

Stricken language would be deleted from and underlined language would be added to present law.
Act 589 of the Regular Session

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H2/15/17
A Bill

HOUSE BILL 1523

By: Representative Sturch

For An Act To Be Entitled

AN ACT CONCERNING THE TRAINING OF MEMBERS OF THE
BOARD OF DIRECTORS OF A PUBLIC SCHOOL DISTRICT; AND
FOR OTHER PURPOSES.

Subtitle

CONCERNING THE TRAINING OF MEMBERS OF THE
BOARD OF DIRECTORS OF A PUBLIC SCHOOL
DISTRICT.

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

SECTION 1. Arkansas Code § 6-13-611(a) and (b)(1), concerning
vacancies on a school board, is amended to read as follows:

(a) A vacancy shall occur on a school district board of directors if a
board member:

(1) Moves his or her bona fide permanent residence outside the
boundaries of the school district;

(2) Fails to physically attend three (3) consecutive regular
meetings of the school district board of directors unless the failure is due
to:

(A) Military service of the board member; or

(B) Illness of the board member that is verified by a
written sworn statement of the board member's attending physician;

(3) Fails to physically attend six (6) regularly scheduled board
meetings of the school board of directors in a calendar year unless the
failure is due to:

(A) Military service of the board member; or



(B) Illness of the board member that is verified by a written sworn statement of the board member's attending physician;

(4) Fails to receive the mandatory hours of training within the time frame required by § 6-13-629 unless the failure was due to:

(A) Military service of the board member; or

(B) A serious medical condition as demonstrated by a written sworn statement of the board member's treating physician;

(5) Is convicted of a felony in accordance with § 6-13-612;

~~(5)~~(6) Is called to active military duty in accordance with § 6-13-613;

~~(6)~~(7) Resigns from the school board of directors; or

~~(7)~~(8) Dies.

(b)(1) If credible evidence of a violation of subdivisions ~~(a)(1)-(3)~~ (a)(1)-(4) is presented to the president, vice president, or secretary of a school district board of directors, a majority of the members of the school district board of directors shall:

(A) Vote on whether to appoint an independent investigator to investigate the credible evidence presented; and

(B) Hold a hearing on the existence of a vacancy on the school district board of directors.

SECTION 2. Arkansas Code § 6-13-629(a)(1) and (a)(2)(A), concerning the training of school board members, is amended to read as follows:

(a)(1)(A) 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.

(B) A member of a school district board of directors elected for an initial or non-continuous term shall obtain:

(i) 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; and

(ii) The training or instruction under subdivision ~~(a)(2)(B)~~ (a)(3)(B) of this section within the first fifteen (15) months of service on the board of directors.

(2)(A) 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 to the board at the board's regular January meeting.

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

(i) Permitted thirty (30) days from the date of the January board meeting to complete the deficient training hours; and

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

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

(i) The board member's failure to receive the required training was due to military service of the board member; or

(ii) 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.

(D) A board member who provides the necessary documentation under subdivision (a)(2)(C) of this section shall have until December 31 of the year following the year the board member failed to receive the required hours of training to receive both the hours of training under subdivision (a)(1) of this section for the current year and those the board member failed to obtain the previous year.

(E) 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.

(3)(A) The training and instruction required under this section 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:

(i) Legal requirements, including without

limitation:

(a) The items listed or required by the
Legislative Joint Auditing Committee under § 6-1-101; and

(b) Other financial laws or regulations
designated by the Department of Education;

(ii) Role differentiation;

(iii) Financial management, including without
limitation how to read and interpret an audit report; and

(iv) Improving student achievement.

/s/Sturch

APPROVED: 03/23/2017