

Hall of the House of Representatives
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of House Bill No. 1017

TO ALLOW THE TEACHER FAIR DISMISSAL ACT OF 1983 TO BE WAIVED IF A PUBLIC SCHOOL OR PUBLIC SCHOOL DISTRICT IS UNDER STATE AUTHORITY AFTER BEING CLASSIFIED AS BEING IN DISTRESS.

Amendment No. 1 to House Bill No. 1017

Amend House Bill No. 1017 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-15-430(a)(4), concerning actions the State Board of Education may take when a public school district is classified as being in academic distress, is amended to read as follows:

(4)(A) Waive Except as provided in subdivision (a)(4)(B) of this section, waive the application of Arkansas law, with the exception of The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq., and the Public School Employee Fair Hearing Act, § 6-17-1701 et seq., or the corresponding state board rules and regulations.

(B) If the state board assumes authority of the school district under this section, the state board may waive The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq.;

SECTION 2. Arkansas Code § 6-15-430(b)(4) and (5), concerning actions the State Board of Education may take when a public school is classified as being in academic distress, are amended to read as follows:

(4)(A) Waive Except as provided in subdivision (a)(4)(B) of this section, waive the application of Arkansas law or the corresponding state board rules, with the exception of:

~~(A)(1)~~ The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq.; and

~~(B)(2)~~ The Public School Employee Fair Hearing Act, § 6-17-1701 et seq.

(B) If the state board assumes authority of the public school under this section, the state board may waive The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq.;

(5)(A) Under The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq., reassign or remove some or all of the licensed personnel of the public school and replace them with licensed personnel assigned or hired under the supervision of the commissioner.



(B) If the state board waives The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq., under subdivision (b)(4)(B) of this section, The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq., shall not apply to the reassignment or removal of licensed personnel under subdivision (a)(5)(A) of this section;

SECTION 3. Arkansas Code § 6-20-1909(a)(4), concerning actions the Commissioner of Education may take when a public school district is in fiscal distress, is amended to read as follows:

(4)(A) Waive the application of Arkansas law or the corresponding State Board of ~~Education~~ Education rules, with the exception of:

~~(A)(1)~~ The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq.; and

~~(B)(2)~~ The Public School Employee Fair Hearing Act, § 6-17-1701 et seq.

(B) If the commissioner assumes authority of the school district under this section, the commissioner may waive The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq.;

SECTION 4. Arkansas Code § 6-21-811(g)(5), concerning actions the Division of Public School Academic Facilities and Transportation may take, with the approval of the Commission for Arkansas Public School Academic Facilities and Transportation, when a public school district is classified as being in facilities distress, is amended to read as follows:

(5)(A) Waive the application of Arkansas law or the corresponding State Board of Education rules and regulations, with the exception of:

~~(A)(1)~~ The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq.; and

~~(B)(2)~~ The Public School Employee Fair Hearing Act, § 6-17-1701 et seq.

(B) If the division assumes authority of the school district under this section, the division may waive The Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq.;"

The Amendment was read _____
By: Representative Cozart
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Chief Clerk