

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.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/20/07

A Bill

HOUSE BILL 2538

5 By: Representative Breedlove
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE
10 EMPLOYMENT OF THE FAMILY MEMBERS OF A SCHOOL
11 BOARD MEMBER BY A PUBLIC SCHOOL DISTRICT; AND FOR
12 OTHER PURPOSES.
13

Subtitle

14 AN ACT TO AMEND ARKANSAS LAW CONCERNING
15 THE EMPLOYMENT OF THE FAMILY MEMBERS OF
16 A SCHOOL BOARD MEMBER BY A PUBLIC SCHOOL
17 DISTRICT.
18
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 6-24-105(b), concerning the employment of
24 family members of a school board member, is amended to read as follows:

25 (b)(1)(A)(i)(a) Employment of Family Members. A board member's family
26 member may not be initially employed by the public educational entity the
27 member serves during the member's tenure of service on the local board for
28 *compensation in excess of five thousand dollars (\$5,000) unless the contract*
29 *is subject to and conditional on the Commissioner of Education ~~issues~~ issuing*
30 *a letter of exemption and ~~approves~~ approving the employment contract ~~based on~~*
31 *~~unusual and limited circumstances.~~*

32 *(b) The district shall notify the Commissioner*
33 *of Education within thirty (30) calendar days of the employment.*

34 (ii) The determination ~~of unusual and limited~~
35 ~~circumstances~~ shall be at the sole discretion of the commissioner and may be
36 further defined by rule of the State Board of Education.



1 (B) A family member of a school board member who was
2 employed by the public educational entity during the school year immediately
3 preceding the election of the board member may continue employment with the
4 public educational entity under the same terms and conditions of the
5 previously executed contract and any renewal of the contract under § 6-17-
6 1506.

7 (C) Subject to the local board's written policy, a
8 qualified family member of a board member may not be employed as a substitute
9 teacher, substitute cafeteria worker, or substitute bus driver for a period
10 of time ~~not to exceed~~ exceeding a total of thirty (30) days per fiscal year
11 for the public educational entity served by the board member without the
12 approval of the commissioner.

13 (2)(A)~~(i) No employment contract that is prohibited under~~
14 ~~subsection (b) of this section is valid or enforceable by any party to the~~
15 ~~employment contract until approved in writing by the commissioner.~~

16 ~~(ii)~~ The commissioner's approval of an employment
17 contract may include restrictions and limitations that are by this subsection
18 incorporated as terms or conditions of the contract.

19 (B) Excluding any renewal of a contract under § 6-17-1506,
20 any change in the terms or conditions of an employment contract, a promotion,
21 or a change in employment status for a family member of a school board member
22 employed by a public educational entity that will result in an increase in
23 compensation of more than two thousand five hundred dollars (\$2,500) must be
24 approved in writing by the commissioner before any change in the terms or
25 conditions of the employment contract or promotion or changes in employment
26 *status are effective, valid, or enforceable.*

27
28 *SECTION 2. Arkansas Code § 6-4-105(c)(1)(A) and (B), concerning*
29 *exceptions requiring board approval, are amended to read as follows:*

30 *(c) Exceptions.*

31 *(1) Board Approval.*

32 *(A)(i) In unusual and limited circumstances, a public*
33 *educational entity's board may approve a contract, but not an employment*
34 *contract, between the public educational entity and the board member or the*
35 *member's family if the board determines that the contract is in the best*
36 *interest of the public educational entity.*

