

State of Tennessee

PUBLIC CHAPTER NO. 438

SENATE BILL NO. 102

By Gardenhire, Bowling, Crowe, Hensley, Niceley, Pody, Reeves, Rose, Stevens, Taylor

Substituted for: House Bill No. 158

By Zachary, Bulso, Lynn, Burkhart, Cochran, Ragan, Cepicky, Fritts, Davis, Todd, Powers, Capley, McCalmon, Richey, Tim Hicks, Doggett, Lafferty

AN ACT to amend Tennessee Code Annotated, Title 49, relative to implicit bias training.

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, is amended by adding the following as a new part:

(a) An LEA or public charter school shall not:

(1) Require an educator or other employee of the LEA or public charter school to complete or participate in implicit bias training; or

(2) Take an adverse employment action against an educator or other employee of the LEA or public charter school for the educator's or employee's failure or refusal to complete or participate in implicit bias training.

(b) The state board of education and the department of education shall not require an educator to complete or participate in implicit bias training as a requirement for educator licensure, professional development, program participation, or otherwise.

(c) As used in this section, "implicit bias training" means a training or other educational program designed to expose an individual to biases that the training's or educational program's developer or designer presumes the individual to unconsciously, subconsciously, or unintentionally possess that predispose the individual to be unfairly prejudiced in favor of or against a thing, person, or group to adjust the individual's patterns of thinking in order to eliminate the individual's unconscious bias or prejudice.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) A public institution of higher education, shall not:

(1) Require a faculty member or other employee of the institution to complete or participate in implicit bias training; or

(2) Take an adverse employment action against a faculty member or other employee of the institution for the faculty member's or employee's failure or refusal to participate in implicit bias training.

(b) As used in this section, "implicit bias training" means a training or other educational program designed to expose an individual to biases that the training's or educational program's developer or designer presumes the individual to unconsciously, subconsciously, or unintentionally possess that predispose the individual to be unfairly prejudiced in favor of or against a thing, person, or group to adjust the individual's patterns of thinking in order to eliminate the individual's unconscious bias or prejudice.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

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PASSED: April 21, 2023




RANDY McNALLY
SPEAKER OF THE SENATE



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 17th day of May 2023



BILL LEE, GOVERNOR