

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
4

As Engrossed: H3/12/99

A Bill

HOUSE BILL 2107

5 By: Representative C. Johnson
6 By: Senator Scott
7
8

For An Act To Be Entitled

9
10 "AN ACT TO CREATE THE ARKANSAS PROFESSIONAL STANDARDS
11 AND PRACTICES BOARD FOR THE EDUCATION PROFESSION; AND
12 FOR OTHER PURPOSES. "
13

Subtitle

14
15 "TO CREATE THE ARKANSAS PROFESSIONAL
16 STANDARDS AND PRACTICES BOARD FOR THE
17 EDUCATION PROFESSION. "
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. Creation - members.

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23 (a) There is created the Arkansas Professional Standards and Practices
24 Board.

25 (b) The board shall consist of fifteen (15) members appointed by the
26 Governor, President of the Senate and Speaker of the House.

27 (1) Eight (8) members of the board shall be practicing public
28 school K-12 classroom teachers employed by an Arkansas public school district;

29 (2) Two (2) members of the board shall be practicing school of
30 education faculty or administrators employed by an Arkansas college or
31 university;

32 (3) Three (3) members of the board shall be practicing public
33 school administrators employed by an Arkansas public school district;

34 (4) Two (2) members of the board shall be lay persons residing in
35 Arkansas who are not in the education profession;

36 (5) The Governor shall appoint two (2) teachers, one of whom

1 shall be a vocational teacher, one (1) a practicing school of education
2 faculty or administrator, and two (2) public school administrators;

3 (6) The President of the Senate shall appoint three (3) teachers,
4 one (1) of whom shall be a guidance counselor and the other two (2) from both
5 the elementary and secondary level, one (1) school of education faculty or
6 administrator, and one (1) lay person;

7 (7) The Speaker of the House shall appoint three (3) teachers,
8 one (1) of whom shall be a librarian and the other two (2) teachers from both
9 the elementary and secondary level, one (1) school of education faculty or
10 administrator, and one (1) lay person residing in Arkansas who is not in the
11 education profession.

12 (c) The terms of each member shall expire on June 30 of the year
13 designated and a successor appointee shall be named by the Governor, President
14 of the Senate or Speaker of the House, as provided for above, on or before the
15 expiration date of the term so expiring.

16 (d) Each board member's term shall be for four (4) years. The terms
17 shall be staggered. The initial appointees shall draw lots to determine the
18 length of their terms.

19 (e) A board member may serve two (2) consecutive terms.

20 (f) Vacancies on the board occurring otherwise than as provided herein
21 shall be filled by appointment of the Governor, President of the Senate, or
22 Speaker of the House within thirty (30) days thereafter.

23 (g) The members of the board shall receive as compensation for their
24 services the sum of fifty dollars (\$50.00) per day and expenses for each day
25 of attendance at meetings of the board.

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27 SECTION 2. Organization and proceedings.

28 (a) The board shall be established effective July 1, 1999, and the
29 initial fiscal year shall be devoted to starting up the board so that the
30 board will be fully operational by the end of that fiscal year;

31 (b) Within thirty (30) days of their appointment, the board shall meet
32 and organize by selecting a chairman, vice chairman and treasurer;

33 (c) The board shall hold its regular meetings at such time as the board
34 shall establish by regulation and shall have the power to call and hold
35 special meetings at such times and places as it deems necessary; and

36 (d) The chairman and vice chairman and secretary shall have power to

1 administer oaths for the purpose of performing their powers and duties.

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3 SECTION 3. Powers and duties.

4 (a) The board shall be semi-autonomous in that the State Board of
5 Education shall have the authority to veto any action of the board;

6 (b) The board shall:

7 (1) Adopt its own budget which shall be submitted to the State
8 Board of Education for approval;

9 (2) Set standards for initial licensure, standard licensure and
10 renewal of licenses not inconsistent with the laws of this state;

11 (3) Develop and oversee a code of ethics;

12 (4) Set fees for licensure;

13 (5) Investigate and conduct hearings and make findings and
14 recommendations for action to the State Board of Education for the revocation
15 of licenses and for the denial of the issuance or renewal of licenses;

16 (6) Employ a staff consisting of an executive director and an
17 administrative assistant;

18 (7) Utilize the employees of the Department of Education for its
19 staffing needs;

20 (8) Contract with other state agencies for staff to carry out any
21 responsibilities that cannot be performed by the board's own staff; and

22 (9) Promulgate such rules and regulations as are necessary to
23 carry out the purposes of this act and the intentions expressed herein.

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25 SECTION 4. All provisions of this act of a general and permanent nature
26 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
27 Revision Commission shall incorporate the same in the Code.

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29 SECTION 5. If any provision of this act or the application thereof to
30 any person or circumstance is held invalid, such invalidity shall not affect
31 other provisions or applications of the act which can be given effect without
32 the invalid provision or application, and to this end the provisions of this
33 act are declared to be severable.

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

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SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-second General Assembly that there is urgent need for the establishment of a board to prescribe professional standards and practices for educational personnel; that this act is designed to create such board and to prescribe its functions and that this act should be given effect immediately to assure that the board can be selected and can begin carrying out its responsibilities as soon as is practical. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.

/s/ C. Johnson, et al