

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4
5 By: Representative Vess

A Bill

HOUSE BILL 2227

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 6-17-203 AND 6-17-205
10 PERTAINING TO PERSONNEL POLICY TEAMS; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "AN ACT TO AMEND ARKANSAS CODE 6-17-203
15 AND 6-17-205 PERTAINING TO PERSONNEL
16 POLICY TEAMS; AND FOR OTHER PURPOSES."

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

20 SECTION 1. Arkansas Code 6-17-203 is amended to read as follows:

21 "6-17-203. ~~Committee for each school district~~Personnel Policy Team.

22 (a) Each school district shall have ~~a committee on personnel policies~~
23 ~~which shall consist of no fewer than five (5) classroom teachers, and no more~~
24 ~~than three (3) administrators, one of which may be the superintendent~~two (2)
25 personnel policy teams. One (1) team shall be comprised of classroom teachers
26 who shall be elected by a majority of the classroom teachers voting by secret
27 ballot. The election shall be solely and exclusively conducted by the
28 classroom teachers, including the distribution of ballots to all classroom
29 teachers.

30 (b) ~~The classroom teacher members of each district's committee on~~
31 ~~personnel policies shall be elected by a majority of the classroom teachers~~
32 ~~voting by secret ballot. The election shall be solely and exclusively~~
33 ~~conducted by the classroom teachers, including the distribution of ballots to~~
34 ~~all classroom teachers~~One (1) team shall be comprised of administrators
35 selected by the school board of the local school district."

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1 SECTION 2. Arkansas Code 6-17-205 is amended to read as follows:

2 "6-17-205. Organization and duties of ~~committee~~team.

3 (a) Each ~~school district's committee on personnel policies~~ team shall
 4 organize itself ~~in the first quarter of each school year, and~~ elect a ~~chairman~~
 5 spokesperson and secretary, ~~and develop a calendar of meetings throughout the~~
 6 year to review the district's personnel policies to determine if additional
 7 policies or amendments to existing policies are needed and to review any
 8 proposed distribution of a salary underpayment from previous yearsno later
 9 than September 30 of each year, beginning on September 30, 1997. The teams
 10 shall meet together no later than October 31 of each year to develop a
 11 calendar of meetings throughout the year, beginning October 31, 1997.

12 (b) ~~Minutes of the committee meetings shall be promptly reported and~~
 13 ~~distributed to members of the board and posted in the buildings of the~~
 14 ~~district, including administrative offices~~When both teams meet together,
 15 minutes of the meeting shall be kept by each team. All minutes shall be
 16 promptly reported and distributed to members of the school board and posted in
 17 the buildings associated with the school district, including the
 18 administrative offices.

19 (c) ~~(1) Either the committee or the board of directors may propose new~~
 20 ~~personnel policies or amendments to existing policies if the proposals by the~~
 21 ~~board have been submitted to the committee at least ten (10) working days~~
 22 ~~prior to presentation to the board~~Either team may propose to the other team
 23 additional personnel policies or amendments to existing personnel policies
 24 either individually, as a package, or a combination of the two (2).

25 ~~(2) The superintendent may recommend any changes in personnel~~
 26 ~~policies to the board of directors or to the personnel policies committee.~~
 27 ~~Such recommendations shall become proposals if adopted by either the board or~~
 28 ~~the committee.~~

29 ~~(d) The chair of the committee or a committee member designated by the~~
 30 ~~chair will have the opportunity to orally present the committee's proposed~~
 31 ~~policies or amendments to existing policies to the board of directors~~After one
 32 (1) team submits a proposal, the other team may submit a counter-proposal.

33 (e) ~~After presentation to the board, final action may be taken at the~~
 34 ~~next regular board meeting~~If at any time the teams agree to a set of personnel
 35 policies for the following school year, the personnel policies shall be
 36 presented to the school board for action.

1 ~~(f) The board of directors shall have the authority to adopt, reject,~~
 2 ~~or refer back to the committee on personnel policies for further study and~~
 3 ~~revision any proposed policies or amendments to existing policies that are~~
 4 ~~submitted to the board for consideration.~~Any proposed additional personnel
 5 policies or proposed amendments to existing personnel policies that are not
 6 agreed to by both teams by April 1 of the school year shall be submitted to
 7 fact finding in accordance with the expedited procedures of the Commercial
 8 Arbitration Rules of the American Arbitration Association.

9 (1) The final proposal of each team shall be submitted to the fact
 10 finder by April 6 of the school year along with any arguments for or against
 11 the various proposals.

12 (2) The fact finder may meet with the teams together or
 13 separately.

14 (3) The fact finder shall issue a written report to the teams with
 15 the recommendations no later than May 15.

16 (4) The fact finder's recommendations and report shall not be
 17 subject to public disclosure until May 30.

18 (5) The fact finder shall consider in making the recommendation:

19 (A) The interests and welfare of the public;

20 (B) The interests and welfare of the teachers;

21 (C) The finances of the school district;

22 (D) The cost of living;

23 (E) Comparisons with other teachers in Arkansas and the
 24 United States; and

25 (F) Other factors normally taken into consideration in
 26 similar arbitration proceedings.

27 (g) After the fact finder's report has been issued to the teams, the
 28 teams shall have until May 30 to arrive at an agreed set of personnel policies
 29 for the following school year.

30 (h) After the fact finder's report is made available to the public,
 31 the teams shall have ten (10) days before the first day of school in that
 32 school district to agree to a set of personnel policies for that school year.

33 (i) If the teams have not agreed to a set of personnel policies at
 34 least ten (10) days before the first day of school, the personnel policies
 35 which have been agreed to by both teams and the fact finder's recommendations
 36 shall be presented to the school board at a special meeting. The school board

1 shall take action on the personnel policies both teams have agreed to and the
2 fact finder's recommendations at the special meeting.

3 (j) The cost of the fact finder shall be shared equally by the school
4 district and the classroom teachers.

5 (k) No amendments to existing personnel policies or additional
6 personnel policies shall be acted upon by the school board until they have
7 been considered by the teams as provided for in this section except, by
8 agreement of both teams, an agreed to individual personnel policy or each
9 team's final offer pertaining to an individual personnel policy may be
10 submitted to the school board for adoption."

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12 SECTION 3. All provisions of this act of a general and permanent nature
13 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
14 Revision Commission shall incorporate the same in the Code.

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16 SECTION 4. If any provision of this act or the application thereof to
17 any person or circumstance is held invalid, such invalidity shall not affect
18 other provisions or applications of the act which can be given effect without
19 the invalid provision or application, and to this end the provisions of this
20 act are declared to be severable.

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22 SECTION 5. All laws and parts of laws in conflict with this act are
23 hereby repealed.

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