

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

As Engrossed: H3/16/07

A Bill

HOUSE BILL 2792

5 By: Representatives J. Roebuck, Cook
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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)~~(1)(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 *minimum* college
8 level preparatory and grade point average requirements for all teachers
9 applying for initial or additional licensure after July 1, 2007, that are
10 consistent with the recommendations of the Professional Licensure Standards
11 Board prescribing college level preparatory and grade point average
12 requirements for all teachers applying for initial or additional licensure
13 after July 1, 2007, including *minimum* requirements for:

14 (A) Course of study;

15 (B) Program approval;

16 (C) Range of approved hours; and

17 (D) In-class teaching internships or student teaching
18 hours.

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

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

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

34 ~~(d)~~(c)(1) The ~~state board~~ State Board of Education shall not delegate
35 to any college or university any of the ~~state board's~~ State Board of
36 Education's powers or duties pertaining to the issuance, licensure,

1 relicensure, and continuance of licensure of teachers in public schools in
2 this state.

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

7 (A) Course of study;

8 (B) Program approval;

9 (C) Range of approved hours; and

10 (D) In-class teaching internships or student teaching
11 hours.

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

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

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

26 (e)(1) A building level leader, curriculum program
27 administrator, or district level leader who is licensed as an administrator
28 in another state and is seeking a reciprocal license in Arkansas is required
29 to have at least two (2) years of experience as an administrator in the state
30 where he or she received an initial administrator's license.

31 (2) An applicant for the reciprocal administrator's license with
32 less than five (5) years of experience shall present documentation to the
33 State Board of Education of a portfolio and internship completed for the area
34 of licensure that is aligned with the Arkansas standards for administrators.

35
36 SECTION 2. Arkansas Code § 6-17-420 is repealed.

1 ~~6-17-420. Professional Education, Development, Licensure, and~~
2 ~~Assessment Board.~~

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

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

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

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

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

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

19 ~~(B) One (1) public school administrator from each~~
20 ~~congressional district in the state, two (2) of which shall be~~
21 ~~superintendents of a public school district, selected from a list submitted~~
22 ~~by the Arkansas Association of Educational Administrators of no less than~~
23 ~~twelve (12) names with at least three (3) persons from each congressional~~
24 ~~district; and~~

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

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

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

4 ~~(3) The Coordinator for the Professional~~
5 ~~Licensure Division of the Department of Education in a nonvoting, ex-officio~~
6 ~~capacity; and~~

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

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

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

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

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

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

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

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

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

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

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

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

35 ~~(i)(1) The Professional Education, Development,~~
36 ~~Licensure, and Assessment Board shall meet at times and places the chair or a~~

1 ~~majority of the board deems necessary but shall meet no less than quarterly.~~

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

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

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

6 ~~(j) The Professional Education, Development, Licensure, and Assessment~~
7 ~~Board shall:~~

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

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

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

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

19 ~~(5) Review, evaluate, and recommend assessments for existing and~~
20 ~~new licensure areas and recommend minimum performance levels for issuance of~~
21 ~~a license;~~

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

24 ~~(7) Review, evaluate, and recommend requirements for license~~
25 ~~reciprocity;~~

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

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

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

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

36 ~~(12) Establish subcommittees as necessary to research the trends~~

1 ~~and impact of issues submitted to the Professional Education, Development,~~
2 ~~Licensure, and Assessment Board for consideration.~~

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

8 ~~(1)(1) The department shall provide staff and office space to the~~
9 ~~Professional Education, Development, Licensure, and Assessment Board.~~

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

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

16
17 SECTION 3. Arkansas Code Title 6, Chapter 17, Subchapter 4 is amended
18 to add an additional section to read as follows:

19 6-17-422. Professional Licensure Standards Board.

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

21 (b) The Professional Licensure Standards Board shall consist of
22 seventeen (17) members appointed by the State Board of Education as follows:

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

25 (2)(A) Four (4) public school classroom teachers with a valid
26 Arkansas teaching license who are recommended by the Arkansas Education
27 Association.

28 (B) The four (4) public school classroom teachers shall
29 represent the four (4) congressional districts in Arkansas and include
30 classroom teachers who are licensed and teach at:

31 (i) A licensure level of prekindergarten through
32 grade four (PreK-4);

33 (ii) A licensure level of grades four through eight
34 (4-8);

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

1 (iv) Any licensure level to serve in one (1) at-
2 large position;

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

6 (A) Recommended by the Arkansas Association of Educational
7 Administrators; and

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

10 (C) Two (2) of whom shall be public school superintendents
11 with a valid Arkansas teaching and administrator's license recommended by the
12 Arkansas Association of School Administrators; and

13 (D) One (1) public school administrator with a valid
14 Arkansas teaching and administrator's license recommended by the Arkansas
15 Association of School Personnel Administrators;

16 (4) One (1) nonvoting representative designated by the
17 Department of Education from its offices of licensure and teacher quality
18 recommended by the commissioner;

19 (5)(A) Three (3) deans of education from Arkansas institutions
20 of higher education recommended by the Arkansas Association of Colleges for
21 Teacher Education.

22 (B)(i) One (1) dean shall be from a private institution of
23 higher education;

24 (ii) One (1) dean shall be from a public institution
25 of higher education; and

26 (iii) One (1) of whom shall have knowledge of
27 licensure issues;

28 (6) One (1) coordinator of educational leadership recommended by
29 the Arkansas Professors of Educational Administration; and

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

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

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

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

7 (B) The initial members shall draw lots for staggered
8 terms.

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

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

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

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

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

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

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

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

33 (h) The Professional Licensure Standards Board shall:

34 (1) Develop and recommend for adoption to the State Board of
35 Education *minimum* college level preparatory and grade point average
36 requirements for all teachers applying for initial licensure or *additional*

1 licensure after July 1, 2007, that shall include *minimum* requirements for:

2 (A) Course of study;

3 (B) Program approval;

4 (C) Range of approved hours; and

5 (D) In-class teaching internships or practice teaching
6 hours;

7 (2)(A) With the assistance of the Department of Education and
8 the Department of Higher Education, review the audits of the teacher
9 education programs offered by all institutions of higher education in the
10 state to determine if the institutions' teacher education programs and
11 courses of study are aligned as necessary to allow graduates of the teacher
12 education program to become licensed under this act and the rules set by the
13 State Board of Education.

14 (B)(i)(a) To ensure *alignment with standards* in university
15 course syllabi for licensure, the Department of Education shall conduct
16 audits of licensure programs of study at all Arkansas institutions of higher
17 education.

18 (b) *The audits shall use state standards or national*
19 *standards for licensure programs, or a combination of both.*

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

23 (iii)(a) Institutions of higher education that do
24 not comply with the department's audit findings and recommendations shall
25 have one (1) semester to bring programs into compliance with the audit
26 recommendations and submit documentation of compliance to the Professional
27 Licensure Standards Board.

28 (b) If the institution of higher education
29 does not bring its program into compliance with audit recommendations, the
30 Professional Licensure Standards Board shall submit a recommendation to the
31 State Board of Education for discontinuance of the authority of the
32 institution to offer the licensure program; and

33 (3)(A) *Establish a code of ethics for administrators and*
34 *teachers in educational environments for students in prekindergarten through*
35 *grade twelve (PreK-12).*

36 (B) Upon the approval of the code of ethics, procedures,

1 and recommendations for enforcement required by § 6-17-422(g)(3), the valid
2 Arkansas teaching license of any person shall be subject to the conditions,
3 requirements, and mandates of the code of ethics, procedures, and
4 recommendations for enforcement.

5 (C)(i) The Professional Licensure Standards Board may
6 recommend to the State Board of Education and the State Board of Education
7 may approve the monetary fees to be paid by a person for the issuance,
8 reissuance, fine, or penalty associated with the process, procedures, or
9 enforcement of requirements necessary to issue or maintain an Arkansas
10 teaching license.

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

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

16 (D) The Professional Licensure Standards Board may
17 establish procedures for receiving, considering, and investigating complaints
18 referred by the Department of Education regarding the unethical behavior of
19 licensed school personnel and make recommendations for enforcement.

20
21 SECTION 4. NOT TO BE CODIFIED. By July 1, 2008, the Professional
22 Licensure Standards Board shall submit to the State Board of Education for
23 approval the code of ethics, procedures, and recommendations for enforcement
24 required by § 6-17-422(g)(3).

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26 */s/ J. Roebuck, et al*
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