

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

SENATE BILL 442

4  
5 By: Senators D. Malone, Mahony  
6  
7

## For An Act To Be Entitled

8  
9 "AN ACT TO AMEND THE FACULTY PERFORMANCE REVIEW  
10 REQUIREMENTS; AND FOR OTHER PURPOSES."

## Subtitle

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12  
13 "AN ACT TO AMEND THE FACULTY PERFORMANCE  
14 REVIEW REQUIREMENTS."  
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16

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

19 SECTION 1. Arkansas Code 6-61-219 is repealed.

20 ~~6-61-219. Annual faculty performance review.~~

21 ~~(a) In order to promote a coordinated system of higher education in~~  
22 ~~Arkansas and to assure an orderly and effective development of each of the~~  
23 ~~publicly supported institutions of higher education, beginning with the 1990-~~  
24 ~~91 academic year each state-supported college and university shall conduct a~~  
25 ~~rigorous, consistently applied, annual review of the performance of all full-~~  
26 ~~time faculty members. The evaluation by students shall be applicable to all~~  
27 ~~teaching faculty, full-time, part-time, and graduate teaching assistants and~~  
28 ~~shall include an assessment of the fluency in English of the faculty member or~~  
29 ~~graduate teaching assistant. This review shall include assessments by peers,~~  
30 ~~students, and administrators and shall be utilized to ensure a consistently~~  
31 ~~high level of performance and serve in conjunction with other appropriate~~  
32 ~~information as a basis for decisions on promotion, salary increases, and job~~  
33 ~~retention. This review shall not be used to demote a tenured faculty member to~~  
34 ~~a nontenured status.~~

35 ~~(b)(1) The performance appraisal systems used by each institution shall~~  
36 ~~be approved by the State Board of Higher Education prior to implementation.~~

1           ~~(2) The Department of Higher Education shall be responsible for~~  
2 ~~monitoring the evaluation process and shall report its findings to the State~~  
3 ~~Board of Higher Education each biennium.~~

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5           SECTION 2. Arkansas Code 6-63-104 is amended to read as follows:

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

7           (a) The president and chancellor of each state-supported institution of  
8 higher education in Arkansas shall work with the campus faculties to develop a  
9 framework to review faculty performance, including post tenure review. The  
10 framework should be used to develop processes and procedures at each  
11 institution to ensure a consistently high level of performance of the faculty  
12 at Arkansas' publicly supported institutions of higher education. The effects  
13 of the review process of faculty performance should include rewarding  
14 productive faculty, redirecting faculty efforts to improve or to increase  
15 productivity, and to correct instances of substandard performance. The  
16 framework developed by each institution shall be reported to the House and  
17 Senate Interim Committees on Education, the Joint Interim Oversight Committee  
18 on Higher Education Reform, and the State Department of Higher Education no  
19 later than December 1, 1998, and shall be implemented on the respective  
20 campuses no later than January 1, 2001.

21           (b) Pursuant to subsection (a) of this section, each state-supported  
22 institution of higher education in Arkansas shall conduct a rigorous,  
23 consistently applied, annual review of the performance of all full-time  
24 faculty members. This review shall include assessments by peers, students, and  
25 administrators and shall be utilized to ensure a consistently high level of  
26 performance and serve in conjunction with other appropriate information as a  
27 basis for decisions on promotion, salary increases, and job retention. The  
28 evaluation by students shall be applicable to all teaching faculty, full-time,  
29 part-time and graduate teaching assistants and shall include an assessment of  
30 the fluency in English of the faculty member or graduate teaching assistant.  
31 This review shall not be used to demote a tenured faculty member to a non-  
32 tenured status.

33           (c) The Department of Higher Education shall be responsible for  
34 monitoring the evaluation process and shall report its findings to the  
35 Arkansas Higher Education Coordinating Board each biennium.

36           (d) Each state-supported institution of higher education shall require

1 full-time faculty members of the college of education to work collaboratively  
 2 with the accredited public schools in this state, and such faculty involvement  
 3 shall be included as part of the annual review of the faculty as required by  
 4 subsection (b) of this section."

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 6 SECTION 3. Arkansas Code 6-63-501 is repealed.

7 ~~6-63-501. Purpose -- Review -- Report.~~

8 ~~(a) In order to ensure that future teachers are taught by professional~~  
 9 ~~educators fully trained for their area of expertise in publicly supported~~  
 10 ~~institutions of higher education, beginning with the 1992-1993 academic year~~  
 11 ~~each state-supported college and university shall require full-time faculty~~  
 12 ~~members of the college of education to work collaboratively with the~~  
 13 ~~accredited public schools in this state.~~

14 ~~(b) The faculty involvement shall be included as part of the annual~~  
 15 ~~review of the faculty as required by § 6-61-219.~~

16 ~~(c) The institutions of higher education must file a report detailing~~  
 17 ~~their collaborative activities for the previous academic year with the State~~  
 18 ~~Board of Education, State Board of Higher Education, and the Joint Interim~~  
 19 ~~Oversight Subcommittee on Educational Reform of the Arkansas General Assembly~~  
 20 ~~by October 1 of each year.~~

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

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

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