

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**

# **A Bill**

**SENATE BILL 564**

4 **By: Senators Jewell, Hardin, and Hopkins**

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## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-17-1506 TO  
9 PROVIDE THAT TEACHERS SHALL RECEIVE NOTICE OF SUSPENSION,  
10 RECOMMENDED NONRENEWAL, OR TERMINATION THAT SHALL INCLUDE  
11 NOTIFICATION OF A RIGHT TO A HEARING, A TRANSCRIPT, AND  
12 THE NAMES OF WITNESSES AND DOCUMENTS SUPPORTING THE  
13 SUPERINTENDENT'S RECOMMENDATION; AND TO DECLARE AN  
14 EMERGENCY; AND FOR OTHER PURPOSES."

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## **Subtitle**

17 "TO PROVIDE TEACHERS A MORE SUFFICIENT NOTICE OF  
18 SUSPENSION OR RECOMMENDATION FOR NONRENEWAL OR  
19 TERMINATION."

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

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23 SECTION 1. Arkansas Code § 6-17-1506(b) is hereby amended to read as  
24 follows:

25 "(b) Termination, nonrenewal, or suspension shall be only upon the  
26 recommendation of the superintendent. A notice of a suspension or recommended  
27 nonrenewal or termination shall be mailed by registered or certified mail to  
28 the teacher at the teacher's residence address as reflected in the teacher's  
29 personnel file. The notice of suspension or recommended nonrenewal or  
30 termination of a teacher shall include a simple but complete statement of the  
31 reasons for the suspension or such recommendation."

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33 SECTION 2. Arkansas Code § 6-17-1506 is hereby amended by adding new  
34 subsections (c), (d), and (e) to read as follows:

35 "(c) The notice of suspension or recommended nonrenewal or termination

1 shall also include notice of the teacher\_s rights under § 6-17-1509 including  
2 the right to request a hearing within thirty (30) days, the method for  
3 requesting a hearing, and the right to request a transcript of the hearing and  
4 the method for making such a request.

5 (d) The notice of suspension or recommended nonrenewal or termination  
6 shall include a statement that the names and phone numbers of all the  
7 witnesses the superintendent intends to call and copies of all the documents  
8 the superintendent intends to introduce at a hearing shall be provided to the  
9 teacher or the teacher's representative no later than five (5) calendar days  
10 before the hearing.

11 (e) The superintendent shall provide the teacher or the teacher\_s  
12 representative with the names and phone numbers of all the witnesses the  
13 superintendent intends to call and copies of all the documents the  
14 superintendent intends to introduce at a hearing no later than five (5)  
15 calendar days before the hearing. The teacher or teacher's representative  
16 shall furnish to the superintendent and each member of the school board a list  
17 of the names and phone numbers of all witnesses intended to be called on  
18 behalf of the teacher and copies of all of the documents intended to be  
19 introduced on behalf of the teacher at the hearing no later than five (5)  
20 calendar days prior to the hearing.

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22 SECTION 3. It is the intent of this act to amend the Teacher Fair  
23 Dismissal Act only to the extent of providing notice and assuring due process  
24 during hearings conducted under the Teacher Fair Dismissal Act.

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26 SECTION 4. All provisions of this act of a general and permanent nature  
27 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
28 Revision Commission shall incorporate the same in the Code.

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30 SECTION 5. If any provision of this act or the application thereof to  
31 any person or circumstance is held invalid, such invalidity shall not affect  
32 other provisions or applications of the act which can be given effect without  
33 the invalid provision or application, and to this end the provisions of this  
34 act are declared to be severable.

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1 SECTION 6. All laws and parts of laws in conflict with this act are  
2 hereby repealed.

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4 SECTION 7. EMERGENCY. It is hereby found and determined by the General  
5 Assembly that the notices to teachers currently being issued under the Teacher  
6 Fair Dismissal Act of 1983, Arkansas Code § 6-17-1501 et seq., do not  
7 sufficiently inform the teachers that they are actually being suspended and/or  
8 recommended for nonrenewal or termination nor do they inform them of their  
9 rights; that there is currently no procedure whereby teachers may obtain the  
10 names of witnesses and documents that superintendents intend to use at  
11 hearings; that there may be teachers suspended and/or recommended for  
12 nonrenewal or termination during the spring of 1993 who will not be adequately  
13 protected under the current provisions of the law; that this act is designed  
14 to preserve the peace, safety, and health of the citizens and teachers of  
15 Arkansas and should be given immediate effect. Therefore, an emergency is  
16 hereby declared to exist and this act being necessary for the preservation of  
17 the public peace, health and safety shall be in full force and effect from and  
18 after its passage and approval.

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*/s/ Senator Jewell*

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