

1 State of Arkansas *As Engrossed: S4/2/13 H4/10/13*

2 89th General Assembly

A Bill

3 Regular Session, 2013

SENATE BILL 1011

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5 By: Senator Irvin

6 *By: Representative Clemmer*

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For An Act To Be Entitled

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AN ACT TO PROTECT PUBLIC SCHOOL STUDENTS FROM CHILD

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MALTREATMENT; TO ESTABLISH A SPECIFIC VIOLATION OF

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THE CODE OF ETHICS FOR EDUCATORS CONCERNING AN

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EDUCATOR'S INAPPROPRIATE RELATIONSHIP WITH A STUDENT;

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AND FOR OTHER PURPOSES.

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Subtitle

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TO PROTECT PUBLIC SCHOOL STUDENTS FROM

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CHILD MALTREATMENT; TO ESTABLISH A

19

SPECIFIC VIOLATION OF THE CODE OF ETHICS

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FOR EDUCATORS CONCERNING AN EDUCATOR'S

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INAPPROPRIATE RELATIONSHIP WITH A

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STUDENT.

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

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SECTION 1. Arkansas Code § 6-17-428, concerning the code of ethics for

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Arkansas educators, is amended to add an additional subsection to read as

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follows:

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(p)(1) As used in this subsection:

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(A) "Acted upon" means that the State Board of Education

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has taken an action to address an ethics complaint by revoking, suspending,

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or imposing another sanction upon an educator's license;

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(B) "School hiring officer" means the person designated by

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a school who is responsible for hiring or making final recommendations for

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the hiring of an educator who holds an Arkansas teaching or administrator's



1 license;

2 (C) "Sexual abuse" has the same meaning as given to the
3 term in § 12-18-103(18)(D) as it applies to a caretaker, but shall include a
4 victim who is eighteen (18) years of age or older and is still a student; and

5 (D) "Student" means a person who is enrolled in a public
6 or private school in any level from prekindergarten through grade twelve
7 (preK-12).

8 (2) The code of ethics shall include without limitation the
9 following provisions:

10 (A) A standard that an educator maintains a professional
11 relationship with each student, both in and outside the classroom;

12 (B) An educator in a supervisory role in an Arkansas
13 school shall file an ethics complaint if he or she observes or has reasonable
14 cause to suspect that an educator has violated the standard in subdivision
15 (p)(2)(A) of this section involving the sexual abuse of a student; and

16 (C) The failure to submit an ethics complaint under
17 subdivision (p)(2)(B) of this section is a violation of the code of ethics.

18 (3)(A)(i) By March 1, 2014, the department shall establish and
19 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.

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

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

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35 /s/ Irvin

36 APPROVED: 04/18/2013