

Stricken language would be deleted from and underlined language would be added to present law.
Act 721 of the Regular Session

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: S3/11/25 H4/9/25

A Bill

SENATE BILL 352

By: Senators Stone, Gilmore, Hester, B. Johnson, B. Davis, M. McKee, J. Dotson, J. Boyd
By: Representatives Beaty Jr., B. McKenzie, Gramlich, Walker, Achor, Andrews, Barker, Bentley, Breaux, Brooks, A. Brown, K. Brown, M. Brown, N. Burkes, Joey Carr, John Carr, Cavanaugh, Cozart, Crawford, Eaves, Eubanks, Furman, Hawk, Holcomb, Lundstrum, Maddox, McClure, McNair, J. Moore, Ray, Richmond, Rose, Rye, M. Shepherd, Underwood, Unger, Vaught, Warren, Wooten

For An Act To Be Entitled

AN ACT TO PROHIBIT ANTISEMITISM IN PUBLIC ELEMENTARY AND SECONDARY SCHOOLS; TO PROHIBIT ANTISEMITISM IN STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT ANTISEMITISM IN PUBLIC ELEMENTARY AND SECONDARY SCHOOLS; AND TO PROHIBIT ANTISEMITISM IN STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION.

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

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

Subchapter 20 – Prohibition Against Antisemitism in Public Elementary and Secondary Schools

6-16-2001. Legislative findings and intent.

(a) The General Assembly finds that:

(1) A historic rise in antisemitic violence, harassment, and discrimination has occurred at kindergarten through grade twelve (K-12) schools across the United States, targeting Jewish students;

(2) In April 2024, the Director of the Federal Bureau of



Investigation found that the number of Federal Bureau of Investigation investigations into antisemitic hate crimes tripled in the months after October 7, 2023;

(3) According to a recent Gallup poll, eighty-one percent (81%) of Americans now see antisemitism as either a "very serious" or "somewhat serious" problem, up from fifty-seven percent (57%) two (2) decades ago;

(4) Acts of antisemitism on kindergarten through grade twelve (K-12) school campuses undermine the educational and social fabric of our educational institutions; and

(5) Promoting understanding, tolerance, and respect for all students and school employees is imperative.

(b) It is the intent of the General Assembly to require all kindergarten through grade twelve (K-12) schools to address and prohibit antisemitic discrimination at kindergarten through grade twelve (K-12) schools in the same manner kindergarten through grade twelve (K-12) schools would address and prohibit any other form of discrimination prohibited by law, including without limitation discrimination on the basis of race.

6-16-2002. Definitions.

As used in this section:

(1) "Antisemitism" means the same as defined by the International Holocaust Remembrance Alliance in its working definition of antisemitism, including its contemporary examples, as it was adopted on May 26, 2016;

(2) "Institution of higher education" means a public two-year or four-year institution of higher education; and

(3) "School" means a kindergarten through grade twelve (K-12):

(A) Public school or public school district; or

(B) Open-enrollment public charter school.

6-16-2003. Requirements.

(a) Each school shall treat harassment or discrimination that is motivated by or includes antisemitic intent by a student or school employee or is a result of school policies or programs on the school campus in the same manner as any other form of discrimination prohibited by state or federal law.

(b) Each school district board of directors shall adopt policies that include:

(1) The definition of antisemitism under this subchapter; and

(2) Prohibited conduct as it specifically relates to antisemitism, which shall include:

(A) Harassment and discrimination against Jews in compliance with Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352, as it existed on January 1, 2025;

(B) Antidiscrimination regulations provided by the United States Department of Education and the United States Department of Justice; and

(C) Relevant state-level antidiscrimination laws.

(c) Each school is encouraged to:

(1) Incorporate antisemitism awareness training into any required anti-bias training for all students, school employees, school administrators, and school campus police; and

(2) Integrate Jewish-American heritage curriculum for students that incorporates Jewish experiences in the United States pre- and post-American Revolution, pre- and post-World War II and the Holocaust, and in modern times.

(d) Each school shall place reasonable time, place, and manner restrictions on speech to ensure order and protect the rights of all students.

6-16-2004. Monitoring requirement.

(a)(1) The Department of Education shall designate a Title VI Coordinator who shall monitor all complaints of discrimination and harassment, including without limitation antisemitic discrimination and harassment, at schools and institutions of higher education.

(2) The individual designated by the department as a Title VI Coordinator under subdivision (a)(1) of this section may be a current employee of the department.

(b) Each school and institution of higher education shall formally report an incident or complaint of discrimination or harassment under this subchapter to the Title VI Coordinator.

(c) The Title VI Coordinator established under this section shall:

(1) Establish, maintain, and publicize a formal reporting process whereby the following individuals may submit a complaint of *discrimination* or harassment:

(A) All students, parents, legal guardians, and persons standing in loco parentis to students, and school employees can submit a complaint of *discrimination* or harassment;

(B) All students enrolled in an institution of higher education; and

(C) All faculty and staff employed by an institution of higher education.

(2)(A) Thoroughly investigate a complaint received under this section.

(B)(i) If the Title VI Coordinator, after reasonable investigation, determines that a school or an institution of higher education has engaged in, allowed, or not taken the necessary action in response to antisemitic discrimination prohibited under this *antisemitic discrimination prohibited under this subchapter or any other form of prohibited discrimination*, then the Title VI Coordinator shall provide written notice to the school or institution of higher education to address the Title VI Coordinator's concerns within thirty (30) days of receipt of the notice.

(ii) If the Title VI Coordinator determines that a school or an institution of higher education has not taken the necessary action in accordance with the notice received under subdivision (c)(2)(B)(i) of this section within thirty (30) days, then the Title VI Coordinator shall report its finding to the:

(a) Attorney General's office for action; and

(b) United States Department of Education and United States Department of Justice by making a complaint under Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352; and

(3) By June 30 of each year issue an annual report on discrimination in schools and institutions of higher education to the General Assembly, which shall include without limitation the following:

(A) The number and type of discrimination-related incidents;

(B) The category of bias-motivation, including antisemitism; and

(C) How reports of discrimination were resolved or if the reports of discrimination are pending resolution.

(d) The General Assembly is encouraged to:

(1) Conduct hearings or investigations to assess any school or institution of higher education that is found to inadequately address discrimination and harassment complaints under this section; and

(2) Consider reducing or eliminating any state funding provided to a school or state-supported institution of higher education that is found to inadequately address discrimination and harassment complaints under this section.

6-16-2005. Exceptions.

(a) Nothing in this act shall be construed to diminish or infringe upon any right protected under the First Amendment to the United States Constitution or Arkansas Constitution, Article 2, §§ 4, 6, and 24.

(b) Nothing in this act shall be construed to conflict with federal or state discrimination laws.

(c) Criticism of Israel similar to the criticism leveled against any other country shall not be regarded as antisemitic.

SECTION 2. Arkansas Code Title 6, Chapter 60, is amended to add an additional subchapter to read as follows:

Subchapter 16 – Prohibition Against Antisemitism in Institutions of Higher Education

6-60-1601. Legislative findings and intent.

(a) The General Assembly finds that:

(1) A historic rise in antisemitic violence, harassment, and discrimination has occurred at institutions of higher education across the United States, targeting Jewish students;

(2) In April 2024, the Director of the Federal Bureau of Investigation found that the number of Federal Bureau of Investigation investigations into antisemitic hate crimes tripled in the months after October 7, 2023;

(3) According to a recent Gallup poll, eighty-one percent (81%) of Americans now see antisemitism as either a "very serious" or "somewhat

serious" problem, up from fifty-seven percent (57%) two (2) decades ago;

(4) Acts of antisemitism on institution of higher education campuses undermine the educational and social fabric of our educational institutions; and

(5) Promoting understanding, tolerance, and respect for all students and institution of higher education employees is imperative.

(b) It is the intent of the General Assembly to require all institutions of higher education to address and prohibit antisemitic discrimination at institution of higher education campuses in the same manner as institutions of higher education would address and prohibit any other form of discrimination prohibited by law, including without limitation discrimination on the basis of race.

6-60-1602. Definitions.

As used in this section:

(1) "Antisemitism" means the same as defined by the International Holocaust Remembrance Alliance in its working definition of antisemitism, including its contemporary examples, as it was adopted on May 26, 2016; and

(2) "Institution of higher education" means a public two-year or four-year institution of higher education.

6-60-1603. Requirements.

(a) Each institution of higher education shall treat harassment or discrimination that is motivated by or includes antisemitic intent by a student enrolled in the institution of higher education or an individual employed by the institution of higher education or that is a result of institution of higher education policies or programs on the institution of higher education campus in the same manner as any other form of discrimination prohibited by state or federal law.

(b) Each institution of higher education shall incorporate into its student and employee codes of conduct:

(1) The definition of antisemitism under this subchapter; and

(2) Prohibited conduct as it specifically relates to antisemitism, which shall include:

(A) Harassment and discrimination against Jews in

compliance with Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352, as it existed on January 1, 2025;

(B) Antidiscrimination regulations provided by the United States Department of Education and the United States Department of Justice; and

(C) Relevant state-level antidiscrimination laws.

(c) Each institution of higher education is encouraged to:

(1) Incorporate antisemitism awareness training into any required anti-bias training for all students enrolled in the institution of higher education and individuals employed by the institution of higher education; and

(2) Integrate Jewish-American heritage curriculum for students enrolled in the institution of higher education that incorporates Jewish experiences in the United States pre- and post-American Revolution, pre- and post-World War II and the Holocaust, and in modern times.

(d) Each institution of higher education shall place reasonable time, place, and manner restrictions on speech to ensure order and protect the rights of all students enrolled in the institution of higher education.

6-60-1604. Monitoring.

Each institution of higher education shall comply with monitoring and reporting requirements under § 6-16-2004.

6-60-1605. Exceptions.

(a) Nothing in this act shall be construed to diminish or infringe upon any right protected under the First Amendment to the United States Constitution or Arkansas Constitution, Article 2, §§ 4, 6, and 24.

(b) Nothing in this act shall be construed to conflict with federal or state discrimination laws.

(c) Criticism of Israel similar to the criticism leveled against any other country shall not be regarded as antisemitic.

/s/Stone

APPROVED: 4/17/25