



## Arkansas Department of Military

Cabinet Secretary - Major General Jonathan M. Stubbs,  
The Adjutant General

**Policy Title:** Divisive Concepts in Operations and Training Policy

**Policy Number:** 11

**Authority:** Ark. Code Ann. § 25-1-904, *et seq*; Ark. Code Ann. § 12-61-106.

**Effective Date:** June 1, 2023

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### I. PURPOSE:

The following shall establish and set forth the Department of the Military's (DOTM) administration of the various rules, orders, directives, and state laws concerning the teaching or instruction of divisive concepts as required by law under A.C.A. § 25-1-904.

### II. DEFINITIONS:

**1. Divisive Concept:** Any concept that advances that:

- One race or sex is inherently superior to another race or sex;
- The State of Arkansas or the United States is fundamentally racist or sexist;
- An individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;
- An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex;
- An individual's moral character is necessarily determined by his or her race or sex;
- An individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;
- Any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex;
- Meritocracy or traits such as hard work ethic are racist or sexist or were created by a particular race to oppress another race; or
- Any other form of race or sex stereotyping or any other form of race or sex scapegoating.

**2. Race of sex scapegoating:** Ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or sex, or to an individual because of his or her race or sex. Race or sex scapegoating also means assigning fault, blame, or bias to a race or sex, or to members of a race or sex because of race or sex. Race or sex scapegoating encompasses any claim that, consciously or unconsciously, and by virtue of his or her race or sex, members of any race are inherently racist or are inherently inclined to oppress others, or that members of a sex are inherently sexist or inclined to oppress others.

### **III. POLICY:**

Pursuant to A.C.A. § 25-1-901 et seq., the DOTM shall not teach, instruct, or train any employee, contractor, or other associated individual or group, to adopt or believe any divisive concept. Additionally, no employee of the state of Arkansas shall face any penalty or discrimination due to his or her refusal to support, believe, endorse, or otherwise assent to any divisive concept.

All training material relating to or including diversity and inclusion, either developed by the DOTM or third-party, and utilized by the DOTM shall be reviewed by the DOTM Quality Assurance Manager and approved by the Chief of Staff prior to implementation. Any material found to be out of compliance with DOTM policy or state law shall be removed from the training course. All DOTM policies will be reviewed annually to ensure compliance with requirements as set forth in A.C.A. §25-1-901 et seq. Pursuant to A.C.A. §25-1-901(4)(B)(vi), law enforcement training materials certified by the Commission on Law Enforcement Standards and Training (CLEST) are not subject to these provisions.

All third-party contractors shall be made aware of this policy and the prohibitions set out in state law prior to approval of training and training materials. Third-party contractors shall be required to sign a Certification of Exclusion of Divisive Concepts form prior to beginning any contracted agreement. The DOTM Chief of Staff and DOTM legal representative shall sign the agreement to be retained with a copy of the original contract.

Department entities using or providing grant funding for programs, training, or other operational activities shall review this policy and certify that state funding or assets shall not be utilized for the promotion or teaching of divisive concepts.

### **IV. DOTM RESPONSIBILITIES:**

Under this policy, all employees are responsible for maintaining the fair and equitable treatment of individuals in the workplace.

Failure to comply with any portion of this policy may result in disciplinary action up to and including termination.