

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

As Engrossed: H2/10/99

A Bill

SENATE BILL 113

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5 By: Senator Riggs
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For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-17-410 TO
10 CLARIFY THAT THE DEPARTMENT OF EDUCATION WILL BE
11 RESPONSIBLE FOR PAYING FEES FOR PUBLIC EDUCATION
12 EMPLOYEES REQUIRED TO HAVE A CRIMINAL RECORD CHECK FOR
13 LICENSE RENEWAL; AND FOR OTHER PURPOSES. "

Subtitle

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17 "TO AMEND A. C. A. § 6-17-410 TO CLARIFY
18 THAT THE DEPARTMENT OF EDUCATION WILL
19 PAY CRIMINAL RECORD CHECK FEES FOR
20 CERTAIN PUBLIC EDUCATION EMPLOYEES. "

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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 SECTION 1. Arkansas Code Annotated § 6-17-410(a) and (b) are amended to
26 read as follows:

27 "(a)(1)(A)(i) Each first-time applicant for a license issued by the
28 State Board of Education and each applicant for his or her first license
29 renewal on or after July 1, 1997, shall be required to apply to the
30 Identification Bureau of the Department of Arkansas State Police for a state
31 and nationwide criminal records check, to be conducted by the Federal Bureau
32 of Investigation.

33 (ii) The check shall conform to the applicable federal
34 standards and shall include the taking of fingerprints.

35 (B) Such applicant shall sign a release of information to
36 the Department of Education and shall be responsible to the Department of

1 Arkansas State Police for the payment of any fee associated with the criminal
 2 records check. The Department of Education shall be responsible to the
 3 Department of Arkansas State Police for the payment of any fee associated with
 4 the criminal records check at the time of license renewal for employees of
 5 Arkansas public school districts, employees of other public education
 6 institutions located in Arkansas, and employees of the Department of
 7 Education. Funding for such fees shall come from the Public School Fund.

8 (2) Upon completion of the criminal records check, the
 9 Identification Bureau of the Department of Arkansas State Police shall forward
 10 all information obtained concerning the applicant in the commission of any
 11 offense listed in subsection (c) of this section to the Department of
 12 Education.

13 (3) At the conclusion of any background check required by this
 14 subsection, the Identification Bureau of the Department of Arkansas State
 15 Police shall promptly destroy the fingerprint card of the applicant.

16 (b)(1) The State Board of Education is authorized to issue a six-month
 17 nonrenewable letter of provisional eligibility for licensure to a first-time
 18 applicant pending the results of the criminal records check; provided,
 19 however, that the Director of the Department of Education, ~~General Education~~
 20 ~~Division~~, is authorized to extend the period of provisional eligibility to the
 21 end of that contract year if:

22 (A) The applicant is employed by a local school district;
 23 and

24 (B) Results of the criminal records check are delayed.

25 (2) Upon receipt of information from the Identification Bureau of
 26 the Department of Arkansas State Police that the person holding such letter of
 27 provisional eligibility for licensure has pleaded guilty or nolo contendere
 28 to, or been found guilty of, any offense listed in subsection (c) of this
 29 section, the State Board of Education shall immediately revoke the provisional
 30 eligibility. "

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

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 36 SECTION 3. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect
2 other provisions or applications of the act which can be given effect without
3 the invalid provision or application, and to this end the provisions of this
4 act are declared to be severable.

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

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/s/ Riggs

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