leave a training that the school employee



1 is attending if the school employee determines that the training addresses
2 implicit biases.

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

7 (d) As used in this section:

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

15 (2) "School" means:

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

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

18
19 SECTION 2. Arkansas Code Title 6, Chapter 60, Subchapter 1, is amended
20 to add an additional section to read as follows:

21 6-60-119. Implicit bias training.

22 (a) An institution shall not:

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

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

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

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

35 (c) As used in this section:

36 (1) "Institution" means a state-supported two-year or four-year

1 institution of higher education; and

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

9
10 */s/McAlindon*
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36