

## **1.9—POLICY FORMULATION**

### **General Policies**

Policies that are not personnel Policies may be recommended by:

1. The Board or any member of the Board;
2. The Superintendent or any other employee of the District;
3. Committee appointed by the Board; or
4. 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.

Except for personnel Policies, when reviewing a proposed Policy, 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 the proposal.

### **Licensed and Classified Personnel Policies**

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

### **Board Proposals**

The Board may adopt a proposed personnel Policy by a majority vote. Such Policies may be proposed 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 (PPC). Such presentation shall be in writing, to all members of the Committee.

When the PPC has possessed the proposed personnel Policy for a minimum of ten (10) working days from the date the PPC received the proposed Policy (i.e., ten (10) workdays, not including weekends or state or national holidays), 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 the proposed Policy. Following the presentation, the Board may vote at the same meeting at which the proposal is made, or, in any case, no later than the next regular Board meeting to:

1. Adopt the Board's original proposed Policy as a Policy;
2. Adopt the PPC's counter proposed Policy as a Policy; or
3. Refer the PPC's counter proposed Policy back to the PPC for further study and revision. Any such referral is subject to the same adoption process as a proposed Policy originating from the Board.

### **Personnel Policies Committee Proposals**

Either PPC may recommend changes in personnel policies to the Board. When making such a proposal, the Chairman of the PPC, or the Chairman's designee, shall be placed on the Board's meeting agenda to make an oral presentation to the Board.

The Board may vote on the proposed Policy 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 proposed Policy from the PPC, the Board may:

1. Adopt the proposal;
2. Reject the proposal; or
3. 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 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 Date Adopted of the Policy.

**Date Adopted 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; state rules; federal 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 Date Adopted 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; state rules; or federal 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 first class mail to the address on record in the personnel file. The notice of the change must include:

1. The new or modified Policy or policies provided in a form that clearly shows the additions underlined and the deletions stricken;
2. 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 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 PPC.

If the affected PPC approves the earlier effective date by 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.

Parents, students, and District personnel, including teachers, shall be involved in the development of student discipline Policies.

Cross References:      3.0—LICENSED PERSONAL POLICY COMMITTEE  
                                 3.1—LICENSED PERSONNEL SALARY SCHEDULE  
                                 4.14—STUDENT MEDIA AND THE DISTRIBUTION OF LITERATURE  
                                 4.17—STUDENT DISCIPLINE  
                                 8.0—CLASSIFIED PERSONAL POLICY COMMITTEE  
                                 8.1—CLASSIFIED PERSONNEL SALARY SCHEDULE

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. § 6-17-2301 et seq.  
                                 A.C.A. § 6-18-502  
                                 A.C.A. § 6-18-1202  
                                 DESE Rules Governing Student Discipline and School Safety

Additional Reference:   ASBA Model Policies

Date Adopted: January 24, 2022

Last Revised: