

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Senator Bradford**

# A Bill

**SENATE BILL**

## For An Act To Be Entitled

8 "AN ACT TO ESTABLISH A PUBLIC SCHOOL POLICY RESOLUTION  
9 BOARD; AND FOR OTHER PURPOSES."

10

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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13 SECTION 1. This Act is entitled the Public School Policy Resolution  
14 Board Act.

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16 SECTION 2. (a) There is created the Public School Policy Resolution  
17 Board.

18 (b) The Board consists of five (5) members appointed by the Governor  
19 for terms of five (5) years each.

20 (1) Three (3) members of the Board shall be current or former  
21 teachers as that term is used in Arkansas Code § 6-17-1502(a)(1). These three  
22 (3) members shall not have been employed in a school district of this State as  
23 an administrator, other than a principal or assistant principal.

24 (2) One (1) member of the Board shall be a current or former  
25 administrator in a school district of this State.

26 (3) One (1) members shall be neither a teacher or administrator  
27 ever employed in a school district of this State and shall represent the  
28 public.

29 (c) Terms of members shall expire December 31 of the year designated  
30 and a successor appointee shall be named by the Governor before this  
31 expiration date but a member shall continue serving until his successor is  
32 appointed and qualified.

33 (d) Vacancies on this Board shall be filled by appointment of the  
34 Governor within thirty (30) days.

35 (e) The members of the Board shall take the oath prescribed by the

1 Constitution for State officers before assuming their position.

2 (f) Members may be removed by the Governor for incompetence,  
3 misconduct, neglect of duty, or other just cause.

4 (g) (1) The members of the Board shall receive as compensation for their  
5 services two hundred fifty dollars (\$250) per day and expenses for regular and  
6 special Board meetings.

7 (2) The executive director of the Board and any clerical workers shall  
8 receive a salary as authorized by law.

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10 SECTION 3. (a) Within thirty (30) days after their appointment, the  
11 Board shall meet and organize by electing a chairman, vice chairman and  
12 secretary. The members shall also draw for the initial length of their terms  
13 (one (1) for one (1) year, one (1) for two (2) years, one (1) for three (3)  
14 years, one (1) for four (4) years, and one (1) for five (5) years) and certify  
15 the result of this draw to the Governor and Secretary of State.

16 (b) The Board shall hold a regular meeting at least quarterly and shall  
17 have the power to call and hold special meetings as it deems necessary. Three  
18 (3) members shall constitute a quorum.

19 (c) The three (3) officers shall have power to administer oaths for the  
20 purpose of performing their powers and duties.

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22 SECTION 4. The Board shall:

23 (1) Adopt all rules and regulations consistent with this Act and  
24 necessary or convenient to perform its duties;

25 (2) Request and receive legal assistance of the Attorney General's  
26 office as it deems necessary and proper;

27 (3) Have the power and authority to hear all grievances regarding  
28 school district personnel policies submitted by employees of the school  
29 districts of this State;

30 (4) Make decisions and issue orders for such hearings and to resolve  
31 all such grievances. Such decisions and orders are binding on all school  
32 districts in this State and may be enforced by the Board or any interested  
33 party in any court of general jurisdiction in this State;

34 (5) Issue subpoenas to aid its investigation or hearing;

35 (6) Employ an executive director and other clerical employees to serve

1 at the Board's pleasure and pay them a salary authorized by law.

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3 SECTION 5. (a) This Board shall be an "agency" as that term is used in  
4 Arkansas Code § 25-15-202(1).

5 (b) All hearings on grievances shall be conducted in accordance with  
6 Arkansas Code § 25-15-208.

7 (c) All complaints or grievances regarding school district personnel  
8 policies received by the Board shall be investigated by the executive director  
9 and presented to the Board. The Board shall then determine whether probable  
10 cause exists to issue a notice of hearing to the appropriate school district.  
11 If the Board determines probable cause exists, the director shall prepare and  
12 serve the school district with the appropriate notice.

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14 SECTION 6. (a) The chairman, or the vice-chairman in his absence,  
15 shall preside at all meetings and have the power to administer oaths, issue  
16 subpoenas, and rule on the admissibility of evidence.

17 (b) The secretary or executive director shall keep a record of the  
18 board's proceedings and all board records shall be available for public  
19 inspection and copying during normal business hours.

20 (c) The Board shall establish an office in Pulaski County and may use  
21 the facilities of the Department of Education.

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23 SECTION 7. No grievance shall be heard by the Board unless the grievant  
24 has pursued the local school district grievance process or received a decision  
25 on the grievance from the superintendent or school board.

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27 SECTION 8. All provisions of this Act of a general and permanent nature  
28 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
29 Revision Commission shall incorporate the same in the Code.

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31 SECTION 9. If any provision of this Act or the application thereof to  
32 any person or circumstance is held invalid, such invalidity shall not affect  
33 other provisions or applications of the Act which can be given effect without  
34 the invalid provision or application, and to this end the provisions of this  
35 Act are declared to be severable.

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2           SECTION 10. All laws and parts of laws in conflict with this Act are

3 hereby repealed.