

A.C.A. § 6-17-422

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*** Current through the 2016 Second Extraordinary Session, 2016 Fiscal Session, and 2016 Third Extraordinary Session of the 90th General Assembly but not including corrections and changes made by the Arkansas Code Revision Commission for legislation enacted during the 2016 Third Extraordinary Session. The final version of statutes affected by the 2016 Third Extraordinary Session will appear on Lexis.com and Lexis Advance in August 2016. ***

Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 17 Personnel
Subchapter 4 -- Licensure Generally

A.C.A. § 6-17-422 (2016)

6-17-422. Professional Licensure Standards Board.

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

(b) (1) The Professional Licensure Standards Board shall consist of sixteen (16) members appointed by the State Board of Education as follows:

(A) The Commissioner of Education or his or her designee, who shall serve as a nonvoting member;

(B) The Director of the Division of Child Care and Early Childhood Education or his or her designee, who shall serve as a nonvoting member;

(C) Four (4) public school classroom teachers with valid Arkansas teaching licenses who are recommended by the Arkansas Education Association, and who teach at:

(i) A licensure level of birth to kindergarten;

(ii) A licensure level of kindergarten through grade six (K-6);

(iii) A licensure level of grades four through eight (4-8); and

(iv) A licensure level of grades seven through twelve (7-12);

(D) (i) Four (4) persons with valid Arkansas teaching and administrator's licenses who are recommended by the Arkansas Association of Educational Administrators.

(ii) (a) One (1) person shall hold a building-level administrator's license and serve as a middle-level building administrator.

(b) Two (2) persons shall be public school superintendents with valid Arkansas teaching and district-level administrator's licenses recommended by the Arkansas Association of Educational Administrators.

(c) One (1) person shall be a public school administrator with a valid Arkansas teaching and building-level or district-level administrator's license recommended by the Arkansas Association of School Personnel Administrators;

(E) One (1) nonvoting representative designated by the Department of Education from its Human Resources, Educator Effectiveness and Licensure Division recommended by the commissioner;

(F) (i) Three (3) deans of education from Arkansas institutions of higher education recommended by the Arkansas Association of Colleges for Teacher Education.

(ii) (a) One (1) dean shall be from a private institution of higher education.

(b) One (1) dean shall be from a public institution of higher education.

(c) One (1) dean shall have knowledge of licensure issues;

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

(H) One (1) person with a valid curriculum/program administrator's license recommended by the Arkansas Association for Supervision and Curriculum Development.

(2)(A) The voting members of the Professional Licensure Standards Board shall elect annually one (1) of the voting members to serve as chair for one (1) year.

(B)(i) The chair shall serve as a nonvoting member during his or her term as chair.

(ii) However, the chair may vote in the case of a tie.

(c) (1) The State Board of Education shall consider all recommendations under subdivision (b)(1) of this section submitted to the secretary of the State Board of Education by June 30 of each year in which the term of a Professional Licensure Standards Board member expires.

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

(3) If the membership of the Professional Licensure Standards Board is changed by law, the affected positions will be filled as follows:

(A) When the qualifications for a sitting member's position are changed during the member's term, the member shall complete his or her term and the new qualifications shall apply at the expiration of the member's term; and

(B) If a new position on the Professional Licensure Standards Board is created, the State Board of Education shall appoint a qualified person to fill the new position as soon as practicable.

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

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

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

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

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

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

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

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

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

(h) The Professional Licensure Standards Board shall:

(1) Develop and recommend for adoption to the State Board of Education minimum college level preparatory and grade point average requirements for all teachers applying for licensure, that shall include minimum requirements for:

(A) Course of study;

(B) Program approval;

(C) Range of approved hours; and

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

(2) (A) With the assistance of the Department of Education and the Department of Higher Education, review the audits of the teacher education programs offered by all institutions of higher education in the state to determine if the institutions' teacher education programs and courses of study are aligned as necessary to allow graduates of the

teacher education program to become licensed under this act and the rules set by the State Board of Education.

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

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

(ii) The audits shall be conducted on a seven-year cycle beginning on July 1, 2016, and provided to the Professional Licensure Standards Board.

(iii) (a) Institutions of higher education that do not comply with the Department of Education's audit findings and recommendations shall have two (2) full semesters to provide to the Department of Education for its review and approval a plan to bring programs into compliance with the audit recommendations and submit documentation of compliance to the Professional Licensure Standards Board by the end of the next full academic year following the date of the plan approval.

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

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

(B) Upon the approval of the code of ethics, procedures, and recommendations for enforcement required by this subdivision (h)(3), the valid Arkansas teaching license of any person shall be subject to the conditions, requirements, and mandates of the code of ethics, procedures, and recommendations for enforcement.

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

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

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

(4) (A) Adopt rules requiring a student admitted to a teacher education program offered by an institution of higher education in the state to:

(i) Apply to the Identification Bureau of the Department of Arkansas State Police for a statewide and nationwide criminal records check, to be conducted by the Department of Arkansas State Police and the Federal Bureau of Investigation; and

(ii) Request through the Department of Education a Child Maltreatment Central Registry check to be conducted by the Department of Human Services.

(B) The criminal records check and Child Maltreatment Central Registry check shall conform to the requirements and procedures of § 6-17-410 and applicable federal standards.

(C) The rules shall not require an institution of higher education to bar a student from enrollment due to a disqualifying criminal conviction or a true report in the Child Maltreatment Central Registry.

HISTORY: Acts 2007, No. 846, § 3; 2009, No. 337, §§ 1-4; 2009, No. 376, §§ 26, 27; 2009, No. 938, § 1; 2011, No. 981, §§ 5, 6; 2011, No. 1045, § 1; 2013, No. 454, § 6; 2013, No. 455, § 5; 2013, No. 1070, §§ 1, 2; 2015, No. 1090, § 9.