

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

As Engrossed: S3/13/13

# A Bill

SENATE BILL 732

5 By: Senator J. Key  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE REQUIREMENTS FOR MEETINGS OF A  
9 PUBLIC SCHOOL DISTRICT BOARD OF DIRECTORS; AND FOR  
10 OTHER PURPOSES.  
11

## Subtitle

12  
13  
14 TO AMEND THE REQUIREMENTS FOR MEETINGS OF  
15 A PUBLIC SCHOOL DISTRICT BOARD OF  
16 DIRECTORS.  
17

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. Arkansas Code § 6-13-619(a)-(c), concerning meetings of a  
22 school district board of directors, is amended to read as follows:

23 (a)(1) The board of directors of a public school district shall meet:

24 (A) Monthly hold regular monthly meetings during the  
25 school term; ~~and~~

26 (B) shall meet on On call of the president or secretary or  
27 any three (3) members of the board of directors; and

28 (C) or when When petitioned to ~~do so~~ meet by a verified  
29 written petition ~~in writing~~ that:

30 (i) Is signed by fifty (50) qualified electors in  
31 the school district;

32 (ii) Contains the printed name and address of each  
33 qualified elector signing the petition;

34 (iii) Is accompanied by the verified statement of  
35 the person obtaining the signatures on the petition required under § 7-9-109;  
36 and



1 (iv) States the purpose for the meeting.

2 (2)(A) At least five (5) days before a regular monthly meeting  
 3 of a board of directors, the superintendent shall notify the president of the  
 4 board of directors of:

5 (i) All written requests to be placed on the board  
 6 agenda; and

7 (ii) The superintendent's recommendation concerning  
 8 each request.

9 (B) A request to be placed on the agenda shall not be  
 10 granted if placement on the agenda:

11 (i) Prejudices the board of directors concerning a  
 12 student or personnel matter that is on the agenda for the board's  
 13 consideration of a disciplinary or employment action; or

14 (ii) Is in conflict with school district policy or  
 15 law.

16 ~~(2)(3)(A) Except in emergency situations, regular and special~~  
 17 ~~Regular meetings of the school board of directors and all school board~~  
 18 ~~committees, and special meetings of the school board of directors and school~~  
 19 ~~board committees that deal with personnel or personnel policies, shall,~~  
 20 ~~except in emergency situations, shall be held after 5:00 p.m.~~

21 ~~(B) A meeting of the school board or a school board~~  
 22 ~~committee that does not deal with personnel or personnel policies may occur~~  
 23 ~~at any time and on any day, regardless of whether there is an emergency.~~

24 ~~(3)(A)(4)(A) Not less than~~ At least ten (10) days ~~prior to~~  
 25 before the date of a regular meeting of its board of directors, a public  
 26 school district shall publish on the public school district's website a  
 27 notice of the date, time, and place of the meeting.

28 ~~(B) Not less than~~ At least twenty-four (24) hours ~~prior to~~  
 29 before a rescheduled regular meeting, a public school district shall publish  
 30 on the public school district's website a notice ~~on its website~~ of the change  
 31 in the date, time, or place of the regular meeting.

32 ~~(b)(1)~~ The secretary of a board of directors shall:

33 (1) Keep Minutes minutes of regular and special meetings  
 34 of the ~~school~~ board of directors, ~~shall be kept by the secretary of the board~~  
 35 ~~of directors and filed by him or her in a permanent record~~ including without  
 36 limitation a:

1 (A) Record of the members present or not present at  
2 the meeting;

3 (B) Record of the outcome of a vote; and

4 ~~(2)(C) This record shall also contain a copy~~ Copy of  
5 all budgets of the school district and all reports of the county treasurer on  
6 the financial affairs of the school district; and

7 (2) Maintain a permanent record of the minutes.

8 (c)(1)(A) A board member shall be physically present at a meeting to  
9 be counted for purposes of a quorum or to vote.

10 (B) If a quorum is not established or maintained, a vote  
11 shall not be taken until a quorum is established or restored.

12 (C) A majority of a quorum voting affirmatively shall be  
13 is required for the passage of any motion or resolution.

14 ~~(B)(D)~~ (D) Any member who abstains from voting shall be  
15 counted as having voted against the motion or resolution.

16 ~~(C)(E)(i)~~ (i) If a member announces a conflict of interest  
17 with regard to ~~the~~ an issue, the member may leave the meeting until the  
18 voting on the issue is concluded, ~~and the~~.

19 (ii) A member who leaves a meeting due to a conflict  
20 of interest:

21 (a) Shall not be counted in the board's vote;

22 and

23 (b) Shall not be considered present for the  
24 purpose of establishing a quorum until the member returns to the meeting  
25 after the vote.

26 (2) ~~For~~ Except as provided under subdivision (c)(1)(E)(ii) of  
27 this section, for the purposes of this section, a quorum shall be a majority  
28 of the membership of the board of directors.

30 /s/J. Key

33 **APPROVED: 04/02/2013**