

Act 852 of the 1989 Regular Session.

Act 852

HB1315

By: Representatives Flanagin and Wilkins

"AN ACT RELATING TO DISCRIMINATION IN PUBLIC SCHOOL
ACTIVITIES AND EVENTS; AND FOR OTHER PURPOSES."

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

SECTION 1. (a) It shall be unlawful for any member of the board of trustees, administrator or employee of a public school to knowingly authorize the participation of students in an event or activity held at a location where some students would be excluded or not given equal treatment because of the student's race, national origin or ethnic background.

(b) It shall be a defense in any criminal prosecution or administrative hearing that the person authorized student participation in the event or activity after being threatened with disciplinary action if the person failed to authorize the participation.

(c) If the State Board of Education determines that the board of directors or administrators of a public school knowingly violated this section, the public school shall be deemed to be not in compliance with the minimum standards for accreditation.

(d) If the State Board of Education determines that a person certified by the Board knowingly violated this section, the Board shall suspend the person's certification for a period not to exceed one (1) year.

(e) Any person who knowingly authorizes students to participate in an activity or event in violation of this section shall be guilty of a Class A misdemeanor.

SECTION 2. (a) It shall be unlawful for any member of the board of directors, administrator or employee of a public school to impose or threaten to impose disciplinary action against a person because: (1) the person refuses to authorize or participate in an event or activity prohibited by Section 1 of this Act; or (2) because the person reports a violation of Section 1 of this Act.

(b) A violation of this section shall be a Class A misdemeanor.

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: March 22, 1989
