

DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
RULES GOVERNING REQUIRED TRAINING
FOR SCHOOL BOARD MEMBERS
May 2020 _____

RECEIVED

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**BUREAU OF
LEGISLATIVE RESEARCH**

1.00 REGULATORY AUTHORITY

- 1.01 The State Board of Education promulgates these Rules pursuant to Ark. Code Ann. §6-13-629 and ~~Aets 168 and 1029 of 2019.~~
- 1.02 This Rule shall be known as the Division of Elementary and Secondary Education (DESE) Rules Governing Required Training for School Board Members.

2.00 PURPOSE

- 2.01 The purpose of these Rules 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 posted on the DESE website 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 Division of Elementary and Secondary Education Rules Governing Standards for Accreditation of Arkansas Public School and School Districts Standard 5-A.1.

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 include training or instruction on how to read and interpret an audit report; and information regarding school safety and student discipline.
- 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 boards 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 **DESE**;

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 audits.

- 5.01.1.3.2 The instructor of the audit training must not be an employee of Arkansas 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 DESE;
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; and
- 5.01.5 Information regarding school safety and student discipline.
- ~~5.01.5.1 A member shall be required to complete the program in Section 5.01.5 only one (1) time.~~

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 DESE, 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 DESE, or the Arkansas School Boards Association, which instruction meets the training content requirements of Section 5.00 of these Rules, shall not require pre-approval by the DESE. All other instruction must be pre-approved by the DESE 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 these Rules 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 DESE.
- 6.04 The DESE shall promptly review the content of the program for compliance with any and all applicable statutes and Division 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 DESE 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 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 individual 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 The superintendent's report shall be presented in a table format with a row for each individual school board member that is followed by individual columns containing the following information:

- 7.03.1.1 The number of training hours the school board member received between January 1 and December 31 of the previous year.
- 7.03.1.2 The number of training hours carried forward from the previous year that were eligible to be counted towards the previous year.
- 7.03.1.3 The sum of the number of training hours the school board member received under Section 7.03.1.1 and Section 7.03.1.2.
- 7.03.1.4 The total number of training hours the board member is required to receive under Section 4.00.
- 7.03.2 The Superintendent's report shall not include:
- 7.03.2.1 Any training hours a board member receives after December 31 of the previous year.
- 7.03.2.2 The training hours the board member accrues under Section 7.03.3.1.
- 7.03.3 Members who fail to receive or carry forward the required number of training shall be:
- 7.03.3.1 Permitted ~~from January 1 through thirty (30) days from~~ following the date of the January board meeting to complete the deficient training hours; and
- 7.03.3.2 Suspended from participating in official business, except for board member training, until the board member obtains the deficient hours.
- 7.03.4 A board member who fails to cure the board member's training hours deficiency ~~within the thirty (30) days allowed in~~ during the time provided under Section 7.03.3.1 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:
- 7.03.4.1 The board ~~members'~~ member's failure to receive the required training during the time provided under Section 7.03.3.1 was due to military service of the board member; or
- 7.03.4.2 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

during the time provided under Section 7.03.3.1 was due to a serious medical condition.

7.03.5 A board member who provides the necessary documentation under Section 7.03.4 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 these Rules.

9.00 ENFORCEMENT

- 9.01 A school district shall demonstrate compliance with the requirements of these Rules in addition to complying with the provisions of Section 7.00 of these Rules by causing its superintendent to file a written statement of assurance with the DESE 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 these Rules shall be subject to being placed in probationary status pursuant to Section 6.00 of the Division of Elementary and Secondary 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

DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
REQUEST TO PRESENT A TRAINING PROGRAM TO
SCHOOL BOARD MEMBERS

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

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

Pursuant to Section 6.03 of the Division of Elementary and Secondary Education 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 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 Division in determining whether to grant your request.

- 8.) The DESE shall promptly review the content of the program for compliance with any and all applicable statutes and Division 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 DESE 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: _____

FOR DESE USE ONLY

Date Provider Information Received _____

Date Reviewed: _____

Request to Present Program: Approved: _____

Denied: _____

Date of decision: _____

Signature of DESE Representative: _____

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

A Bill

HOUSE BILL 1102

4
5 By: Representative Evans
6 By: Senator J. Sturch

For An Act To Be Entitled

9 AN ACT CONCERNING TRAINING REQUIREMENTS FOR MEMBERS
10 OF A SCHOOL DISTRICT BOARD OF DIRECTORS; TO REQUIRE
11 ADDITIONAL TRAINING ON INFORMATION REGARDING SCHOOL
12 SAFETY AND STUDENT DISCIPLINE; TO STANDARDIZE THE
13 FORMAT OF THE REQUIRED REPORT REGARDING TRAINING
14 REQUIREMENTS; TO INCREASE THE TIME BY WHICH A SCHOOL
15 BOARD MEMBER MAY CURE A TRAINING HOUR DEFICIENCY; AND
16 FOR OTHER PURPOSES.

Subtitle

17
18
19 TO REQUIRE ADDITIONAL TRAINING ON SCHOOL
20 SAFETY AND STUDENT DISCIPLINE FOR BOARD
21 MEMBERS; TO STANDARDIZE THE TRAINING
22 REQUIREMENTS REPORT; AND TO INCREASE THE
23 TIME BY WHICH A BOARD MEMBER MAY CURE A
24 TRAINING HOUR DEFICIENCY.
25
26
27

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

29
30 SECTION 1. Arkansas Code § 6-13-629(a)(1), concerning required
31 training hours for school board members, is amended to read as follows:

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

36 (B)(i) A member of a school district board of directors



1 elected for an initial or noncontinuous term shall obtain no less than nine
 2 (9) hours of training and instruction by December 31 of the calendar year
 3 following the year in which the member is elected.

4 (ii) The hours of training or instruction required
 5 under subdivision (a)(1)(B)(i) of this section shall include ~~training:~~

6 (a) Training or instruction on how to read and
 7 interpret an audit report under subdivision (a)(3)(A)(ii)(c) of this section;
 8 and

9 (b) Information regarding school safety and
 10 student discipline under subdivision (a)(3)(A)(iii) of this section.

11
 12 SECTION 2. Arkansas Code § 6-13-629(a)(2)(A)-(C), concerning required
 13 training for school board members, are amended to read as follows:

14 (2)(A)(i) The superintendent of each school district shall
 15 annually prepare a report of the training hours each individual school board
 16 member received ~~the previous calendar year and those carried forward from a~~
 17 ~~previous year that were eligible to be counted towards the previous year to~~
 18 be presented to the board at the board's regular January meeting.

19 (ii) The superintendent's report under subdivision
 20 (a)(2)(A)(i) of this section shall be presented in a table format with a row
 21 for each individual school board member that is followed by individual
 22 columns containing the following information:

23 (a) The number of training hours the school
 24 board member received between January 1 and December 31 of the previous year;

25 (b) The number of training hours carried
 26 forward from the previous year that were eligible to be counted towards the
 27 previous year;

28 (c) The sum of the number of training hours
 29 described in subdivision (a)(2)(A)(ii)(a) of this section and the number of
 30 training hours described in subdivision (a)(2)(A)(ii)(b) of this section; and

31 (d) The total number of training hours the
 32 board member is required to receive under subdivision (a)(1) of this section.

33 (iii) The superintendent's report under subdivision
 34 (a)(2)(A)(i) of this section shall not include:

35 (a) Any training hours a board member receives
 36 after December 31 of the previous year; or

1 (b) The training hours a board member accrues
 2 under subdivision (a)(2)(B)(i) of this section.

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

5 (i) Permitted from January 1 through thirty (30)
 6 days ~~from following~~ the date of the January board meeting to complete the
 7 deficient training hours; and

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

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

16 (i) The board member's failure to receive the
 17 required training during the time provided under subdivision (a)(2)(B) of
 18 this section was due to military service of the board member; or

19 (ii) The board member provides a written sworn
 20 statement from the board member's treating physician stating that the board
 21 member's failure to receive the required training during the time provided
 22 under subdivision (a)(2)(B) of this section was due to a serious medical
 23 condition.

24
 25 SECTION 3. Arkansas Code § 6-13-629(a)(3)(A)(iii), concerning training
 26 and instruction topics required for school board members, is amended to read
 27 as follows:

28 (iii)~~(a)~~ Information regarding school safety and
 29 student discipline.

30 ~~(b) A member shall be required to complete the~~
 31 ~~program in subdivision (a)(3)(A)(iii)(a) of this section only one (1) time.~~

32
 33
 34 APPROVED: 3/1/21