

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: S3/27/03

A Bill

SENATE BILL 913

5 By: Senators Wilkins, Broadway
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 6-17-208 TO
10 PROVIDE FOR PROCEDURES TO THE GRIEVANCE LAW; AND
11 FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT TO AMEND ARKANSAS CODE § 6-17-208
14 TO PROVIDE FOR PROCEDURES TO THE
15 GRIEVANCE LAW.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 6-17-208 is amended to read as follows:
22 6-17-208. Grievance procedure.

23 (a)(1) It is the public policy of the State of Arkansas that:

24 (A) each Each school district shall have a written
25 grievance procedure which provides for an orderly method of resolving
26 concerns raised by an employee at the lowest possible administrative level
27 and in a clear and timely manner for both parties;

28 (B) All school employees shall have the right to file
29 grievances and have those grievances heard. A group of employees who have
30 the same grievance may file a group grievance.

31 (2)(A) "Grievance" means any concern related to personnel
32 policies or salary policy, salary, federal or state laws and regulations, or
33 terms or conditions of employment, raised by an employee; and

34 (B) "Employee" means a person employed by a school
35 district under a written contract.

36 (b)(1) The grievance policy shall at least include the following



1 provisions:

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

4 (B) A procedure to appeal in writing an unsatisfactorily
5 resolved grievance from the immediate supervisor to the superintendent of
6 schools or his or her designee;

7 (C)(i) A procedure to appeal in writing an
8 unsatisfactorily resolved grievance from the superintendent or his or her
9 designee to the school board at the next regularly scheduled school board
10 meeting unless both parties have agreed to a different date.

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

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

16 (D) The right of all parties to be represented by a person
17 of his or her own choosing, ~~at least at the school board level~~ but not by a
18 member of a party's immediate family at any level of the procedure.

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

22 (B) At the hearing, the employee shall have an adequate
23 opportunity to present the grievance, but no less than ninety (90) minutes,
24 and both parties shall have the opportunity to present and question
25 witnesses.

26 (c) The grievance policy shall be adopted in accordance with this
27 subchapter and other applicable policies of the district.

28 (d) There shall be no reprisals of any kind against any individual who
29 exercises his or her rights under this act.

30 (e) Nothing in this section shall be construed as requiring a school
31 district to enter into an agreement recognizing an organization for the
32 purpose of negotiating personnel policies, salaries, and educational matters
33 of mutual concern.

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35 /s/ Wilkins

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