

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

# A Bill

SENATE BILL 677

4  
5 By: Senators Lewellen and Hopkins

## For An Act To Be Entitled

9 "AN ACT AMENDING ARKANSAS CODE ANNOTATED §§ 6-17-1503 AND  
10 6-17-1510 TO PROVIDE THAT NONPROBATIONARY STATUS TEACHERS  
11 MAY ONLY BE FIRED OR FACE CONTRACT NONRENEWAL FOR JUST  
12 CAUSE; AND FOR OTHER PURPOSES."

## Subtitle

15 "TO PROVIDE THAT NONPROBATIONARY STATUS  
16 TEACHERS MAY ONLY BE FIRED OR FACE  
17 CONTRACT NONRENEWAL FOR JUST CAUSE."

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20  
21 SECTION 1. Arkansas Code Annotated § 6-17-1503 is amended to read as  
22 follows:

23 "6-17-1503. Construction.

24 This subchapter is not a teacher tenure law in that it does not confer  
25 lifetime appointment ~~nor prevent discharge of teachers for any cause which is~~  
26 ~~not arbitrary, capricious, or discriminatory~~. A nonrenewal, termination,  
27 suspension, or other disciplinary action by a school district shall be void  
28 unless the school district strictly complies with all provisions of this  
29 subchapter and the school district's applicable personnel policies."

30  
31 SECTION 2. Arkansas Code Annotated § 6-17-1510(b) is amended to read as  
32 follows:

33 "(b) Any certified teacher who has been employed continuously by the  
34 school district three (3) or more years or who may have achieved  
35 nonprobationary status pursuant to § 6-17-1502 may only be terminated or the  
36 board may refuse to renew the contract of the teacher for ~~any cause which is~~

1 ~~not arbitrary, capricious, or discriminatory or for violating the reasonable~~  
2 ~~rules and regulations promulgated by the board~~ incompetence, conduct which  
3 interferes substantially with the continued performance of the teacher's  
4 duties, substantial noncompliance with school rules, gross insubordination,  
5 willful neglect of duty, or other just cause. Upon completion of such hearing,

6 the board, within ten (10) days after the holding of the hearing, shall:

7           (1) Uphold the recommendation of the superintendent to terminate  
8 or not renew the teacher contract; or

9           (2) Reject or modify the superintendent's recommendation to  
10 terminate or not renew the contract of the teacher; or

11           (3) Vote to continue the contract of such teacher under such  
12 restrictions, limitations, or assurances as the board may deem to be in the  
13 best interest of the school district. The decision shall be reached by the  
14 board within ten (10) days from the date of the hearing, and a copy shall be  
15 furnished in writing to the teacher involved, either by personally delivering  
16 it to the teacher or by addressing it to the teacher's last known address by  
17 registered or certified mail."

18

19           SECTION 3. All provisions of this act of a general and permanent nature  
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
21 Revision Commission shall incorporate the same in the Code.

22

23           SECTION 4. If any provision of this act or the application thereof to  
24 any person or circumstance is held invalid, such invalidity shall not affect  
25 other provisions or applications of the act which can be given effect without  
26 the invalid provision or application, and to this end the provisions of this  
27 act are declared to be severable.

28

29           SECTION 5. All laws and parts of laws in conflict with this act are  
30 hereby repealed.

31

32

33

34

35