

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S3/13/13
A Bill

SENATE BILL 732

By: Senator J. Key

For An Act To Be Entitled

AN ACT TO AMEND THE REQUIREMENTS FOR MEETINGS OF A
PUBLIC SCHOOL DISTRICT BOARD OF DIRECTORS; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND THE REQUIREMENTS FOR MEETINGS OF
A PUBLIC SCHOOL DISTRICT BOARD OF
DIRECTORS.

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

SECTION 1. Arkansas Code § 6-13-619(a)-(c), concerning meetings of a school district board of directors, is amended to read as follows:

(a)(1) The board of directors of a public school district shall meet:

(A) Monthly hold regular monthly meetings during the school term; ~~and~~

(B) shall meet on On call of the president or secretary or any three (3) members of the board of directors; and

(C) or when When petitioned to ~~do so~~ meet by a verified written petition ~~in writing~~ that:

(i) Is signed by fifty (50) qualified electors in the school district;

(ii) Contains the printed name and address of each qualified elector signing the petition;

(iii) Is accompanied by the verified statement of the person obtaining the signatures on the petition required under § 7-9-109;
and



(iv) States the purpose for the meeting.

(2)(A) At least five (5) days before a regular monthly meeting of a board of directors, the superintendent shall notify the president of the board of directors of:

(i) All written requests to be placed on the board agenda; and

(ii) The superintendent's recommendation concerning each request.

(B) A request to be placed on the agenda shall not be granted if placement on the agenda:

(i) Prejudices the board of directors concerning a student or personnel matter that is on the agenda for the board's consideration of a disciplinary or employment action; or

(ii) Is in conflict with school district policy or law.

~~(2)(3)(A) Except in emergency situations, regular and special Regular meetings of the school board of directors and all school board committees, and special meetings of the school board of directors and school board committees that deal with personnel or personnel policies, shall, except in emergency situations, shall be held after 5:00 p.m.~~

(B) A meeting of the school board or a school board committee that does not deal with personnel or personnel policies may occur at any time and on any day, regardless of whether there is an emergency.

~~(3)(A)(4)(A) Not less than~~ At least ten (10) days ~~prior to~~ before the date of a regular meeting of its board of directors, a public school district shall publish on the public school district's website a notice of the date, time, and place of the meeting.

~~(B) Not less than~~ At least twenty-four (24) hours ~~prior to~~ before a rescheduled regular meeting, a public school district shall publish on the public school district's website a notice ~~on its website~~ of the change in the date, time, or place of the regular meeting.

~~(b)(1)~~ The secretary of a board of directors shall:

(1) Keep Minutes minutes of regular and special meetings of the ~~school~~ board of directors, ~~shall be kept by the secretary of the board of directors and filed by him or her in a permanent record~~ including without limitation a:

(A) Record of the members present or not present at the meeting;

(B) Record of the outcome of a vote; and

~~(2)(C) This record shall also contain a copy~~ Copy of all budgets of the school district and all reports of the county treasurer on the financial affairs of the school district; and

(2) Maintain a permanent record of the minutes.

(c)(1)(A) A board member shall be physically present at a meeting to be counted for purposes of a quorum or to vote.

(B) If a quorum is not established or maintained, a vote shall not be taken until a quorum is established or restored.

(C) A majority of a quorum voting affirmatively shall be is required for the passage of any motion or resolution.

~~(B)(D)~~ (D) Any member who abstains from voting shall be counted as having voted against the motion or resolution.

~~(C)(E)(i)~~ (E)(i) If a member announces a conflict of interest with regard to ~~the~~ an issue, the member may leave the meeting until the voting on the issue is concluded, ~~and the~~.

(ii) A member who leaves a meeting due to a conflict of interest:

(a) Shall not be counted in the board's vote;

and

(b) Shall not be considered present for the purpose of establishing a quorum until the member returns to the meeting after the vote.

(2) ~~For~~ Except as provided under subdivision (c)(1)(E)(ii) of this section, for the purposes of this section, a quorum shall be a majority of the membership of the board of directors.

/s/J. Key

APPROVED: 04/02/2013