

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4
5 By: Senator Mahony

As Engrossed: S3/4/97

A Bill

SENATE BILL 554

For An Act To Be Entitled

9 "AN ACT AMENDING ARKANSAS CODE ANNOTATED § 6-17-1503 TO
10 REQUIRE THAT SCHOOL DISTRICTS BE IN SUBSTANTIAL COMPLIANCE
11 WITH APPLICABLE DISTRICT PERSONNEL POLICIES IN EFFECTING
12 SUSPENSIONS, NONRENEWALS, TERMINATIONS, OR OTHER
13 DISCIPLINARY ACTIONS AGAINST CERTIFIED PERSONNEL; AND FOR
14 OTHER PURPOSES."

Subtitle

16 "REQUIRING THAT SCHOOL DISTRICTS BE IN
17 SUBSTANTIAL COMPLIANCE WITH APPLICABLE
18 DISTRICT PERSONNEL POLICIES IN
19 NONRENEWALS, TERMINATIONS, AND OTHER
20 DISCIPLINARY ACTIONS AGAINST CERTIFIED
21 PERSONNEL."
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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26 SECTION 1. Arkansas Code Annotated § 6-17-1503 is amended to read as
27 follows:

28 "6-17-1503. Construction.

29 (a) This subchapter is not a teacher tenure law in that it does not
30 confer lifetime appointment nor prevent discharge of teachers for any cause
31 which is not arbitrary, capricious, or discriminatory. A nonrenewal,
32 termination, suspension, or other disciplinary action by a school district
33 shall be void unless the school district ~~strictly~~ substantially complies with
34 all provisions of this subchapter and the school district's applicable
35 personnel policies.

36 (b) Where a school district does not substantially comply with all

1 provisions of this subchapter and the school district's applicable personnel
2 policies, the school district shall bear the burden of proving, by a
3 preponderance of the evidence, that had it complied with all provisions of
4 this subchapter and the school district's applicable personnel policies, the
5 nonrenewal, termination, suspension, or other disciplinary action would have
6 resulted.'

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8 SECTION 2. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 3. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 4. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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21 /s/Mahony

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