1 State of Arkansas   **Call Item 4**

2 84th General Assembly   **A Bill**

3 Second Extraordinary Session, 2003   HOUSE BILL   1097

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5 By: Representative Gillespie

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8   **For An Act To Be Entitled**

9   AN ACT CONCERNING A CRIMINAL RECORDS CHECK AS A

10   CONDITION FOR INITIAL EMPLOYMENT OF NONCERTIFIED

11   PERSONNEL IN SCHOOL DISTRICTS; TO ALLOW THE STATE

12   BOARD OF EDUCATION TO GRANT AN EMPLOYMENT

13   ELIGIBILITY WAIVER UNDER CERTAIN CIRCUMSTANCES;

14   AND FOR OTHER PURPOSES.

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16   **Subtitle**

17   AN ACT CONCERNING A CRIMINAL RECORDS

18   CHECK AS A CONDITION FOR INITIAL

19   EMPLOYMENT OF NONCERTIFIED PERSONNEL IN

20   SCHOOL DISTRICTS AND TO ALLOW THE STATE

21   BOARD OF EDUCATION TO GRANT A WAIVER TO

22   ALLOW EMPLOYMENT ELIGIBILITY.

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

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27   SECTION 1. Arkansas Code § 6-17-414, concerning a criminal records

28 check as a condition for initial employment of noncertified personnel in

29 school districts, is amended to add an additional subsection to read as

30 follows:

31   (e)(1) The employment eligibility provisions of subdivision (b)(1) of

32 this section may be waived by the State Board of Education upon request by:

33   (A) The board of a local school district; or

34   (B) An affected applicant for employment.

35   (2) Circumstances for which a waiver may be granted shall

36 include, but not be limited to, the following:

1   (A) The age at which the crime was committed;

2   (B) The circumstances surrounding the crime;

3   (C) The length of time since the crime;

4   (D) Subsequent work history;

5   (E) Employment references;

6   (F) Character references; and

7   (G) Other evidence demonstrating that the applicant does

8   not pose a threat to the health or safety of school children or school

9   personnel.

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