

1 State of Arkansas

2 83rd General Assembly

3 Regular Session, 2001

A Bill

HOUSE BILL 2400

5 By: Representatives G. Jeffress, White, Oglesby, Thomas, Moore, Fite, C. Johnson

6 By: Senator Mahony

For An Act To Be Entitled

10 AN ACT TO AMEND ARKANSAS CODE 6-17-208(b) TO MAKE
11 GRIEVANCE HEARINGS OPEN OR CLOSED AT THE
12 DISCRETION OF THE EMPLOYEE; TO PROVIDE FOR CLOSED
13 HEARINGS FOR TESTIMONY FROM STUDENTS UNDER THE
14 AGE OF EIGHTEEN (18) YEARS; AND FOR OTHER
15 PURPOSES.

Subtitle

18 AN ACT TO AMEND ARKANSAS CODE 6-17-208
19 (b) TO MAKE GRIEVANCE HEARINGS OPEN OR
20 CLOSED AT THE DISCRETION OF THE
21 EMPLOYEE; TO PROVIDE FOR CLOSED HEARINGS
22 FOR TESTIMONY FROM STUDENTS UNDER THE
23 AGE OF EIGHTEEN (18) YEARS.

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

28 SECTION 1. Arkansas Code 6-17-208(b), pertaining to school district
29 grievance procedure, is amended to read as follows:

30 (b)(1) The grievance policy shall at least include the following
31 provisions:

32 (A) A procedure for resolving the matter informally with
33 the employee's immediate supervisor;

34 (B) A procedure to appeal in writing an unsatisfactorily
35 resolved grievance from the immediate supervisor to the superintendent of
36 schools or his designee;

1 (C)(i) A procedure to appeal in writing an
2 unsatisfactorily resolved grievance from the superintendent or his designee
3 to the school board at the next regularly scheduled school board meeting
4 unless both parties have agreed to a different date. ~~The hearing shall be~~
5 ~~open to the public unless either the superintendent or the employee requests~~
6 ~~a private hearing; and~~

7 (ii) The hearing shall be open or closed at the
8 discretion of the employee.

9 (iii) If the hearing is open, the parent or guardian
10 of any student under the age of eighteen (18) years who gives testimony may
11 elect to have the student's testimony given in a closed session; and

12 (D) The right of all parties to be represented by a person
13 of their own choosing, at least at the school board level of the procedure.

14 (2)(A) The determination by the principal, superintendent, or
15 their designees that the concern expressed by the employee is not a grievance
16 may be appealed to the board for a final decision.

17 (B) At the hearing, the employee shall have an adequate
18 opportunity to present the grievance, and both parties shall have the
19 opportunity to present and question witnesses.