

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1684

5 By: Representative McAlindon
6 By: Senator D. Sullivan
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE PARENTS AND TEACHERS HELPING
10 STUDENTS SUCCEED (PATHS) ACT; AND FOR OTHER PURPOSES.

Subtitle

14 TO CREATE THE PARENTS AND TEACHERS
15 HELPING STUDENTS SUCCEED (PATHS) ACT.
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Title 6, Chapter 10, Subchapter 1, is amended
20 to add an additional section to read as follows:

21 6-10-140. Parents and Teachers Helping Students Succeed (PATHS) Act –
22 Definitions.

23 (a) This section shall be known and may be cited as the "Parents and
24 Teachers Helping Students Succeed (PATHS) Act".

25 (b) As used in this section:

26 (1) "Critical theory concept" means an idea that espouses,
27 promotes, advances, or compels a student to believe any of the following
28 concepts that constitute discrimination based on race, color, sex, or
29 national origin:

30 (A) That members of one (1) race, color, sex, or national
31 origin are morally superior to members of another race, color, sex, or
32 national origin;

33 (B) That an individual by virtue of his or her race,
34 color, sex, or national origin is inherently racist, sexist, or oppressive,
35 whether consciously or unconsciously;

36 (C) That an individual's moral character or status as



1 either privileged or oppressed is necessarily determined by his or her race,
 2 color, sex, or national origin;

3 (D) That members of one (1) race, color, sex, or national
 4 origin cannot and should not attempt to treat others without respect to race,
 5 color, sex, or national origin;

6 (E) That an individual by virtue of his or her race color,
 7 sex, or national origin, bears responsibility for or should be discriminated
 8 against or receive adverse treatment because of actions committed in the past
 9 by other members of his or her race, color, sex, or national origin;

10 (F) That an individual by virtue of his or her race color,
 11 sex, or national origin should be discriminated against or receive adverse
 12 treatment to achieve diversity, equity, or inclusion;

13 (G) That an individual should feel discomfort, guilt,
 14 anguish, or any other form of psychological distress on account of his or her
 15 race, color, sex, or national origin; or

16 (H) That such virtues as merit, excellence, hard work,
 17 fairness, neutrality, objectivity, and racial colorblindness are racist or
 18 sexist or were created by members of a particular race, color, sex, or
 19 national origin to oppress members of another race, color, sex, or national
 20 origin;

21 (2) "Parent" means:

22 (A) A biological or adoptive parent of a student;

23 (B) A legal guardian of a student;

24 (C) A person standing in loco parentis to a student; or

25 (D) Another person with legal authority to act on behalf
 26 of a student; and

27 (3) "School" means:

28 (A) A school in a public school district; or

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

30 (c) A parent shall be entitled to:

31 (1) Access all information that directly relates to his or her
 32 child under to the Family Educational Rights and Privacy Act, 20 U.S.C. §
 33 1232g, as it existed on January 1, 2025, from the school in which his or her
 34 child is enrolled;

35 (2) Review, upon request, all of the following that are used in
 36 a classroom to which the parent's student is assigned, including while the

1 parent's student is participating in virtual or remote learning:

2 (A) Teaching materials;

3 (B) Instructional materials;

4 (C) Required textbooks;

5 (D) Course syllabi;

6 (E) Lesson plans; and

7 (F) Other teaching aids;

8 (3)(A) Remove his or her student temporarily from a class or
 9 other school activity if the class or other school activity conflicts with
 10 his or her religious or moral beliefs or if he or she deems the class or
 11 other school activity to espouse, promote, advance, or compel his or her
 12 student to adopt a critical theory concept.

13 (B)(i) A parent who removes his or her student temporarily
 14 from a class or other school activity under subdivision (c)(3)(A) of this
 15 section shall present or deliver to the teacher of his or her child a written
 16 statement that authorizes the temporary removal of his or her student from
 17 the class or other school activity.

18 (ii) However, a parent shall not remove his or her
 19 student temporarily from a class under subdivision (c)(3)(A) of this section
 20 in order to:

21 (a) Avoid the administration of a test to his
 22 or her student; or

23 (b) Prevent his or her student from taking a
 24 subject for the duration of the academic semester; and

25 (4) Gain access to a meeting of the following, except in cases
 26 of an executive session or when prohibited by law or court order:

27 (A) The public school district board of directors of the
 28 public school district in which his or her student is enrolled; or

29 (B) The governing body of the open-enrollment public
 30 charter school in which his or her student is enrolled.

31 (d) A public school district board of directors and a governing body
 32 of an open-enrollment public charter school shall:

33 (1) Make available for review by parents, upon request, all of
 34 the following that are reasonably available:

35 (A) Teaching materials;

36 (B) Required textbooks;

- (C) Course syllabi;
- (D) Lesson plans; and
- (E) Required tests scheduled for the year;

(2)(A) Adopt procedures for notifying a student’s parent within twenty-four (24) hours, or the timeframe otherwise specified by state or federal law, if there is a change in the services provided by the school or monitoring related to the student’s mental, emotional, or physical health or well-being or the school’s ability to provide a safe and supportive learning environment for the student.

(B) Procedures adopted under subdivision (d)(2)(A) of this section shall reinforce the fundamental right of a parent to make decisions regarding the upbringing and control of the parent’s student by requiring school personnel to:

- (i) Encourage a student to discuss issues relating to his or her well-being with the his or her parent; or
- (ii) Facilitate discussion of the student’s well-being with the his or her parent.

(C) Procedures adopted under subdivision (d)(2)(A) of this section shall not prohibit a parent from accessing any of the education and health records pertaining to the parent’s student that are created, maintained, or used by the school in which the parent’s student is enrolled and that the parent is entitled to access under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, as it existed on January 1, 2025, or other state or federal law; and

(3)(A) Not adopt procedures or student support forms that:

- (i) Prohibit school personnel from notifying the parent of a student regarding:
 - (a) The student’s mental, emotional, or physical health or well-being; or
 - (b) A change in related services or monitoring as it pertains to the student; or
 - (ii) Encourage a student to withhold information from his or her parent as it pertains to his or her mental, emotional, or physical health or well-being or a change in related services or monitoring as it pertains to him or her.

(B)(i) School personnel shall not discourage or prohibit

1 parental notification of and involvement in critical decisions that affect a
2 student's mental, emotional, or physical health or well-being.

3 (ii) However, a school may adopt procedures that
4 permit school personnel to withhold parental notification of information
5 described under subdivision (d)(3)(B)(i) of this section if a reasonably
6 prudent person would believe that the disclosure of the information could
7 result in abuse, abandonment, or neglect of a student or if disclosure is
8 prohibited by law.

9 (e)(1) A teacher employed by a school may control and discipline
10 students in his or her classroom and in other locations in which the teacher
11 is assigned to supervise.

12 (2) In order to provide an orderly and safe learning environment
13 for students, a teacher may:

14 (A) Establish classroom rules of conduct;

15 (B) Establish and implement consequences that are designed
16 to change behavior following an infraction of the classroom rules of conduct;

17 (C) Have a disobedient, disrespectful, violent, abusive,
18 uncontrollable, or disruptive students removed from his or her classroom for
19 behavior management supervision;

20 (D) Assist in enforcing school rules on school property,
21 while on school-sponsored transportation, or during a school-sponsored
22 activity;

23 (E) Request and receive information relating to the
24 disposition of a student referral to school administration following the
25 student's violation of classroom rules of conduct or school rules;

26 (F) Request and receive immediate assistance in his or her
27 classroom if a student becomes uncontrollable or in the case of an emergency;

28 (G) Request and receive training and other assistance to
29 improve his or her skills in classroom management, violence prevention,
30 conflict resolution, and related areas;

31 (H) Press charges if there is a reason to believe that a
32 crime has been committed on school property, on school-sponsored
33 transportation, or during a school-sponsored activity; and

34 (I) Use reasonable force to protect himself or herself or
35 others from injury, as authorized under § 5-2-605.

36 (3) In the event a teacher faces litigation or allegations of

1 licensure violations for an action taken under subdivision (e)(2) of this
2 section, there is a rebuttable presumption that the teacher took necessary
3 action to restore or maintain the safety or educational atmosphere of his or
4 her classroom.

5 (f)(1) The Division of Elementary and Secondary Education shall
6 promulgate rules to implement this section.

7 (2) The division shall submit to the House Committee on
8 Education and the Senate Committee on Education for the House Committee on
9 Education's review and the Senate Committee on Education's review the
10 proposed rules required under subdivision (f)(1) of this section.

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