

# **Hope Academy of Northwest Arkansas**

## **Board Governance and Operations**

2021-2022

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## **Board Resolution and Approval**

The Hope Academy of Northwest Arkansas School Board (School Board), by way of a Resolution adopted by the School Board at its March 18, 2021, meeting, has adopted the following policies as the official policies of the School Board effective March 18, 2021.

The Board shall periodically review these policies, on no less than an annual basis, and amend and revise them as changes in the law or the school's operation require.

The Board shall cause to be attached to these policies any Resolutions which it adopts which authorize the amendment and revision of the policies.

# Legal Authority for Governance

The school was granted a charter by the state public charter school authorizer and is operating pursuant to the authority granted by that charter or any subsequent renewals, and the laws and operating documents contained or contained by reference therein.

LEGAL REFERENCE:  
[Ark. Code Ann. § 6-23-306](#)

# Anti-Discrimination Statement

The school, along with its School Board and staff, shall provide equal opportunity in education and employment to all qualified students and employees. The school does not and shall not discriminate or permit discriminatory behavior toward students or personnel. The school is an equal opportunity employer, and as such will not discriminate in employment, advertisements for employment, pay, termination, and other benefits or conditions of employment with the school on the basis of any of the categories listed within this policy.

In employment, the school will not discriminate on the basis of race, color, religion, gender, age, national origin, disability, sex, marital status, genetic information, military status, or any other reason prohibited by Federal or State law regarding non-discrimination in its interactions with employees, contractors, vendors, volunteers, agencies, and other organizations engaged in business with the school.

The school is committed to the success of every student and will not discriminate in the provision of equal educational opportunities on the basis of race, color, religion, gender, age, national origin, disability, HIV/AIDS status, sex, parental or marital status, or military status in its interactions with students. In addition, the School Board provides equal access to the Boy Scouts/Girl Scouts and other designated youth groups. This holds true for all students who are interested in participating in educational programs and/or extracurricular school activities. The school will comply with all applicable federal and state laws, rules and regulations which apply to the operation of the school, including but not limited to the following:

- Title VI of the Civil Rights Act, which prohibits discrimination on the basis of race, color, or national origin by educational programs receiving federal funds.
- Title VII of the Civil Rights Act, which prohibits discrimination in employment on the basis of race, color, national origin, religion, or sex.

- Title IX of the Education Amendments, which prohibits discrimination on the basis of sex against students.
- The Americans with Disabilities Act (Title I and Title V of the Americans with Disabilities Act of 1990, as amended) protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.
- The Equal Pay Act, in addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.
- The Age Discrimination in Employment Act, which prohibits discrimination in employment opportunities on the basis of age for covered persons over the age of 40.
- The Rehabilitation Act, which prohibits discrimination against “otherwise qualified” students and employees with disabilities.
- Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers’ acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

## **Anti-Retaliation Statement**

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice. The school will not retaliate in violation of any Federal or State law.

The superintendent shall implement and enforce this policy and shall consult legal counsel when appropriate.

The superintendent or his or her designee is the responsible federal designee for responding to questions and comments under this policy and each of its enumerated federal Acts. Any complaint under this policy must be submitted in writing to the superintendent or his or her designee. Employees, students, and parents receiving reports of violations of this policy are encouraged to bring these issues immediately to the attention of the superintendent or his or her designee. The school shall immediately investigate any complaint filed under this policy and shall act appropriately in accordance with the findings of the investigation.

Disabled individuals needing reasonable accommodations to participate in and enjoy the benefits of services, programs, and activities of the School Board are required in advance to notify the administrator at the school/center at which the event or service is offered to request reasonable accommodation. The lack of English language skills will not be a barrier to any opportunity or event associated with the school.

**LEGAL REFERENCE:**  
42 U.S.C. §2000d  
42 U.S.C. §2000e-2  
29 U.S.C. §206(d)  
20 U.S.C. § 1681 et seq.  
29 U.S.C. § 623  
29 U.S.C. §794  
42 U.S.C. § 12101 et seq.  
29 U.S.C. § 701  
34 CFR 104.8; 106.9; 108.9;  
110.22-23 & 25  
42 U.S.C. § 6102 & 6103  
45 CFR 90.45

## General School Board Authority

Hope Academy is an affiliate of the Northwest Arkansas Children’s Shelter, NWACS, a nonprofit corporation organized under Arkansas nonprofit corporation laws. The School Board will be accountable to Board of Directors of the Northwest Arkansas Children’s Shelter (NWACS). The school is governed by the School Board, with specific authority as set forth in its charter application and the By-laws of its sponsoring entity, NWACS.

**LEGAL REFERENCE:**  
Ark. Code Ann. § 6-23-103 Ark.  
Code Ann. § 6-13-620

# General Duties and Responsibilities of the School Board

The School Board will serve as the governing authority of the school and shall possess all decision-making authority over the operations of the school, including but not limited to the areas set forth in the charter application, and any attachments thereto.

<b>LEGAL REFERENCE:</b>
<u>Ark. Code Ann. § 6-13-611 Ark. Code Ann. § 6-13-612 Ark. Code Ann. § 6-13-613 Ark. Code Ann. § 6-13-616 Ark. Code Ann. § 6-13-618</u>

## Specific Additional Legal Duties of School Board

A director has 3 legal duties under the Arkansas Nonprofit Corporation Act of 1993: the duty of loyalty, the duty to act in good faith, and the duty of care. These duties are derived from the law of for-profit corporations and the legal standards are basically the same.

### Duty of Loyalty

The duty of loyalty requires directors to act at all times in the best interest of the organization and always put the organization's interests above their own.

### Duty to Act in Good Faith

To act in "good faith" essentially means to be honest, above-board, and to act in a reasonable manner. For example, to attempt to manipulate others in service of a secret purpose would not be acting in good faith. If a director honestly believes his/her actions are in the best interest of the organization and tells the truth about his/her motivations, he/she is probably acting in good faith.

### Duty of Care

The duty of care requires a director to act "with the care an ordinarily prudent person in a like position would exercise under similar circumstances."

"Prudent" means cautious, careful and sensible. To the extent that an average, ordinary person would be cautious under a certain set of circumstances, a person acting in his role as director of a nonprofit organization is expected to conform to that standard of care.

As a practical matter, the duty of care means that directors must be reasonably informed and participatory. They must pay attention, ask questions, and oversee the management of the organization in a responsible manner. Directors should review minutes, financial statements, audits, plans, policies and other board documents on a regular basis.

**LEGAL REFERENCE:**

*Ark. Code Ann. §4-28-201 et seq.*

## **Composition and Election of the School Board Members**

The School Board will be comprised of at least 5 members, 2 of which will be members of the NWACS board, and no more than 19 members. The School Board, a subcommittee of the NWACS board, will be appointed by the NWACS board to guide the operation of Hope Academy. It will be composed of NWACS board members and other individuals with experience, knowledge, and passion for education to guide the policies of the school. The board members are volunteers from the community serving a term for a period of 3 years, with no term limits.

No person who is elected to the School Board shall be eligible for employment at Hope Academy during his or her tenure on the School Board. No person elected to the School Board may be married to anyone who serves in an administrative position at Hope Academy.

**LEGAL REFERENCE:**

*Ark. Code Ann. § 6-13-620 Ark.  
Code Ann. § 6-23-303 Ark. Code  
Ann. § 6-23-306*

## Compensation

Members of the School Board shall serve without compensation but may receive reimbursement for actual expenses incurred for attendance at meetings, conferences, et cetera, at which the member attends as assigned by the Board.

All documentation supporting such expenses must be submitted to the superintendent within 10 days after such expenditures were incurred, on a form to be provided by the superintendent or the school's treasurer or business manager.

**CROSS REFERENCE:**

*Board Member Expense  
Reimbursement Request Form*

## Board Operations

The NWACS board shall appoint for the School Board prior to July 1 of each year:

- A President;
- A Vice President;
- A Secretary; and
- A Treasurer

By a resolution adopted by a majority vote, the School Board shall designate one or more of its members to serve as the primary School Board disbursing officer for the school. The School Board may also choose, either in the same resolution or separately, to designate one or more School Board members to serve as an alternate disbursing officer or officers to serve in the absence of the primary disbursing officer.

A member of an administrator's family or former spouse will not be initially employed as a disbursing officer at the school unless the school first receives written approval from the Commissioner of Education.

The resolution(s) designating the disbursing officer(s) (and alternate disbursing officer(s), if applicable) must be filed with the County Treasurer and the Director of the Department of Finance and Administration. The superintendent or his or her designee shall be responsible for ensuring that such resolution(s) is/are properly and timely filed.

All warrants or checks of the school shall bear the signatures of both the disbursing officer or the alternate disbursing officer and the superintendent.

**LEGAL REFERENCE:**

*Ark. Code Ann. § 6-13-618*

# Powers and Duties of School Board

The powers and duties of the School Board include, but are not limited to:

- Developing and adopting policies to affect the vision, mission, and direction of the District;
- Understanding and abiding by the proper role of the School Board through study and by obtaining the necessary training professional development;
- Electing and employing a Superintendent and giving him/her the support needed to be able to effectively implement the School Board's policies;
- Conducting formal and informal evaluations of the Superintendent annually or no less often than prior to any contract extension;
- Employing, upon recommendation of the administrative staff and by written contract, the staff necessary for the proper conduct of the schools;
- 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;
- Reviewing, adopting, and publishing the District's budget for the ensuing year;
- Being responsible for providing sufficient facilities, grounds, and property and ensuring they are managed and maintained for the benefit of the district;
- Monitoring District finances and receiving, reviewing, and approving each annual financial audit;
- Understanding and overseeing District finances to ensure alignment with the District's academic and facility needs and goals;
- Visiting schools and classrooms when students are present no less than annually;
- Setting an annual salary schedule;
- Involving the members of the community in the district's decisions to the fullest extent practicable; and
- Striving to assure that all students are challenged and are given an equitable educational opportunity.

## **LEGAL REFERENCE:**

Ark. Code Ann. § 6-13-620, Ark. Code Ann. § 6-13-622, Ark. Code Ann. § 6-13-625; Board of Directors By-Laws

## Board President Duties

**Parliamentarian:** The President shall preside at meetings of the School Board and may decide questions of procedure by referring to “Robert’s Rules of Order, Revised” or other parliamentary procedure guide.

**Appoint Committees:** The President shall appoint all committees (unless otherwise directed by the School Board), sign official documents of the School Board, call a special meeting of the School Board whenever conditions set forth for special meetings have been met and perform other duties as may be prescribed by law or by action of the School Board.

**Preside over Hearings:** The President shall have the same right as other School Board members to offer resolutions, to make or second motions, to discuss questions and to vote thereon. The President, or his or her designee if permitted by law, shall preside over all grievance, personnel and disciplinary hearings required by law or School Board policy to be heard by the School Board.

## Board Vice-President Duties

The Vice-President shall preside at School Board meetings, in the absence of the president, and perform other duties as may be assigned by the School Board.

## Board Secretary Duties

The secretary of the School Board shall perform the duties of the president in the absence of the president and the vice-president. The superintendent, or his or her designee, will record minutes of all meetings and will distribute minutes of meetings to the School Board for review no later than 10 days prior to the next regularly scheduled School Board meeting.

When a quorum of the School Board has convened and neither the president nor the vice- president is present, the members shall elect one of their number to serve as president for that meeting.

## Dealings with Family Members or Employees of over \$10,000

If it appears the total transactions or contracts with the board member or a School Board member's or Administrator's family member for a fiscal year total, will total \$10,000 or more, the superintendent shall forward the written resolution along with all relevant data to the Commissioner for independent review and approval.

If it appears that the total transactions with an employee for a fiscal year total, will total \$10,000 or more, the superintendent shall forward the written resolution along with all relevant data to the Commissioner or Education for independent review and approval.

### **LEGAL REFERENCE:**

[Ark. Code Ann. § 6-24-105 through 107 ADE Rules Governing Ethical Guidelines and Prohibitors for Educational Administrators, Employees, Board Members, and other parties](#)

## Conduct of All Board Members

It is the belief of the School Board that its members should hold themselves to a high standard of accountability in their roles as School Board members and thus shall strive to adhere to the following tenets:

- Attend all meetings of their School Board, unless prevented from doing so by unavoidable circumstances;
- Be prepared for full participation in all board meetings, and have reviewed all materials pertaining to the meeting;
- Be responsive and courteous to inquiries from patrons and citizens, but direct inquiries for information about school operations and matters which could become the subject of School Board hearings (e.g., student or personnel matters, conduct, etc.) to the superintendent;
- Keep confidential School Board discussions held in closed or executive sessions;
- Realize and support the fact that decisions made by the School Board are reflective of the School Board as a whole and do not speak publicly against the decisions of the School Board which are personally disagreed with; and
- Do all things possible to promote the ability of the school's students to receive the best possible educational experience.

# Election of Board Officers

Officers for School Board shall be appointed by the NWACS board no later than July of each year.

Officers may serve no more than 2 consecutive terms in a particular officer position.

**LEGAL REFERENCE:**

[Ark. Code Ann. § 6-13-618](#)

# Board Meeting Agendas

Any board member who desires to have an item included on an upcoming School Board agenda shall submit a description of such item at least 14 days in advance of the meeting, whenever possible, to the School Board President. The President shall promptly submit such item to the superintendent.

At least 5 days before a regular monthly meeting of the School Board, the superintendent shall notify the President of the School Board of:

- All written requests to be placed on the School Board agenda; and
- The superintendent's recommendation concerning each request.
- A request to be placed on the agenda shall not be granted if placement on the agenda:
  - Prejudices the School Board concerning a student or personnel matter that is on the agenda for the School Board's consideration of a disciplinary or employment action; or
  - Is in conflict with School district policy or law.

The superintendent should regularly schedule meetings with the President of the School Board at least 7 to 10 days in advance of each School Board's meeting to ensure that all approved items requested for placement on the agenda by the superintendent, School Board members and the general public are properly included on the agenda, and that all relevant supporting materials are received by the deadline and contained in the agenda packet.

After confirmation of the agenda items and materials the superintendent or his or her designee should immediately arrange for the dissemination of the agenda and materials to the School Board members and ensure that all deadlines for the posting and dissemination of notices for the meeting have been met.

**LEGAL REFERENCE:**

[Ark. Code Ann. § 6-13-619](#)

## Notification of Board Meetings

In addition to the other notice requirements set forth in these board policies, the school shall provide the following notice of School Board meetings:

*Regular Meetings:* The school shall provide notice of the time and place of each regular meeting to persons upon contacting the superintendent's Office and making such a request.

*Special or Emergency Meetings:* The school shall provide at least 2 hours' notice of special or emergency meetings to news media located in Benton County and news media elsewhere that cover the regular meetings of the School Board, upon the receipt of such a request by the superintendent's Office.

**LEGAL REFERENCE:**

[Ark. Code Ann. §25-19-106](#)

**RESOURCE:**

[Timeline for Board Meetings](#)

## Special Meetings

The School Board may call a special meeting to consider items upon which it is either required by law to consider before its next scheduled regular monthly meeting or which are necessitated by a time-sensitive situation.

Special meetings shall be conducted in the same mode and manner as regular meetings of the School Board and in compliance with board policies and law.

**LEGAL REFERENCE:**

[Ark. Code Ann. § 6-13-619](#)

## Place of Board Meetings

The School Board meetings shall be held at 4:30 pm on the 3<sup>rd</sup> Thursday of each month at NWACS. In the event that the School Board meetings are held by way of telephone conference call or by audiovisual transmission, access to the call or other transmission of the meeting shall be available to the public in the usual School Board meeting place, or other meeting area as listed in the posted meeting notice.

## Posting of Board Meeting Notices to Website

At least 10 days before the date of a regular meeting of the School Board, the school shall publish on its website a notice of the date, time and place of the meeting. At least 24 hours before a rescheduled regular meeting, the school shall publish on its website a notice of the change in the date, time, or place of the regular meeting.

The superintendent or his or her designee shall ensure that such notice is properly published.

**LEGAL REFERENCE:**

[Ark. Code Ann. § 6-13-619](#)

## School Board Conflicts of Interest

A School Board member shall not have any direct pecuniary interest in a contract with the School, nor shall the member furnish directly any labor, equipment, or supplies to the School except as permitted under Arkansas law.

In the event a School Board member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the School, the School Board member shall declare his or her potential conflict of interest, and shall refrain from debating and voting upon the contract in question as recommended by Arkansas law.

It is not the intent of this policy to prevent the school from contracting with corporations or businesses because a School Board member is an employee of the firm. The policy is designed to prevent placing a School Board member in a position in which his/her duties to the school and to the member's employment (or other indirect interest) might conflict, and to avoid appearances of impropriety even though none may exist.

All aspects of the foregoing policy shall be applicable to the superintendent, as well as the members of the School Board.

**LEGAL REFERENCE:**

[Ark. Code Ann. § 6-13-619](#)  
[ADE Rules Governing Ethical Guidelines and Prohibitions for Educational Administrators, Employees, Board Members and Other Parties](#)

## Quorum and Voting

Except as provided in the separate policy concerning remote attendance, a School Board member shall be physically present at a meeting to be counted for purposes of a quorum or to vote. If a quorum is not established or maintained, a vote shall not be taken until a quorum is established or restored. A majority of a quorum voting affirmatively is required for the passage of any motion or resolution. Any member abstaining from a vote shall be counted as a vote against the motion or resolution.

If a member announces a conflict of interest with regard to an issue, the member must 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 School 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. Except as provided above, a quorum shall be a majority of the membership of the School Board. A quorum of the School Board must be physically present for the School Board to enter an executive session.

**LEGAL REFERENCE:**

[\*Ark. Code Ann. § 6-13-619 \(c\)\*](#)

## Remote Board Meeting Attendance and Voting

A member of the School Board may attend board meetings remotely, as necessary. The School Board may allow a remote member to count for purposes of establishing a quorum up to three times per calendar year. Any single member may not attend remotely more than one time per calendar year, unless the School Board gives prior approval by a simple majority vote. Any member attending a meeting remotely must do so by a method that allows the School Board members and members of the public to hear the remote School Board member at all times, and also allows the remote School Board member to fully participate and hear the other School Board members and members of the public at all times. When a member attends a meeting remotely to be counted for a quorum and to vote, the President of the School Board shall verify the identity of the member attending remotely by facial recognition if the member is using video, or by voice recognition if the member is using audio only. The School Board Secretary will note that the member has been verified.

A quorum of the School Board must be physically present for the School Board to enter an executive session. A remote School Board member who is used to establish a quorum shall not be counted to determine if the School Board may enter executive session. A member of the School Board attending remotely shall not attend an executive session or closed hearing remotely, nor vote on an issue that is the subject of an executive session or closed hearing. A remote School Board member's inability to vote on an item discussed in executive session shall be treated as if the School Board member had

**LEGAL REFERENCE:**

[\*Ark. Code Ann. § 6-13-619\*](#)

Note: During the pandemic, it is our desire to keep School Board Members and the public safe. Consequently, we believe it prudent to not meet in person. All School Board meetings will be held virtually until it is deemed safe to begin meeting in person.

## **Replacing Vacant Positions on the School Board**

A vacancy shall occur on the School Board if a School Board member fails to physically attend 3 consecutive regular meetings or a total of 6 regularly scheduled meetings within a calendar year, is convicted of a felony, resigns, or dies. A School Board member's absence will be excused due to military service or illness of the Board member that is verified by a written sworn statement of the School Board member's attending physician. A replacement School Board member who will serve until the next election period shall be appointed by the NWACS board. A vacancy does not exist until an affirmation vote has taken place.

At least 15 days before a hearing is held on whether a vacancy exists, a notice of the hearing shall be sent by certified mail or personal delivery to the School Board member whose eligibility is in question. The School Board member in question shall have an opportunity to speak before the other School Board members. He or she may submit one written request to the School Board to request an alternative time for the hearing, which may be no later than the next regularly scheduled meeting of the School Board, or to notify the President or Secretary of the School Board that he or she will send a representative to the meeting in his or her place. The School Board shall make a record of the hearing and keep copies of any evidence presented. A written transcript shall be made available upon request.

Within 10 days of a vote to remove a member of the School Board due to vacancy, the School Board shall provide a written notification of removal to the ineligible School Board member. The notice will contain a statement of the removal, the date of the vote, and the right to appeal. The notice will be delivered personally or by registered or certified mail with the return receipt signed by the addressee only.

The NWACS board shall fill the vacancy by the appointment of a qualified person within 30 days after the effective date of the member's vacancy if the vacancy results in an officer position being vacant, the NWACS board shall appoint a replacement. Any replacement board member shall serve for the remainder of the existing term.

## **Executive Session**

The School Board shall convene in executive session only for the purpose of considering the employment, appointment, promotion, demotion, disciplining, or resignation of any employee. The School Board shall conduct any vote on a matter discussed in executive session after reconvening in open session.

**LEGAL REFERENCE:**

*Ark. Code Ann. §25-19-106*

## Private Hearings

Private hearings may be held by the School Board to act upon a student suspension, expulsion or appeal if requested by the parent or guardian of the student. The hearing must be public if requested by the parent or guardian.

After conducting a public hearing on a student suspension, expulsion or appeal, the School Board may go into closed session to deliberate. The School Board shall conduct any vote on the subject of the hearing after reconvening in open session.

**LEGAL REFERENCE:**

[Ark. Code Ann. § 6-18-507](#)

## School Board Policies

The School Board shall adopt clearly defined written policies based on a thorough understanding of the impact any policy will have on the educational processes of the school. In formulating policies, the School Board should consult those individuals or groups to be affected by the policies.

The School Board recognizes that changing conditions often necessitate change. The School Board shall periodically review these policies on at least an annual basis to reflect changing conditions and legal requirements.

The School Board recognizes that while it is a policy-making body, the execution of policy is properly delegated to the superintendent and his or her professional staff.

The initial and formal adoption of these policies shall be recorded in the minutes of the School Board. Only those written statements so adopted and so recorded shall be regarded as official School Board policy.

## Policy Adoption by School Board

Policies recommended to the School Board shall not be adopted until the next regularly scheduled School Board meeting subsequent to their initial introduction. The time lapse will permit further study by School Board members and allow for patron input.

All teachers and administrators shall be furnished a copy of any new policies or amendments to existing policies dealing with personnel within 30 days after approval by the School Board as specified by Arkansas law.

**LEGAL REFERENCE:**

[Ark. Code Ann. §§6-17-204 through 206 or a waiver from the same section\(s\)](#)

## **School Board Policy Revision and Review**

The process of appraisal of existing written policies shall be continuous and items may be included on the agenda at any time at the suggestion of individual board members or the superintendent or his or her designee. The School Board shall meet, as a committee on an as needed basis to appraise existing board policies.

## **School Board Review of Administrative Policy Guidelines**

The superintendent shall prepare and disseminate any administrative guidelines necessary to implement School Board policy and shall review such guidelines periodically to determine their effectiveness in carrying out official School Board policy.

The School Board shall retain the prerogative to review any and all administrative guidelines and may suggest or direct that certain guidelines be added, modified, or deleted.

## **School Board Policy Communication and Feedback**

The superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the School Board and the administrative guidelines and regulations needed to put them into effect.

## **Publication of Policies on School Website**

All official policies adopted by the School Board shall be published on the School's website, in accordance with Arkansas law.

**LEGAL REFERENCE:**

*Ark. Code Ann. § 6-11-129*

# Required Training for School Board

Newly elected board members will complete the legally mandated minimum of 9 hours of training and instruction in Arkansas school law and in the laws governing the powers, duties, and responsibilities of school boards no later than December 31 of the year following their election to the board. A newly elected member shall also complete the training or instruction on financial laws and regulations as decided by the Arkansas Board of Education within the first fifteen (15) months of service on the School Board. Returning board members who have served at least twelve consecutive months must complete 6 approved hours annually during each calendar year of service (January 1- December 31).

The superintendent of each school 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.

Any member who fails to receive or carry forward the required number of training hours shall be:

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

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

A board member who fails to cure the board member's training hours deficiency within the thirty days provided shall be removed from the board and the board member's position shall be filled in accordance with Arkansas law and School policy, unless:

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

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.

Any board member who provides documentation of either of the two situations detailed above will receive until December 31 of the year following the year the failed to receive the required training hours to receive both the hours for training required by the prior year AND the hours required by the current year.

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.

The school shall pay reimbursements pre-approved by the School Board and resulting from pre-approved School Board business and other necessary expenses from funds belonging to the school and shall reimburse School Board members for expenses incurred in attending School Board approved in-service workshops, conferences, and other courses of training and instruction.

## Board Member Ethics

No School Board member shall knowingly use or attempt to use his or her official position to secure unwarranted privileges of exemptions for him or herself or others.

While serving as a School Board member, an individual shall not accept employment, contract, or engage in any public or professional activity that a reasonable person would expect might require or induce him or her to breach the confidentiality required by his or her official position, nor shall the member knowingly otherwise use such information for his or her personal gain or benefit.

All School Board members shall be required to annually file the Statement of Financial Interest form required by Ark. Code Ann. §21-8-701 et seq. , by January 31st of each year for the calendar year preceding, except that a board member, administrator, or employee who is called to active duty in the United States Armed Forces shall be permitted an additional one-hundred eighty (180) days to file the statement of financial interest; and the statement may be completed by the spouse of the person and the signature of the spouse will be sufficient. No board member who is also a legislator may appear before the School Board on behalf of any other person, firm, corporation, or entity and be compensated by that person or entity except as permitted under Ark. Code Ann. § 21-8- 801 & 802.

**LEGAL REFERENCE:**

[Ark. Code Ann. § 6-24-105](#), [Ark. Code Ann. § 21-8-101](#) [Ark. Code Ann. §21-8-701](#)  
[Ark. Code Ann. §21-8-801 & 802](#)  
[ADE Rules & Regulations Governing Ethical Guidelines and Prohibitions for Educational Administrators, Employees, Board Members, and Other Parties.](#)  
[Specific Additional Legal Duties of Sponsoring Entity Board of Directors-Arkansas Non-Profit Corporation Act.](#)

## Public Comment Policy

The School Board allows a total of 15 minutes for public comments. The School Board will allow the first five people that signs up prior to 4:30pm at a regular scheduled school School Board meeting each 3 minutes to share their comments. Comments cannot be about Hope Academy personnel.

## Tort Liability Immunity

It is declared to be the public policy of the State of Arkansas that all public charter schools, and any of their boards, commissions, agencies, authorities, or other governing bodies shall be immune from liability and from suit for damages except to the extent that they may be covered by liability insurance.

No tort action shall lie against any such public charter school because of the acts of its agents and employees.

**LEGAL REFERENCE:**

[Ark. Code Ann. §21-9-301](#)

## Emergency Inclement Weather Days

At the sole discretion of the superintendent, school may begin at a delayed start time or may be released early due to emergency inclement weather. This emergency inclement weather policy shall be used no more than 5 school days total per year. Under this policy, the superintendent may:

- Delay the start of the school day until as late as 10:00 a.m.; or
- Release students from school no earlier than 1:00 p.m.

A school day that is delayed or released early counts as a credited school day, and therefore no additional days will be added to the school calendar for those days under this policy.

**LEGAL REFERENCE:**

[Ark. Code Ann. § 6-10-126](#)

## Making Up Missed School Days in 60 Minute Increments

If the superintendent cancels a regularly scheduled school day due to exceptional or emergency circumstances including but not limited to a contagious disease outbreak, inclement weather, or other acts of God, at the sole discretion of the Superintendent, the school may make up missed school days by adding time to the beginning or ending of a regular school day for a minimum of 60 minutes total per day.

**LEGAL REFERENCE:**

[Ark. Code Ann. § 6-10-127](#)