

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.  
Act 951 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 2000

4  
5 By: Representatives Chesterfield, Abernathy, Blair, Blount, Bradford, Clemons, Dickinson, Elliott, Fite,  
6 J. Johnson, W. Lewellen, Mahony, Pickett, Saunders  
7 By: Senator Brown

## For An Act To Be Entitled

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9  
10 AN ACT TO AMEND THE PERSONNEL POLICY LAW FOR  
11 CLASSIFIED SCHOOL EMPLOYEES TO MAKE IT MORE  
12 CONSISTENT WITH THE PERSONNEL POLICY LAW FOR  
13 CERTIFIED SCHOOL EMPLOYEES; AND FOR OTHER  
14 PURPOSES.  
15

## Subtitle

16  
17 AN ACT TO AMEND THE PERSONNEL POLICY LAW  
18 FOR CLASSIFIED SCHOOL EMPLOYEES TO MAKE  
19 IT MORE CONSISTENT WITH THE PERSONNEL  
20 POLICY LAW FOR CERTIFIED SCHOOL  
21 EMPLOYEES.  
22

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24  
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26  
27 SECTION 1. Arkansas §§ 6-17-2301 through 6-17-2306 are amended to read  
28 as follows:

29 6-17-2301. ~~Establishment of personnel policies~~ Requirement.

30 (a) Each school district in the State of Arkansas shall have a set of  
31 written personnel policies, including the salary schedule for ~~each~~  
32 ~~classification of classified personnel in the schools~~ employees.

33 (b) For the purposes of this subchapter, there shall be five (5)  
34 classifications of classified ~~personnel~~ employees as provided in § 6-17-203.

35 (c) ~~For purposes of this subchapter, a classified employee shall be an~~



1 ~~employee of a public school who is not required to hold a teaching license~~  
2 ~~issued by the State Board of Education.~~ Personnel policies of concern to the  
3 classified personnel policies committee shall include, but are not limited  
4 to, the following terms and conditions of employment:

5 (1) Salary schedule, fringe benefits, and other compensation  
6 issues;

7 (2) Annual school calendar, including work days and holidays;

8 (3) Evaluation procedures;

9 (4) Leave;

10 (5) Grievance procedures;

11 (6) Termination, nonrenewal, or suspension;

12 (7) Reduction in force; and

13 (8) Assignments.

14 (d)(1) No school district shall receive in any year any funds from the  
15 Public School Fund until the district has filed by the established deadline  
16 its current personnel policies for classified employees signed by the  
17 president of the board, including any salary schedules as required by this  
18 subchapter.

19 (2) The policies and schedules shall be filed with the  
20 Department of Education no later than September 15 of each year.

21 (e) The department shall notify any district that has not filed its  
22 policies in accordance with this section.

23  
24 6-17-2302. Applicability.

25 (a) The provisions of this subchapter shall not apply if the district  
26 chooses to officially recognize in its policies an organization representing  
27 the majority of the non-management classified ~~personnel~~ employees of the  
28 district for the purpose of negotiating personnel policies, salaries, and  
29 educational matters of mutual concern under a written policy agreement.

30 (b)(1) "Classified employee" means any person employed by a school  
31 district under a written annual contract who is not required to have a  
32 teaching certificate issued by the Department of Education as a condition of  
33 employment.

34 (2) "Classified employee administrator" shall means any  
35 classified or certified employee who evaluates non-management classified  
36 employees and any classified employee who supervises but does not evaluate

1 other classified employees, if the non-management classified employees  
 2 exclude them.

3 (3) Non-management classified employee" means any classified  
 4 employee who does not evaluate other classified employees. The nonmanagement  
 5 classified employees in a school district, at their discretion in an election  
 6 conducted in accordance with § 6-17-2303(c), include in this definition  
 7 classified employees who supervise but do not evaluate other classified  
 8 employees; and

9  
 10 6-17-2303. ~~Committee on personnel policies,~~ for each school district.

11 (a)(1) Each school district shall have a committee on personnel  
 12 policies for classified ~~personnel~~ employees which consist of at least one (1)  
 13 non-management classified representative from each of the following five (5)  
 14 classifications:

- 15 (A) Maintenance and operation;
- 16 (B) Transportation;
- 17 (C) Food service;
- 18 (D) Secretarial and clerical; and
- 19 (E) Aides and paraprofessionals.

20 (2) ~~Any classification of support personnel not identified in~~  
 21 ~~the five (5) classifications may be added as an additional representative.~~  
 22 All other job classifications of classified employees not identified in the  
 23 five (5) classifications may be grouped together and added as an at-large  
 24 classification and shall have at least one (1) non-management classified  
 25 representative on the committee on classified personnel policies.

26 (b) There shall be no more than three (3) classified employee  
 27 administrators on the committee, one (1) of whom may be the superintendent of  
 28 schools. The classified employee administrators on the committee shall be  
 29 appointed by the school board or its designee.

30 (c) The non-management classified ~~personnel~~ employee member of the  
 31 committee shall be elected by a majority of all non-management classified  
 32 ~~personnel~~ employees voting by secret ballot.

33 (d) The election shall be conducted solely and exclusively by the non-  
 34 management classified ~~personnel~~ employees, including distribution of ballots  
 35 to all non-management classified ~~personnel~~ employees.

36 (e) The election shall be conducted by mid-October.

1           (f) There shall be no additional monetary compensation for service on  
 2 the committee.

3  
 4           6-17-2304. ~~Personnel policies incorporated~~ Incorporation into  
 5 employee contracts.

6           ~~The personnel policies of the school district in effect at the~~  
 7 ~~time that a classified employee's contract is entered into or renewed shall~~  
 8 ~~be considered to be incorporated as terms of the contract and shall be~~  
 9 ~~binding upon both parties unless changed by mutual consent.~~ The personnel  
 10 policies of each school district shall be considered to be incorporated as  
 11 terms of the classified employees' contracts and shall be binding upon the  
 12 classified employees and the district.

13           ~~(b)(1) Any amendment to personnel policies adopted during the term of~~  
 14 ~~that contract shall become effective the following July 1. However, these~~  
 15 ~~amendments may take place immediately with mutual consent.~~ Any changes or  
 16 additions to the personnel policies shall not be considered a part of  
 17 classified employee contracts until the next fiscal year.

18           (2)(A) Any changes or additions to the personnel policies may  
 19 take effect before the next fiscal year only if the changes or additions are  
 20 approved by a majority of the classified employees employed by the district  
 21 voting by secret ballot.

22           (B) The voting and counting of ballots shall be conducted  
 23 by the classified personnel policy committee.

24           (3) All changes or additions to the classified personnel  
 25 policies or new personnel policies shall be made in accordance with this  
 26 subchapter.

27  
 28           6-17-2305. Organization and duties of committee.

29           (a) The school district's committee on personnel policies for  
 30 classified personnel shall organize itself in October, elect a chair and  
 31 secretary, and develop a calendar of meetings throughout the year to review  
 32 the district's personnel policies to determine whether additional policies or  
 33 amendments to existing policies are needed.

34           (b) Minutes of the committee meetings shall be promptly reported and  
 35 distributed to members of the board and posted in the work sites of the  
 36 district, including administrative offices.

1 (c) Either the committee or the board of directors may propose new  
 2 personnel policies or amendments to existing policies if the proposals by the  
 3 board have been submitted to the committee at least ten (10) working days  
 4 prior to presentation to the board. The superintendent may recommend any  
 5 changes in personnel policies to the board of directors or the personnel  
 6 policies committee. The recommendations shall become proposals if adopted by  
 7 either the board or committee.

8 (d) The chair of the committee or a committee member designated by the  
 9 chair shall have the opportunity to orally ~~shall~~ present the committee's ~~its~~  
 10 proposed policies or amendments to existing policies to the board of  
 11 directors.

12 (e) After presentation to the board, final action shall be taken no  
 13 later than the next regular board meeting.

14 (f) The board of directors shall have the authority to adopt, reject,  
 15 or refer back to the committee on personnel policies for further study and  
 16 revision any proposed policies or amendments to existing policies that are  
 17 submitted to the board for consideration.

18  
 19 6-17-2306. ~~District's personnel policies to be provided to classified~~  
 20 ~~employees or administrators.~~ Copies furnished classified employees.

21 (a)(1) Each classified employee being employed by a school district  
 22 for the first time shall be given a copy of the district's personnel policies  
 23 in effect at the time of his or her employment.

24 (2) A digital copy provided to an employee or an online copy  
 25 that is accessible by Internet or intranet will meet the requirements of  
 26 subdivision (a)(1) of this section.

27 (3) A hard copy of all classified policies shall be available to  
 28 review at each work location.

29 (4) The individual employee shall be offered the choice of a  
 30 hard copy or a digital copy.

31 ~~(b) Each classified employee or administrator who was employed before~~  
 32 ~~the adoption of this policy shall be given a copy of the district's personnel~~  
 33 ~~policies at the time his or her contract is renewed or extended.~~

34 (b)(1) Each classified employee shall be furnished a copy of any  
 35 amendments to the personnel policies within thirty (30) days after approval  
 36 of the amendments by the board of directors of the district.

1           (2) A digital copy provided to an employee or an online copy  
2 that is accessible by Internet or intranet will meet the requirements of  
3 subdivision (b)(1) of this section.

4           (3) A hard copy of all amendments shall be available for review  
5 at each work location.

6           (4) The individual employee shall be offered the choice of a  
7 hard copy or a digital copy.

8           ~~(c) Each classified employee or administrator shall be furnished a copy~~  
9 ~~of an amendments to the personnel policies within thirty (30) days after~~  
10 ~~approval of the amendments by the board of directors of the district.~~

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12           SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
13 General Assembly of the State of Arkansas that the current personnel policy  
14 law for classified school employees is inadequate to protect the public's  
15 interests in public school districts; that there is a pressing and urgent  
16 need to revise the personnel policy law for classified school employees; and  
17 that this act is immediately necessary because it will ensure classified  
18 employees may fairly participate to the full extent of the law in the  
19 development of personnel policies for 2005-2006 contracts. Therefore, an  
20 emergency is declared to exist and this act being immediately necessary for  
21 the preservation of the public peace, health, and safety shall become  
22 effective on:

23           (1) The date of its approval by the Governor;

24           (2) If the bill is neither approved nor vetoed by the Governor,  
25 the expiration of the period of time during which the Governor may veto the  
26 bill; or

27           (3) If the bill is vetoed by the Governor and the veto is  
28 overridden, the date the last house overrides the veto.

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31   APPROVED: 3/18/2005  
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