

**SCHOOL BOARD  
OPERATIONS**

**SECTION 1 OF 9**

## **SECTION I – SCHOOL BOARD OPERATIONS**

- 1:1 Legal Status of the Board of Directors**
- 1:2 Board Organization and Vacancies**
- 1:3 Duties of President**
- 1:4 Duties of Vice-President**
- 1:5 Duties of the Secretary**
- 1:6 Board Member Voting**
- 1:7 Power and Duties of the Board**
- 1:8 Governance by Policy**
- 1:9 Policy Formulation**
- 1:10 Association Memberships**
- 1:11 Board Training**
- 1:12 Committees**
- 1:13 Superintendent/Board Relationship**
- 1:14 Meeting Agenda**
- 1:15 Tort Immunity**
- 1:16 Duties of Board Disbursing Officer**
- 1:17 Nepotism**
- 1:18 District Audits**
- 1.21 Date of Annual School Board Election**
- 1.22 Recording of Board Meetings**
- 1.23 Addressing the Board**
- 1.24 Board Representative on Education Service Cooperative Board of Directors**

## **1:1 LEGAL STATUS OF THE BOARD OF DIRECTORS**

By the authority of Article 14 of the Arkansas Constitution, the General Assembly has provided that locally elected school boards will be responsible for the lawful operation and maintenance of its local schools.

While the Board has a broad range of powers and duties, its individual members only have authority when exercising their responsibilities in a legally convened meeting acting as a whole. The sole exception is when an individual member has been delegated authority to represent the Board for a specific, defined purpose. In matters such as personnel discipline, expulsions, and student suspensions initiated by the superintendent, the Board serves as a finder of fact, not unlike a jury. For this reason, the board should not be involved in or, to the extent practicable, informed of the facts or allegations of such matters prior to a board hearing or those disciplinary matters in which the Board could become involved.

It is the policy of the Cabot School Board that its actions will be taken with due regard for its legal responsibilities and in the belief that its actions shall be in the best interests of its students and the District as a whole.

Legal Reference:       A.C.A. § 6-13-620

Date Adopted: February 18, 2003

Last Revised: July 19, 2010

## **1:2 BOARD ORGANIZATION and VACANCIES**

The Board shall elect a president, vice president, and secretary at the first regular meeting following the annual school election. In the case of a runoff election, the officers shall be elected at the first regular meeting following the runoff election. Officers shall serve one-year terms and perform those duties as prescribed by policy of the Board.

By resolution adopted by majority vote, the board of directors shall designate one (1) of its members who shall serve as the primary board of directors disbursing officer of the school district. This resolution shall be filed with the county treasurer and the Director of the Department of Finance and Administration.

When the position of an officer of the board becomes vacant, the officer's position shall be filled for the remainder of the year in the same manner as for the annual election of officers after the annual school election. Election of Board officers shall not occur except on a once per year basis or to fill an officer vacancy.<sup>4</sup>

### **Vacancies**

A vacancy shall exist on the Board 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;
3. Fails to physically attend six (6) regularly scheduled board meetings of the school board of directors in a calendar year;
4. Fails to receive the mandatory hours of training within the statutory time period;
5. Is convicted of a felony;
6. Is called to active military duty;
7. Has served a full-length term as a holdover and has not subsequently been elected to another term;<sup>5</sup>
8. Resigned from the school board of directors; or
9. Dies.

If credible evidence of a vacancy existing due to numbers 1 through 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:

- Vote on whether to appoint an independent investigator to investigate the credible evidence presented; and
- Hold a hearing on the existence of a vacancy.<sup>6</sup>

A vacancy does not exist for numbers 2, 3, and 4 if the reason for the member's absences or failure to receive training is either:

- 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.

When a vacancy occurs on the board of directors, a successor to a vacated position shall be appointed:

- I. If at least a quorum of the Board remains, by the remaining Board of Directors within thirty (30) days for vacancies resulting from numbers 1 through 8 above and up to sixty (60) days for vacancies due to the board member's death; or
- II. If less than a quorum of the Board remains or the Board fails to fill the vacancy within the time permitted, by the county quorum court.

The successor to a vacant position must be registered to vote in the District, and if applicable, reside in the zone of the vacant position.

When a vacancy on the Board resulted from a board member's failure to receive the required training within the statutory time period, the board shall not appoint the individual who failed to receive the required training to fill the vacancy.

Except for a temporary vacancy due to military service, an individual appointed to fill a vacancy shall serve until the annual school election following the appointment. An individual appointed to fill a temporary vacancy due to military service shall serve until either the Board member who has been called to active military service returns and notifies the Board secretary of his/her desire to resume service on the Board or the Board member's term expires. If a Board member's term expires while the board member is on active military duty, the board member may run for re-election; if re-elected, the re-elected Board member's temporary vacancy shall be filled again in the manner prescribed in this policy.

The county clerk shall be notified of an appointment to the school district board of directors within five (5) days of the appointment being made. The notice shall include the name of the appointed board member and the expiration date of his or her term.

An individual appointed to fill a vacancy must submit proof of having received the oath of office to the county clerk before the individual may assume any duties.

Legal Reference:       A.C.A. § 6-13-611  
                              A.C.A. § 6-13-612  
                              A.C.A. § 6-13-613  
                              A.C.A. § 6-13-616  
                              A.C.A. § 6-13-618  
                              A.C.A. § 6-13-629

Date Adopted: February 18, 2003

Last Revised: June 21, 2022

### **1:3 DUTIES OF THE PRESIDENT**

The duties of the president of the Board of Education shall include, but shall not be limited to:

1. Presiding at all meetings of the Board;
2. Calling special meetings of the Board;
3. Working with the Superintendent to develop Board meeting agendas;
4. Signing all official documents that require the signature of the chief officer of the Board of Education;
5. Appointing all committees of the Board and serving as ex-officio member of such committees;
6. Performing such other duties as may be prescribed by law or action of the Board.

The president shall have the same right as other members to offer resolutions, make or second motions, discuss questions, and to vote.

Legal Reference: A.C.A. § 6-13-619 (a) (1)

Date Adopted: February 18, 2003

Last Revised: February 18, 2003

## **1:4 DUTIES OF THE VICE-PRESIDENT**

The duties of the Vice President of the Board shall include:

1. Serving as presiding officer at all school board meetings from which the president is absent.
2. Performing such other duties as may be prescribed by action of the Board.

Date Adopted: February 18, 2003

Last Revised: February 18, 2003

## **1:5 DUTIES OF THE SECRETARY**

The duties of the Secretary of the Board shall include:

1. Being responsible to see that a full and accurate record of the proceedings of the Board are kept.
2. Serving as presiding officer in the absence of the President and the Vice President.
3. Being responsible for official correspondence of the Board.
4. Signing all official documents that require the signature of the Secretary of the Board of Education.
5. Calling special meetings of the Board.
6. Performing such other duties as may be prescribed by the Board.

Legal Reference: A.C.A. § 6-13-619 (a) (1)

Date Adopted: February 18, 2003

Last Revised: February 18, 2003



## **1:6 BOARD MEMBERS' VOTING**

All Board members, including the President, shall vote on each motion, following a second and discussion of that motion.

Any member who abstains from voting shall be counted as having voted against the motion or resolution.

If a member announces a conflict of interest with regard to an issue, the member may leave the meeting until the voting on the issue is concluded. A member who leaves a meeting due to a conflict of interest shall not be counted in the board's vote and shall not be considered present for the purpose of establishing a quorum until the member returns to the meeting after the vote.

Legal Reference: A.C.A. § 6-13-619 (c) (1)(B) & (C)

Date Adopted: February 18, 2003

Last Revised: May 21, 2013

## **1:7 POWERS AND DUTIES OF THE BOARD**

The Cabot Public Schools' Board of Education, operating in accordance with State and Federal laws, assumes its responsibilities for the operation of Cabot Public Schools. The board shall concern itself primarily with the broad questions of policy as it exercises its legislative and judicial duties. The administrative functions of the District are delegated to the Superintendent who shall be responsible for the effective administration and supervision of the District.

Some of the duties of the Board include:

1. Developing and adopting policies to affect the vision, mission, and direction of the district;
2. Understanding and abiding by the proper role of the Board of Directors through study and by obtaining the necessary training professional development;
3. Electing and employing a Superintendent and giving him/her the support needed to be able to effectively implement the Board's policies;
4. Conducting formal and informal evaluations of the Superintendent annually or no less often than prior to any contract extension;
5. Employing, upon recommendation of the administrative staff and by written contract, the staff necessary for the proper conduct of the schools;
6. Approving the selection of curriculum and seeing that all courses for study and educational content prescribed by the State Board or by law for all grades of schools are offered and taught;
7. Reviewing, adopting, and publishing the district's budget for the ensuing year;
8. Being responsible for providing sufficient facilities, grounds, and property and ensuring they are managed and maintained for the benefit of the district;
9. Monitoring district finances and receiving, reviewing, and approving each annual financial audit;
10. Understanding and overseeing District finances to ensure alignment with the District's academic and facility needs and goals;
11. Visiting schools and classrooms when students are present no less than annually;
12. Setting an annual salary schedule;
13. Being fiscally responsible to the district's patrons and maintaining the millage rate necessary to support the district's budget;

14. Involving the members of the community in the district's decisions to the fullest extent practicable;
15. Striving to assure that all students are challenged and are given an equitable educational opportunity.

Legal References: A.C.A. § 6-13-620, 622

Date Adopted: February 18, 2003

Last Revised: July 19, 2011

## **1:8 GOVERNANCE BY POLICY**

The district shall operate within the legal frameworks of the State and Federal Constitutions, and appropriate statutes, regulations, and court decisions. The legal frameworks governing the district shall be augmented by policies adopted by the board of directors, which shall serve to further define the operations of the district.

When necessitated by unforeseen circumstances, the Superintendent shall have the power to decide and take appropriate action for an area not covered by the legal frameworks or a policy of the Board. The Superintendent shall inform the members of the Board of such action. The Board shall then consider whether it is necessary to formulate and adopt a policy to cover such circumstances.

The official copy of the policy manual for the District shall be kept in the Superintendent's office. Copies of the manual within the District shall be kept current, but if a discrepancy occurs between manuals, the Superintendent's version shall be regarded as authoritative.

Administrative regulations shall be formulated to implement the intentions of the policies of the Board. Regulations may be highly specific. The Board shall review administrative regulations prior to their implementation.

Date Adopted: February 18, 2003

Last Revised: July 19, 2011

## **1:9 POLICY FORMULATION**

The Board affirms through its policies and its policy adoption process, its belief that: (1) the schools belong to the people who create them by consent and support them by taxation; (2) the schools are only as strong as an informed citizenry and knowledgeable school staff allow them to be; (3) the support is based on knowledge of, understanding about, and participation in the efforts of its public schools. The following shall be the guidelines for policy adoption for the Cabot School District.

### **General Policies**

Policies which are not personnel policies may be recommended by the Board or any member of the Board; by the Superintendent, Assistant Superintendent, any other administrator or employee of the District; committee appointed by the Board; or by any member of the public. Policies adopted by the Board shall be within the legal framework of the State and Federal Constitutions: appropriate State and Federal statutes; State rules; Federal regulations; and court decisions.

When reviewing a proposed policy (non-personnel), the Board may elect to adopt, amend, refer back to the person proposing the policy for further consideration, take it under advisement, reject it, or refuse to consider such proposal.

### **Personnel Policies**

Personnel policies (including teacher salary schedules) shall be created, amended, or deleted in accordance with State law:

#### **(1) Board Proposals:**

The Board may propose a personnel policy by a majority vote. Such policies may be presented to the Board by a Board member or the Superintendent. The Board may choose to adopt the proposal, as a proposal only, by majority vote.

Following the adoption of a proposed personnel policy, the proposal must be presented to the Personnel Policy Committee. Such presentation should be done in writing, to all members of the Committee.

When the Personnel Policies Committee has been in possession of the proposal for a minimum of ten (10) working days (i.e., ten weekdays, not including weekends or state or national holidays), the Board may vote to adopt the proposal as a policy.

#### **(2) Personnel Policies Committee Proposals:**

The Personnel Policies Committee may recommend changes in personnel policies to the Board. When making such a proposal the Chairman of the Personnel Policies Committee, or the Chair's designee, may make an oral presentation to the Board.

The Board may vote on the proposal at the same meeting at which the proposal is made, or, in any case, no later than the next regular Board meeting. In voting on a proposal from the Personnel Policies Committee, the Board

may:

- (a) Adopt the proposal;
- (b) Reject the proposal; or
- (c) Refer the proposal back to the Personnel Policies Committee for further study and revision.

A copy of all personnel policies shall be signed by the president of the Board of Directors and kept in a central records location.

All personnel policies must be sent to the PPC for the minimum ten (10) days regardless of the intended effective date of the policy.

**Effective date of policy changes:**

All personnel policy changes enacted during one fiscal year will become effective on the first day of the following fiscal year, July 1. This specifically includes any changes made between May 1 and June 30 to ensure compliance with state or federal laws, rules, or regulations or the Division of Elementary and Secondary Education Commissioner's Memos. In addition, changes to policies to maintain compliance with state or federal laws, state rules, federal regulations, or Commissioner's Memos that are after June 30 but are adopted within ninety (90) days from the effective date of the legal change that created the need for the policy adoption shall become effective on the final date of adoption.

Changes made to licensed personnel policies between May 1 and June 30 that are **not** made to ensure compliance with state or federal laws or regulations will take effect on July 1 of the same calendar year provided no later than five (5) working days after final board action, a notice of the change is sent to each affected employee by electronic mail to the address on record in the personnel file. The notice of the change must include:

- a. The new or modified policy or policies provided in a form that clearly shows the additions underlined and the deletions stricken;
- b. A statement that due to the change(s), the employee has the power to unilaterally rescind his/her contract for a period of thirty (30) days after the school board took final action on the policy (policies). The rescission must be in the form of a letter of resignation within the thirty (30) day period.

Except for policy changes to ensure compliance with changes in the law that are adopted within the ninety (90) day window, for a policy change to be made effective prior to July 1 of the following fiscal year, a vote must be taken of the appropriate Personnel Policies Committee. If the affected PPC approves the earlier effective date by a majority vote, the policy becomes effective as of the date of the vote, unless otherwise specified by the Board in requesting such vote. No PPC vote taken prior to final board action will be considered effective to make a policy change.

All non-personnel policy changes may become effective upon the Board's approval of the change, unless the Board specifies a different date.

The District shall create, revise, and adopt a District student media policy in conjunction with the District's student media advisor(s) and appropriate District administrators.

The District's personnel policy committees shall annually review the District's student discipline policies along with State and District discipline data. Based on the committees' annual review, the committees may recommend changes to such policies to the Board of Directors.

Parents, students, and school district personnel, including teachers, shall be involved in the development of student discipline policies.

Legal References:       A.C.A. § 6-13-619(c)  
                              A.C.A. § 6-13-620  
                              A.C.A. § 6-13-636  
                              A.C.A. § 6-17-201 et seq.  
                              A.C.A. § 6-17-204, 205  
                              A.C.A. § 6-17-2301 et seq.  
                              A.C.A. § 6-18-502  
                              A.C.A. § 6-18-1202  
                              DESE Rules Governing Student Discipline and School Safety

Date Adopted: February 18, 2003

Last Revised: June 20, 2023

## **1:10 ASSOCIATION MEMBERSHIPS**

The Board shall be a member of the Arkansas School Boards Association and may be a member of other organizations which, in the opinion of the Board, will be beneficial to the Board in carrying out its duties more effectively.

Legal Reference:       A.C.A. § 6-13-107

Date Adopted: February 18, 2003

Last Revised: June 21, 2022



## **1:11 BOARD TRAINING**

Individuals who are elected to serve on the District's board of directors are required to receive annual training related to board service. Board members who are elected to serve an initial or non-continuous term shall obtain a minimum of nine (9) hours of training by December 31 of the year following their election and a minimum of six (6) hours of training by December 31 each calendar year thereafter. The initial nine (9) hours of training a board member received shall include:

- Training on how to read and interpret an audit report; and  
Information regarding school safety and student discipline

Board members who have served on the board for twelve (12) or more consecutive months are required to obtain a minimum of six (6) hours of training by December 31 of each calendar year. Hours a board member obtains in excess of the required minimums may be carried forward through December 31 of the third calendar year following the year in which the hours were earned.

The superintendent shall annually prepare a report on board training hours to be presented to the Board at the Board's regular January meeting. The report shall be presented in a table format with a row for each board member and columns for each of the following:

1. The hours of training each school board member received between January 1 and December 31 of the previous calendar year;
2. Hours of training, if any, a board member carried forward from a previous year that were eligible to be counted by the board members towards the previous year.
3. The sum of numbers 1 and 2; and
4. The number of training hours the board member was required to receive during the previous calendar year.

A board member who failed to receive or carry forward the required number of hours of training, as indicated by the report, shall:

- a. Have from January 1 through thirty (30) days following the date of the January board meeting to complete the deficient hours of training; and
- b. Not participate in official business, except for school board training, until the board member obtains the deficient hours of training.

A board member who fails to receive the deficient hours of training within the time provided shall be removed from the board in accordance with Policy 1.2 – BOARD ORGANIZATION AND VACANCIES unless the failure to receive the required hours of training was due to the board member's military service or a serious medical condition as indicated by a written sworn statement from the board member's treating physician. A board member who provides the necessary documentation demonstrating that the failure to receive the required hours of training was due to military service or a serious illness shall have until December 31 of the

current calendar year to receive both the hours of training for the current calendar year and those the board member failed to obtain during the previous calendar year.

The training shall be focused on topics relevant to school laws, school operations, and the powers, duties, and responsibilities of the members of the board of directors. The responsibilities include, but are not limited to legal requirements; role differentiation; financial management; improving student achievement; reading and interpreting an audit report; the duties and responsibilities of the various levels of employees within the district as well as those of the board of directors; and information regarding school safety and student discipline.

The district is responsible for maintaining a record of the hours of training received by each board member. Board members shall make a concerted effort to submit documentation of training they have received to the superintendent or his/her designee. In the absence of such documentation, the district shall attempt to obtain records of training received from training providers.

Such training may be obtained from an institution of higher learning, from instruction provided by the Division of Elementary and Secondary Education (DESE) or the Arkansas School Boards Association, or from other providers approved by the DESE.

A statement regarding the number of hours of training received each preceding calendar year shall be:

- Part of the district's comprehensive school plan and goals;
- Published in the same way as other components of the comprehensive plan and goals are required to be published;
- Part of the annual school performance report required to be submitted to, and published by the Arkansas Department of Education.

Board members shall be reimbursed, from school funds, for expenses relating to such training and Board members shall be paid a per diem stipend for days necessary to attend such training with the amount of such stipend to be determined by the Board in July of each year.

Legal Reference:           A.C.A. § 6-13-629  
                                  DESE Rules Governing Required Training for School Board Members  
                                  Standards for Accreditation 3-A.6 and 5-A.1

Date Adopted: February 18, 2003

Last Revised: June 15, 2021

## **1:12 COMMITTEES**

From time to time, in order to obtain and/or encourage public participation in the operation of the District, the Board may appoint committees, which may include members of the public, students, parents, and school employees, as well as members of the Board.

Any committee, which includes among its members a member of the School Board, shall operate according to the requirements of the Arkansas Freedom of Information Act.\*

\* Legal Reference: A.C.A. § 25-19-105

Date Adopted: February 18, 2003

Last Revised: February 18, 2003

## **1:13 SUPERINTENDENT/ BOARD RELATIONSHIP**

The Board's primary responsibility is to develop, working collaboratively with the community, a vision and mission for the District. The Board formulates and adopts policies to achieve that vision and elects a Superintendent to implement its policies. The Board and the Superintendent and the relationship between them set the tone for the district to follow. The relationship is enhanced when both parties understand their roles and carry them out in an ethical and professional manner working to develop a relationship of mutual trust and respect.

The Superintendent and staff are responsible for administering the Board's policies and will be held responsible for the effective administration and supervision of the District. The Superintendent is authorized to develop and implement administrative regulations to fulfill the Board's policies, provided such regulations are consistent with the intent of the Board's policies.

Date Adopted: February 18, 2003

Last Revised: February 18, 2003

## **1:14 MEETING AGENDA**

The agenda guides the proceedings of the Board meeting. The Superintendent shall prepare the agenda with consultation from the Board President. Other members of the Board who desire to have an item placed on the monthly agenda may do so by contacting the Superintendent or, in writing, the Board President at least five (5) business days prior to the meeting date and the item will be duly considered for inclusion.

At each regular monthly meeting of the Board, a report or presentation regarding student academic data or performance shall be provided to the Board.

The chairman of the PPC, or the chairman's designee, shall be placed on the Board of Director's meeting agenda to make an oral presentation to the Board to address either a personnel policy proposed by the Board that the PPC committee has possessed for no less than ten (10) work days or a personnel policy that the PPC wishes to propose to the Board.

District patrons wishing to have an item placed on the Board meeting's agenda must submit their requests to the Superintendent, in writing, at least five (5) business days prior to the meeting of the Board. The written request must be sufficiently descriptive to enable the Board to fully understand and evaluate its appropriateness to be an agenda item. Such requests may be accepted, rejected, or referred back to the individual for further clarification.

The Superintendent shall notify the Board President of all written requests to be placed on the agenda along with the Superintendent's recommendation concerning the request. No item shall be placed on the agenda that would operate to prejudice the Board concerning a student or personnel matter that could come before the Board for disciplinary or employment considerations or that is in conflict with other District policy or law.

The Superintendent shall be responsible for Board members receiving copies of the Agenda with all accompanying pertinent information at least three (3) days prior to the meeting.

This policy's advance notice requirements do not apply to special or called board meetings.

Legal References:       A.C.A. § 6-13-619  
                              A.C.A. § 6-17-205  
                              A.C.A. § 6-17-2305

Date Adopted: February 18, 2003  
Last Revised: June 20, 2023

## **1:15 TORT IMMUNITY**

The District, as well as its agents, officers, employees, and volunteers are immune from liability for negligence, pursuant to A.C.A. § 21-9-301. When allegations of negligence are raised, whether in litigation or not, the statutory grant of immunity will be asserted.

Date Adopted: February 18, 2003

Last Revised: February 18, 2003

## **1.16 —DUTIES OF BOARD DISBURSING OFFICER**

The disbursing officer, along with the superintendent, shall be responsible for signing, manually or by facsimile, all warrants and checks other than those issued for food service and activity funds.

Legal Reference:       A.C.A. § 6-13-618(c)  
                              6-13-701(g) delineates what constitutes “activity funds.”

Date Adopted: May 21, 2013

Last Revised: May 21, 2013

## **1.17—NEPOTISM**

### **DEFINITIONS:**

Family or family member means:

- a. An individual's spouse;
- b. Children of the individual or children of the individual's spouse;
- c. The spouse of a child of the individual or the spouse of a child of the individual's spouse;
- d. Parents of the individual or parents of the individual's spouse;
- e. Brothers and sisters of the individual or brothers and sisters of the individual's spouse;
- f. Anyone living or residing in the same residence or household with the individual or in the same residence or household with the individual's spouse; or
- g. Anyone acting or serving as an agent of the individual or acting or serving as an agent of the individual's spouse.

Initially employed means:

- A. Employed in either an interim or permanent position for the first time or following a severance in employment with the school district; or
- B. A change in the terms and conditions of an existing contract, excluding movement of an employee on the salary schedule that does not require board action.

### **NEW HIRE OF SCHOOL BOARD MEMBER'S RELATIVE AS SCHOOL EMPLOYEE**

The district shall not initially employ a present board member's family member for compensation in excess of \$5,000 unless the district has received approval from the Commissioner of the Department of Education. The employment of a present board member's family member shall only be made in unusual and limited circumstances. The authority to make the determination of what qualifies as "unusual and limited circumstances" rests with the Commissioner of the Department of Education whose approval is required before the employment contract is effective, valid, or enforceable.

Initial employment for a sum of less than \$5,000 per employment contract or, in the absence of an employment contract, calendar year does not come under the purview of this policy and is permitted.

The board member whose family member is proposed for an employment contract, regardless of the dollar amount of the contract, shall leave the meeting until the voting on the issue is concluded and the absent member shall not be counted as having voted.

### **EXCEPTION: SUBSTITUTES**

Qualified family members of board members may be employed by the district as substitute teachers, substitute cafeteria workers, or substitute bus drivers for a period of time not to exceed thirty (30) days per fiscal year.



A family member of a school board member having worked as a substitute for the district in the past does not “grandfather” the substitute. The 30 day maximum limit is applied in all cases.

**EXISTING EMPLOYEES WHO ARE FAMILY MEMBERS OF SCHOOL BOARD MEMBERS—RAISES, PROMOTIONS OR CHANGES IN COMPENSATION**

Any change in the terms or conditions of an employment contract including length of contract, a promotion, or a change in the employment status of a present board member’s family member that would result in an increase in compensation of more than \$2,500, and that is not part of a state mandated salary increase for the employee in question, must be approved by the Commissioner of the Department of Education before such changes in the employment status is effective, valid, or enforceable.

**QUALIFICATIONS FOR RUNNING FOR SCHOOL BOARD MEMBER UNCHANGED**

The employment status of a citizen’s family member does not affect that citizen’s ability to run for, and, if elected, serve the school board provided he/she meets all other statutory eligibility requirements.

Legal References: A.C.A. § 6-24-102, 105

Date Adopted: May 21, 2013  
Last Revised: June 20, 2023

## **1:18 DISTRICT AUDITS**

The District's annual audit serves as an important opportunity for the Board of Directors to review the fiscal operations and health of the district. As such, it is vital Board members receive sufficient explanation of each audit report to enable the members to understand the report's findings and help them better understand the District's fiscal operations.

The District shall have an audit conducted annually within the timelines prescribed by law. The audit shall be conducted by the Arkansas Legislative Audit or through the audit services of a private certified public accountant(s) approved by the Board.

The Board of Directors shall review each annual audit at the first regularly scheduled board meeting following the receipt of the audit if the District received the audit prior to ten (10) days before the regularly scheduled meeting. If the audit report is received less than ten (10) days prior to a regularly scheduled board meeting, the board may review the report at the next regularly scheduled board meeting following the ten (10) day period.

The Superintendent shall present sufficient supporting/background information relating to the report's findings and recommendations which will enable the Board of Directors to direct the Superintendent to take appropriate action in the form of a motion or motions relating to each finding and recommendation contained in the audit report. Actions to be taken will be in sufficient detail to enable the Board of Directors to monitor the District's progress in addressing substantial findings and recommendations and subsequently determine that they have been corrected. The minutes of the Board's meeting shall document the review of the audit's findings and recommendations along with any motions made by the Board or actions directed to be taken by the Superintendent or designee.

The Board of Directors is responsible for presenting the audit's findings each year to the public .<sup>1</sup>

Notes: <sup>1</sup> The Standards of Accreditation (7.03.3.1) requires a report to the public by November 15, but doesn't specify it include the audits' findings. A.C.A. § 6-13-620(6)(F) requires the reporting of the audit's findings, but doesn't specify any date by which they must be reported. In other words, you MAY go over the audit report at you annual meeting, but it is not required.

Legal References: A.C.A. § 6-1-101(d)(1)(2)(3)  
A.C.A. § 6-13-620(6)(F)

Date Adopted: July 19, 2011

Last Revised:

## **1.21—DATE OF ANNUAL SCHOOL BOARD ELECTION**

The annual school board election for the Cabot School District shall be held on the:

- Date of the preferential primary election in even-numbered years; and
- Second Tuesday in May in odd-numbered years.

Individuals wishing to run for office in the election may begin circulating petitions to collect signatures ninety (90) days before:

- The Tuesday after the second Monday in November for elections held concurrently with a preferential primary election for years when the office President of the United State will appear on the ballot at the general election; or
- March 2 for elections held concurrently with a preferential primary election for years in which the office of Governor will appear on the ballot at the general election and elections held in odd years.

Candidates may file their petition, affidavit of eligibility, and political practices pledge with the county clerk during a one week filing period that closes at noon on:

- The Tuesday after the second Monday in November for elections held concurrently with a preferential primary election for years when the office of President of the United States will appear on the ballot at the general election; or
- March 2 for elections held concurrently with a preferential primary election for years in which the office of Governor will appear on the ballot at the general election and elections held in odd years.

A copy of this policy will be provided annually to the county clerk and the county election commission at least one hundred (100) days before the day the candidate filing period opens.

Legal References: A.C.A. 6-14-102

A.C.A. § 6-14-111

A.C.A. § 7-7-203

Date Adopted: June 19, 2018

Last Revised: June 20, 2023

## **1.22—RECORDING OF BOARD MEETINGS**

The District shall record<sup>1</sup> all meetings of the District’s Board of Directors, including subcommittee meetings, except as follows:

- Executive sessions of the Board of Directors; and
- Student disciplinary hearings that are closed to the public.

The District shall retain meeting recordings for one (1) year.

Note: <sup>1</sup> The recordings may be in audio only or video and audio both.

Legal Reference: A.C.A. § 25-19-106

Date Adopted: May 19, 2020

Last Revised: June 20, 2023

## **1.23 ADDRESSING THE BOARD**

The Board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. Therefore, the Board may set aside time for statements by guests during regular monthly school board meetings. Such statements will not be permitted during special school board meetings. The purpose of these comments is to give community members an opportunity to provide input directly to the Board about issues that fall within the Board's authority. To fulfill this purpose, comments must be directed to the Board.

District patrons living within the school district boundaries, current employees of the Cabot School District, students, or parents/guardians of a student currently enrolled in the Cabot School District who wish to speak during the public comment portion must submit a completed request form in person at the Central Administrative Office to the Superintendent at least five (5) business days prior to the meeting of the Board. A potential speaker may only submit his/her own written request and shall not submit the requests of others. Therefore, you will be required to show a photo ID when submitting your request. The request must be sufficiently descriptive to fully assess the appropriateness of the topic of the comments. For example, requests which include topics that would operate to prejudice the Board concerning a student or personnel matter that could come before the Board for disciplinary or employment considerations or that is in conflict with other District policy or law will not be allowed. District constituents are reminded that the Board serves as a finder of fact, not unlike a jury, in matters such as student suspensions initiated by the Superintendent, expulsions, and personnel discipline. For this reason, the Board may not be involved or informed prior to a board hearing on particular student or personnel disciplinary matters.

The Superintendent shall notify the Board President of all completed requests for public comment. Speakers will be recognized based on the order that an eligible, completed request was received, giving priority first to those who have not yet had the opportunity to address the Board and second to those who have not had the opportunity to address the Board recently. The agenda for the meeting will be posted on the District website twenty-four (24) hours before the meeting, and the speakers' names will be listed on the agenda. Time will be set aside at the end of the meeting for comments from five (5) speakers. Each speaker will have a maximum of three (3) minutes to speak. He/she should limit comments to those noted in the written request. The individual speaking should not include any other speakers in the presentation. A speaker cannot ask a substitute to stand in his/her place to speak. When three (3) minutes have elapsed, the speaker should immediately end comments.

Speakers will present their comments from the podium and should address their comments to the entire Board and not to one individual Board member, the Superintendent, a staff member, or the audience. Speakers should refrain from personal attacks, vulgarities, obscenities, and threats and disruptive and abusive speech. The Board President, or his/her designee, reserves the right to stop a speaker who is not adhering to the guidelines and the remainder of that speaker's time will be forfeited. The members of the Board will listen to the speaker's presentation, but will not respond to the presenter. The Board uses the public comment period as an opportunity to listen to citizen concerns but not to debate issues or enter into a question-

and-answer session. Failure to follow the guidelines for public speaking may result in the speaker not being placed on future agendas.

Requests received that extend beyond the allotted time for public comment will not carry over to the next month. A patron should re-apply to speak at the next board meeting if time does not allow for the patron's comment at the initial board meeting and the patron still wishes to address the Board. Written requests for the next regularly scheduled board meeting will not be accepted until the first business day of the week following the previous board meeting. Requests received prior to the deadline each month will be provided to the Board for their review regardless of whether that patron is recognized to speak at the meeting.

Additionally, the Board accepts public comment at any time via email, phone, and mail and welcomes the dialogue created in those types of communication. Board members' contact information can be found on the District website.

Date Adopted: June 21, 2022

Last Revised:

## **1.24—BOARD REPRESENTATIVE ON EDUCATION SERVICE COOPERATIVE BOARD OF DIRECTORS**

The Cabot School District Board of Directors shall adopt a resolution to appoint an individual as the Board's representative on the Wilbur D. Mills Education Service Cooperative Board of Directors during a legally held meeting of the Board that is signed by both the Board president and secretary.

The individual selected to represent the Board on the Wilbur D. Mills Education Service Cooperative Board of Directors shall fall under one (1) of the following:

- The District superintendent;
- An employee of the District;
- A member of the District's Board; or
- A member of the District community who resides within the boundaries of the District.

The Board's position on the Wilbur D. Mills Education Service Cooperative Board of Directors shall be vacant if the individual was a District employee, including the superintendent, or a member of the District's Board and the individual leaves the District's employment or the Board.

A copy of the resolution shall be forwarded to the director of the Wilbur D. Mills Education Service Cooperative:

- By June 30 of each year; and
- As soon as possible after the Board selects a representative to fill a vacancy.

The appointment as the Board's representative on the Wilbur D. Mills Education Service Cooperative shall be for a two (2) year term. An individual shall hold over until the individual's successor is appointed. The Board may appoint the same individual for subsequent terms.

Legal Reference: A.C.A. § 6-13-1006

Date Adopted: June 20, 2023

Last Revised: May 21, 2024