

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

State of Arkansas  
90th General Assembly  
Regular Session, 2015

# A Bill

HOUSE BILL 1651

By: Representatives Ratliff, Baltz

By: Senator B. Pierce

## For An Act To Be Entitled

AN ACT TO AMEND THE PROVISIONS OF THE ARKANSAS CODE CONCERNING TEACHER LICENSURE; TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING TEACHER PREPARATION PROGRAMS; TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING EDUCATOR ETHICS VIOLATIONS; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING TEACHER LICENSURE, TEACHER PREPARATION PROGRAMS, AND EDUCATOR ETHICS VIOLATIONS.

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

SECTION 1. Arkansas Code § 6-15-1004(c)(2)(A) and (B), concerning professional development for licensed teachers, are amended to read as follows:

(2)(A) For purposes of the requirement for continuing education and professional development under ~~this section, a three-hour graduate-level college credit course shall be counted as fifteen (15) hours of the professional development hours required for teachers under the Standards for Accreditation of Arkansas Public Schools and School Districts,~~ five (5) hours of credit for professional development shall be given for each one (1) hour of college credit for a graduate-level course if the college credit is:

(i) Related to and enhances the teacher's knowledge



of the subject area in which the teacher is currently teaching;

(ii) Part of the requirements for the teacher to obtain additional licensure in a subject matter that has been designated by the Department of Education as having a critical shortage of teachers; or

(iii) Otherwise approved by the department under subdivision (c)(2)(B) of this section as a graduate level course eligible for professional development credit.

(B)(i) Credit for professional development obtained under subdivision (c)(2)(A) of this section may be allocated as follows:

(a) Up to fifteen (15) hours may be credited to the professional development requirements for licensure; and

(b) Hours obtained in excess of fifteen (15) may be credited to any remaining requirements for professional development generally, if approved by the school district in a professional development plan.

(ii) The allocation of ~~Any~~ credit for professional development claimed under subdivision (c)(2)(A) of this section shall be approved by the ~~department~~:

(a) School district or public charter school employing the teacher; or

(b) Department, if the educator is not employed by a school district or public charter school.

SECTION 2. Arkansas Code § 6-17-301, concerning the employment of licensed personnel in public schools, is amended to add an additional subsection to read as follows:

(c)(1) An individual whose license is suspended or revoked by the State Board of Education for a disqualifying offense under § 6-17-410 or an ethical violation under § 6-17-428 is not eligible to be employed at a school district, public school, or public charter school, including as a substitute teacher whether directly employed by the school district or public charter school or providing substitute teaching services under contract with an outside entity.

(2) The restriction in this subsection shall expire upon the expiration of the term of a suspension of the license.

(3) The employment of a person in violation of this subsection

is a violation of the Standards for Accreditation of Arkansas Public Schools and School Districts.

SECTION 3. Arkansas Code § 6-17-402(d), concerning a waiver of the examination requirements for licensure by reciprocity, is amended to read as follows:

(d) The State Board of Education shall waive the examination requirements under subsection (b) of this section for ~~individuals~~ an individual applying for ~~licensure in a first-time~~ Arkansas license who ~~have~~ has a valid out-of-state teaching license and three (3) years' documented teaching experience as required by the rules promulgated by the State Board of Education.

SECTION 4. Arkansas Code § 6-17-403(c)(5) - (7), concerning a provisional license for teachers trained out-of-state, are amended to read as follows:

~~(5) Reports evidencing passing test scores on the appropriate basic skills assessment mandated by the state board for educator licensure or its substantial equivalent, unless the individual has three (3) years of documented teaching experience;~~

~~(6)~~ Completion of a program for:

(A) Teacher education at a nationally or regionally accredited institution of higher education;

(B) Teacher education nationally accredited by ~~the National Council for Accreditation of Teacher Education, Teacher Education Accreditation Council,~~ an accrediting organization recognized by the United States Department of Education, the Council for Higher Education Accreditation, or the Council for the Accreditation of Educator Preparation; or

(C) Certification from the National Board for Professional Teaching Standards; and

~~(7)~~ (6) Payment of applicable licensure fees.

SECTION 5. Arkansas Code § 6-17-409(c), concerning the nontraditional licensure program, is amended to read as follows:

(c)(1) The state board shall promulgate rules and regulations to

determine eligibility for and amount of awards of the grants concerning the operation of the nontraditional licensure program authorized by this section and for such other purposes as may be necessary in carrying out the intent of this section.

(2) The department may refuse to admit for enrollment in the nontraditional licensure program administered by the department a person who has been dismissed from a teacher education program at an institution of higher education.

SECTION 6. Arkansas Code § 6-17-409(e)(3), concerning provisional licensure for an applicant enrolled in an accelerated teaching program, is amended to read as follows:

(3)(A) The state board shall issue to an applicant who is in an accelerated teaching program a provisional teaching license that is issued under the rules governing provisional licensure for nontraditional licensure applicants.

(B) The provisional license is valid for the entire period that the applicant is:

~~(A)(i)~~ Participating in the accelerated teaching program;

and

~~(B)(ii)~~ Teaching in an Arkansas public school.

SECTION 7. Arkansas Code § 6-17-418(a) and (b), concerning the Arkansas history requirement for teacher licensure, is amended to read as follows:

(a) A person shall not be licensed as a social studies teacher or as an elementary school teacher unless the person has successfully completed:

(1) For a person seeking a traditional first-time license, at least three (3) college-credit hours of college-course work in Arkansas history at an accredited institution of higher education; or

(2) For a person seeking licensure through a nontraditional program, by reciprocity, or by adding an endorsement, documentation of the successful completion of:

(A) Three (3) college credit-hours in Arkansas history at an accredited institution of higher education; or

(B) A forty-five (45) hour professional development piece

in Arkansas history offered through Arkansas IDEAS.

(b) However, social studies teachers and elementary school teachers entering Arkansas from another state shall receive a one-year nonrenewable provisional license to teach in Arkansas schools as authorized by § 6-17-403, during which the person shall complete the Arkansas history requirement under this section.

SECTION 8. Arkansas Code § 6-17-419(a), concerning the renewal of an expired teaching license, is amended to read as follows:

(a)(1) ~~Any A person who held a valid teaching license prior to January 1, 1988,~~ holds an Arkansas teaching license that is expired for more than one (1) year, who obtained the license before state-mandated licensure assessments were required by law and by rule for licensure and who has less than three (3) years of teaching experience shall be allowed to renew that teaching license by ~~meeting:~~

(A) Passing the content-area assessment for the requested license;

(B) Providing evidence of the completion of the annual professional development requirement for licensure, including the professional development required under § 6-17-409; and

(C) Completing the general renewal requirements that are applicable to renewal for all other license holders and shall not be required to take a basic skills test, to take the National Teacher Examination, or to fulfill any other requirement that is not also required of all other teachers for license renewal.

(2) ~~Any A person who held a valid teaching license prior to January 1, 1988,~~ seeking renewal of an expired license under this section shall be entitled to a provisional license by meeting the general requirements that are applicable to all other persons seeking a provisional license.

SECTION 9. Arkansas Code § 6-17-422(h)(2)(B)(ii) and (iii), concerning audits of teacher preparation programs, are amended to read as follows:

(ii) The audits shall be conducted on a ~~five-year~~ seven-year cycle beginning on July 1, ~~2007~~ 2016, and provided to the Professional Licensure Standards Board.

(iii)(a) Institutions of higher education that do not comply with the Department of Education's audit findings and recommendations shall have ~~one (1) semester~~ two (2) full semesters to provide to the Department of Education for its review and approval a plan to bring programs into compliance with the audit recommendations and submit documentation of compliance to the Professional Licensure Standards Board by the end of the next full academic year following the date of the plan approval.

(b) If the institution of higher education does not bring its program into compliance with audit recommendations, the Professional Licensure Standards Board shall submit a recommendation to the State Board of Education for discontinuance of the authority of the institution to offer the licensure program; and

SECTION 10. Arkansas Code § 6-17-428(a)(2), concerning definitions related to ethical violations, is amended to read as follows:

(2) "Educator" means ~~a~~:

(A) A person holding a valid Arkansas ~~teacher's or~~ standard teaching license, ancillary license, provisional license, technical permit, or administrator's license issued by the State Board of Education; or

(B) A preservice teacher;

SECTION 11. Arkansas Code § 6-17-428(a), concerning definitions related to ethical violations, is amended to add an additional subdivision to read as follows:

(5) "Preservice teacher" means an unlicensed person who is enrolled as a student in an educator preparation program.

SECTION 12. Arkansas Code § 6-17-428(c), concerning the duties of the ethics subcommittee of the Professional Licensure Standards Board, is amended to read as follows:

(c)(1) The ethics subcommittee of the Professional Licensure Standards Board shall:

(A) (i) Receive and investigate ethics complaints.

(ii) The ethics subcommittee shall not accept a facsimile or electronic signature on a complaint form, but shall require that a complaint form bear the original signature of the complainant;

(B) Enforce the code of ethics by:

(i) Making a recommendation to the State Board of Education for:

(a) A written warning, a written reprimand, or the written placement of conditions or restrictions on the activities of the educator; or

(b) The revocation, suspension, probation, ~~or~~ nonrenewal, or denial of a license issued by the State Board of Education; or

(ii) Issuing a private letter of caution; and

(C) Dismiss an ethics complaint if it finds there is no ethics violation.

(2) For a preservice teacher assigned to a public school as a student intern in a supervised field experience or supervised clinical experience, a sanction adopted by the State Board of Education may be imposed on a license when it is issued to a preservice teacher.

(3) The ethics subcommittee may appoint or contract for one (1) or more persons to conduct evidentiary hearings.

(4) The State Board of Education may make an informal disposition of the ethical violation by stipulation, settlement, consent order, or default.

SECTION 13. Arkansas Code § 6-17-428(f)(1), concerning the timeline for ethics violations proceedings, is amended to read as follows:

(f)(1) Within ten (10) ~~calendar~~ business days of authorizing an ethics complaint investigation, the ethics subcommittee shall provide to the educator under investigation:

(A) Written notice of the investigation and the nature of the alleged ethical violation; and

(B) A copy of:

(i) The documents and evidence provided by the complainant concerning the facts alleged in the ethics complaint;

(ii) Provisions of this section or other state statutory law applicable to an ethical violation under this section; and

(iii) The applicable rules in effect at the time the ethics complaint is filed.

SECTION 14. Arkansas Code § 6-17-428, concerning ethical violations, is amended to add an additional subsection to read as follows:

(q) Subject to the disclosure limitations of subsections (m) and (o) of this section, the department may include on the department's public website for licensure the following information on each violation of the code of ethics by an educator upon which the State Board of Education has suspended, revoked, denied, or non-renewed a license based on the recommendations of the ethics subcommittee:

- (1) The code of ethics standard that was violated;
- (2) The sanction approved by the State Board of Education; and
- (3) A copy of the final order of the State Board of Education.