

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1591

5 By: Representative Vaught
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE ARKANSAS CODE CONCERNING THE
9 PROFESSIONAL LICENSURE STANDARDS BOARD; AND FOR OTHER
10 PURPOSES.
11

Subtitle

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13
14 TO AMEND THE ARKANSAS CODE CONCERNING THE
15 PROFESSIONAL LICENSURE STANDARDS BOARD.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. The introductory language of Arkansas Code § 6-17-
21 422(b)(1), concerning the membership of the Professional Licensure Standards
22 Board, is amended to read as follows:

23 (b)(1) The Professional Licensure Standards Board shall consist of
24 ~~sixteen (16)~~ twenty (20) members appointed by the State Board of Education as
25 follows:
26

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

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

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

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



1 (ii) Accreditation or state approval; and

2 (iii) Program quality ratings;

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

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

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

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

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

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

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

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

36 (i) ~~the~~ The valid Arkansas teaching license of any

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

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

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

14 (ii) Under no circumstances shall any one (1)
 15 specific fee or fine exceed ~~one hundred dollars (\$100)~~ five hundred dollars
 16 (\$500).

17 (iii) Revenue collected by the State Board of
 18 Education from the fees and fines under this subdivision (h)(3)(C) shall be
 19 used for the operation of the Professional Licensure Standards Board; and
 20

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

24 (2) "Educator" means:

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

28 (B) A preservice teacher; or

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

31
 32 SECTION 6. Arkansas Code § 6-17-428(b)(1), concerning the duties of
 33 the Professional Licensure Standards Board regarding ethical violations, is
 34 amended to read as follows:

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

36 (A) Establish procedures for:

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

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

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

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

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

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

18 (3)(A)(i) ~~By March 1, 2014, the~~ The department shall establish
 19 and maintain a website providing a school hiring officer with the ability to
 20 determine if the State Board of Education has acted upon an ethics complaint
 21 concerning a violation of the standard in subdivision (p)(2)(A) of this
 22 section involving the sexual abuse of a student by an applicant for
 23 employment who holds an Arkansas teaching or administrator's license or an
 24 individual intending to be employed under a waiver from licensure as a
 25 teacher of record or as an administrator.

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

28 (B) ~~Beginning March 1, 2014, before~~ Before an educator who
 29 holds an Arkansas teaching license or administrator's license or an
 30 individual intending to be employed under a waiver from licensure as a
 31 teacher of record or as an administrator may be hired for employment at an
 32 Arkansas school, the school hiring officer shall check the website maintained
 33 by the department under subdivision (p)(3)(A) of this section to determine
 34 whether the State Board of Education has acted upon a violation of the
 35 standard in subdivision (p)(2)(A) of this section involving the sexual abuse
 36 of a student by the applicant.