

## **Proposed Arkansas Department of Education Rules Governing Background Checks**

(adopted for public comment by the State Board of Education on August 13, 2015)

### **Summary**

The proposed changes to the Arkansas Department of Education Rules Governing Background Checks are made to implement Act 1089 of 2015 and make technical corrections to the rule.

Highlights of the non-technical changes include:

Adding designated employees of the Department of Education as persons required to receive the background checks;

Amending provisions requiring background checks for preservice teachers;

Adding the exemption for an expunged or pardoned conviction shall not disqualify a person if the conviction is ten (10) or more years old and does not involve the physical or sexual injury, mistreatment, or abuse of another;

Section 3.01.5 – Clarifying that revocation of a license in another state is disqualifying when the revocation is for a reason that Arkansas would disqualify the individual;

Section 3.06 – Clarifies that a waiver granted for licensing by the State Board also operates as a waiver for employment;

Section 4.05.5 – Clarifies provisional employment pending notification from the Department of the completion of all background checks;

Section 4.07 – Adds that an educational entity **may** grant a waiver of a disqualifying offense for an applicant who is employed by an outside vendor under contract with the educational entity;

Section 5.01.3 – Adds provisions requiring background checks to be initiated online, and beginning July 1, 2016, that all fingerprinting shall be conducted by electronic fingerprinting initially (per Act 1089 of 2015).