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BOARD GOVERNANCE AND OPERATIONS

1.1—LEGAL STATUS OF THE BOARD OF DIRECTORS

By the authority of Article 14 of the Arkansas Constitution, the General Assembly has provided that locally elected school boards will be responsible for the lawful operation and maintenance of its local schools.

While the Board has a broad range of powers and duties, its individual members only have authority when exercising their responsibilities in a legally convened meeting acting as a whole. The sole exception is when an individual member has been delegated authority to represent the Board for a specific, defined purpose. In matters such as personnel discipline, expulsions, and student suspensions initiated by the Superintendent, the Board serves as a finder of fact, not unlike a jury. For this reason, the Board should not be involved in or, to the extent practicable, informed of the facts or allegations of such matters prior to a Board hearing on those disciplinary matters in which the Board could become involved.

It is the policy of the Jacksonville North Pulaski School Board that its actions will be taken with due regard for its legal responsibilities and in the belief that its actions shall be in the best interests of its students and the District as a whole.

Legal Reference: A.C.A. § 6-13-620

Date Adopted: 01/04/16

Last Revised:

1.2—BOARD ORGANIZATION and VACANCIES

Membership of Local Board

The Board of Education shall consist of seven (7) members. Membership on the Board requires that the person seeking election be a bona fide resident and a qualified elector in the Jacksonville North Pulaski School District. Following the initial term established after the September 2015 school election, the term of office shall be four (4) years, unless completing the unfilled term of a previous Board member.

The Commander of the 19th Mission Support Group with the Little Rock Air Force Base will serve as an ex officio member of the Board.

The annual school election shall be held in accordance with Arkansas Statutes, and is administered by the County Board of Election Commissioners.

In addition to qualifications already mentioned, a person wishing to have his/her name placed on the ballot as a candidate for a place on the Board of Education is required to circulate a petition securing the signatures of no fewer than twenty (20) qualified electors of the school district. This petition shall be filed with the County Clerk no later than forty-five (45) days prior to the annual school election.

Election of Officers

The Board shall elect a president, vice president, and secretary at the first regular meeting following the later of the certification of the results of the annual September school election or if there is a runoff election, at the first regular meeting following the certification of the results of a run-off election. Officers shall serve one-year terms and perform those duties as prescribed by policy of the Board. The Board shall also elect one of its members to be the primary Board disbursing officer and may designate one or more additional board members as alternate Board disbursing officers.

When the position of an officer of the Board becomes vacant, the officer's position shall be filled for the remainder of the year in the same manner as for the annual election of officers after the annual school election. Election of Board officers shall not occur except on a once per year basis or to fill an officer vacancy.

Vacancies

A vacancy shall exist on the Board due to a Board member's resignation, felony conviction, the Board member no longer residing in the district, or other statutory reason resulting in a Board member's removal from the Board. The vacated position shall be filled in the manner prescribed by statute and this policy; the successor to the vacated position shall serve until the annual school election following the appointment.

A temporary vacancy exists when a Board member is called to active military service. When such a vacancy occurs, the temporary vacancy shall be filled in the manner prescribed by statute and this policy. The appointee shall serve until either the Board member who has been called to active military service returns and notifies the Board secretary of his/her desire to resume service on the Board or the Board member's term expires. Should the still active military Board member's term expire, that member may run for re-election. If re-elected, the re-elected Board member's temporary vacancy shall be filled again in the manner prescribed in this policy.

The position of any Board member who misses three (3) or more regular and consecutive board meetings due to the member's illness shall not be considered vacant provided the Board member verifies by a written, sworn statement from his/her attending physician that illness is the cause of the member's repeated absences.

Provided at least a quorum of the Board remains, the Board has thirty (30) days in which to appoint a successor to a vacated position on the Board. If less than a quorum of the Board remains or the Board fails to fill the vacancy within 30 days of the vacancy, the position shall be filled by the county quorum court.

Cross References: 1.3—Duties of the President
1.4—Duties of the Vice President
1.5—Duties of the Secretary
1.16—Duties of Board Disbursing Officer
1.20—Board Member Length of Term and Holdovers

Legal References: A.C.A. § 6-13-611
A.C.A. § 6-13-612
A.C.A. § 6-13-613
A.C.A. § 6-13-616
A.C.A. § 6-13-618
A.C.A. § 6-13-619

Date Adopted: 01/04/16

Last Revised:

1.3—DUTIES OF THE PRESIDENT

The duties of the president of the Board of Education shall include, but shall not be limited to:

1. Presiding at all meetings of the Board;
2. Calling special meetings of the Board;
3. Working with the Superintendent to develop Board meeting agendas;
4. Signing all official documents that require the signature of the chief officer of the Board of Education;
5. Appointing all committees of the Board and serving as ex-officio member of such committees; and
6. Performing such other duties as may be prescribed by law or action of the Board.

The president shall have the same right as other members to offer resolutions, make or second motions, discuss questions, and to vote.

Legal Reference: A.C.A. § 6-13-619 (a) (1)

Date Adopted: 01/04/16

Last Revised:

1.4—DUTIES OF THE VICE-PRESIDENT

The duties of the vice president of the Board shall include:

1. Serving as presiding officer at all school board meetings from which the president is absent; and
2. Performing such other duties as may be prescribed by action of the Board.

Date Adopted: 01/04/16

Last Revised:

1.5—DUTIES OF THE SECRETARY

The duties of the secretary of the Board shall include:

1. Being responsible to see that a full and accurate record of the proceedings of the Board are permanently kept and shall;
 - a. Record in the minutes, the members present, by name, at the meeting including the time of any member's late arrival to, or early departure from, a meeting;
 - b. Record the outcome of all votes taken including the time at which the vote is taken.
2. Serving as presiding officer in the absence of the president and the vice president;
3. Being responsible for official correspondence of the Board;
4. Signing all official documents that require the signature of the secretary of the Board of Education;
5. Calling special meetings of the Board; and
6. Performing such other duties as may be prescribed by the Board.

Legal Reference: A.C.A. § 6-13-619 (a)(1)(b)

Date Adopted: 01/04/16

Last Revised:

1.5.1 —DUTIES OF DISBURSING OFFICER

The disbursing officer, along with the Superintendent, shall be responsible for signing, manually or by facsimile, all warrants and checks other than those issued for food service and activity funds.

In addition, the Disbursing Officer must pre-authorize the electronic transfer of funds. For nonrecurring transactions, the authorization can be accomplished by a signed authorization or an email authorizing such a disbursement of funds. For recurring transactions, the Disbursing officer may provide a one-time, signed authorization.

Cross Reference: 7.20--Electronic Fund Transfers

Legal Reference: A.C.A. § 6-13-618(c)

Date Adopted: 01/04/16

Last Revised: 04/03/17

1.6—BOARD MEETINGS - PROCEDURES

Regular Meetings

The Superintendent shall confer with the president of the Board in setting the exact date and time of the meetings of the Board. The meetings of the Board shall be open to the public and the public is encouraged to attend. Any person may call the Superintendent's office for information about the time and place of the meetings. The press shall be notified in accordance with state law concerning the meetings of the Board.

Except as otherwise provided, the Board shall observe Robert's Rules of Order Revised in conducting its meetings and shall operate as a committee of a whole.

A proper record of each meeting shall be maintained. This record will constitute the official minutes of the Board and shall be kept in the Superintendent's office. All School Board meetings (regular and special meetings) may be audio taped. The minutes of the proceedings of any regular or special meeting of the Board shall be posted on the District website.

Special Called Meetings

The president may call a special meeting of the Board when expedience demands. The vice-president, the secretary, or three members of the Board have the right to call a special meeting. A petition in writing signed by fifty (50) electors in the District may require the president to call a special meeting. No business shall be transacted at a special meeting, which does not come within the purpose of the called meeting unless all members are present and agree to the consideration of the additional items.

Procedures with the Board

Changes in policies and regulations may be amended by a majority vote of the Board. The Superintendent shall take the necessary steps to give the Board ample notice and full information on any proposed change. Any motion changing Board policy must first be presented at a meeting of the Board with no action taken. Action on the policy change motion will be taken at the following regular Board meeting; or with the unanimous vote of the Board, action may be taken at the meeting in which the policy change is presented.

The Board reaffirms its past practice toward dealing with anyone asking to meet with the Board. Before anyone meets with the Board to discuss their grievance, they must meet first with the teacher involved; and if no satisfaction is reached, then with the principal. If there is still no satisfaction, an appointment should be made with the superintendent or designee to discuss the problem. If still unsatisfied, they may ask to be put on the Board's agenda – to be done not later than fourteen (14) calendar days in advance of the Board meeting. Only facts are to be discussed in order for the Board to have an opportunity to check into the grievances to be discussed. These charges are to be stated in writing and signed by the aggrieved party.

For members of the school staff, the proper procedure in resolving problems not covered in the written policies of the District shall first be to contact the principal. If satisfaction is not reached at this level, then the superintendent will give the final decision.

Establishment of a Quorum

A quorum of the Board is a majority of the membership of the Board. No vote or other Board action may be taken unless there is a quorum present. A Board member must be physically present at a meeting to be counted toward establishing a quorum or to be eligible to vote. A majority of the quorum voting affirmatively is necessary for the passage of any motion.

Voting and Failure to Vote

All Board members, including the president, shall vote on each motion, following a second and discussion of that motion.

Failure of any Board member to vote, while physically present in the meeting room, shall be counted as a “no” vote, i.e., a vote against the motion.

Only those votes taken by the Board in open session are legally binding. No motion made or vote taken in executive session is legally binding, although a non-binding, unofficial and non-recorded vote may be taken in executive session to establish consensus or further discussion.

Abstentions from Voting

In order for a Board member to abstain from voting, he must declare a conflict and remove himself from the meeting room during the vote. A Board member who removes himself/herself from a meeting during a vote due to a conflict of interest shall not be considered present at the meeting for the purpose of establishing a quorum until the member returns to the meeting after the vote.

Cross Reference: 1.6.1—Attending Meetings Remotely

Legal Reference: A.C.A. § 6-13-619 (c)
A.C.A. § 25-19-106(c)(4)

Date Adopted: 01/04/16

Last Revised:

1.6.1—ATTENDING MEETINGS REMOTELY

The Board of Education permits members who are unable to physically attend a Board meeting to participate in the meeting remotely. Except where prohibited by this policy, a Board member who participates remotely shall have the same rights and privileges as if he/she were physically present. A Board member who will be unable to physically attend a board meeting is responsible for notifying the Superintendent at least one (1) hour prior to the scheduled meeting time that he/she is unable to be physically present at the meeting but intends to attend remotely.

The method used to permit members of the Board to attend remotely shall:

- 1) Provide a method for the president or secretary of the Board to verify the identity of the member(s) attending remotely;
- 2) Allow the members of the Board physically present and members of the public to hear the member(s) attending remotely at all times; and
- 3) Allow the member(s) attending remotely to hear the members of the Board physically present at the meeting at all times and any public comment.

A Board member attending remotely shall not:

- a) Attend an executive session or closed hearing; or
- b) Vote on an issue that is the subject of an executive session or closed hearing.

The Board minutes shall indicate if a Board member is attending remotely and the method used to permit the member to attend remotely. If an executive session occurs during a meeting when a Board member is attending remotely, the minutes will treat the Board member attending remotely as though the member had left the room for any vote on a subject discussed in the executive session.

Up to three (3) times per calendar year, the Board may count a member attending remotely for the purpose of establishing a quorum. Each member shall only be allowed to vote remotely a maximum of three (3) Board meetings per calendar year. A Board member attending remotely used to establish a quorum shall not be counted to determine if the board may enter executive session.

Legal Reference: A.C.A. § 6-13-619

Date Adopted: 01/04/16

Last Revised:

1.7—POWERS AND DUTIES OF THE BOARD

The Jacksonville North Pulaski School District Board of Education, operating in accordance with state and federal laws, assumes its responsibilities for the operation of the Jacksonville North Pulaski School District. The Board shall concern itself primarily with the broad questions of policy as it exercises its legislative and judicial duties. The administrative functions of the District are delegated to the Superintendent who shall be responsible for the effective administration and supervision of the District.

Some of the duties of the Board include:

1. Developing and adopting policies to effect the vision, mission, and direction of the District;
2. To delegate to the Superintendent the interpretation of the Board's policies and the administration of the school system in accordance with these policies. The Board shall support the superintendent in the discharge of his/her duties.
3. Understanding and abiding by the proper role of the Board of Education through study and by obtaining the necessary training and professional development;
4. Electing and employing a Superintendent and giving him/her the support needed to be able to effectively implement the Board's policies;
5. Conducting formal and informal evaluations of the Superintendent annually or no less often than prior to any contract extension;
6. Employing, upon recommendation of the administrative staff and by written contract, the staff necessary for the proper conduct of the schools;
7. Approving the selection of curriculum and seeing that all courses for study and educational content prescribed by the State Board or by law for all grades of schools are offered and taught;
8. To present to the public the needs and progress of the educational program of the District.
9. Reviewing, adopting, and publishing the District's budget for the ensuing year;
10. To approve the annual school calendar;
11. Being responsible for providing sufficient facilities, grounds, and property and ensuring they are managed and maintained for the benefit of the district;
12. Monitoring District finances and receiving, reviewing, and approving each annual financial audit;
13. Understanding and overseeing District finances to ensure alignment with the District's academic and facility needs and goals;

14. Visiting schools and classrooms when students are present no less than annually;
15. Setting an annual salary schedule;
16. Being fiscally responsible to the District's patrons and maintaining the millage rate necessary to support the District's budget;
17. To provide, within the financial ability of the District, adequate supplies, and instructional materials.
18. Involving the members of the community in the District's decisions to the fullest extent practicable; and
19. Striving to assure that all students are challenged and are given an equitable educational opportunity.

Legal References: A.C.A. § 6-13-620, 622

Date Adopted: 01/04/16

Last Revised:

1.8—GOVERNANCE BY POLICY

The Jacksonville North Pulaski School District shall operate within the legal frameworks of the State and Federal Constitutions, and appropriate statutes, regulations, and court decisions. The legal frameworks governing the District shall be augmented by policies adopted by the Board, which shall serve to further define the operations of the District.

When necessitated by unforeseen circumstances, the Superintendent shall have the power to decide and take appropriate action for an area not covered by the legal frameworks or a policy of the Board. The Superintendent shall inform the members of the Board of such action. The Board shall then consider whether it is necessary to formulate and adopt a policy to cover such circumstances.

The official copy of the policy manual for the District shall be kept in the Superintendent's office. The manual will be posted on the District website and kept current. However, if a discrepancy occurs the Superintendent's version shall be regarded as authoritative.

Administrative regulations shall be formulated to implement the intentions of the policies of the Board. Regulations may be highly specific. The Board shall review administrative regulations prior to their implementation.

Date Adopted: 01/04/16

Last Revised:

1.9—POLICY FORMULATION

The Board affirms through its policies and its policy adoption process, its belief that: (1) the schools belong to the people who create them by consent and support them by taxation; (2) the schools are only as strong as an informed citizenry and knowledgeable school staff allow them to be; and (3) the support is based on knowledge of, understanding about, and participation in the efforts of its public schools. The following shall be the guidelines for policy adoption for the Jacksonville North Pulaski School District.

General Policies

Policies which are not personnel policies may be recommended by the Board or any member of the Board; by the Superintendent, assistant superintendent, any other administrator or employee of the District; committee appointed by the Board; or by any member of the public. Policies adopted by the Board shall be within the legal framework of the State and Federal Constitutions, and appropriate statutes, rules, and court decisions.

When reviewing a proposed policy (non-personnel), the Board may elect to adopt, amend, or refer back to the person proposing the policy for further consideration, take it under advisement, reject it, or refuse to consider the proposal.

Licensed and Classified Personnel Policies

Personnel policies (including employee salary schedules) shall be created, amended, or deleted in accordance with State law:

(1) Board Proposals:

The Board may adopt a proposed personnel policy by a majority vote. Such policies may be proposed to the Board by a Board member or the Superintendent. The Board may choose to adopt the proposal, as a proposal only, by majority vote.

Following the adoption of a proposed personnel policy, the proposal must be presented to the appropriate Personnel Policy Committee (PPC). Such presentation shall be in writing, to all members of the Committee.

When the PPC has possessed the proposed personnel policy for a minimum of ten (10) working days from the date the PPC received the proposed policy (i.e., ten work days, not including weekends or state or national holidays), the chairman of the PPC, or the chairman's designee, shall be placed on the Board meeting agenda to make an oral presentation to the Board to address the proposed policy. Following the presentation, the Board may vote at the same meeting at which the proposal is made, or, in any case, no later than the next regular Board meeting to:

- (a) Adopt the Board's original proposed policy as a policy;
- (b) Adopt the PPC's counter proposed policy as a policy; or

(c) Refer the PPC's counter proposed policy back to the PPC for further study and revision. Any such referral is subject to the same adoption process as a proposed policy originating from the board.

(2) Personnel Policies Committee Proposals:

Either PPC may recommend changes in personnel policies to the Board. When making such a proposal, the chairman of the PPC, or the chairman's designee, shall be placed on the Board meeting agenda to make an oral presentation to the Board.

The Board may vote on the proposed policy at the same meeting at which the proposal is made, or, in any case, no later than the next regular Board meeting. In voting on a proposed policy from the PPC, the Board may:

(a) Adopt the proposal;

(b) Reject the proposal; or

(c) Refer the proposal back to the PPC for further study and revision.

When the Board is revising the licensed and classified personnel salaries, the Board shall, as required by Arkansas law, review and approve by a written resolution any employee's salary increase of 5% or more for the employee.

A copy of all personnel policies shall be signed by the president of the Board and kept at the District's central office.

Effective date of policy changes:

All personnel policy changes enacted during one fiscal year will become effective on the first day of the following fiscal year, July 1. This specifically includes any changes made between May 1 and June 30 to ensure compliance with state or federal laws, rules, or regulations or the Arkansas Department of Education Commissioner's Memos.

Changes made to personnel policies between May 1 and June 30 that are **not** made to ensure compliance with state or federal laws or regulations will take effect on July 1 of the same calendar year provided no later than five (5) working days after final board action, a notice of the change is sent to each affected employee by first class mail to the address on record in the personnel file. The notice of the change must include:

- a. The new or modified policy or policies provided in a form that clearly shows the additions underlined and the deletions stricken;
- b. A statement that due to the change(s), the employee has the power to unilaterally rescind his/her contract for a period of thirty (30) days after the school board took final action on the policy (policies). The rescission must be in the form of a letter of resignation within the thirty (30) day period.

For a policy change to be made effective prior to July 1 of the following fiscal year, a vote must be taken of all licensed personnel or all classified personnel, as appropriate, with the vote conducted by the appropriate PPC.

If, by a majority vote, the affected personnel approve, the policy becomes effective as of the date of the vote, unless otherwise specified by the Board in requesting such vote. No staff vote taken prior to final board action will be considered effective to make a policy change.

All non-personnel policy changes may become effective upon the Board's approval of the change, unless the Board specifies a different date.

Student discipline policies shall be reviewed annually by the District's PPCs, and the committees may recommend policy changes to the Board.

Parents, students, and District personnel, including teachers, shall be involved in the development of student discipline policies.

Cross References: Policy 3.1—LICENSED PERSONNEL SALARY SCHEDULE;
Policy 8.1—CLASSIFIED PERSONNEL SALARY SCHEDULE

Legal References: A.C.A. § 6-13-619(c)
A.C.A. § 6-13-635
A.C.A. § 6-17-201, 204, 205, 2301
A.C.A. § 6-18-502(b)(1)(2)

Date Adopted: 01/04/16

Last Revised:

1.10—ASSOCIATION MEMBERSHIPS

The Board shall be a member of the Arkansas School Boards Association and may be a member of the National School Boards Association and other organizations, which, in the opinion of the Board, will be beneficial to the Board in carrying out its duties more effectively.

Legal Reference: A.C.A. § 6-13-107

Date Adopted: 01/04/16

Last Revised:

1.11—BOARD MEMBER TRAINING

Board members who have served on the board for twelve (12) or more consecutive months are required to obtain a minimum of six (6) hours of training by December 31 of each calendar year. Board members who are elected to serve an initial or non-continuous term shall obtain a minimum of nine (9) hours of training by December 31 of the year following their election and six (6) hours of training by December 31 of each calendar year thereafter. Hours obtained in excess of the required minimums may be carried forward through December 31 of the third calendar year following the year in which the hours were earned.

The training shall be focused on topics relevant to school laws, school operations, and the powers, duties, and responsibilities of the members of the Board of Education. The responsibilities include, but are not limited to legal requirements, role differentiation, financial management, improving student achievement, reading and interpreting an audit report, and the duties and responsibilities of the various levels of employees within the District as well as those of the Board.

The District is responsible for maintaining a record of the hours of training received by each board member. Board members shall make a concerted effort to submit documentation of training they have received to the Superintendent or his/her designee. In the absence of such documentation, the District shall attempt to obtain records of training received from training providers.

Such training may be obtained from an institution of higher learning, from instruction provided by the Arkansas Department of Education or the Arkansas School Boards Association, or from other providers approved by the Arkansas Department of Education. Attendance at out-of-state workshops more than once per year shall require approval by a majority of the Board.

A statement regarding the number of hours of training received each preceding calendar year shall be:

- Part of the District's comprehensive school plan and goals;
- Published in the same way as other components of the comprehensive plan and goals are required to be published;
- Part of the annual school performance report required to be submitted to, and published by the Arkansas Department of Education.

Board members shall be reimbursed, from school funds, for expenses relating to such training and Board members shall be paid a per diem stipend for days necessary to attend such training with the amount of such stipend to be determined by the Board in July of each year.

Legal References: A.C.A. § 6-13-629
 ADE Rule Governing Required Training for School Board Members

Date Adopted: 01/04/16

Last Revised:

1.12—COMMITTEES

From time to time, in order to obtain and/or encourage public participation in the operation of the District, the Board may appoint committees, which may include members of the public, students, parents, and school employees, as well as members of the Board.

Any committee, which includes among its members a member of the Board, shall operate according to the requirements of the Arkansas Freedom of Information Act.

Legal Reference: A.C.A. § 25-19-106

Date Adopted: 01/04/16

Last Revised:

1.13—SUPERINTENDENT/ BOARD RELATIONSHIP

The Board's primary responsibility is to develop, working collaboratively with the community, a vision and mission for the District. The Board formulates and adopts policies to achieve that vision and elects a Superintendent to implement its policies. The Board and the Superintendent and the relationship between them set the tone for the District to follow. The relationship is enhanced when both parties understand their roles and carry them out in an ethical and professional manner working to develop a relationship of mutual trust and respect.

The Superintendent and staff are responsible for administering the Board's policies and will be held responsible for the effective administration and supervision of the District. The Superintendent is authorized to develop and implement administrative regulations to fulfill the Board's policies, provided such regulations are consistent with the intent of the Board's policies.

Date Adopted: 01/04/16

Last Revised:

1.14—MEETING AGENDA

The agenda guides the proceedings of the Board meeting. The Superintendent shall prepare the agenda with consultation from the Board president. Other members of the Board who desire to have an item placed on the monthly agenda may do so by contacting the Superintendent or, in writing, the Board president by the date established in this policy and the item will be duly considered for inclusion.

The chairman of the PPC, or the chairman's designee, shall be placed on the Board of Education's meeting agenda to make an oral presentation to the Board to address either a personnel policy proposed by the Board that the PPC committee has possessed for no less than ten (10) work days or a personnel policy that the PPC wishes to propose to the Board.

District patrons wishing to have an item placed on the Board meeting's agenda must submit their requests, in writing to the Superintendent, at least fourteen (14) days prior to the meeting of the Board. The written request must be sufficiently descriptive to enable the Superintendent and Board president to fully understand and evaluate its appropriateness to be an agenda item. Such requests may be accepted, rejected, or referred back to the individual for further clarification. Presentations may only be made at the regular monthly meeting of the Board; no presentations will be made at special meetings.

The Superintendent shall notify the Board president of all written requests to be placed on the agenda along with the Superintendent's recommendation concerning the request. No item shall be placed on the agenda that would operate to prejudice the Board concerning a student or personnel matter that could come before the Board for disciplinary or employment considerations or that is in conflict with other District policy or law.

A patron whose written request to be placed on the meeting's agenda has been accepted shall limit his/her comments to the approved topic/issue or forfeit his/her right to address the Board. The members of the Board will listen to the patron's presentation, but shall not respond to the presenter during the meeting in which the presentation is made. The Board may choose to discuss the issue presented at a later meeting, but is under no obligation to do so.

Legal References: A.C.A. § 6-13-619(a)(2)
A.C.A. § 6-17-205(c)

Cross Reference: 1.9—POLICY FORMULATION

Date Adopted: 01/04/16

Last Revised:

1.15—TORT IMMUNITY

The District, as well as its agents, officers, employees, and volunteers are immune from liability for negligence, pursuant to A.C.A. § 21-9-301. When allegations of negligence are raised, whether in litigation or not, the statutory grant of immunity will be asserted.

Date Adopted: 01/04/16

Last Revised:

1.17—NEPOTISM

DEFINITIONS:

“Family or family member” means:

- a. An individual’s spouse;
- b. Children of the individual or children of the individual’s spouse;
- c. The spouse of a child of the individual or the spouse of a child of the individual’s spouse;
- d. Parents of the individual or parents of the individual’s spouse;
- e. Brothers and sisters of the individual or brothers and sisters of the individual’s spouse;
- f. Anyone living or residing in the same residence or household with the individual or in the same residence or household with the individual’s spouse; or
- g. Anyone acting or serving as an agent of the individual or acting or serving as an agent of the individual’s spouse.

“Initially employed” means:

- A. Employed in either an interim or permanent position for the first time or following a severance in employment with the school district;
- B. A change in the terms and conditions of an existing contract, excluding:
 - I. Renewal of a teacher contract under A.C.A. § 6-17-1506;
 - II. Renewal of a noncertified employee’s contract that is required by law; or
 - III. Movement of an employee on the salary schedule which does not require board action.

NEW HIRE OF SCHOOL BOARD MEMBER’S RELATIVE AS SCHOOL EMPLOYEE

The District shall not initially employ a present Board member’s family member for compensation in excess of \$5,000 unless the District has received approval from the Commissioner of the Department of Education. The employment of a present Board member’s family member shall only be made in unusual and limited circumstances. The authority to make the determination of what qualifies as “unusual and limited circumstances” rests with the Commissioner of the Department of Education whose approval is required before the employment contract is effective, valid, or enforceable.

Initial employment for a sum of less than \$5,000 per employment contract or, in the absence of an employment contract, calendar year does not come under the purview of this policy and is permitted.

The Board member whose family member is proposed for an employment contract, regardless of the dollar amount of the contract, shall leave the meeting until the voting on the issue is concluded and the absent member shall not be counted as having voted.

EXCEPTION: SUBSTITUTES

Qualified family members of Board members may be employed by the District as substitute teachers, substitute cafeteria workers, or substitute bus drivers for a period of time not to exceed thirty (30) days per fiscal year. A family member of a Board member having worked as a substitute for the District in the past does not “grandfather” the substitute. The 30-day maximum limit is applied in all cases.

**EXISTING EMPLOYEES WHO ARE FAMILY MEMBERS OF SCHOOL BOARD MEMBERS—
RAISES, PROMOTIONS OR CHANGES IN COMPENSATION**

Any change in the terms or conditions of an employment contract including length of contract, a promotion, or a change in the employment status of a present Board member's family member that would result in an increase in compensation of more than \$2,500, and that is not part of a state mandated salary increase for the employee in question, must be approved by the Commissioner of the Department of Education before such changes in the employment status is effective, valid, or enforceable.

QUALIFICATIONS FOR RUNNING FOR SCHOOL BOARD MEMBER UNCHANGED

The employment status of a citizen's family member does not affect that citizen's ability to run for, and, if elected, serve the school board provided he/she meets all other statutory eligibility requirements.

Legal References: A.C.A. § 6-24-102, 105

Date Adopted: 01/04/16

Last Revised:

1.18—DISTRICT AUDITS

The District's annual audit serves as an important opportunity for the Board to review the fiscal operations and health of the District. As such, it is vital Board members receive sufficient explanation of each audit report to enable the members to understand the report's findings and help them better understand the District's fiscal operations.

The District shall have an audit conducted annually within the timelines prescribed by law. The audit shall be conducted by the Division of Legislative Audit or through the audit services of a private certified public accountant(s) approved by the Board.

The Board shall review each annual audit at the first regularly scheduled board meeting following the receipt of the audit if the District received the audit prior to ten (10) days before the regularly scheduled meeting. If the audit report is received less than ten (10) days prior to a regularly scheduled board meeting, the Board may review the report at the next regularly scheduled Board meeting following the ten (10) day period.

The Superintendent shall present sufficient supporting/background information relating to the report's findings and recommendations which will enable the Board to direct the Superintendent to take appropriate action in the form of a motion or motions relating to each finding and recommendation contained in the audit report. Actions to be taken will be in sufficient detail to enable the Board to monitor the District's progress in addressing substantial findings and recommendations and subsequently determine that they have been corrected. The minutes of the Board's meeting shall document the review of the audit's findings and recommendations along with any motions made by the Board or actions directed to be taken by the Superintendent or designee.

The Board is responsible for presenting the audit's findings each year to the public .

Legal References: A.C.A. § 6-1-101(d)(1)(2)(3)
A.C.A. § 6-13-620(6)(F)

Date Adopted: 01/04/16

Last Revised:

1.19—BOARD MEMBER LENGTH OF TERM and HOLDOVERS

The District has seven Board of Education members. For the first initial terms of service after the 2015 school election, two members will serve two-year terms, three members will serve three-year terms and two members will serve four-year terms. After those terms expire, members will be elected for a term of service of four years. Members may be re-elected to serve consecutive terms so long as the member continues to meet the eligibility requirements for Board service.

A Board member remains in office until the member's successor has been sworn into office. In the event a Board member's term of office has expired and no one is elected to replace the member, or the individual elected fails to receive the oath of office within the time set in statute the Board member becomes a "holdover" and is treated as having been re-elected to office for another term. Board members may only serve one term as a holdover and may be re-elected to the Board at the expiration of his/her term. Consequently, should no individual be elected to the position at the expiration of the holdover term, the position shall be declared to be vacant and filled in accordance with Policy 1.2—BOARD ORGANIZATION AND VACANCIES and Arkansas law. Board members not wishing to continue as a holdover may resign from office and the position is to be filled in accordance with Policy 1.2.

Cross Reference: Policy 1.2—BOARD ORGANIZATION AND VACANCIES

Legal References: A.C.A. § 6-13-608

A.C.A. § 6-13-611

A.C.A. § 6-13-616

A.C.A. § 6-13-617

A.C.A. § 6-13-630

A.C.A. § 6-13-631

A.C.A. § 6-13-634

Arkansas Constitution Article 19, Section 5

Date Adopted: 01/04/16

1.20—BOARD ATTORNEY

The Board shall utilize an attorney for legal counsel and services in the affairs of the District. The attorney is authorized to render services as are approved in advance by either the Board or the Superintendent.

Date Adopted: 01/04/16

Last Revised: