

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: S3/16/09

A Bill

SENATE BILL 1006

5 By: Senator J. Key
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For An Act To Be Entitled

9 AN ACT TO ALLOW A WAIVER OF CERTAIN PROVISIONS OF
10 THE CONDITIONS FOR EMPLOYMENT OF NONLICENSED
11 PERSONNEL AT A PUBLIC SCHOOL; AND FOR OTHER
12 PURPOSES.
13

Subtitle

15 TO ALLOW A WAIVER OF CERTAIN PROVISIONS
16 OF THE CONDITIONS FOR EMPLOYMENT OF
17 NONLICENSED PERSONNEL AT A PUBLIC
18 SCHOOL.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 *SECTION 1. Arkansas Code § 6-17-414, concerning the criminal records*
24 *check as a condition for initial employment of nonlicensed school personnel,*
25 *is amended to add an additional subsection to read as follows:*

26 *(g)(1) The requirements of subsection (b) of this section may be*
27 *waived by the state board if:*

28 *(A) An applicant for employment who is affected by*
29 *subsection (b) of this section files with the Department of Education an*
30 *application requesting a waiver; and*

31 *(B) The waiver is supported by:*

32 *(i) The superintendent of the employing school*
33 *district;*

34 *(ii) The director of the employing public charter*
35 *school; or*

36 *(iii) The director of the employing educational*



1 service cooperative.

2 (2) The state board may grant a waiver based on one (1) or more
3 of the following considerations:

4 (A) The age at which a conviction or plea of guilty or
5 nolo contendere was entered;

6 (B) The circumstances surrounding the criminal offense;

7 (C) The amount of time that has lapsed since the
8 commission of the criminal offense;

9 (D) The applicant's subsequent work history and employment
10 references;

11 (E) Character references for the applicant; and

12 (F) Any other evidence deemed sufficient by the state
13 board demonstrating that the applicant does not pose a threat to the health
14 or safety of students, employees, or patrons of a public school, public
15 charter school, or education service cooperative.

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17 /s/ J. Key
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