

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 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 2792

5 By: Representatives J. Roebuck, Cook
6
7

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, 2007; 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

18
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" means that license of a
32 licensed classroom teacher, an administrator, a guidance counselor, or a
33 librarian issued by the State Board of Education;

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



1 (3) "Relicensure" means that a license of a classroom teacher,
 2 an administrator, a guidance counselor, or a librarian is renewed by the
 3 State Board of Education.

4 ~~(a)~~(b)(1) The State Board of Education shall promulgate rules and
 5 regulations for the issuance, licensure, relicensure, and continuance of
 6 licensure of teachers in the public schools of this state.

7 (2) The State Board of Education shall prescribe uniform college
 8 level preparatory and grade point average requirements for all teachers
 9 applying for initial licensure or relicensure after July 1, 2007, that are
 10 consistent with the recommendations of the Professional Licensure Standards
 11 Board prescribing uniform college level preparatory and grade point average
 12 requirements for all teachers applying for initial licensure or relicensure
 13 after July 1, 2007, including uniform and specific requirements for:

14 (A) Course of study;

15 (B) College level teacher education classes;

16 (C) Subject-matter specific course work certification or
 17 licensure in a particular subject area rather than grade level certification;
 18 and

19 (D) In-class teaching internships or practice teaching
 20 hours.

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

28 ~~(b)~~(B) No applicant for initial licensure or licensure in
 29 an additional area shall receive a license after July 1, 2007, unless the
 30 applicant scores at or above the minimum level set by the ~~board~~ State Board
 31 of Education and obtains the minimum grade point average set by the State
 32 Board of Education for any college level course work requirements established
 33 by the State Board of Education.

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

36 ~~(d)~~(c)(1) ~~The state board~~ State Board of Education shall not delegate

1 to any college or university any of the ~~state board's~~ State Board of
 2 Education's powers or duties pertaining to the issuance, licensure,
 3 relicensure, and continuance of licensure of teachers in public schools in
 4 this state.

5 (2) The State Board of Education shall not delegate to any
 6 college or university any of the State Board of Education's powers or duties
 7 pertaining to the uniform and specific requirements initial teacher licensure
 8 for:

9 (A) Course of study;

10 (B) College level teacher education classes;

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

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

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

23 (2) The State Board of Education shall waive the uniform college
 24 level preparatory and grade point average requirement under subsection (a) of
 25 this section for students enrolled as a junior or senior in a teacher
 26 education program prior to July 1, 2007.

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

30 (e)(1) By July 1, 2007, the levels of licensure for Arkansas shall be
 31 for:

32 (A) Prekindergarten through grade four (PreK-4);

33 (B) Grades four through eight (4-8);

34 (C) Grades seven through twelve (7-12); and

35 (D) Specialty content areas prekindergarten through grade
 36 twelve (PreK-12).

1 (2) Upon a teacher's completion of the department's requirements
 2 for an additional licensure plan, the State Board of Education may grant an
 3 endorsement to the teaching license as follows:

4 (A) A level 5-6 endorsement to a P-4 license;

5 (B) A level 5-6 endorsement in the same core academic area
 6 of math, English, social science, or science as the teacher's 7-12 license.

7 (f)(1) A building level leader, curriculum program administrator, or
 8 district level leader who is licensed as an administrator in another state
 9 and is seeking a reciprocal license in Arkansas is required to have at least
 10 two (2) years of experience as an administrator in the state where he or she
 11 received an initial administrator's license.

12 (2) The applicant for the reciprocal administrator's license
 13 shall present documentation to the State Board of Education of a portfolio
 14 and internship completed for the area of licensure that is aligned with the
 15 Arkansas standards for administrators.

16
 17 SECTION 2. Arkansas Code § 6-17-420 is repealed.

18 ~~6-17-420. Professional Education, Development, Licensure, and~~
 19 ~~Assessment Board.~~

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

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

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

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

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

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

36 ~~(B) One (1) public school administrator from each~~

1 congressional district in the state, two (2) of which shall be
 2 superintendents of a public school district, selected from a list submitted
 3 by the Arkansas Association of Educational Administrators of no less than
 4 twelve (12) names with at least three (3) persons from each congressional
 5 district; and

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

14 (ii) Two (2) persons appointed under subdivision
 15 (b)(1)(C)(i) shall be deans of a school, college, or department of education
 16 and at least one (1) person appointed under subdivision (b)(1)(C)(i) shall be
 17 representative of an independent college or university;

18 (2) The Coordinator for Professional Quality
 19 Enhancement Division of the Department of Education in a nonvoting, ex
 20 officio capacity;

21 (3) The Coordinator for the Professional
 22 Licensure Division of the Department of Education in a nonvoting, ex officio
 23 capacity; and

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

26 (c) Each appointed Professional Education, Development, Licensure, and
 27 Assessment Board member shall be a resident of the State of Arkansas at the
 28 time of appointment and throughout his or her term.

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

31 (2) The State Board of Education shall make the appointments
 32 before August 1, 2003.

33 (e) The Commissioner of Education shall call the first meeting no
 34 later than September 1, 2003.

35 (f)(1) At the first meeting of the Professional Education,
 36 Development, Licensure, and Assessment Board, the members appointed by the

1 ~~State Board of Education shall draw lots to determine the terms of each~~
 2 ~~member so that the terms of six (6) members shall expire in two (2) years and~~
 3 ~~the terms of six (6) members shall expire in three (3) years.~~

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

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

7 ~~(2) The new appointee shall serve for the remainder of the~~
 8 ~~unexpired term.~~

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

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

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

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

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

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

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

23 ~~(j) The Professional Education, Development, Licensure, and Assessment~~
 24 ~~Board shall:~~

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

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

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

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

36 ~~(5) Review, evaluate, and recommend assessments for existing and~~

1 new licensure areas and recommend minimum performance levels for issuance of
 2 a license;

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

5 (7) ~~Review, evaluate, and recommend requirements for license~~
 6 ~~reciprocity;~~

7 (8) ~~Review, evaluate, and recommend requirements for adding~~
 8 ~~licensure areas and endorsements to an existing valid license;~~

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

12 (10) ~~Request and review reports from the department concerning~~
 13 ~~licensed personnel and existing or potential shortage areas;~~

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

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

20 (k) ~~The commissioner may present to the State Board of Education as an~~
 21 ~~agenda item any measure that the Professional Education, Development,~~
 22 ~~Licensure, and Assessment Board does not approve, but the State Board of~~
 23 ~~Education shall be put on notice that the measure was not approved for~~
 24 ~~recommendation to the State Board of Education.~~

25 (1)(1) ~~The department shall provide staff and office space to the~~
 26 ~~Professional Education, Development, Licensure, and Assessment Board.~~

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

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

33
 34 SECTION 3. Arkansas Code Title 6, Chapter 17, Subchapter 4 is amended
 35 to add an additional section to read as follows:

36 6-17-422. Professional Licensure Standards Board.

1 (a) There is established the Professional Licensure Standards Board.

2 (b) The Professional Licensure Standards Board shall consist of
 3 nineteen (19) members appointed by the State Board of Education as follows:

4 (1) The Commissioner of Education, who shall serve as a
 5 nonvoting member and chair;

6 (2)(A) Six (6) public school classroom teachers with a valid
 7 Arkansas teaching license who are recommended by the Arkansas Education
 8 Association.

9 (B) The six (6) public school classroom teachers shall
 10 represent the four (4) congressional districts in Arkansas and include:

11 (i) A licensure level of prekindergarten through
 12 grade four (PreK-4);

13 (ii) A licensure level of grades four through eight
 14 (4-8);

15 (iii) A licensure level of grades seven through
 16 twelve (7-12); and

17 (iv) Any licensure level to serve in three (3) at-
 18 large positions;

19 (3) Four (4) persons with a valid Arkansas teaching and
 20 administrator's license who represent the four (4) congressional districts in
 21 Arkansas and are:

22 (A) Recommended by the Arkansas Association of Educational
 23 Administrators; and

24 (B) One (1) of whom shall hold a P-8 building level leader
 25 license and serve as a middle-level building leader; and

26 (C) Three (3) of whom shall be public school
 27 superintendents with a valid Arkansas teaching license recommended by the
 28 Arkansas Association of School Administrators;

29 (4) Two (2) public school administrators with a valid Arkansas
 30 teaching and administrator's license recommended by the Arkansas Association
 31 of School Personnel Administrators;

32 (5) Two (2) nonvoting representatives designated by the
 33 Department of Education from its offices of licensure and teacher quality
 34 recommended by the commissioner;

35 (6)(A) Two (2) deans of education from Arkansas institutions of
 36 higher education recommended by the Arkansas Deans Association.

1 (B) One (1) dean shall be from a private institution of
2 higher education and one (1) dean from a public institution of higher
3 education;

4 (7) One (1) coordinator of educational leadership recommended by
5 the Arkansas Professors of Educational Administration; and

6 (8) One (1) curriculum program administrator recommended by the
7 Arkansas Association of Supervision and Curriculum Development.

8 (c)(1) The State Board of Education shall consider all recommendations
9 under subsection (b) of this section submitted to the secretary of the State
10 Board of Education by June 30, 2007 for the initial board, and by June 30 of
11 each year in which the term of a Professional Licensure Standards Board
12 member expires.

13 (2) If a recommendation for a person qualified to fill a
14 position on the Professional Licensure Standards Board is not received by the
15 deadline, the State Board of Education may appoint any qualified person to
16 fill the position.

17 (d)(1)(A) Each member of the Professional Licensure Standards Board
18 shall serve a term of three (3) years.

19 (B) The initial members shall draw lots for staggered
20 terms.

21 (2) The State Board of Education shall appoint any qualified
22 person to fill a position that is vacated before the expiration of a member's
23 term.

24 (e)(1) The appointed members of the Professional Licensure Standards
25 Board shall be residents of this state at the time of appointment and
26 throughout their terms.

27 (2) The Commissioner of Education or his or her designee shall
28 call an organizational meeting within twenty (20) calendar days after the
29 State Board of Education has made all necessary appointments.

30 (f)(1) The Professional Licensure Standards Board shall meet at times
31 and places the chair deems necessary, but no meetings shall be held outside
32 of this state.

33 (2) A majority of the members of the Professional Licensure
34 Standards Board shall constitute a quorum for the purpose of transacting
35 business.

36 (3) All action of the Professional Licensure Standards Board

1 shall be by a majority vote of the full membership of the Professional
 2 Licensure Standards Board.

3 (g)(1) Members of the Professional Licensure Standards Board shall
 4 serve without pay.

5 (2) Members of the Professional Licensure Standards Board may
 6 receive expense reimbursement in accordance with § 25-16-902, to be paid by
 7 the Department of Education to the extent money is available for that
 8 purpose.

9 (h) The Professional Licensure Standards Board shall:

10 (1) Develop and recommend for adoption to the State Board of
 11 Education uniform college level preparatory and grade point average
 12 requirements for all teachers applying for initial licensure or relicensure
 13 after July 1, 2007, that shall include uniform and specific requirements for:

14 (A) Course of study;

15 (B) College level teacher education classes;

16 (C) Subject-matter specific course work certification or
 17 licensure in a particular subject area rather than grade-level certification;
 18 and

19 (D) In-class teaching internships or practice teaching
 20 hours;

21 (2)(A) With the assistance of the Department of Education and
 22 the Department of Higher Education, review the audits of the teacher
 23 education programs offered by all institutions of higher education in the
 24 state to determine if the institutions' teacher education programs and
 25 courses of study are aligned as necessary to allow graduates of the teacher
 26 education program to become licensed under this act and the rules set by the
 27 State Board of Education.

28 (B)(i)(a) To ensure uniformity in university course
 29 syllabi for licensure, the Department of Education shall conduct audits of
 30 licensure programs of study at all Arkansas institutions of higher education.

31 (b) The audits shall use state and national
 32 standards for licensure programs, including without limitation the standards
 33 of the National Council for Accreditation of Teacher Education.

34 (ii) The audits shall be conducted on a five-year
 35 cycle beginning on July 1, 2007 and provided to the Professional Licensure
 36 Standards Board.

1 (iii)(a) Institutions of higher education that do
 2 not comply with the department’s audit findings and recommendations shall
 3 have one (1) semester to bring programs into compliance with the audit
 4 recommendations and submit documentation of compliance to the Professional
 5 Licensure Standards Board.

6 (b) If the institution of higher education
 7 does not bring its program into compliance with audit recommendations, the
 8 Professional Licensure Standards Board shall submit a recommendation to the
 9 State Board of Education for discontinuance of the authority of the
 10 institution to offer the licensure program; and

11 (3)(A) Establish a code of ethics for administrators,
 12 principals, and teachers in educational environments for students in
 13 prekindergarten through grade twelve (PreK-12).

14 (B) Upon the approval of the code of ethics, procedures,
 15 and recommendations for enforcement required by § 6-17-422(g)(3), the valid
 16 Arkansas teaching license of any person shall be subject to the conditions,
 17 requirements, and mandates of the code of ethics, procedures, and
 18 recommendations for enforcement.

19 (C)(i) The Professional Licensure Standards Board may
 20 recommend to the State Board of Education and the State Board of Education
 21 may approve the monetary fees to be paid by a person for the issuance,
 22 reissuance, fine, or penalty associated with the process, procedures, or
 23 enforcement of requirements necessary to issue or maintain an Arkansas
 24 teaching license.

25 (ii) Under no circumstances shall any one (1)
 26 specific fee or fine exceed one hundred dollars (\$100).

27 (iii) Revenue collected by the State Board of
 28 Education from the fees and fines under this subdivision (g)(3)(C) shall be
 29 used for the operation of the Professional Licensure Standards Board.

30 (D) The Professional Licensure Standards Board may
 31 establish procedures for receiving, considering, and investigating complaints
 32 regarding the unethical behavior of licensed school personnel and make
 33 recommendations for enforcement.

34 (E) The State Board of Education may allow the
 35 Professional Licensure Board to receive, consider, and hear complaints and
 36 take recommended action on the teaching license of any person possessing a

1 valid teaching license.

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SECTION 4. NOT TO BE CODIFIED. By July 1, 2008, the Professional Licensure Standards Board shall submit to the State Board of Education for approval the code of ethics, procedures, and recommendations for enforcement required by § 6-17-422(g)(3).