

State of Arkansas

85th General Assembly

Regular Session, 2005

A Bill

SENATE BILL 1042

By: Senators Bryles, J. Bookout, Brown, Capps, G. Jeffress, J. Jeffress, Lavery, Madison, Salmon, T. Smith, Steele, Wilkinson

By: Representatives Elliott, Blount, Dickinson, Fite, J. Johnson, Sample, Saunders

For An Act To Be Entitled

AN ACT TO REQUIRE SCHOOL DISTRICTS TO HAVE A
REDUCTION IN FORCE POLICY IN EACH SCHOOL DISTRICT
BASED UPON OBJECTIVE CRITERIA; AND FOR OTHER
PURPOSES.

Subtitle

AN ACT TO REQUIRE SCHOOL DISTRICTS TO
HAVE A REDUCTION IN FORCE POLICY IN EACH
SCHOOL DISTRICT BASED UPON OBJECTIVE
CRITERIA.

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

SECTION 1. Arkansas Code Title 6, Chapter 17, Subchapter 24 is amended by adding an additional subchapter to read as follows:

6-17-2406. Reduction in force procedure.

(a)(1) It is the public policy of the State of Arkansas that each school district shall have a written policy on reduction in force based, upon objective criteria for a layoff and recall of employees.

(2) A "layoff" is an unavoidable reduction in the work force beyond normal attrition.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the current personnel law for school districts is inadequate to protect the public's interests in public



1 school districts; and that there is a pressing and urgent need to revise the
2 personnel law prior to the time school districts make employment decisions
3 for the 2005-2006 school year to avoid arbitrary reduction in force decisions
4 by school districts should such reductions become necessary for the 2005-2006
5 school year. Therefore, an emergency is declared to exist and this act being
6 immediately necessary for the preservation of the public peace, health, and
7 safety shall become effective on:

8 (1) The date of its approval by the Governor;

9 (2) If the bill is neither approved nor vetoed by the Governor,
10 the expiration of the period of time during which the Governor may veto the
11 bill; or

12 (3) If the bill is vetoed by the Governor and the veto is
13 overridden, the date the last house overrides the veto.