

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

A Bill

SENATE BILL 398

4
5 By: Senators Hopkins, Riggs, B. Walker, Argue, B. Lewellen
6 By: Representatives Napper, T. Smith, W. Walker, Broadway, J. Jeffress, Allison, Bookout, Willis, Angel,
7 Booker, Carson, C. Johnson, Judy, Kidd, Madison, Wilkins, Salmon, G. Jeffress

For An Act To Be Entitled

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

Subtitle

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16 "TO PROVIDE THAT NONPROBATIONARY STATUS
17 TEACHERS MAY ONLY BE TERMINATED OR FACE
18 CONTRACT NONRENEWAL FOR REASONABLE
19 CAUSE. "

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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 6-17-1503 is amended as follows:

26 "6-17-1503. Construction.

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

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34 SECTION 2. Arkansas Code 6-17-1510(b) is amended as follows:

35 "(b) Any certified teacher who has been employed continuously by the
36 school district three (3) or more years or who may have achieved

1 nonprobationary status pursuant to § 6-17-1502 may only be terminated or the
 2 board may refuse to renew the contract of the teacher for ~~any cause which is~~
 3 ~~not arbitrary, capricious, or discriminatory or for violating the reasonable~~
 4 ~~rules and regulations promulgated by the board~~ incompetent performance,
 5 conduct which materially interferes with the continued performance of the
 6 teacher's duties, repeated or material neglect of duty, or other reasonable
 7 cause. Upon completion of such a hearing, the board, within ten (10) days
 8 after the holding of the hearing, shall:

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

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

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

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

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

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