

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

State of Arkansas  
95th General Assembly  
Regular Session, 2025

As Engrossed: S4/3/25 S4/10/25

# A Bill

SENATE BILL 362

By: Senator K. Hammer

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR GRANTS TO YOUTH ORGANIZATIONS FOR THE DEPARTMENT OF EDUCATION - DIVISION OF ELEMENTARY AND SECONDARY EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2026; AND FOR OTHER PURPOSES.

### Subtitle

AN ACT FOR THE DEPARTMENT OF EDUCATION - DIVISION OF ELEMENTARY AND SECONDARY EDUCATION YOUTH ORGANIZATION GRANTS APPROPRIATION FOR THE 2025-2026 FISCAL YEAR.

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

*SECTION 1. APPROPRIATION - YOUTH ORGANIZATION GRANTS. There is hereby appropriated to the Department of Education, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for grants to youth organizations by the Department of Education - Division of Elementary and Secondary Education for the fiscal year ending June 30, 2026, the following:*

| <i>ITEM</i>                           | <i>FISCAL YEAR</i>               |
|---------------------------------------|----------------------------------|
| <i>NO.</i>                            | <i>2025-2026</i>                 |
| <i>(01) YOUTH ORGANIZATION GRANTS</i> | <u><u><i>\$4,000,000</i></u></u> |

*SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*



CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. **YOUTH ORGANIZATION GRANT REQUIREMENTS.**

(a) A grant authorized by this act shall be awarded to a youth organization that does not compel or require a person to adopt, affirm, or profess an idea in violation of Title IV and Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352 in accordance with any local or national organization requirement that:

(1) Compels a person to adopt, affirm, or profess an idea in violation of Title IV and Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352, as it existed on January 1, 2025, including that:

(A) People of one color, creed, race, ethnicity, sex, age, marital status, familial status, disability status, religion, national origin, or any other characteristic protected by federal or state law are inherently superior or inferior to people of another color, creed, race, ethnicity, sex, age, marital status, familial status, disability status, religion, national origin, or any other characteristic protected by federal or state law; or

(B) An individual should be discriminated against or receive adverse treatment solely or partly because of the individual's color, creed, race, ethnicity, sex, age, marital status, familial status, disability status, religion, national origin, or any other characteristic protected by federal or state law; or

(2) Requires a person or youth organization to adopt, affirm, or profess an idea based on a diversity, equity, and inclusion initiative, which includes:

(A) An office, division, department, administrator, or person associated with a youth organization that has the purpose of:

(i) Influencing administrative, hiring, or employment practices at a youth organization;

(ii) Promoting:

(a) Preferences based on race, color, sex, ethnicity, or national origin;

(b) Differential treatment on the basis of race, color, sex, ethnicity, or national origin; or

(c) Political or social activism to consider race, color, sex, ethnicity, or national origin as factors in decision-

making, except when required by federal or state law; or

(iii) Any promotion described under subdivision (a)(2)(A)(ii) of this section that conflicts with state and federal antidiscrimination laws;

(B) Any program, activity, applicant statement, or training that promotes an activity described in subdivision (a)(2)(A)(ii) of this section;

(C) The distribution of literature, materials, or other information that promotes an activity described in subdivision (a)(2)(A)(ii) of this section;

(D) The exposure to or distribution of materials through a virtual platform that promote an activity described in subdivision (a)(2)(A)(ii) of this section or that violate Title IV or Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352; or

(E) Soliciting an individual, either in person or through a virtual platform, to subscribe to or otherwise adhere to an activity described in subdivision (a)(2)(A)(ii) of this section or that violates Title IV or Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352.

(b) To be eligible for a grant authorized by this act, a youth organization that is affiliated with a national organization shall submit to the Department of Education a letter that notifies the Department that the Youth Organization's intent is comply with this Act.

(c) A grant authorized by this act shall be provided to a youth organization that aligns with the educational goals of the Governor and General Assembly.

(d) A youth organization eligible for a grant under this act shall promote the fundamental values of a healthy home environment and engage youth to become role models in their homes, hometowns, schools, state, nation, and the world.

(e) Funding shall be made available only to eligible entities for comprehensive out-of-school time programs for school-aged children.

(f) To be eligible for a grant under this act, a youth organization shall:

(1) Provide out-of-school time programs during the school year to school-aged children;

(2) Provide regular activities designed for evidence-based

academic enhancement that aligns with and supports state curriculum standards and includes at least two (2) of the following five (5) activity areas:

(A) STEM (Science, Technology, Engineering and Math);

(B) Academic support;

(C) Goal setting and leadership activities;

(D) Career exposure and workforce readiness; and

(E) Community service opportunities.

(3) Provide activities under subdivision (f)(2) as part of a comprehensive out-of-school program;

(4) Operate for a minimum of the following, which shall not include designated school breaks:

(A) Twelve (12) hours each week during the school year;

and

(B) Four (4) days each week during the school year;

(5) Collect data on participants' demographics, attendance, and program participation, and compile statewide aggregated data;

(6) Implement rigorous safety standards, including without limitation employee background checks and maintaining compliance with mandated reporting laws; and

(7)(A) Be a qualified 501(c)(3) or 501(c)(4) organization that has a record of fiscal accountability and has a Certificate of Good Standing from the Secretary of State.

(g) Youth Organizations ~~holding a charter of five years or less~~ shall be eligible for a matching grant share of seventy-five (75%) using the funds appropriated in this Act once certification that a twenty-five (25%) local investment, or match, including an in-kind match, is made for the program.

(h) If at any time it is determined by the department that a youth organization has not followed requirements established by this section, the youth organization shall not be eligible for any future grants and the Department of Education shall report the violation to the Arkansas Legislative Council or Joint Budget Committee.

(i) The Department of Education - Division of Elementary and Secondary Education shall promulgate rules for the determination of eligible youth organizations, the disbursement of funds, and the ongoing administration of this program in accordance with the requirements of this section.

(j) The provisions of this section shall be in effect only from July

1, 2025 through June 30, 2026.

SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2025 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2025 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2025.

*/s/K. Hammer*