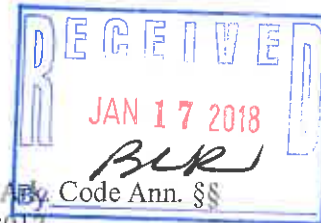


ARKANSAS DEPARTMENT OF EDUCATION  
 RULES GOVERNING REQUIRED TRAINING  
 FOR SCHOOL BOARD MEMBERS  
 December 2015 \_\_\_\_\_



#### 1.00 REGULATORY AUTHORITY

- 1.01 The State Board of Education promulgates this Rule pursuant to ~~Ark. Code Ann. §§ 6-13-629, 6-11-105, 6-13-629, and Act 568 of 2015~~ Act 589 of 2017.
- 1.02 This Rule shall be known as the Arkansas Department of Education (ADE) Rules Governing Required Training for School Board Members

#### 2.00 PURPOSE

The purpose of this Rule is to outline the type and amount of training required for new and continuing local school board members.

#### 3.00 DEFINITIONS

- 3.01 “Annual School Performance Report” means the report required to be *published posted on the ADE website by the ADE* for each school district annually under Ark. Code Ann. § 6-15-1402.
- 3.02 “Comprehensive School Improvement Plan” means the plan that each local school district must prepare annually under the Arkansas Department of Education Rules Governing Standards for Accreditation of Arkansas Public School and School Districts Section 7.04.1.
- ~~3.03 “Publish” means to provide information to a local newspaper of general circulation and to arrange for placement of the information, including payment of all relevant fees.~~

#### 4.00 TRAINING HOURS REQUIRED

- 4.01 A member of a local school district board of directors who has served on the board of directors for twelve (12) or more consecutive months shall obtain no less than six (6) hours of training and instruction by December 31 of each calendar year.
- 4.02 A member of a school district board of directors elected for an initial or non-continuous term shall obtain no less than nine (9) hours of training and instruction by December 31 of the calendar year following the year in which the member is elected.
- 4.02.1 The training or instruction under Section 4.02 of this Rule shall be accomplished within the first fifteen (15) months of service on the board of directors.

- 4.03 Hours of training and instruction obtained in excess of the minimum requirements each year may accumulate and be carried forward through December 31 of the third calendar year following the year in which the hours were obtained.

## 5.00 TRAINING CONTENT

5.01 The training and instruction required under this Rule shall include topics relevant to school laws, school operations, and the powers, duties, and responsibilities of the members of the board of directors, including without limitation:

5.01.1 Legal requirements, including without limitation:

5.01.1.1 The following items listed or required by the Legislative Joint Auditing Committee under Ark. Code Ann. § 6-1-101:

5.01.1.1.1 Audit management letter

5.01.1.1.2 Ethical guidelines

5.01.1.1.3 School elections

5.01.1.1.4 Management of schools

5.01.1.1.5 Revolving loan funds

5.01.1.1.6 School district finances

5.01.1.1.7 School district school bonds

5.01.1.1.8 Teachers and employees

5.01.1.1.9 Teachers' salaries

5.01.1.1.10 Deposit and investments of funds

5.01.1.1.11 Improvement contracts

5.01.1.2 Other financial laws or regulations designated by the Arkansas Department of Education;

5.01.2 Role differentiation;

5.01.3 Financial management, including without limitation how to read and interpret an audit report;

5.01.1.3 The training or instruction on how to read and interpret an audit report shall be conducted by a person who:

- 5.01.1.3.1 Is licensed to practice accounting by the Arkansas State Board of Public Accountancy and has prior experience conducting school district financial audit.
- 5.01.1.3.2 The instructor of the audit training must not be an employee of the Division of Legislative Audit unless the training is conducted for the boards of directors of multiple school districts.
- 5.01.1.3.3 The instructor must not be the person conducting the annual audit or other financial audit of the school district unless the training or instruction is presented in a large group setting sponsored by a statewide or regional organization that is attended by multiple school districts.
- 5.01.1.4 Training or instruction shall be conducted under the consultation or supervision of an individual who qualifies under Section 5.01.1.3 of these rules as part of a program that is provided:
  - 5.01.1.4.1 By an institution of higher education located in Arkansas;
  - 5.01.1.4.2 From instruction sponsored or approved by the Department of Education; or
  - 5.01.1.4.3 By an in-service training conducted by or through the Arkansas School Boards Association.
- 5.01.1.5 The audit training or instruction may be presented by electronic means, in person, or both.
- 5.01.4 Improving student achievement.

## 6.00 TRAINING PROVIDERS

- 6.01 This instruction may be provided to board members by an institution of higher learning in this state, by programs sponsored or approved by the ADE, or by an in-service training program conducted by or through the Arkansas School Boards Association
- 6.02 Any instruction directly provided to board members by either an institution of higher learning in this state, the ADE, or the Arkansas School Boards Association, which instruction meets the training content requirements of Section 5.00 of this Rule, shall not require pre-approval by the ADE. All other instruction must be pre-approved by the ADE in order for the training to count towards the required hours under Section 4.00 of this Rule.

- 6.03 At least thirty (30) days before a training program meeting the content requirements of ~~§~~Section 5.00 of this Rule is offered to members of a local school district's board of directors, the provider shall provide a detailed description of the entire program including staff qualifications to the ADE.
- 6.04 The ADE shall promptly review the content of the program for compliance with any and all applicable ~~statues~~ *statutes* and department rules to determine if any or all of the program content shall be deemed to provide training and instruction credit and shall establish the time period the training and instruction provider is approved to offer the program.
- 6.05 Upon notification by the ADE of approval of the program (or a part or parts thereof) for training and instruction credit, the provider may enroll participants in the program and offer the program for training and instruction credit for the set time period.
- 6.06 The provider shall be responsible for the preparation and dissemination of proof of completion of the program (or parts thereof) to all attendees. All such proof, or copies thereof, shall be submitted by the board member attendees to the superintendent of the district whose board they serve.

#### 7.00 RECORDS OF TRAINING

- 7.01 A school district shall maintain a record of hours of training and instruction for board members, which may be in the form of an attested, cumulative annual report from the training providers and which shall be subject to verification and inspection during the school district's annual audit
- 7.02 A statement of the hours of training and instruction obtained by each board member in the preceding year shall be:
- 7.02.1 Part of the school district's comprehensive school improvement plan and goals;
  - 7.02.2 ~~Published~~ *Posted* in the same way that other components of the comprehensive school improvement plan and goals are required to be; and
  - 7.02.3 Made a part of the annual school performance report required under Ark. Code Ann. § 6-15-1402.
- 7.03 The superintendent of each school district shall annually prepare a report of the training hours each school board member received the previous calendar year and those carried forward from a previous year that were eligible to be counted towards the previous year to be presented at the board's regular January meeting.
- 7.03.1 Members who fail to receive or carry forward the required number of training shall be:

- 7.03.1.1 Permitted thirty (30) days from the date of the January board meeting to complete the deficient training hours; and
- 7.03.1.2 Suspended from participating in official business, except for board member training, until the board member obtains the deficient hours.
- 7.03.2 A board member who fails to cure the board member's training hours deficiency within the thirty (30) days allowed in Section 7.03.1.1 shall be removed from the board and the board member's position shall be filled in accordance with Ark. Code Ann. § 6-13-611 unless:
- 7.03.2.1 The board members' failure to receive the required training was due to military service of the board member; or
- 7.03.2.2 The board member provides a written sworn statement from the board member's treating physician stating that the board member's failure to receive the required training was due to a serious medical condition.
- 7.03.3 A board member who provides the necessary documentation under Section 7.03.2 shall have until December 31 of the year following the year the board member failed to receive the required training to receive both the hours of training required for the current year and the hours the board member failed to obtain the previous year.

## 8.00 AUTHORIZATION TO REIMBURSE FOR RELATED EXPENSES

- 8.01 Local school district boards of directors are authorized to pay a reasonable per diem and other necessary expenses from funds belonging to the school district and to reimburse school board directors for expenses incurred in attending in-service workshops, conferences, and other courses of training and instruction required in completing the training and instruction as required under this Rule.

## 9.00 ENFORCEMENT

- 9.01 A school district shall demonstrate compliance with the requirements of this Rule in addition to complying with the provisions of Section 7.00 of this Rule by causing its superintendent to file a written statement of assurance with the ADE pursuant to Ark. Code Ann. § 6-15-202.
- 9.02 A school district which fails to comply with the provisions of Ark. Code Ann. § 6-13-629 and the procedural requirements articulated in this Rule shall be subject to being placed in probationary status pursuant to Section 24.18 of the Arkansas Department of Education Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts.
- 9.03 A vacancy on the school board shall occur if a board member fails to receive the mandatory hours of training within the time frame required by Ark. Code Ann. § 6-

13-629 unless the failure was due to military service of the board member or a serious medical condition as demonstrated by a written sworn statement of the board member's treating physician.

- 9.04 The board shall not appoint the board member who failed to receive the required hours of training to fill the vacant position on the board that resulted from the board member's failure to receive the required hours of training.

Exhibit A

ARKANSAS DEPARTMENT OF EDUCATION  
REQUEST TO PRESENT A TRAINING PROGRAM TO  
SCHOOL BOARD MEMBERS

Please compile the following information and submit it electronically via the Department's website:

<http://www.arpdsam.org/>

Pursuant to Section 6.03 of the Department's Rules Governing Required Training for School Board Members (Rule), program providers must submit a detailed description of the entire program, including staff qualification, to the Department to be received at least thirty (30) days prior to the date of the program. This deadline will allow for departmental review of the program to determine whether training and instruction credit pursuant to Ark. Code Ann. § 6-13-629 and this Rule may be awarded.

- 1.) Name and Address of Provider: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 2.) Contact Person for Provider: Name: \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone Number: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-Mail \_\_\_\_\_
- 3.) Title and Detailed Description of Program: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 4.) Please indicate how the program content will apply to Section 5.00, Training Content, of the Rules Governing Required Training for School Board Members
- 5.) Date(s) program is to be presented: \_\_\_\_\_
- 6.) Members of provider's staff who will provide instruction at the program:

a.) Staff Member's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

List qualifications to present program (include relevant educational background, work experience, examples of similar programs presented, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b.) Staff Member's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

List qualifications to present program (include relevant educational background, work experience, examples of similar programs presented, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



c.) Staff Member's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

List qualifications to present program (include relevant educational background, work experience, examples of similar programs presented, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d.) Staff Member's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

List qualifications to present program (include relevant educational background, work experience, examples of similar programs presented, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e.) Staff Member's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

List qualifications to present program (include relevant educational background, work experience, examples of similar programs presented, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f.) Staff Member's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

List qualifications to present program (include relevant educational background, work experience, examples of similar programs presented, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 7.) Please add to this document any other information that you believe would be helpful in assisting the Department in determining whether to grant your request.
- 8.) The ADE shall promptly review the content of the program for compliance with any and all applicable statutes and department rules to determine if any or all of the program content shall be deemed to provide training and instruction credit and shall establish the time period the training and instruction provider is approved to offer the program.
- 9.) Upon notification by the ADE of approval of the program (or parts thereof) for training and instruction credit, the provider may enroll participants in the program and offer the program for training and instruction credit for the set time period.
- 10.) The provider shall be responsible for the preparation and dissemination of proof of completion of the program (or parts thereof) to all attendees. All such proofs, or copies thereof, shall be submitted by the board member attendees to the superintendent of the district whose board they serve.

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_

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FOR ADE USE ONLY

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Date Provider Information Received \_\_\_\_\_

Date Reviewed: \_\_\_\_\_

Request to Present Program: Approved: \_\_\_\_\_

Denied: \_\_\_\_\_

Date of decision: \_\_\_\_\_

Signature of ADE Representative: \_\_\_\_\_

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

14 CONCERNING THE TRAINING OF MEMBERS OF THE  
15 BOARD OF DIRECTORS OF A PUBLIC SCHOOL  
16 DISTRICT.  
17

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

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.

21  
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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11

*/s/Sturch*

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**APPROVED: 03/23/2017**

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