

RESOLUTION OPPOSING HOUSE BILLS 1218 and 1231

WHEREAS, the North Little Rock Chamber of Commerce is a business-driven leadership organization responsible for fostering economic growth and ensuring quality of life for every citizen;

AND WHEREAS, the Chamber's goal is provide an inclusive, thriving and vibrant region that is meaningful to each business and resident;

AND WHEREAS, part of creating an inclusive community is recognizing and resisting any effort to repeat our state and local history of racial and ethnic discrimination;

AND WHEREAS, fully funding public education is central to ensuring our region's economic growth;

AND WHEREAS, House Bill 1218 under consideration in the Arkansas Legislature would cut funding from public schools and universities that allow courses that promote social justice based on race, among other characteristics;

AND WHEREAS, House Bill 1231 would prohibit the "1619 Project" from being taught in public schools, thereby restricting local control of school curriculum around the issue of slavery and racial oppression;

AND WHEREAS, failing to teach our local, state and national history will not change it but will instead leave our students at a disadvantage;

BE IT RESOLVED that the North Little Rock Chamber of Commerce finds that:

- 1. Passage of House Bills 1218 and 1231 would harm our effort to create an inclusive, thriving and vibrant community.**
- 2. Passage of this legislation would hinder recruitment of companies to our region and create a competitive disadvantage.**

BE IT FURTHER RESOLVED that the Chamber urges our legislative delegation, and lawmakers from throughout the state, to reject these unnecessary proposals.

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H1/27/21

A Bill

HOUSE BILL 1231

5 By: Representatives Lowery, *Bentley, Ladyman, Lundstrum, Richmond, Rye*
6 By: Senators G. Stubblefield, M. Johnson, *T. Garner, Rapert*
7

For An Act To Be Entitled

9 AN ACT CREATING THE SAVING AMERICAN HISTORY ACT OF
10 2021; TO PROHIBIT THE USE OF PUBLIC SCHOOL FUNDS TO
11 TEACH THE 1619 PROJECT CURRICULUM; TO REDUCE FUNDS
12 DISTRIBUTED TO PUBLIC SCHOOLS THAT TEACH THE 1619
13 PROJECT CURRICULUM; AND FOR OTHER PURPOSES.
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Subtitle

16 TO PROHIBIT THE USE OF PUBLIC SCHOOL
17 FUNDS TO TEACH THE 1619 PROJECT
18 CURRICULUM; AND TO REDUCE FUNDS
19 DISTRIBUTED TO PUBLIC SCHOOLS THAT TEACH
20 THE 1619 PROJECT CURRICULUM.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code Title 6, Chapter 16, Subchapter 1, is amended
27 to add an additional section to read as follows:

28 6-16-152. 1619 Project curriculum - Funding prohibited.

29 (a) This section shall be known and may be cited as the "Saving
30 American History Act of 2021".

31 (b) The General Assembly finds that:

32 (1) The true date of founding of the United States of America is
33 July 4, 1776, the day the Declaration of Independence was adopted by the
34 Second Continental Congress;

35 (2) The self-evident truths set forth in the Declaration of
36 Independence are the fundamental principles upon which the United States of



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1 America was founded;

2 (3) An activist movement is now gaining momentum to deny or
3 obfuscate this history by claiming that the United States of America was not
4 founded on the ideals of the Declaration of Independence, but rather on
5 slavery and oppression;

6 (4) This distortion of the history of the United States of
7 America is being taught to students in public school classrooms via the New
8 York Times' "1619 Project", which claims that "nearly everything that has
9 truly made America exceptional" grew "out of slavery";

10 (5) The 1619 Project is a racially divisive and revisionist
11 account of history that threatens the integrity of the Union by denying the
12 true principles on which it was founded; and

13 (6) The State of Arkansas has a strong interest in promoting an
14 accurate account of the history of the United States of America in public
15 schools and forming young people into knowledgeable and patriotic citizens.

16 (c) As used in this section, "public school" means:

17 (1) A public school;

18 (2) A public school district;

19 (3) An open-enrollment public charter school; and

20 (4) A state-supported two-year or four-year college or
21 university.

22 (d) State funding received by a public school shall not be used by a
23 public school to:

24 (1) Teach the 1619 Project curriculum in a public school; or

25 (2) Facilitate the teaching of the 1619 Project curriculum in a
26 public school.

27 (e) A public school that teaches the 1619 Project curriculum shall:

28 (1)(A) Have its state funding reduced in an amount equal to the
29 cost associated with teaching the 1619 Project curriculum, which shall
30 include without limitation planning and teaching time.

31 (B) However, state funding for the following shall not be
32 reduced based on a public school teaching the 1619 Project curriculum:

33 (i) Programs for low-income public school students;
34 and

35 (ii) Programs for students with disabilities; and

36 (2) Not receive Enhanced Student Achievement Funding under § 6-

1 20-2305(b)(4) for purposes of professional development.

2 (f)(1) The Division of Elementary and Secondary Education and Division
3 of Higher Education shall promulgate rules necessary to implement this
4 section.

5 (2) When adopting the initial rules to implement this section,
6 the final rules shall be filed with the Secretary of State for adoption under
7 § 25-15-204(f):

8 (A) On or before January 1, 2022; or

9 (B) If approval under § 10-3-309 has not occurred by
10 January 1, 2022, as soon as practicable after approval under § 10-3-309.

11 (3) The Division of Elementary and Secondary Education and
12 Division of Higher Education shall file the proposed rules with the
13 Legislative Council under § 10-3-309(c) sufficiently in advance of January 1,
14 2022, so that the Legislative Council may consider the rule for approval
15 before January 1, 2022.

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/s/Lowery

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H1/27/21

A Bill

HOUSE BILL 1218

5 By: Representatives Lowery, Bentley, Ladyman, Lundstrum, Richmond, Rye
6 By: Senators G. Stubblefield, M. Johnson, T. Garner, Rapert
7

For An Act To Be Entitled

8
9 AN ACT CONCERNING COURSES, CLASSES, EVENTS, AND
10 ACTIVITIES WITHIN PROGRAMS OF INSTRUCTION AT PUBLIC
11 SCHOOLS; TO PROHIBIT THE OFFERING OF CERTAIN TYPES OF
12 COURSES, CLASSES, EVENTS, AND ACTIVITIES THAT ISOLATE
13 STUDENTS BASED ON RACE, GENDER, POLITICAL
14 AFFILIATION, SOCIAL CLASS, OR OTHER DISTINCTIONS
15 WITHIN PROGRAMS OF INSTRUCTION; TO ADJUST FUNDING FOR
16 PUBLIC SCHOOLS THAT OFFER CERTAIN TYPES OF COURSES,
17 CLASSES, EVENTS, AND ACTIVITIES THAT ISOLATE STUDENTS
18 BASED ON RACE, GENDER, POLITICAL AFFILIATION, SOCIAL
19 CLASS, OR OTHER DISTINCTIONS WITHIN PROGRAMS OF
20 INSTRUCTION; AND FOR OTHER PURPOSES.
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Subtitle

23
24 TO PROHIBIT OFFERING COURSES, EVENTS, AND
25 ACTIVITIES THAT ISOLATE STUDENTS BASED ON
26 CHARACTERISTICS WITHIN PROGRAMS OF
27 INSTRUCTION; AND TO ADJUST FUNDING FOR
28 SCHOOLS THAT OFFER THESE PROHIBITED
29 COURSES, EVENTS, AND ACTIVITIES.
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32 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
33

34 SECTION 1. Arkansas Code Title 6, Chapter 16, Subchapter 1, is amended
35 to add an additional section to read as follows:

36 6-16-152. Programs of instruction – Prohibitions.



1 (a) As used in this section, "public school" includes:
2 (1) A Public school district;
3 (2) An open-enrollment public charter school; and
4 (3) A state-supported two-year or four-year institution of
5 higher education.

6 (b) A public school shall not allow a course, class, event, or
7 activity within its program of instruction that:

8 (1) Promotes the overthrow of the United States Government;
9 (2) Promotes division between, resentment of, or social justice

10 for a:

11 (A) Race;
12 (B) Gender;
13 (C) Political affiliation;
14 (D) Social class; or
15 (E) Particular class of people;

16 (3) Advocates the isolation of a group of students based on a
17 particular characteristic instead of the treatment of students as
18 individuals, which may include without limitation isolating a group of
19 students based on the following:

20 (A) Ethnicity;
21 (B) Race;
22 (C) Religion;
23 (D) Gender; and
24 (E) Social class;

25 (4) Violates state or federal civil rights laws; or

26 (5) Negatively targets specific nationalities or countries.

27 (c)(1) If the State Board of Education determines that a public school
28 district or open-enrollment public charter school has violated subsection (b)
29 of this section, the state board shall notify the public school district or
30 open-enrollment public charter school of its violation.

31 (2)(A) If a public school district or open-enrollment public
32 charter school fails to comply with subsection (b) of this section within
33 sixty (60) days of notification of its failure to comply under subdivision
34 (c)(1) of this section, the state board may direct the Division of Elementary
35 and Secondary Education to withhold a maximum of ten percent (10%) of the
36 monthly distribution of state foundation funding aid to the public school

1 district or open-enrollment public charter school as provided under § 6-20-
2 2305(a)(1)(B).

3 (B) Once the state board determines that a public school
4 district or open-enrollment public charter school has complied with
5 subsection (b) of this section, the Division of Elementary and Secondary
6 Education shall restore the monthly distribution of state foundation funding
7 aid to the public school district or open-enrollment public charter school to
8 its original amount before the reduction was made under subdivision (c)(2)(A)
9 of this section.

10 (d)(1) If the Attorney General determines that a state-supported two-
11 year or four-year institution of higher education has violated subsection (b)
12 of this section, the Attorney General shall notify the state-supported two-
13 year or four-year institution of higher education of its violation.

14 (2)(A) If a state-supported two-year or four-year institution of
15 higher education fails to comply with subsection (b) of this section within
16 sixty (60) days of notification of its failure to comply under subdivision
17 (c)(1) of this section, the Attorney General may direct the Division of
18 Higher Education to withhold a maximum of ten percent (10%) of the
19 distribution of state funding to the state-supported two-year or four-year
20 institution of higher education.

21 (B) Once the Attorney General determines that a state-
22 supported two-year or four-year institution of higher education has complied
23 with subsection (b) of this section, the Attorney General shall restore the
24 distribution of state funding for the state-supported two-year or four-year
25 institution of higher education to its original amount before the reduction
26 was made under subdivision (d)(2)(A) of this section.

27 (e) A determination made or action taken under subsection (c) or
28 subsection (d) of this section is subject to judicial review under the
29 Arkansas Administrative Procedure Act, § 25-15-201 et seq.

30 (f) This section does not prohibit:

31 (1) A course, class, event, or activity for Native American
32 students that is required to be offered in order for a public school or open-
33 enrollment public charter school to comply with federal law;

34 (2) The grouping of students according to academic performance,
35 including proficiency in the English language, that may result in a disparate
36 impact on students of a particular ethnicity;

- 1 (3) A course, class, event, or activity that:
- 2 (A) Includes the accurate history of an ethnic group;
- 3 (B) Is open to all students, unless the course, class,
- 4 event, or activity violates subsection (b) of this section;
- 5 (C) Includes the discussion of controversial aspects of
- 6 history; or
- 7 (D) Includes instruction on:
- 8 (i) The Holocaust;
- 9 (ii) An instance of genocide;
- 10 (iii) The historical oppression of a particular
- 11 group of people based on:
- 12 (a) Ethnicity;
- 13 (b) Race; or
- 14 (c) Class; or
- 15 (iv) African-American history, as required under §
- 16 6-16-121; or
- 17 (4) The voluntary participation by a public school student in a
- 18 public school organization or public school event that is not part of a
- 19 program of instruction within the public school.

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/s/Lowery