

1.02—BOARD ORGANIZATION

Membership

The Board of Education shall consist of seven (7) members elected at large by the qualified voters of the Benton School District #8 of Saline County. Each member shall be elected for a term of five years. The school board election shall be held on the third Tuesday in September each year, in accordance with the general election laws of the state of Arkansas.

Any person who is a bonafide resident of the district and a qualified elector may become a candidate for a place on the Board of Directors by filing a petition in writing, signed by twenty (20) or more qualified electors, with the County Clerk at least sixty (60) days before the annual school election, at which time the ballot shall be closed.

Election of Officers

The Board shall elect a president, vice president, secretary, and legislative liaison at the first regular meeting following the later of the certification of the results of the annual September school election or if there is a run-off election, at the first regular meeting following the certification of the results of a run-off election. Officers shall serve one- year terms and perform those duties as prescribed by policy of the Board. The Board shall also elect through a resolution passed by a majority vote 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. A copy of the resolution will be sent to the county treasurer and to 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.

Arkansas state law requires that boards of education shall annually elect from its membership President, Vice-President, Secretary, and the Superintendent as Ex-Officio Financial Secretary at the first regular meeting following the later of the certification of the results of the annual September school election or, if there is a run-off election, at the first regular meeting following the certification of the results of a run-off election. Officers shall serve one-year terms and perform those duties as prescribed by policy of the Board. Each officer shall be elected by a majority of the members of the board present and voting. The current president shall preside at this meeting and entertain motions for the nominations of officers. If the current president is nominated for an office, he or she shall ask another Board member to assume the chair until the election for the office is completed.

When a quorum of the Board has convened and the President, the Vice-President and the Secretary are absent, the members shall elect one of their members to serve as president for that meeting.

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;
8. Resigned from the school board of directors; or
9. Dies.

If credible evidence of a vacancy existing due to numbers 1 through 3 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.

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.

If a vacancy occurs on the board of directors, provided at least a quorum of the Board remains, the Board has thirty (30) days in which to appoint a successor to a vacated position on the Board. If less than a quorum of the Board remains or the Board fails to fill the vacancy within thirty (30) days of the vacancy, the position shall be filled by the county quorum court.

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 secretary of the school district board of directors shall notify the county clerk 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.

Cross References: 1.3—DUTIES OF THE PRESIDENT
 1.4—DUTIES OF THE VICE-PRESIDENT
 1.5—DUTIES OF THE SECRETARY
 1.11—BOARD MEMBER TRAINING
 1.16 —DUTIES OF BOARD DISBURSING OFFICER
 1.19—BOARD MEMBER LENGTH OF TERM and HOLDOVERS
 1.20—DUTIES OF THE LEGISLATIVE LIAISON

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

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