



## Disqualifying Offenses for Licensure or Employment in Arkansas Public Schools

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AS ENUMERATED OFFENSES UNDER ARK. CODE ANN. §§ 6-17-410 AND 6-17-414

*(includes expunged or pardoned records)*

M = misdemeanor      F = felony      M or F = misdemeanor or felony

<b>General Provisions</b>	
M or F	5-3-201. Conduct constituting attempt
M or F	5-3-202. Complicity.
M or F	5-3-301. Conduct constituting solicitation -- Classification.
M or F	5-3-401. Conduct constituting conspiracy.
<b>Offenses Against The Person</b>	
F	5-10-101. Capital murder.
F	5-10-102. Murder in the first degree.
F	5-10-103. Murder in the second degree.
F	5-10-104. Manslaughter.
F	5-10-105(a). Negligent homicide.
F	5-11-102. Kidnapping.
F	5-11-103. False imprisonment in the first degree.
F	5-11-106. Permanent detention or restraint.
F	5-12-102. Robbery.
F	5-12-103. Aggravated robbery.
F	5-13-201. Battery in the first degree.
F	5-13-202. Battery in the second degree.
F	5-13-204. Aggravated assault.
M	5-13-205. Assault in the first degree.
M	5-13-208. Coercion.
F	5-13-211. Aggravated assault upon a law enforcement officer or an employee of a correctional facility,
F	5-13-301. Terroristic threatening (1st degree).
F	5-14-103. Rape.
F	5-14-110. Sexual indecency with a child.
M	5-14-111. Public sexual indecency.
M or F	5-14-112. Indecent exposure.
F	5-14-113. Sexual extortion
F	5-14-124. Sexual assault in the first degree.

<b>F</b>	5-14-125. Sexual assault in the second degree. <i>NOTE: Under 6-17-116, The Arkansas Child Protection Act, a public school teacher or school employee who commits a sexual offense under 5-14-125(a)(6) shall upon conviction be dismissed from employment and shall not thereafter be eligible for employment in any school in this state.</i>
<b>F</b>	5-14-126. Sexual assault in the third degree.
<b>M or F</b>	5-14-127. Sexual assault in the fourth degree.
<b>M or F</b>	5-16-101. Crime of video voyeurism.
<b>M or F</b>	5-16-102. Voyeurism.
<b>F</b>	5-18-103. Trafficking of persons.
<b>F</b>	5-18-104. Patronizing a victim of human trafficking.
<b>Offenses Involving Families, Dependents, Etc.</b>	
<b>F</b>	5-26-202. Incest.
<b>F</b>	5-26-303. Domestic battering in the first degree.
<b>F</b>	5-26-304. Domestic battering in the second degree.
<b>F</b>	5-26-306. Aggravated assault on a family member or household member
<b>F</b>	5-27-205. Endangering the welfare of a minor in the first degree.
<b>M</b>	5-27-206. Endangering the welfare of a minor in the second degree.
<b>F</b>	5-27-221. Permitting abuse of a minor.
<b>F</b>	5-27-303. Engaging children in sexually explicit conduct for use in visual or print medium.
<b>F</b>	5-27-304. Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child.
<b>F</b>	5-27-305. Transportation of minors for prohibited sexual conduct.
<b>F</b>	5-27-306. Internet stalking of a child.
<b>M or F</b>	5-27-307. Sexually grooming a child.
<b>F</b>	5-27-402. Employing or consenting to the use of a child in a sexual performance.
<b>F</b>	5-27-403. Producing, directing, or promoting a sexual performance by a child.
<b>F</b>	5-27-602. Distributing, possessing, or viewing of matter depicting sexually explicit conduct involving a child.
<b>F</b>	5-27-603. Computer child pornography.
<b>M</b>	5-27-604. Failure to report computer child pornography.
<b>F</b>	5-27-605. Computer exploitation of a child (1st degree).
<b>M</b>	5-27-609. Possession of sexually explicit digital material.
<b>Offenses Against Property</b>	
<b>F</b>	5-36-103. Theft of property.
<b>F</b>	5-36-104. Theft of services.
<b>F</b>	5-36-105. Theft of property lost, mislaid, or delivered by mistake.
<b>F</b>	5-36-106. Theft by receiving.

F	5-36-202. Theft of public benefits.
F	5-37-201. Forgery.
F	5-39-201. Residential burglary -- Commercial burglary.
F	5-39-202. Breaking or entering.
F	5-39-204. Aggravated residential burglary.
<b>Offenses Against The Administration Of Government</b>	
F	5-53-134. Violation of an order of protection.
<b>Offenses Against Public Health, Safety, Or Welfare</b>	
F	5-64-402. Controlled substances -- Offenses relating to records, maintaining premises, etc.
F	5-64-403. Controlled substances -- Fraudulent practices.
F	5-64-404. Use of a communication device.
F	5-64-405. Continuing criminal enterprise.
F	5-64-406. Delivery to minors -- Enhanced penalties.
F	5-64-407. Manufacture of methamphetamine in the presence of certain persons -- Enhanced penalties.
F	5-64-408. Subsequent convictions -- Enhanced penalties.
F	5-64-411. Proximity to certain facilities -- Enhanced penalties.
F	5-64-412. Violations by public officials or law enforcement officers -- Enhanced penalties.
F	5-64-419. Possession of a controlled substance.
F	5-64-420. Possession of methamphetamine or cocaine with the purpose to deliver.
F	5-64-422. Delivery of methamphetamine or cocaine.
F	5-64-423. Manufacture of methamphetamine -- Manufacture of cocaine.
F	5-64-424. Possession of a Schedule I or Schedule II controlled substance that is not methamphetamine or cocaine ...
F	5-64-426. Delivery of a Schedule I or Schedule II controlled substance that is not methamphetamine or cocaine.
F	5-64-427. Manufacture of a Schedule I or Schedule II controlled substance that is not methamphetamine or cocaine.
F	5-64-428. Possession of a Schedule III controlled substance with the purpose to deliver.
F	5-64-430. Delivery of a Schedule III controlled substance.
F	5-64-431. Manufacture of a Schedule III controlled substance.
F	5-64-432. Possession of a Schedule IV or Schedule V controlled substance with the purpose to deliver
F	5-64-434. Delivery of a Schedule IV or Schedule V controlled substance.
F	5-64-435. Manufacture of a Schedule IV or Schedule V controlled substance.
F	5-64-436. Possession of a Schedule VI controlled substance with the purpose to deliver.
F	5-64-438. Delivery of a Schedule VI controlled substance.
F	5-64-439. Manufacture of a Schedule VI controlled substance
F	5-64-440. Trafficking a controlled substance.
F	5-64-441. Possession of a counterfeit substance
F	5-64-442. Delivery or manufacture of a counterfeit substance.
F	5-64-443. Drug paraphernalia.
F	5-64-444. Drug paraphernalia -- Delivery to a minor.

F	5-64-445. Advertisement of a counterfeit substance or drug paraphernalia.
M	5-70-102. Prostitution.
M	5-70-103. Sexual solicitation
F	5-70-104. Promoting prostitution in the first degree.
M	5-70-105. Promoting prostitution in the second degree
M or F	5-71-229. Stalking.
M	12-18-201. Failure to notify by a mandated reporter in the first degree.
M or F	12-12-904. Failure to comply with the registration and reporting requirements (under the Sex Offender Registration Act of 1997)

### **Additional Grounds for Revocation or Suspension of Teaching License:**

- > Any felony not listed and involving physical or sexual injury, mistreatment, or abuse against another.
- > Holding a license obtained by fraudulent means.
- > Revocation of a license in another state.
- > Intentionally compromising the validity or security of any student test or testing program administered by or required by the state board or the Department of Education.
- > Having the completed examination test score of any testing program required by the state board for teacher licensure declared invalid by the testing program company and so reported to the Department of Education by the testing company.
- > Failing to establish or maintain the necessary requirements and standards set forth in Arkansas law or state board rules and regulations for teacher licensure.
- > Knowingly submitting or providing false or misleading information or knowingly failing to submit or provide information requested or required by law to the Department of Education, the state board, or the Division of Legislative Audit.
- > Knowingly falsifying or directing another to falsify any grade given to a student, whether the grade was given for an individual assignment or examination or at the conclusion of a regular grading period.
- >Violating any other provision of state law for which the penalty is the suspension or revocation of a teacher's license.
- >Undergoing an involuntary commitment for a physical or mental illness that endangers the health, safety, welfare, or education of a student, as determined by a licensed health professional, until the person provides documentation from a licensed health professional of treatment of the physical or mental illness and the person's current fitness.