

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

**Act 1169 of 2001**  
HOUSE BILL 2400

5 By: Representatives G. Jeffress, White, Oglesby, Thomas, Moore, Fite, C. Johnson  
6 By: Senator Mahony  
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## For An Act To Be Entitled

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9  
10 AN ACT TO AMEND ARKANSAS CODE 6-17-208(b) TO MAKE  
11 GRIEVANCE HEARINGS OPEN OR CLOSED AT THE  
12 DISCRETION OF THE EMPLOYEE; TO PROVIDE FOR CLOSED  
13 HEARINGS FOR TESTIMONY FROM STUDENTS UNDER THE  
14 AGE OF EIGHTEEN (18) YEARS; AND FOR OTHER  
15 PURPOSES.  
16

## Subtitle

17  
18 AN ACT TO AMEND ARKANSAS CODE 6-17-208  
19 (b) TO MAKE GRIEVANCE HEARINGS OPEN OR  
20 CLOSED AT THE DISCRETION OF THE  
21 EMPLOYEE; TO PROVIDE FOR CLOSED HEARINGS  
22 FOR TESTIMONY FROM STUDENTS UNDER THE  
23 AGE OF EIGHTEEN (18) YEARS.  
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. Arkansas Code 6-17-208(b), pertaining to school district  
29 grievance procedure, is amended to read as follows:

30 (b)(1) The grievance policy shall at least include the following  
31 provisions:

32 (A) A procedure for resolving the matter informally with  
33 the employee's immediate supervisor;

34 (B) A procedure to appeal in writing an unsatisfactorily  
35 resolved grievance from the immediate supervisor to the superintendent of  
36 schools or his designee;

1 (C)(i) A procedure to appeal in writing an  
2 unsatisfactorily resolved grievance from the superintendent or his designee  
3 to the school board at the next regularly scheduled school board meeting  
4 unless both parties have agreed to a different date. ~~The hearing shall be~~  
5 ~~open to the public unless either the superintendent or the employee requests~~  
6 ~~a private hearing; and~~

7 (ii) The hearing shall be open or closed at the  
8 discretion of the employee.

9 (iii) If the hearing is open, the parent or guardian  
10 of any student under the age of eighteen (18) years who gives testimony may  
11 elect to have the student's testimony given in a closed session; and

12 (D) The right of all parties to be represented by a person  
13 of their own choosing, at least at the school board level of the procedure.

14 (2)(A) The determination by the principal, superintendent, or  
15 their designees that the concern expressed by the employee is not a grievance  
16 may be appealed to the board for a final decision.

17 (B) At the hearing, the employee shall have an adequate  
18 opportunity to present the grievance, and both parties shall have the  
19 opportunity to present and question witnesses.

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23 APPROVED: 3/28/2001  
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