

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 179

5 By: Senator Elliott
6

For An Act To Be Entitled

8 AN ACT TO ALLOW REINSTATEMENT OF A REVOKED EDUCATOR'S
9 LICENSE UPON A SHOWING OF REHABILITATION AND FITNESS
10 TO PERFORM THE DUTIES AUTHORIZED BY THE LICENSE; AND
11 FOR OTHER PURPOSES.
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Subtitle

14 TO ALLOW REINSTATEMENT OF A REVOKED
15 EDUCATOR'S LICENSE UPON A SHOWING OF
16 REHABILITATION AND FITNESS TO PERFORM THE
17 DUTIES AUTHORIZED BY THE LICENSE.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 6-17-411(b), concerning eligibility for
24 employment, is amended to read as follows:

25 (b)(1)(A) ~~No~~ A person holding a license from the state board shall not
26 be eligible for employment by an educational entity if the results of the
27 criminal records check released to the Department of Education by the
28 applicant reveal that the applicant has pleaded guilty or nolo contendere to
29 or has been found guilty of any offense that will or may result in license
30 revocation by the state board under § 6-17-410, unless:

31 (i) the The state board waives revocation under § 6-
32 17-410; or

33 (ii) The state board reinstates the educator's
34 license under § 6-17-428.

35 (B) ~~No~~ A person holding a license issued by the state
36 board shall not be eligible for employment by an educational entity if the



1 results of the Child Maltreatment Central Registry check released to the
2 Department of Education reveal that the applicant has a true report in the
3 Child Maltreatment Central Registry, unless:

4 (i) the The state board waives revocation under § 6-
5 17-410; or

6 (ii) The state board reinstates the educator's
7 license under § 6-17-428.

8 (2) However, the board of directors of an educational entity is
9 authorized to offer provisional employment to the affected applicant pending
10 notification from the Department of Education that the:

11 (A) Applicant is eligible for employment based on the
12 background checks; ~~or~~

13 (B) State board has waived the disqualifying offense or
14 placement on the Child Maltreatment Central Registry under § 6-17-410; or

15 (C) State board has reinstated the educator's license
16 under § 6-17-428.

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18 SECTION 2. Arkansas Code § 6-17-428, concerning ethical violations by
19 educators, is amended to add an additional subsection to read as follows:

20 (r)(1) An educator whose license has been revoked may petition the
21 State Board of Education for reinstatement of the license after the greater
22 of:

23 (A) One (1) year from the date of revocation; or

24 (B) One-half (1/2) of the time for the revocation has
25 lapsed.

26 (2) The petition for reinstatement may include the following
27 information:

28 (A) A personal statement addressing the educator's
29 rehabilitation and the misconduct that led to the revocation;

30 (B) Evidence of rehabilitation, including without
31 limitation:

32 (i) Progress reports if enrolled in a rehabilitation
33 program; or

34 (ii) Verification of completion of a rehabilitation
35 program;

36 (C) Character or reference letters;

1 (D) Work history since the revocation, including the names
2 of employers and type of work performed;

3 (E) Any civic activities engaged in following the
4 revocation;

5 (F) Any court documents indicating the reduction or
6 dismissal of criminal convictions; or

7 (G) Other evidence demonstrating that the educator does not
8 pose a threat to the health or safety of school children or school personnel.

9 (3) After conducting a hearing on the reinstatement, the state
10 board may reinstate the educator's license if the state board determines that
11 the educator:

12 (A) Has been rehabilitated and is fit to perform the
13 duties authorized by the license; and

14 (B) Does not pose a threat to the health or safety of
15 school children or school personnel.

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