

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

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 1591

By: Representative Vaught

## For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS CODE CONCERNING THE  
PROFESSIONAL LICENSURE STANDARDS BOARD; AND FOR OTHER  
PURPOSES.

## Subtitle

TO AMEND THE ARKANSAS CODE CONCERNING THE  
PROFESSIONAL LICENSURE STANDARDS BOARD.

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

SECTION 1. The introductory language of Arkansas Code § 6-17-422(b)(1), concerning the membership of the Professional Licensure Standards Board, is amended to read as follows:

(b)(1) The Professional Licensure Standards Board shall consist of ~~sixteen (16)~~ twenty (20) members appointed by the State Board of Education as follows:

SECTION 2. Arkansas Code § 6-17-422(b)(1)(C), concerning the membership of the Professional Licensure Standards Board, is amended to read as follows:

(C)(i) Four (4) public school classroom teachers with valid Arkansas teaching licenses who are recommended by the Arkansas Education Association, and who teach at:

~~(i)(a)~~ A licensure level of birth to kindergarten;

~~(i)(b)~~ A licensure level of kindergarten through grade six (K-6);



~~(iii)~~(c) A licensure level of grades four through eight (4-8); and

~~(iv)~~(d) A licensure level of grades seven through twelve (7-12); and

(ii) Two (2) public school classroom teachers with valid Arkansas teaching licenses who:

(a) Are recommended by the Arkansas State Teachers Association; and

(b) Teach at any licensure level;

SECTION 3. Arkansas Code § 6-17-422(b)(1), concerning the membership of the Professional Licensure Standards Board, is amended to add additional subdivisions to read as follows:

(I) One (1) teacher or administrator recommended by the Arkansas Public School Resource Center who is currently employed under a waiver from licensure as a teacher of record or an administrator; and

(J) One (1) public school administrator with a valid Arkansas teaching and building-level or district-level administrator's license recommended by the Arkansas Rural Education Association;

SECTION 4. Arkansas Code § 6-17-422(h)(2) and (3), concerning the duties of the Professional Licensure Standards Board, is amended to read as follows:

(2)(A) With the assistance of the Department of Education and the Department of Higher Education, ~~review the audits of the teacher education programs offered by all institutions of higher education in the state to determine if the institutions' teacher education programs and courses of study are aligned as necessary to allow graduates of the teacher education program to become licensed under this act and the rules set by the State Board of Education~~ develop a system for the annual reporting and review of educator preparation program quality.

(B) The system may include without limitation:

(i) Data reporting and analysis on:

(a) Program graduate employment outcomes;

(b) Survey outcomes; and

(c) Public school student learning outcomes;

(ii) Accreditation or state approval; and

(iii) Program quality ratings;

~~(B)(i)(a) To ensure alignment with standards in university course syllabi for licensure, the Department of Education shall conduct audits of licensure programs of study at all Arkansas institutions of higher education.~~

~~(b) The audits shall use state standards or national standards for licensure programs, or a combination of both.~~

~~(ii) The audits shall be conducted on a seven-year cycle beginning on July 1, 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 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~~

(3)(A)(i) Establish a code of ethics for administrators and teachers, including those employed under a waiver from licensure as a teacher of record or as an administrator, in educational environments for students in prekindergarten through grade twelve (preK-12), including procedures and recommendations for enforcement as provided in this subdivision (h)(3).

(ii) For educators employed under a waiver from licensure as a teacher of record or as an administrator, the procedures and recommendations for enforcement shall consist of procedures and public notifications equivalent to the levels of recommended sanctions for licensed educators.

(B) Upon the approval of the code of ethics, procedures, and recommendations for enforcement required by this subdivision (h)(3),

(i) the The valid Arkansas teaching license of any

person shall be subject to the conditions, requirements, and mandates of the code of ethics, procedures, and recommendations for enforcement; and

(ii) For an educator employed under a waiver from licensure as a teacher of record or as an administrator, the educator shall be subject to the conditions, requirements, and mandates of the code of ethics, procedures, and recommendations for enforcement, including the public notifications under subdivision (h)(3)(A)(ii).

(C)(i) The Professional Licensure Standards Board may recommend to the State Board of Education, and the State Board of Education may approve the monetary fees to be paid by a person for the issuance, reissuance, fine, or penalty associated with the process, procedures, or enforcement of requirements necessary to issue or maintain an Arkansas teaching license.

(ii) Under no circumstances shall any one (1) specific fee or fine exceed ~~one hundred dollars (\$100)~~ five hundred dollars (\$500).

(iii) Revenue collected by the State Board of Education from the fees and fines under this subdivision (h)(3)(C) shall be used for the operation of the Professional Licensure Standards Board; and

SECTION 5. Arkansas Code § 6-17-428(a)(2), concerning the definition of "educator" for the purpose of ethical violations, is amended to read as follows:

(2) "Educator" means:

(A) A person holding a valid Arkansas 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; or

(C) An individual employed under a waiver from licensure as a teacher of record or as an administrator;

SECTION 6. Arkansas Code § 6-17-428(b)(1), concerning the duties of the Professional Licensure Standards Board regarding ethical violations, is amended to read as follows:

(b)(1) The Professional Licensure Standards Board shall:

(A) Establish procedures for:

(i) Receiving and investigating an ethics complaint;  
 (ii) Enforcing the code of ethics; ~~and~~  
 (iii) Granting and conducting hearings under this section; and

(iv) Publicizing notifications equivalent to the recommendations for enforcement of the code of ethics;

(B) Make recommendations for enforcement of the code of ethics; ~~and~~

(C) Develop public notifications equivalent to the recommendations for enforcement of the code of ethics; and

(D) Establish an ethics subcommittee of the Professional Licensure Standards Board with equal representation of public school teachers and administrators as well as one (1) member from any other category of representation on the Professional Licensure Standards Board.

SECTION 7. Arkansas Code § 6-17-428(p)(3), concerning the reporting of sexual abuse of a student, is amended to read as follows:

(3)(A)(i) ~~By March 1, 2014, the~~ 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 or an individual intending to be employed under a waiver from licensure as a teacher of record or as an administrator.

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

(B) ~~Beginning March 1, 2014, before~~ Before an educator who holds an Arkansas teaching license or administrator's license or an individual intending to be employed under a waiver from licensure as a teacher of record or as an administrator 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.