

ARKANSAS DEPARTMENT OF EDUCATION
DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
RULES GOVERNING REQUIRED TRAINING
FOR SCHOOL BOARD MEMBERS

June 2018 _____

1.00 REGULATORY AUTHORITY

1.01 The State Board of Education promulgates *this Rule these Rules* pursuant to Ark. Code Ann. §§ 6-11-105, 6-13-629, and Acts 589 of 2017 168 and 1029 of 2019.

1.02 This Rule shall be known as the Arkansas Department of Education (ADE) Division of Elementary and Secondary Education (DESE) Rules Governing Required Training for School Board Members

2.00 PURPOSE

2.01 The purpose of *this Rule these Rules* is to outline the type and amount of training required for new and continuing local school board members.

3.00 DEFINITIONS

3.01 “Annual School Performance Report” means the report required to be posted on the ADE DESE website for each school district annually under Ark. Code Ann. § 6-15-1402.

3.02 “Comprehensive School Improvement Plan” means the plan that each local school district must prepare annually under the Arkansas Department of Education Division of Elementary and Secondary Education Rules Governing Standards for Accreditation of Arkansas Public School and School Districts Section 7.04.1 Standard 5-A.1.

4.00 TRAINING HOURS REQUIRED

4.01 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.

4.02 A member of a school district board of directors elected for an initial or non-continuous term shall obtain 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.

4.02.1 The training or instruction under Section 4.02 of this Rule shall be accomplished within the first fifteen (15) months of service on the board of directors shall include training or instruction on how to read and interpret an audit report.

- 4.03 Hours of training and instruction obtained in excess of the minimum requirements each year may accumulate and be carried forward through December 31 of the third calendar year following the year in which the hours were obtained.

5.00 TRAINING CONTENT

- 5.01 The training and instruction required under this Rule shall include topics relevant to school laws, school operations, and the powers, duties, and responsibilities of the members of the boards of directors, including without limitation:

5.01.1 Legal requirements, including without limitation:

- 5.01.1.1 The following items listed or required by the Legislative Joint Auditing Committee under Ark. Code Ann. § 6-1-101:

5.01.1.1.1 Audit management letter

5.01.1.1.2 Ethical guidelines

5.01.1.1.3 School elections

5.01.1.1.4 Management of schools

5.01.1.1.5 Revolving loan funds

5.01.1.1.6 School district finances

5.01.1.1.7 School district school bonds

5.01.1.1.8 Teachers and employees

5.01.1.1.9 Teachers' salaries

5.01.1.1.10 Deposit and investments of funds

5.01.1.1.11 Improvement contracts

- 5.01.1.2 Other financial laws or regulations designated by the Arkansas Department of Education Division of Elementary and Secondary Education;

5.01.2 Role differentiation;

5.01.3 Financial management, including without limitation how to read and interpret an audit report;

- 5.01.1.3 The training or instruction on how to read and interpret an audit report shall be conducted by a person who:

5.01.1.3.1 Is licensed to practice accounting by the Arkansas State Board of Public Accountancy and has prior experience conducting school district financial audits.

5.01.1.3.2 The instructor of the audit training must not be an employee of the *Division of Legislative Audit Arkansas Legislative Audit* unless the training is conducted for the boards of directors of multiple school districts.

5.01.1.3.3 The instructor must not be the person conducting the annual audit or other financial audit of the school district unless the training or instruction is presented in a large group setting sponsored by a statewide or regional organization that is attended by multiple school districts.

5.01.1.4 Training or instruction shall be conducted under the consultation or supervision of an individual who qualifies under Section 5.01.1.3 of these rules as part of a program that is provided:

5.01.1.4.1 By an institution of higher education located in Arkansas;

5.01.1.4.2 From instruction sponsored or approved by the Department of Education *Division of Elementary and Secondary Education*; or

5.01.1.4.3 By an in-service training conducted by or through the Arkansas School Boards Association.

5.01.1.5 The audit training or instruction may be presented by electronic means, in person, or both.

5.01.4 Improving student achievement.; and

5.01.5 Information regarding school safety and student discipline.

5.01.5.1 A member shall be required to complete the program in Section 5.01.5 only one (1) time.

6.00 TRAINING PROVIDERS

6.01 This instruction may be provided to board members by an institution of higher learning in this state, by programs sponsored or approved by the ADE DESE, or by an in-service training program conducted by or through the Arkansas School Boards Association

6.02 Any instruction directly provided to board members by either an institution of higher learning in this state, the ADE DESE, or the Arkansas School Boards

Association, which instruction meets the training content requirements of Section 5.00 of *this Rule these Rules*, shall not require pre-approval by the ADE DESE. All other instruction must be pre-approved by the ADE DESE in order for the training to count towards the required hours under Section 4.00 of this Rule.

- 6.03 At least thirty (30) days before a training program meeting the content requirements of Section 5.00 of *this Rule these Rules* is offered to members of a local school district's board of directors, the provider shall provide a detailed description of the entire program including staff qualifications to the ADE DESE.
- 6.04 The ADE DESE shall promptly review the content of the program for compliance with any and all applicable statutes and department Division rules to determine if any or all of the program content shall be deemed to provide training and instruction credit and shall establish the time period the training and instruction provider is approved to offer the program.
- 6.05 Upon notification by the ADE DESE of approval of the program (or a part or parts thereof) for training and instruction credit, the provider may enroll participants in the program and offer the program for training and instruction credit for the set time period.
- 6.06 The provider shall be responsible for the preparation and dissemination of proof of completion of the program (or parts thereof) to all attendees. All such proof, or copies thereof, shall be submitted by the board member attendees to the superintendent of the district whose board they serve.

7.00 RECORDS OF TRAINING

- 7.01 A school district shall maintain a record of hours of training and instruction for board members, which may be in the form of an attested, cumulative annual report from the training providers and which shall be subject to verification and inspection during the school district's annual audit
- 7.02 A statement of the hours of training and instruction obtained by each board member in the preceding year shall be:
 - 7.02.1 Part of the school district's comprehensive school improvement plan and goals;
 - 7.02.2 Posted in the same way that other components of the comprehensive school improvement plan and goals are required to be; and
 - 7.02.3 Made a part of the annual school performance report required under Ark. Code Ann. § 6-15-1402.
- 7.03 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 at the board's regular January meeting.

7.03.1 Members who fail to receive or carry forward the required number of training shall be:

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

7.03.1.2 Suspended from participating in official business, except for board member training, until the board member obtains the deficient hours.

7.03.2 A board member who fails to cure the board member's training hours deficiency within the thirty (30) days allowed in Section 7.03.1.1 shall be removed from the board and the board member's position shall be filled in accordance with Ark. Code Ann. § 6-13-611 unless:

7.03.2.1 The board members' failure to receive the required training was due to military service of the board member; or

7.03.2.2 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.

7.03.3 A board member who provides the necessary documentation under Section 7.03.2 shall have until December 31 of the year following the year the board member failed to receive the required training to receive both the hours of training required for the current year and the hours the board member failed to obtain the previous year.

8.00 AUTHORIZATION TO REIMBURSE FOR RELATED EXPENSES

8.01 Local school district boards of directors are authorized to pay a reasonable per diem and other necessary expenses from funds belonging to the school district and to reimburse school board directors for expenses incurred in attending in-service workshops, conferences, and other courses of training and instruction required in completing the training and instruction as required under *this Rule these Rules*.

9.00 ENFORCEMENT

9.01 A school district shall demonstrate compliance with the requirements of *this Rule these Rules* in addition to complying with the provisions of Section 7.00 of *this Rule these Rules* by causing its superintendent to file a written statement of assurance with the ADE DESE pursuant to Ark. Code Ann. § 6-15-202.

9.02 A school district which fails to comply with the provisions of Ark. Code Ann. § 6-13-629 and the procedural requirements articulated in *this Rule these Rules* shall be subject to being placed in probationary status pursuant to Section 24.18 6.00 of the Arkansas Department of Education Division of Elementary and Secondary

Education Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts.

- 9.03 A vacancy on the school board shall occur if a board member fails to receive the mandatory hours of training within the time frame required by Ark. Code Ann. § 6-13-629 unless the failure was due to military service of the board member or a serious medical condition as demonstrated by a written sworn statement of the board member's treating physician.
- 9.04 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.

MARK UP

Exhibit A

ARKANSAS DEPARTMENT OF EDUCATION
 DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
 REQUEST TO PRESENT A TRAINING PROGRAM TO
 SCHOOL BOARD MEMBERS

Please compile the following information and submit it electronically via the Department's Division's website:

<http://www.arpdsam.org/>

Pursuant to Section 6.03 of the Department's Division of Elementary and Secondary Education Rules Governing Required Training for School Board Members (Rule), program providers must submit a detailed description of the entire program, including staff qualification, to the Department to be received at least thirty (30) days prior to the date of the program. This deadline will allow for departmental review of the program to determine whether training and instruction credit pursuant to Ark. Code Ann. § 6-13-629 and this Rule may be awarded.

1.) Name and Address of Provider: _____

2.) Contact Person for Provider: Name: _____

Address _____

Phone Number: _____

Fax: _____

E-Mail _____

3.) Title and Detailed Description of Program: _____

4.) Please indicate how the program content will apply to Section 5.00, Training Content, of the Rules Governing Required Training for School Board Members

5.) Date(s) program is to be presented: _____

6.) Members of provider's staff who will provide instruction at the program:

a.) Staff Member's Name: _____

Address: _____

Phone Number _____

Fax Number: _____

E-mail: _____

List qualifications to present program (include relevant educational background, work experience, examples of similar programs presented, etc.):

b.) Staff Member's Name: _____

Address: _____

Phone Number _____

Fax Number: _____

E-mail: _____

List qualifications to present program (include relevant educational background, work experience, examples of similar programs presented, etc.):

c.) Staff Member's Name: _____

Address: _____

Phone Number _____

Fax Number: _____

E-mail: _____

List qualifications to present program (include relevant educational background, work experience, examples of similar programs presented, etc.):

d.) Staff Member's Name: _____

Address: _____

Phone Number _____

Fax Number: _____

E-mail: _____

List qualifications to present program (include relevant educational background, work experience, examples of similar programs presented, etc.):

e.) Staff Member's Name: _____

Address: _____

Phone Number _____

Fax Number: _____

E-mail: _____

List qualifications to present program (include relevant educational background, work experience, examples of similar programs presented, etc.):

f.) Staff Member's Name: _____

Address: _____

Phone Number _____

Fax Number: _____

E-mail: _____

List qualifications to present program (include relevant educational background, work experience, examples of similar programs presented, etc.):

- 7.) Please add to this document any other information that you believe would be helpful in assisting the Department Division in determining whether to grant your request.
- 8.) The ADE DESE shall promptly review the content of the program for compliance with any and all applicable *statute statutes* and department Division rules to determine if any or all of the program content shall be deemed to provide training and instruction credit and shall establish the time period the training and instruction provider is approved to offer the program.
- 9.) Upon notification by the ADE DESE of approval of the program (or parts thereof) for training and instruction credit, the provider may enroll participants in the program and offer the program for training and instruction credit for the set time period.
- 10.) The provider shall be responsible for the preparation and dissemination of proof of completion of the program (or parts thereof) to all attendees. All such proofs, or copies thereof, shall be submitted by the board member attendees to the superintendent of the district whose board they serve.

Submitted by: _____ Date: _____

FOR ADE DESE USE ONLY

Date Provider Information Received _____

Date Reviewed: _____

Request to Present Program: Approved: _____

Denied: _____

Date of decision: _____

Signature of ADE DESE Representative: _____