

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

HOUSE BILL 2099

4  
5 By: Representatives C. Johnson, Pappas  
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## For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE 6-63-104 PERTAINING TO  
10 FACULTY PERFORMANCE REVIEW; AND FOR OTHER PURPOSES."

## Subtitle

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13 "AN ACT TO AMEND ARKANSAS CODE 6-63-104  
14 PERTAINING TO FACULTY PERFORMANCE  
15 REVIEW."  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code 6-63-104 is amended to read as follows:

21 "6-63-104. Faculty performance review.

22 (a) The president and chancellor of each state-supported institution of  
23 higher education in Arkansas shall work with the campus faculties to develop a  
24 framework to review faculty performance, including post tenure review. The  
25 framework should be used to develop processes and procedures at each  
26 institution to ensure a consistently high level of performance of the faculty  
27 at Arkansas' publicly supported institutions of higher education. The effects  
28 of the review process of faculty performance should include rewarding  
29 productive faculty, redirecting faculty efforts to improve or to increase  
30 productivity, and to correct instances of substandard performance. The  
31 framework developed by each institution shall be reported to the House and  
32 Senate Interim Committees on Education, the Joint Interim Oversight Committee  
33 on Higher Education Reform, and the State Department of Higher Education no  
34 later than December 1, 1998, and shall be implemented on the respective  
35 campuses no later than January 1, 2001.

36 (b) Pursuant to subsection (a) of this section, each state-supported

1 institution of higher education in Arkansas shall conduct a rigorous,  
2 consistently applied, annual review of the performance of all full-time  
3 faculty members. This review shall include assessments by peers, students, and  
4 administrators and shall be utilized to ensure a consistently high level of  
5 performance and serve in conjunction with other appropriate information as a  
6 basis for decisions on promotion, salary increases, and job tenure. The  
7 evaluation by students and administrative staff, shall be applicable to all  
8 teaching faculty, full-time, part-time and graduate teaching assistants and  
9 shall include an assessment of the fluency in English of the faculty member or  
10 graduate teaching assistant. This review shall not be used to demote a tenured  
11 faculty member to a non-tenured status.

12 (c)(1) Each college and university shall continually make efforts to  
13 identify any English fluency deficiencies of the teaching faculty and shall  
14 take reasonable measures to assist deficient faculty members in becoming  
15 proficient in English; however, the responsibility of acquiring the level of  
16 English proficiency required for the faculty member's teaching, research, or  
17 service assignments rests with the faculty member.

18 (2) Each college and university shall have a process for  
19 addressing concerns raised by students concerning language proficiency  
20 problems of faculty members.

21 (d) The Department of Higher Education shall be responsible for  
22 monitoring the evaluation process and shall report its findings to the  
23 Arkansas Higher Education Coordinating Board and the Legislative Council by  
24 August 1 of each year.

25 (e) Each state-supported institution of higher education shall require  
26 full-time faculty members of the College of Education and related disciplines  
27 to work collaboratively with the accredited public schools in this state, and  
28 such faculty involvement shall be included as part of the annual review of the  
29 faculty as required by subsection (b) of this section."

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

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35 SECTION 3. If any provision of this act or the application thereof to  
36 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without  
2 the invalid provision or application, and to this end the provisions of this  
3 act are declared to be severable.

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

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