

Stricken language would be deleted from and underlined language would be added to present law.
Act 1323 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S4/2/13 H4/10/13
A Bill

SENATE BILL 1011

By: Senator Irvin

By: Representative Clemmer

For An Act To Be Entitled

AN ACT TO PROTECT PUBLIC SCHOOL STUDENTS FROM CHILD
MALTREATMENT; TO ESTABLISH A SPECIFIC VIOLATION OF
THE CODE OF ETHICS FOR EDUCATORS CONCERNING AN
EDUCATOR'S INAPPROPRIATE RELATIONSHIP WITH A STUDENT;
AND FOR OTHER PURPOSES.

Subtitle

TO PROTECT PUBLIC SCHOOL STUDENTS FROM
CHILD MALTREATMENT; TO ESTABLISH A
SPECIFIC VIOLATION OF THE CODE OF ETHICS
FOR EDUCATORS CONCERNING AN EDUCATOR'S
INAPPROPRIATE RELATIONSHIP WITH A
STUDENT.

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

SECTION 1. Arkansas Code § 6-17-428, concerning the code of ethics for Arkansas educators, is amended to add an additional subsection to read as follows:

(p)(1) As used in this subsection:

(A) "Acted upon" means that the State Board of Education has taken an action to address an ethics complaint by revoking, suspending, or imposing another sanction upon an educator's license;

(B) "School hiring officer" means the person designated by a school who is responsible for hiring or making final recommendations for the hiring of an educator who holds an Arkansas teaching or administrator's



license;

(C) "Sexual abuse" has the same meaning as given to the term in § 12-18-103(18)(D) as it applies to a caretaker, but shall include a victim who is eighteen (18) years of age or older and is still a student; and

(D) "Student" means a person who is enrolled in a public or private school in any level from prekindergarten through grade twelve (preK-12).

(2) The code of ethics shall include without limitation the following provisions:

(A) A standard that an educator maintains a professional relationship with each student, both in and outside the classroom;

(B) An educator in a supervisory role in an Arkansas school shall file an ethics complaint if he or she observes or has reasonable cause to suspect that an educator has violated the standard in subdivision (p)(2)(A) of this section involving the sexual abuse of a student; and

(C) The failure to submit an ethics complaint under subdivision (p)(2)(B) of this section is a violation of the code of ethics.

(3)(A)(i) By March 1, 2014, the department shall establish and maintain a website providing a school hiring officer with the ability to determine if the State Board of Education has acted upon an ethics complaint concerning a violation of the standard in subdivision (p)(2)(A) of this section involving the sexual abuse of a student by an applicant for employment who holds an Arkansas teaching or administrator's license.

(ii) The website shall identify the action taken on the ethics complaint.

(B) Beginning March 1, 2014, before an educator who holds an Arkansas teaching license or administrator's license may be hired for employment at an Arkansas school, the school hiring officer shall check the website maintained by the department under subdivision (p)(3)(A) of this section to determine whether the State Board of Education has acted upon a violation of the standard in subdivision (p)(2)(A) of this section involving the sexual abuse of a student by the applicant.

/s/Irvin

APPROVED: 04/18/2013