

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H2/15/17

A Bill

HOUSE BILL 1523

5 By: Representative Sturch
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE TRAINING OF MEMBERS OF THE
9 BOARD OF DIRECTORS OF A PUBLIC SCHOOL DISTRICT; AND
10 FOR OTHER PURPOSES.
11

Subtitle

12
13 CONCERNING THE TRAINING OF MEMBERS OF THE
14 BOARD OF DIRECTORS OF A PUBLIC SCHOOL
15 DISTRICT.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 6-13-611(a) and (b)(1), concerning
22 vacancies on a school board, is amended to read as follows:

23 (a) A vacancy shall occur on a school district board of directors if a
24 board member:

25 (1) Moves his or her bona fide permanent residence outside the
26 boundaries of the school district;

27 (2) Fails to physically attend three (3) consecutive regular
28 meetings of the school district board of directors unless the failure is due
29 to:

30 (A) Military service of the board member; or

31 (B) Illness of the board member that is verified by a
32 written sworn statement of the board member's attending physician;

33 (3) Fails to physically attend six (6) regularly scheduled board
34 meetings of the school board of directors in a calendar year unless the
35 failure is due to:

36 (A) Military service of the board member; or



1 (B) Illness of the board member that is verified by a
2 written sworn statement of the board member's attending physician;

3 (4) Fails to receive the mandatory hours of training within the
4 time frame required by § 6-13-629 unless the failure was due to:

5 (A) Military service of the board member; or

6 (B) A serious medical condition as demonstrated by a
7 written sworn statement of the board member's treating physician;

8 (5) Is convicted of a felony in accordance with § 6-13-612;

9 ~~(5)~~(6) Is called to active military duty in accordance with § 6-
10 13-613;

11 ~~(6)~~(7) Resigns from the school board of directors; or

12 ~~(7)~~(8) Dies.

13 (b)(1) If credible evidence of a violation of subdivisions ~~(a)(1)-(3)~~
14 (a)(1)-(4) is presented to the president, vice president, or secretary of a
15 school district board of directors, a majority of the members of the school
16 district board of directors shall:

17 (A) Vote on whether to appoint an independent investigator
18 to investigate the credible evidence presented; and

19 (B) Hold a hearing on the existence of a vacancy on the
20 school district board of directors.

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22 SECTION 2. Arkansas Code § 6-13-629(a)(1) and (a)(2)(A), concerning
23 the training of school board members, is amended to read as follows:

24 (a)(1)(A) A member of a local school district board of directors who
25 has served on the board of directors for twelve (12) or more consecutive
26 months shall obtain no less than six (6) hours of training and instruction by
27 December 31 of each calendar year.

28 (B) A member of a school district board of directors
29 elected for an initial or non-continuous term shall obtain:

30 (i) No less than nine (9) hours of training and
31 instruction by December 31 of the calendar year following the year in which
32 the member is elected; and

33 (ii) The training or instruction under subdivision
34 ~~(a)(2)(B)~~ (a)(3)(B) of this section within the first fifteen (15) months of
35 service on the board of directors.

36 (2)(A) The superintendent of each school district shall annually

1 prepare a report of the training hours each school board member received the
2 previous calendar year and those carried forward from a previous year that
3 were eligible to be counted towards the previous year to be presented to the
4 board at the board's regular January meeting.

5 (B) Members who fail to receive or carry forward the
6 required number of training hours shall be:

7 (i) Permitted thirty (30) days from the date of the
8 January board meeting to complete the deficient training hours; and

9 (ii) Suspended from participating in official
10 business, except for school board training, until the board member obtains
11 the deficient training hours.

12 (C) A board member who fails to cure the board member's
13 training hours deficiency within the thirty (30) days provided in subdivision
14 (a)(2)(B) of this section shall be removed from the board and the board
15 member's position shall be filled in accordance with § 6-13-611 unless:

16 (i) The board member's failure to receive the
17 required training was due to military service of the board member; or

18 (ii) The board member provides a written sworn
19 statement from the board member's treating physician stating that the board
20 member's failure to receive the required training was due to a serious
21 medical condition.

22 (D) A board member who provides the necessary
23 documentation under subdivision (a)(2)(C) of this section shall have until
24 December 31 of the year following the year the board member failed to receive
25 the required hours of training to receive both the hours of training under
26 subdivision (a)(1) of this section for the current year and those the board
27 member failed to obtain the previous year.

28 (E) The board shall not appoint the board member who
29 failed to receive the required hours of training to fill the vacant position
30 on the board that resulted from the board member's failure to receive the
31 required hours of training.

32 (3)(A) The training and instruction required under this section
33 shall include topics relevant to school laws, school operations, and the
34 powers, duties, and responsibilities of the members of the board of
35 directors, including without limitation:

36 (i) Legal requirements, including without

1 limitation:

2 (a) The items listed or required by the
3 Legislative Joint Auditing Committee under § 6-1-101; and

4 (b) Other financial laws or regulations
5 designated by the Department of Education;

6 (ii) Role differentiation;

7 (iii) Financial management, including without
8 limitation how to read and interpret an audit report; and

9 (iv) Improving student achievement.

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/s/Sturch