

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 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 2438

4
5 By: Representatives Cook, Mahony

For An Act To Be Entitled

9 AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO
10 PRESCRIBE UNIFORM COLLEGE LEVEL PREPARATORY AND
11 GRADE POINT AVERAGE REQUIREMENTS FOR ALL PERSONS
12 APPLYING FOR INITIAL TEACHER LICENSURE OR
13 RELICENSURE AFTER JULY 1, 2006; TO REPEAL THE
14 PROFESSIONAL EDUCATION, DEVELOPMENT, LICENSURE,
15 AND ASSESSMENT BOARD; TO CREATE THE PROFESSIONAL
16 LICENSURE STANDARDS BOARD; AND FOR OTHER
17 PURPOSES.

Subtitle

19 AN ACT TO REQUIRE THE STATE BOARD OF
20 EDUCATION TO PRESCRIBE UNIFORM COLLEGE
21 LEVEL PREPARATORY AND GRADE POINT
22 AVERAGE REQUIREMENTS.

23
24
25
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

27
28 SECTION 1. Arkansas Code § 6-17-402 is amended to read as follows:
29 6-17-402. Rules and regulations.

30 (a) For purposes of this section:

31 (1) "Certified teaching license" includes that license of a
32 licensed classroom teacher, administrator, counselor, or librarian; and

33 (2) Levels of licensure" means the grade levels listed on a
34 teaching license of persons who are required to teach students in those grade
35 levels.

36 ~~(a)-(1)~~(b)(1) The State Board of Education shall promulgate rules and



1 regulations for the issuance, licensure, relicensure, and continuance of
 2 licensure of teachers in the public schools of this state.

3 (2) The State Board of Education shall prescribe uniform college
 4 level preparatory and grade point average requirements for all teachers
 5 applying for initial licensure or relicensure after July 1, 2006, that are
 6 consistent with the recommendations of the Professional Licensure Standards
 7 Board prescribing uniform college level preparatory and grade point average
 8 requirements for all teachers applying for initial licensure or relicensure
 9 after July 1, 2006, including uniform and specific requirements for:

10 (A) Course of study;

11 (B) College level teacher education classes;

12 (C) Subject-matter specific course work certification or
 13 licensure in a particular subject area rather than grade level certification;
 14 and

15 (D) In-class teaching internships or practice teaching
 16 hours.

17 ~~(2)~~(3)(A) In addition to the requirements under subdivision
 18 (a)(2) of this section and other requirements, any person applying for
 19 initial licensure as a teacher in the public schools or a licensed teacher
 20 applying for a license in an additional area shall take and complete a test
 21 recognized by the National Council for Accreditation of Teacher Education and
 22 approved by the ~~board~~ State Board of Education, and submit the scores to the
 23 Department of Education.

24 ~~(b)~~(B) No applicant for initial licensure or licensure in
 25 an additional area shall receive a license unless the applicant scores at or
 26 above the minimum level set by the ~~board~~ State Board of Education and obtains
 27 the minimum grade point average set by the State Board of Education for any
 28 college level course work requirements established by the State Board of
 29 Education.

30 ~~(e)~~(C) All colleges and universities in this state shall
 31 report the results of the examinations to the department upon request.

32 ~~(d)~~(c)(1) The ~~board~~ State Board of Education shall not delegate to any
 33 college or university any of the ~~board's~~ State Board of Education powers or
 34 duties pertaining to the issuance, licensure, relicensure, and continuance of
 35 licensure of teachers in public schools in this state.

36 (2) The State Board of Education shall not delegate to any

1 college or university any of the State Board of Education's powers or duties
 2 pertaining to the uniform and specific requirements for:

3 (A) Course of study;

4 (B) College level teacher education classes;

5 (C) Subject-matter specific course work certification or
 6 licensure in a particular subject area rather than grade-level certification;
 7 and

8 (D) In-class teaching internships or practice teaching
 9 hours.

10 ~~(e)~~(d)(1) The ~~board~~ State Board of Education shall waive the
 11 examination requirements and the uniform college level preparatory and grade
 12 point average requirements under subsection (a) of this section for
 13 individuals applying for licensure in Arkansas who have a valid out-of-state
 14 teaching license and three (3) years' documented teaching experience as
 15 required by the rules and regulations promulgated by the ~~board~~ State Board of
 16 Education.

17 (2) The State Board of Education shall waive the uniform college
 18 level preparatory and grade point average requirement under subsection (a) of
 19 this section, for students enrolled as a junior or senior in a teacher
 20 education program prior to July 1, 2006.

21 ~~(f) For purposes of this section, "certified teaching license"~~
 22 ~~includes that license of a licensed classroom teacher, administrator,~~
 23 ~~counselor, or librarian.~~

24 (e)(1) By July 1, 2005, the levels of licensure for Arkansas shall be
 25 for:

26 (A) Grades prekindergarten through six (PreK-6);

27 (B) Grades seven through twelve (7-12);

28 (C) Grades four through eight (4-8); and

29 (D) Specialty content areas prekindergarten through twelve
 30 (PreK-12).

31 (2)(A) Institutions of higher education that have approved
 32 programs of study for grades prekindergarten through four (preK-4) in place
 33 shall be approved by the Department of Higher Education to offer a grades
 34 prekindergarten through six (preK-6) licensure program by adding appropriate
 35 middle-level course work as outlined by the Department of Education.

36 (B) Institutions of higher education currently offering

1 prekindergarten through grade four (preK-4) early childhood licensure
 2 programs approved by the Department of Education shall not be required to
 3 resubmit these programs for approval when the licensure levels change from
 4 prekindergarten through grade four (preK-4) to prekindergarten through grade
 5 six (preK-6).

6 (f) The uniform college level preparatory and grade point
 7 average requirements adopted by the State Board of Education as provided
 8 under subdivision (a)(2) of this section shall not be required for any
 9 teacher who has been issued a teacher certification or licensure prior to
 10 July 1, 2006.

11
 12 SECTION 2. Arkansas Code § 6-17-420 is repealed.

13 ~~6-17-420. Professional Education, Development, Licensure, and~~
 14 ~~Assessment Board.~~

15 ~~(a) There is established a board to be known as the Professional~~
 16 ~~Education, Development, Licensure, and Assessment Board.~~

17 ~~(b) The board shall consist of fifteen (15) members as follows:~~

18 ~~(1) Twelve (12) members to be selected by the State Board of~~
 19 ~~Education as follows:~~

20 ~~(A) One (1) public school teacher from each congressional~~
 21 ~~district in the state selected as follows:~~

22 ~~(i) Two (2) public school teachers selected from a~~
 23 ~~list submitted by the Arkansas Education Association of no less than twelve~~
 24 ~~(12) names with at least three (3) teachers from each congressional district~~
 25 ~~in the state; and~~

26 ~~(ii) Two (2) public school teachers selected from a~~
 27 ~~list submitted by the Department of Education of no less than twelve (12)~~
 28 ~~names with at least three (3) teachers certified by the National Board for~~
 29 ~~Professional Teaching Standards from each congressional district in the~~
 30 ~~state;~~

31 ~~(B) One (1) public school administrator from each~~
 32 ~~congressional district in the state, two (2) of which shall be~~
 33 ~~superintendents of a public school district, selected from a list submitted~~
 34 ~~by the Arkansas Association of Educational Administrators of no less than~~
 35 ~~twelve (12) names with at least three (3) persons from each congressional~~
 36 ~~district; and~~

1 ~~(C)(i) Four (4) representatives from schools, colleges, or~~
 2 ~~departments of education at an institution of higher education, with one (1)~~
 3 ~~selected from a list submitted by the Arkansas Association of Colleges for~~
 4 ~~Teacher Education of no less than twelve (12) names with at least six (6)~~
 5 ~~persons who are deans of a school, college, or department of education and at~~
 6 ~~least three (3) persons who would be representative of an independent college~~
 7 ~~or university submitted by the Arkansas Association of Colleges for Teacher~~
 8 ~~Education.~~

9 ~~(ii) Two (2) persons appointed under subdivision~~
 10 ~~(b)(1)(C)(i) shall be deans of a school, college, or department of education~~
 11 ~~and at least one (1) person appointed under subdivision (b)(1)(C)(i) shall be~~
 12 ~~representative of an independent college or university;~~

13 ~~(2) The Coordinator for Professional Quality Enhancement~~
 14 ~~Division of the Department of Education in a nonvoting, ex officio capacity;~~

15 ~~(3) The Coordinator for the Professional Licensure Division of~~
 16 ~~the Department of Education in a nonvoting, ex officio capacity; and~~

17 ~~(4) The Non Traditional Licensure Program Advisor for the~~
 18 ~~Department of Education in a nonvoting, ex officio capacity.~~

19 ~~(e) Each appointed Professional Education, Development, Licensure, and~~
 20 ~~Assessment Board member shall be a resident of the State of Arkansas at the~~
 21 ~~time of appointment and throughout his or her term.~~

22 ~~(d)(1) Each entity shall submit its list under subsection (b) of this~~
 23 ~~section before July 1, 2003.~~

24 ~~(2) The State Board of Education shall make the appointments~~
 25 ~~before August 1, 2003.~~

26 ~~(e) The Director of the Department of Education shall call the first~~
 27 ~~meeting no later than September 1, 2003.~~

28 ~~(f)(1) At the first meeting of the Professional Education,~~
 29 ~~Development, Licensure, and Assessment Board, the members appointed by the~~
 30 ~~State Board of Education shall draw lots to determine the terms of each~~
 31 ~~member so that the terms of six (6) members shall expire in two (2) years and~~
 32 ~~the terms of six (6) members shall expire in three (3) years.~~

33 ~~(2) Subsequent appointments are for a term of three (3) years.~~

34 ~~(g)(1) If a vacancy occurs in an appointed position for any reason,~~
 35 ~~the vacancy shall be filled in the same manner as the original appointment.~~

36 ~~(2) The new appointee shall serve for the remainder of the~~

1 ~~unexpired term.~~

2 ~~(3) Members may serve no more than two (2) consecutive terms.~~

3 ~~(h)(1) At the first meeting of the Professional Education,~~
 4 ~~Development, Licensure, and Assessment Board and each year thereafter, the~~
 5 ~~members shall select from among themselves a chair and cochair.~~

6 ~~(2) The Coordinator for the Professional Licensure Division of~~
 7 ~~the Department of Education shall serve as secretary of the Professional~~
 8 ~~Education, Development, Licensure, and Assessment Board.~~

9 ~~(i)(1) The Professional Education, Development,~~
 10 ~~Licensure, and Assessment Board shall meet at times and places the chair or a~~
 11 ~~majority of the board deems necessary but shall meet no less than quarterly.~~

12 ~~(2) Meetings shall not be held outside the State of Arkansas.~~

13 ~~(3) Seven (7) members of the board shall constitute a quorum for~~
 14 ~~the purpose of transacting business.~~

15 ~~(4) All action of the board shall be by a quorum.~~

16 ~~(j) The Professional Education, Development, Licensure, and Assessment~~
 17 ~~Board shall:~~

18 ~~(1) Establish standards for initial licensure of teachers in all~~
 19 ~~subject fields and levels, subject to the approval of the State Board of~~
 20 ~~Education;~~

21 ~~(2) Establish standards for licensure of administrators and~~
 22 ~~support personnel, subject to the approval of the State Board of Education;~~

23 ~~(3) Establish rules and regulations concerning program~~
 24 ~~accreditation, including traditional and nontraditional routes to licensure,~~
 25 ~~subject to the approval of the State Board of Education;~~

26 ~~(4) Establish rules and regulations concerning initial,~~
 27 ~~standard, and provisional licensure and the renewal of these licenses,~~
 28 ~~subject to the approval of the State Board of Education;~~

29 ~~(5) Review, evaluate, and recommend assessments for existing and~~
 30 ~~new licensure areas and recommend minimum performance levels for issuance of~~
 31 ~~a license;~~

32 ~~(6) Review, evaluate, and recommend requirements of licensure~~
 33 ~~renewal, including professional development;~~

34 ~~(7) Review, evaluate, and recommend requirements for license~~
 35 ~~reciprocity;~~

36 ~~(8) Review, evaluate, and recommend requirements for adding~~

1 licensure areas and endorsements to an existing valid license;

2 (9) Consult with groups whose work may be affected by the
3 Professional Education, Development, Licensure, and Assessment Board's
4 recommendations;

5 (10) Request and review reports from the department concerning
6 licensed personnel and existing or potential shortage areas;

7 (11) Hold public hearings, along with department staff, prior to
8 submitting recommendations concerning professional education, development,
9 licensure, and assessment to the State Board of Education for approval; and

10 (12) Establish subcommittees as necessary to research the trends
11 and impact of issues submitted to the Professional Education, Development,
12 Licensure, and Assessment Board for consideration.

13 (k) The director may present to the State Board of Education as an
14 agenda item any measure that the Professional Education, Development,
15 Licensure, and Assessment Board does not approve, but the State Board of
16 Education shall be put on notice that the measure was not approved for
17 recommendation to the State Board of Education.

18 (1)(1) The department shall provide staff and office space to the
19 Professional Education, Development, Licensure, and Assessment Board.

20 (2)(A) Members of the Professional, Education, Development,
21 Licensure, and Assessment Board shall serve without pay.

22 (B) Members of the Professional, Education, Development,
23 Licensure, and Assessment Board may receive expense reimbursement in
24 accordance with § 25-16-902, to be paid by the department to the extent that
25 money is available.

26
27 SECTION 3. Arkansas Code Title 6, Chapter 17, Subchapter 4 is amended
28 to add an additional section to read as follows:

29 6-17-421. Professional Licensure Standards Board.

30 (a) There is established a board to be known as the "Professional
31 Licensure Standards Board".

32 (b) The Professional Licensure Standards Board shall consist of
33 fifteen (15) members as follows:

34 (1) Twelve (12) members appointed by the State Board of
35 Education as follows:

36 (A) Three (3) public school teachers with an Arkansas

1 teaching license selected from a list of no fewer than six (6) different
 2 teachers submitted by the Arkansas Education Association;

3 (B) One (1) person with an Arkansas teaching license
 4 selected from a list of no fewer than three (3) different people submitted by
 5 the Arkansas Association of Middle Level Educators;

6 (C) One (1) public school administrator with an Arkansas
 7 teaching license selected from a list of no fewer than three (3) different
 8 administrators submitted by the Arkansas Association of School
 9 Administrators;

10 (D) One (1) public school administrator with an Arkansas
 11 teaching license selected from a list of no fewer than three (3) different
 12 administrators submitted by the Arkansas Association of School Personnel
 13 Administrators;

14 (E) One (1) public school administrator with an Arkansas
 15 teaching license selected from a list of no fewer than three (3) different
 16 administrators submitted by the Arkansas Association of Secondary Principals;

17 (F) One (1) public school administrator with an Arkansas
 18 teaching license selected from a list of no fewer than three (3) different
 19 administrators submitted by the Arkansas Association of Elementary
 20 Principals;

21 (G) One (1) dean of a public institution of higher
 22 education school of education, college of education, or department of
 23 education from a list of no fewer than three (3) different administrators
 24 submitted by the Executive Council of the Arkansas Higher Education
 25 Coordinating Board; and

26 (H) Three (3) representatives of an independent
 27 institution of higher education from a list of no fewer than eight
 28 (8) different representatives submitted by the Association of Colleges for
 29 Teacher Education;

30 (2) The Coordinator for Professional Quality Enhancement
 31 Division of the Department of Education in a non voting, ex officio capacity;

32 (3) The Coordinator for Professional Licensure Division of the
 33 Department of Education in a non voting, ex officio capacity; and

34 (4) The Non-traditional Licensure Program Advisor of the
 35 Department of Education in a non voting, ex officio capacity.

36 (c) Any list to be submitted under subsection (b) of this section

1 shall be submitted to the secretary of the State Board of Education by June
2 30, 2005. If a list for the respective position is not submitted by the
3 deadline, the State Board of Education may appoint any qualified person to
4 fill the position.

5 (d) The appointed Professional Licensure Standards Board professional
6 licensure Professional Licensure Standards Board members shall be residents
7 of the State of Arkansas at the time of appointment and throughout their
8 terms.

9 (1) The Director of the Department of Education shall call an
10 organizational meeting within twenty (20) calendar days after the State Board
11 of Education has made all necessary appointments.

12 (2) The Director of the Department of Education shall serve as
13 chair at the organizational meeting until the Professional Licensure
14 Standards Board elects a chair from among its members during the first
15 organizational meeting.

16 (f)(1) The Professional Licensure Standards Board shall meet at times
17 and places the chair deems necessary, but no meetings shall be held outside
18 of the State of Arkansas.

19 (2) A majority of the members of the Professional Licensure
20 Standards Board shall constitute a quorum for the purpose of transacting
21 business.

22 (3) All action of the Professional Licensure Standards Board
23 shall be by a majority vote of the full membership of the Professional
24 Licensure Standards Board.

25 (g) The Professional Licensure Standards Board shall:

26 (1) Develop and recommend for adoption to the State Board of
27 Education uniform college level preparatory and grade point average
28 requirements for all teachers applying for initial licensure or relicensure
29 after July 1, 2006, that shall include uniform and specific requirements for:

30 (A) Course of study;

31 (B) College level teacher education classes;

32 (C) Subject-matter specific course work certification or
33 licensure in a particular subject area rather than grade-level certification;
34 and

35 (D) In-class teaching internships or practice teaching
36 hours.

1 (2) With the assistance of the Department of Education and the
2 Department of Higher Education, review the teacher education programs offered
3 by all institutions' of higher education in the state to determine if the
4 institutions teacher education programs and courses of study are aligned as
5 necessary to allow graduates of the teacher education program to become
6 licensed under this act and the rules set by the State Board of Education.

7 (h)(1) The Department of Education shall provide staff and office
8 space to the Professional Licensure Standards Board.

9 (2)(A) Members of the Professional Licensure Standards Board
10 shall serve without pay.

11 (B) Members of the Professional Licensure Standards Board
12 may receive expense reimbursement in accordance with § 25-16-902, to be paid
13 by the Department of Education to the extent money is available for that
14 purpose.

15
16 SECTION 4. No institution of higher learning education shall be an
17 eligible institution for purposes of the Arkansas Academic Challenge
18 Scholarship Program or the State Teacher Assistance Resource Program, or
19 shall use any state funds to pay the salaries of instructors in its teacher
20 education programs unless the institution has aligned its teacher education
21 programs and courses of study as necessary for a graduate to become eligible
22 for a license under this act and the rules set by the State Board of
23 Education.