

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

*As Engrossed: S2/1/17*  
**A Bill**

SENATE BILL 179

5 By: Senator Elliott  
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7 **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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14 **Subtitle**

15 TO ALLOW REINSTATEMENT OF A REVOKED  
16 EDUCATOR'S LICENSE UPON A SHOWING OF  
17 REHABILITATION AND FITNESS TO PERFORM THE  
18 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)(A) Except as provided in subdivision (r)(1)(B) of this section,  
 21 an educator whose license has been revoked may petition the State Board of  
 22 Education for reinstatement of the license after the greater of:

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

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

26 (B) An educator shall not be eligible to petition for  
 27 reinstatement under subdivision (r)(1)(A) of this section if the basis for  
 28 the revocation of the educator's license was an inappropriate relationship  
 29 between the educator and one (1) or more students that met or was  
 30 demonstrated by a preponderance of the evidence to be intended to culminate  
 31 in the definition of sexual abuse as defined in § 12-18-103(20)(D).

32 (2) The petition for reinstatement may include the following  
 33 information:

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

36 (B) Evidence of rehabilitation, including without

1 limitation:

2 (i) Progress reports if enrolled in a rehabilitation  
3 program; or

4 (ii) Verification of completion of a rehabilitation  
5 program;

6 (C) Character or reference letters;

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

9 (E) Any civic activities engaged in following the  
10 revocation;

11 (F) Any court documents indicating the reduction or  
12 dismissal of criminal convictions; or

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

15 (3) After conducting a hearing on the reinstatement, the state  
16 board may reinstate the educator's license if the state board determines that  
17 the educator:

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

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

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23 */s/Elliott*  
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