

## **SECTION 1**

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## **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 North Little Rock 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: 2/25/86

Last Revised: 1/15/04

Last Revised: November 16, 2017

## **1.1A—QUALIFICATION AND ELECTION OF MEMBERS**

The Board shall consist of seven members, elected from geographic zones for three year terms. Board positions are numbered by zone.

Candidates file for election to specific positions on the Board, and must be bona fide residents of the zone represented by the Board position. Candidates wishing to have their names placed on the ballot are required to secure the signatures on a petition of not less than twenty (20) qualified electors of the District. The petition shall be filed with the County Clerk not later than twenty (20) days prior to the annual school election.

Any candidate who receives more than fifty percent of the votes cast for all candidates for that position shall be declared the winner. When there are more than two candidates for a position and no candidate receives a majority of the votes cast, there shall be a run-off election two weeks following the date of the annual school election. The names of the two candidates receiving the highest number of votes shall be placed on the ballot. The person receiving the highest number of votes in the run-off election shall be declared the winner.

In the event the two candidates seeking election receive the same number of votes, a tie shall be deemed to exist, and the County Board of Education at an open public meeting, and in the presence of the two candidates, shall determine the winner by lot.

The annual school election shall be held on the third Tuesday of September.

The election is administered by the County Board of Election Commissioners with the District responsible for the costs. The County Board of Election Commissions shall provide the election supplies and appoint the judges and clerks and the District will assist in the preparation of the ballot.

Legal References: A.C.A. § 6-14-102  
A.C.A. § 6-14-121

Date Adopted: 8/22/89  
Last Revised: 1/15/04

## **1.1B—COMPENSATION OF BOARD MEMBERS**

Board members shall serve without compensation.

Reimbursement to members for reasonable expenses for attendance at regional, state, or national conferences, conventions, and seminars shall be made by the District when such attendance is deemed necessary or desirable in carrying out the functions of the Board. The District will not pay travel and related expenses of spouses or others who accompany Board members to Board related functions.

Reimbursement will be provided for the president or his/her designee to attend school/community related activities when presented to and approved by the Board.

Date Adopted: 2/25/86

Last Revised: 1/15/04

## **1.2—BOARD ORGANIZATION AND VACANCIES**

### **Election of Officers**

The Board shall elect a president, vice president, secretary, parliamentarian and legislative liaison at the first regular meeting following the later of: the certification of the results of the annual November 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 through a resolution passed by a majority vote 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. A copy of the resolution will be sent to the county treasurer and to the director of the Department of Finance and Administration.

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 if a board member:

1. Moves his or her bona fide permanent residence outside the boundaries of the school district;
2. Fails to physically attend three (3) consecutive regular meetings of the school district board of directors;
3. Fails to physically attend six (6) regularly scheduled board meetings of the school board of directors in a calendar year;
4. Fails to receive the mandatory hours of training within the statutory time period;
5. Is convicted of a felony;
6. Is called to active military duty;
7. Has served a full-length term as a holdover and has not subsequently been elected to another term;
8. Resigned from the school board of directors; or
9. Dies.

If credible evidence of a vacancy existing due to numbers 1 through 4 is presented to the president, vice president, or secretary of a school district board of directors, a majority of the members of the school district board of directors shall:

- Vote on whether to appoint an independent investigator to investigate the credible evidence presented; and
- Hold a hearing on the existence of a vacancy.

A vacancy does not exist for numbers 2, 3, and 4 if the reason for the member's absences or failure to receive training is either:

- a. Military service of the board member; or
- b. Illness of the board member that is verified by a written sworn statement of the board member's attending physician.

If a vacancy occurs on the board of directors, provided at least a quorum of the Board remains, the Board has thirty (30) days in which to appoint a successor<sup>7</sup> 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 thirty (30) days of the vacancy, the position shall be filled by the county quorum court.

When a vacancy on the Board resulted from a board member's failure to receive the required training within the statutory time period, the board shall not appoint the individual who failed to receive the required training to fill the vacancy.

Except for a temporary vacancy due to military service, an individual appointed to fill a vacancy shall serve until the annual school election following the appointment. An individual appointed to fill a temporary vacancy due to military service 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. If a Board member's term expires while the board member is on active military duty, the board 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 secretary of the school district board of directors shall notify the county clerk of an appointment to the school district board of directors within five (5) days of the appointment being made. The notice shall include the name of the appointed board member and the expiration date of his or her term.

An individual appointed to fill a vacancy must submit proof of having received the oath of office to the county clerk before the individual may assume any duties.

Cross References:     1.3—DUTIES OF THE PRESIDENT  
                           1.4—DUTIES OF THE VICE-PRESIDENT  
                           1.5—DUTIES OF THE SECRETARY  
                           1.11—BOARD MEMBER TRAINING  
                           1.16 —DUTIES OF BOARD DISBURSING OFFICER  
                           1.19—BOARD MEMBER LENGTH OF TERM and HOLDOVERS  
                           1.20—DUTIES OF THE LEGISLATIVE LIAISON

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. § 6-13-629

Date Adopted: 2/25/86  
Revised: 1/15/04  
Revised: July 18, 2013  
Last Revised: June 15, 2017  
Last Revised: November 16, 2017  
Last Revised: April 19, 2018

### **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: 2/25/86

Last Revised: 1/15/04

## **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 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: 2/25/86

Last Revised: 1/15/04

## **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: 2/25/86

Revised:       1/15/04

Last Revised:   July 18, 2013

## **1.6—BOARD MEMBER VOTING**

### **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 affirmative 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.

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

Date Adopted: 6/23/87  
Revised:        1/15/04  
Last Revised:  July 18, 2013

## **1.6.1—ATTENDING MEETINGS REMOTELY**

The Board of Directors permits members who would be otherwise unable to physically attend a board meeting to attend the meeting remotely. Except where prohibited by this policy, a board member who attends remotely shall have the same rights and privileges as if the board member 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 the member will be unable to physically attend the meeting and intends to attend remotely.

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

- 1) Provide a method for the president or secretary of the board of directors 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 of directors 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 of directors may count a board member attending remotely for the purpose of establishing a quorum. 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: April 19, 2018

Last Revised:

## 1.7—POWERS AND DUTIES OF THE BOARD

The North Little Rock Board of Education, operating in accordance with State and Federal laws, assumes its responsibilities for the operation of North Little Rock 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 of the District;
2. Understanding and abiding by the proper role of the Board of Directors;
3. Electing and employing a Superintendent and giving him/her the support needed to be able to effectively implement the Board's policies;
4. Conducting formal and informal evaluations of the Superintendent as deemed necessary and appropriate;
5. Employing, upon recommendation of the administrative staff and by written contract, the staff necessary for the proper conduct of the schools;
6. Approving the selection of curriculum and seeing that all subjects for study prescribed by the State Board or by law for all grades of schools are taught;
7. Reviewing, adopting, and preparing and publishing the District's budget for the ensuing year;
8. Being responsible for providing sufficient facilities, grounds, and property and ensuring they are managed and maintained for the benefit of the district; being responsible for the maintenance of the District's buildings, grounds, and property;
9. Monitoring District finances and receiving, reviewing, and approving each annual financial audit;
10. Understanding and overseeing District finances to ensure alignment with the District's academic and facility needs and goals;
11. Visiting schools and classrooms when students are present no less than annually;
12. Being fiscally responsible to the District's patrons and maintaining the millage rate necessary to support the District's budget;
13. Setting an annual salary schedule;
14. Involving the members of the community in the District's decisions to the fullest extent practicable; and
15. Striving to assure that all students are challenged and are given an equal educational opportunity.

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

Date Adopted: 2/25/86

Last Revised: 1/15/04

Last Revised: November 16, 2017

## **1.7A—ETHICS FOR BOARD MEMBERS**

Members of School Boards are empowered with certain duties and responsibilities which suggest rules of conduct that are specially suited for these obligations. Among the ethical responsibilities held by members are the following:

1. Recognizing the integrity of his/her predecessors and associates and the merit of their work;
2. Realizing that he/she owes primary allegiance to the educational welfare of the people, especially children of the community;
3. Recognizing that it is his/her responsibility, together with fellow Board Members, to see that the schools are properly operated and not to operate them himself/herself;
4. Functioning as a part of a legislative, policy-making body and not as an administrative officer;
5. Working through the administrative employees of the Board and not over or around them;
6. Recognizing that, except in the case of executive session, Board business may be legally transacted only in a legally called open meeting;
7. Avoiding unethical secret sessions of Board Members held without the presence of the school administrator;
8. Avoiding the use of his/her position on the Board as a stepping stone to political power;
9. Respecting the rights of others to have and express opinions;
10. Recognizing that authority rests with the Board in legal session and not with individual members of the Board except as authorized by law;
11. Making decisions in Board meetings only after all sides of debatable questions have been presented;
12. Discouraging the use of standing committees and insisting that all members of the Board participate fully in Board actions and delegate details to administrative employees;
13. Insisting that special committees be appointed to serve only in an investigating and advisory capacity;
14. Voting for an executive session of the Board when there is need for one;
15. Refraining from discussing the confidential business of the Board outside of the legally constituted Board meeting;

16. Holding the Superintendent responsible for the administration of the community's educational program;
17. Giving the administrator authority commensurate with his responsibility;
18. Voting to elect employees only on the recommendation of the Superintendent;
19. Participating in Board legislation only after considering the recommendation of the Superintendent, and then only after he/she has furnished complete information supporting his/her recommendation; and
20. Engaging in no financial or business interests or obligations that in any way create a conflict with the proper discharge of his/her duties while serving on the Board.

Date Adopted: 6/23/87

Last Revised: 1/15/04

## **1.7B—EQUITY**

The Board is committed to the principal of equity in the distribution and use of personnel and other resources in the District's schools. Educational equity is defined as the result of a process which ensures fairness for every child within the educational system. The concept of equity recognizes that some students must receive differential treatment because of their needs. Through its commitment to this principle, the Board seeks to provide an equitable educational opportunity for all students.

In order to ensure that equity exists as a guiding principle in this District, the Board affirms and declares its intent of:

1. Assuring equitable distribution of learning materials and instructional supplies so as to ensure that all schools have comparable levels of materials and supplies;
2. Assuring equitable support services to students (e.g., health services, guidance services) so that all schools will receive a comparable share of the services provided by support personnel;
3. Assuring equitable purchase and distribution of equipment so that all schools have comparable access to and use of equipment; and
4. Assuring equitable distribution of funds and services to provide for the upkeep and maintenance of school plants so that all schools will be able to provide a safe, attractive environment for learning.

Date Adopted: 12/18/90

Last Revised: 1/15/04

## **1.8—GOVERNANCE BY POLICY**

The North Little Rock School District shall operate within the guidelines of the written policies adopted by the Board of Directors. Those policies shall be within the legal frameworks of the State and Federal Constitutions and appropriate statutes, regulations, and court decisions.

When necessitated by unforeseen circumstances, the Superintendent shall have the power to decide and take appropriate action for an area not covered by 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. Copies of the manual within the District shall be kept current, but if a discrepancy occurs between manuals, 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: 2/25/86

Last Revised: 1/15/04

## **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; (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 North Little Rock 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.

Except for personnel policies, when reviewing a proposed policy (non-personnel), the Board may elect to adopt, amend, refer back to the person proposing the policy for further consideration, take it under advisement, reject it, or refuse to consider such 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 workdays, not including weekends or state or national holidays), the Chairman of the PPC, or the Chairman's designee, shall be placed on the Board of Director's 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 of Director's 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 Personnel Policies Committee, the Board may:

(a) Adopt the proposal;

(b) Reject the proposal; or

(c) Refer the proposal back to the Personnel Policies Committee for further study and revision.

When the Board is revising the licensed and classified personnel salaries, the Board of Directors 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 of Directors and kept in a central records location.

**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.

Except for policy changes to ensure compliance with changes in the law that are adopted within the ninety (90) day window, 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 personnel policy committees and may recommend changes to such policies to the Board of Directors.

Parents, students, and school 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: 2/25/86  
Revised: 1/15/04  
Revised: June 20, 2013  
Last Revised: July 18, 2013  
Last Revised: November 16, 2017

## **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: 2/25/86

Last Revised: 1/15/04

## **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 (3<sup>rd</sup>) calendar year following the year in which the hours were earned.

The superintendent shall annually prepare a report of:

1. The hours of training each school board member received during the previous calendar year; and
2. hours of training, if any, a board member carried forward from a previous year that were eligible to be counted by the board member towards the previous year.

The superintendent will present the report to the Board at the Board's regular January meeting. A board member who failed to receive or carry forward the required number of hours of training, as indicated by the report, shall:

- a. Have thirty (30) days from the date of the January board meeting to complete the deficient hours of training; and
- b. Not participate in official business, except for school board training, until the board member obtains the deficient hours of training.

A board member who fails to receive the deficient hours of training within the thirty (30) days provided shall be removed from the board in accordance with Policy 1.2—BOARD ORGANIZATION AND VACANCIES unless the failure to receive the required hours of training was due to the board member's military service or a serious medical condition as indicated by a written sworn statement from the board member's treating physician. A board member who provides the necessary documentation demonstrating that the failure to receive the required hours of training was due to military service or a serious illness shall have until December 31 of the current calendar year to receive both the hours of training for the current calendar year and those the board member failed to obtain during the previous calendar year.

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 directors. 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 of directors.

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 the superintendent's 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 (ADE), the Arkansas School Boards Association, or from other providers approved by the Arkansas Department of Education.

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.<sup>1</sup>

Note: <sup>1</sup> This paragraph is optional.

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

Date Adopted: 6/23/87  
Revised:        1/15/04  
Revised:        July 21, 2011  
Last Revised:  June 15, 2017

## **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 School Board, shall operate according to the requirements of the Arkansas Freedom of Information Act.

Legal Reference: A.C.A. § 25-19-105

Date Adopted: 2/25/86

Last Revised: 1/15/04

### **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: 2/25/86

Last Revised: 1/15/04

## **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 Director'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 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 5 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.

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.

Patrons whose written request to be placed on the meeting's agenda has been accepted shall have no more than three (3) minutes to present to the Board unless specifically granted additional time by a motion approved by a majority of the Board. The speaker 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. but may. The Board may choose to discuss the issue presented at a later meeting, but is under no obligation to do so.

The Superintendent shall be responsible for Board members receiving copies of the Agenda with all accompanying pertinent information at least three (3) days prior to the meeting.

This policy's advance notice requirements do not apply to special or called board meetings.

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: 2/25/86

Revised:           1/15/04

Last Revised: July 18, 2013

## **1.14A—MEETINGS OF THE BOARD**

Meetings of the Board are open to the public and are held in the District Administration Building located at 2700 Poplar Street unless notice is given of a different meeting location. Meetings of the Board shall be conducted by parliamentary procedure as presented in *Robert's Rules of Order, Revised*. Patrons of the District are encouraged to attend all meetings.

### Regular Meetings

Regular meetings of the Board are held on the third Thursday of each month at 5 p.m. The date and time for the regular monthly meeting may be changed by vote of the Board membership.

### Special Meetings

From time to time, special Board meetings are called to transact business that, for some reason, cannot be transacted at a regular meeting. Special meetings shall be called to decide specific items of business, and those items shall be stated in the notice of the meeting.

No business may be transacted at a special meeting not specifically indicated in the meeting notice except a case in which all members are present at the meeting, and they agree unanimously to discuss and/or transact other business.

### Executive Sessions

Private or closed discussions by the Board may occur as part of a regular or special Board meeting. Executive sessions may be held only for the purpose of considering employment, appointment, promotion, demotion, disciplining, or resignation of an employee or to discuss matters of pupil punishment, if requested by the parent or legal guardian.

No resolution, agreement, or motion considered in the executive session shall be legally binding unless the Board reconvenes in public session and presents the item for vote of the membership.

### Workshop Sessions

Workshop sessions, held for the purpose of discussion only, are open to the public and shall be announced in the same manner as business meetings of the Board. No official action may be taken at a workshop session.

Legal Reference: A.C.A. § 6-13-619

Date Adopted: 2/25/86

Last Revised: 1/15/04

## **1.14B—CITIZEN INVOLVEMENT**

Citizen involvement is necessary in the democratic governance of a school district. School patrons of the North Little Rock School District are encouraged to make their ideas and wishes known through procedures established for that purpose.

A portion of time shall be set aside at each Board meeting to receive citizen input. During this established time, individuals or delegations may state their ideas, concerns, and/or proposals to the Board. Citizens will be heard on any topic whether the topic appears or does not appear on the agenda. The Board shall listen to presentations offered, but is not obligated to respond in any manner whatsoever. The Board may consider any proposals submitted at a later time or may take no further action at all.

Citizen participation in debate or discussion of items under consideration by the Board shall not be allowed except by special consideration by the President or acting President.

Date Adopted: 2/25/86

Last Revised: 1/15/04

## **1.15—TORT IMMUNITY**

The North Little Rock School 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: 1/15/04

## **1.16 —DUTIES OF BOARD 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 non-recurring 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.

Legal Reference:      A.C.A. § 6-13-618(c)

Date Adopted:          July 21, 2011  
Last Revised:          November 16, 2017

## **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.<sup>1</sup>

A family member of a school board member having worked as a substitute for the district in the past does not “grandfather” the substitute. The thirty (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.

*Family members of board members shall not be employed by the district as substitute teachers, substitute cafeteria workers, or substitute bus drivers.*

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

Date Adopted: April 19, 2018

Last Revised:

## 1.21—DATE OF ANNUAL SCHOOL BOARD ELECTION

The annual school board election for the North Little Rock School District shall be held on the: *First Tuesday following the first Monday in November.*

Individuals wishing to run for office in the election may begin circulating petitions to collect signatures *One hundred twenty (120) days before the election.*

- Thirty (30) days before the close of the party filing period for elections held concurrently with a preferential primary election The party filing period may be found at A.C.A. § 7-7-203(c)(1) or
- One hundred twenty (120) days before elections held in odd years.

Candidates may file their petition, affidavit of eligibility, and political practices pledge with the county clerk as follows:

During the party filing period for elections held concurrently with a preferential primary election

- *One hundred twenty (120) days before the election.* or
- During a one-week period ending at 12:00 noon ninety (90) days before the election held in odd years.

A copy of this policy will be provided annually to the county clerk by no later than the day the candidate filing period opens A.C.A. § 6-14-102(a)(1)(B) requires that the county clerk be informed of the election timeline the district wishes to use but does not mandate a specific method for the notification. We recommend that the notification be done in writing to decrease the possibility for miscommunication. Providing a copy of this policy to the county clerk satisfies the notification requirement.

*A copy of this policy will be provided annually to the county clerk by no later than the day the candidate filing period opens for school elections held with the preferential primary.*

Legal References: A.C.A. 6-14-102

A.C.A. § 6-14-111

A.C.A. § 7-7-203

Date Adopted: October 19, 2017

Last Revised:

## **1.19—BOARD MEMBER LENGTH OF TERM and HOLDOVERS**

The District has seven Board of Directors members. Each member is elected for a term of service of three 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 Attorney General Opinion 2015-112  
Arkansas Constitution Article 19, Section 5

Date Adopted: April 19, 2018  
Last Revised:

## **1.20—DUTIES OF THE LEGISLATIVE LIAISON**

The Board of Directors recognizes the needs of the District require the Board to take an active role in the legislative process as it relates to legislation affecting this district and public education in general. To aid the Board in this endeavor, the Board shall elect one of its members to hold the office of Legislative Liaison. The duties of the legislative liaison are to:

- Be the primary contact person for legislative updates from the Arkansas School Boards Association (ASBA);
- Keep the other members of the Board up to date on legislative issues;
- Make arrangements for the legislators whose representation zones cover the District to be contacted by either the liaison him/herself or by another board member on pending issues that would impact the District.

Cross Reference: 1.2—BOARD ORGANIZATION and VACANCIES

Date Adopted: April 19, 2018

Last Revised: