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BOARD GOVERNANCE AND OPERATIONS

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.

It is the policy of the Jasper 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: October 28, 2004

1.2—BOARD ORGANIZATION

The Board shall elect a president, vice president, and secretary at the first regular meeting following the annual September 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. The board shall also elect one of its members to be the primary board disbursing officer and may designate one or more additional board members as alternate board disbursing officers.¹

Legal Reference: A.C.A. § 6-13-618

Date Adopted: October 28, 2004

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; and

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: October 28, 2004

Last Revised:

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; and
- 2. Performing such other duties as may be prescribed by action of the Board.

Date Adopted: October 28, 2004

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; and

6. Performing such other duties as may be prescribed by the Board.

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

Date Adopted: October 28, 2004

Last Revised:

1.6—BOARD MEMBER VOTING

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

In order for a Board member to abstain from voting, he must declare a conflict and remove himself from the meeting room during the vote.

Failure of any Board member to vote, while physically present in the meeting room, shall be counted as a "no" vote, i.e., a vote against the motion.

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

Date Adopted: October 28, 2004

1.7—POWERS AND DUTIES OF THE BOARD

The Jasper Board of Education, operating in accordance with State and Federal laws, assumes its

responsibilities for the operation of Jasper 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 effect the vision of the District;

2. Understanding and abiding by the proper role of the Board of Directors;

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 as deemed necessary and appropriate;

5. Employing, upon recommendation of the administrative staff and by written contract, the staff necessary for

the proper conduct of the schools;

6. Seeing that all subjects for study prescribed by the State Board or by law for all grades of schools are

taught;

7. Preparing and publishing the district's budget for the ensuing year;

8. Being responsible for the maintenance of the District's buildings, grounds, and property;

9. Setting an annual salary schedule;

10. Being fiscally responsible to the district's patrons and maintaining the millage rate necessary to support the

district's budget;

11. Involving the members of the community in the district's decisions to the fullest extent practicable; and

12. Striving to assure that all students are challenged and are given an equal educational opportunity.

Legal References:

A.C.A. § 6-13-620, 622

Date Adopted: October 28, 2004

Last Revised:

1.8—GOVERNANCE BY POLICY

The Jasper School District shall operate within the guidelines of the written policies adopted by the Board of Directors. Those policies shall be within the legal frameworks of the State and Federal Constitutions, and appropriate statutes, regulations, and court decisions.

When necessitated by unforeseen circumstances, the Superintendent shall have the power to decide and take appropriate action for an area not covered by 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: October 28, 2004

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 Jasper 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, and appropriate statutes, 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.

Certified and Noncertified Personnel Policies

Personnel policies (including employee 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 appropriate Personnel Policy Committee. Such presentation should be done in writing, to all members of the Committee.

When the Personnel Policies Committee has been presented 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:

Either 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 Chairman'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.

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.

For a policy change to be made effective prior to July 1 of the following fiscal year, a vote must be taken of all certified personnel or all noncertified personnel, as appropriate, with the vote conducted by the appropriate Personnel Policies Committee. If, by a majority vote, the affected personnel approve, the policy becomes effective as of the date of the vote, unless otherwise specified by the Board in requesting such vote. No staff vote taken prior to final board action will be considered effective to make a policy change.

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

Legal References: A.C.A. § 6-17-204, 205

Date Adopted: October 28, 2004

1.10—ASSOCIATION MEMBERSHIPS

The Board shall be a member of the Arkansas School Boards Association and may be a member of the National School Boards Association and 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: October 28, 2004

1.11—BOARD TRAINING

All Board members are required by law to obtain a minimum of six (6) hours of instruction in the school laws of the State, and in their powers, duties, and responsibilities as Board members.

Such training may be obtained from an institution of higher learning, from instruction provided by the Arkansas Department of Education, or from the Arkansas School Boards Association.

Board members shall be reimbursed, from school funds, for expenses relating to such training.

Legal Reference: A.C.A. § 6-13-629

Date Adopted: October 28, 2004

Last Revised:

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. § 25-19-106

Date Adopted: October 28, 2004

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: October 28, 2004

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. Items may be placed on the agenda upon request by any Board member or by members of the community. Community members must submit their agenda item requests, in writing to the Superintendent, at least seven (7) days prior to the meeting of the Board. The written request must be sufficiently descriptive to enable the Superintendent and Board President 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 be responsible for Board members receiving copies of the Agenda with all accompanying pertinent information at least four (4) days prior to the meeting.

Persons representing items not placed on the agenda will be allowed two (2) minutes to speak regarding their items of concern. The President of the Board shall have the option of allowing additional time if he/she deems that appropriate. No action will be taken at that meeting on any items presented in such circumstances.

Date Adopted: October 28, 2004

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.

The School Board retains the right to settle claims for negligence, as authorized by A.C.A. § 21-9-301, but it shall do so only in the most extraordinary circumstances. If any claim is settled, the District and the School Board specifically do not waive immunity above the amount of the settlement, nor is that immunity waived for any other claim, at any time, regardless of whether it is similar in nature.

Date Adopted: October 28, 2004

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)

Date Adopted: October 28, 2004