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BUSINESS and FINANCIAL MANAGEMENT

7.1—FISCAL YEAR

The District's fiscal year shall begin July 1 and end on the following June 30.

Legal Reference: A.C.A. § 6-20-410

Date Adopted: June 27, 2006

Last Revised: June 27, 2006

7.2—(MH) ANNUAL OPERATING BUDGET

The Superintendent, or his designee, shall be responsible for the preparation of the annual operating budget for the District. The Superintendent, or his designee, shall present the budget to the Board for its review, modification, and approval.

The budget shall be prepared in the electronic format as prescribed by the State Board of Education and filed with the Arkansas Department of Education no later than September 15 of each year.

The approved budget shall provide for expenditures that are within anticipated revenues and reserves. The Business Manager (acting as the District Treasurer) shall present monthly reconciliation reports and a statement on the general financial condition of the District monthly to the Board.

Line item changes may be made to the budget at any time during the fiscal year upon the approval of the Board. Any changes made shall be in accordance with District policy and state law.

Legal References: A.C.A. § 6-17-914
 A.C.A. § 6-13-701 (c) (3)
 A.C.A. § 6-20-2202

Date Adopted: June 27, 2006
Last Revised: June 27, 2006

7.3—MILLAGE RATE

The Board shall publish, at least sixty (60) days in advance of the school election at which the annual ad valorem property tax for the district is decided by the electors, the District's proposed budget, together with a millage rate sufficient to provide the funds necessary for the District's operation.

Legal References: A.C.A. § 6-13-622
 Arkansas Constitution: Article 14 Section 3 (c) as amended by Amendment 74

Date Adopted: June 27, 2006

Last Revised: June 27, 2006

7.4—GRANTS AND SPECIAL FUNDING

The Superintendent or his/her designee may apply for grants or special funding for the District. Any grants or special funding that require matching District resources shall receive Board approval prior to the filing of the grant's or special resource's application.

Date Adopted: June 27, 2006

Last Revised: June 27, 2006

7.5—(MH) PURCHASES OF COMMODITIES

Purchases shall be made in accordance with State laws and procurement procedures governing school purchases that are deemed to be in the best interest of the District and are the result of fair and open competition between qualified bidders and suppliers.

The Superintendent is the designated agent of the district with authority to contract or make purchases (or authorize others to make purchases) on behalf of the district.

DEFINITIONS

“Commodities” are all supplies, goods, material, equipment, computers, software, machinery, facilities, personal property, and services, other than personal and professional services, purchased on behalf of the District.

“Specifications” means a technical description or other description of the physical and/or functional characteristics of a commodity.

Purchases of commodities with a purchase price of more than \$10,000.00 require prior Board approval; unless an emergency exists in which case the Superintendent may waive this requirement.

The district shall notify in writing all actual or prospective bidders, offerors, or contractors who make a written request to the district for notification of opportunities to bid. The notification shall be made in sufficient time to allow actual or prospective bidders, offerors, or contractors to submit a bid or other appropriate response.

1. Purchases in the amount of \$1,000.00 or more shall be made only after obtaining three (3) quotes.
2. Purchases in the amount of \$5,000.00 or more shall be made only after advertising and receiving bids and approved by the Superintendent.
3. Purchases in the amount of \$10,000.00 or more shall be made only after advertising and receiving sealed bids, approved by the Superintendent and Board.

All purchases of commodities in which the estimated purchase price equals or exceeds ten thousand dollars (\$10,000) shall be procured by soliciting bids. Specifications shall be devised for all commodities to be bid that are specific enough to ensure uniformity of the bid and yet not so restrictive that it would prevent competitive bidding. The bid specifications shall not include the name or identity of any specific vendor. The Board reserves the right to reject all bids and to purchase the commodity by negotiating a contract. In such an instance, each responsible bidder who submitted a bid shall be notified and given a reasonable opportunity to negotiate.

Bids shall be awarded after careful examination of the details of the bid to determine the best overall value to the District. In instances where the low bid was not accepted a statement of the reasons shall be attached to the bid. Bidders submitting written bids shall be notified in writing of the bid award.

The following commodities may be purchased without soliciting bids provided that the purchasing official determines in writing that it is not practicable to use other than the required or designated commodity or service, and a copy of this statement is attached to the purchase order:

1. Commodities in instances of an unforeseen and unavoidable emergency;
2. Commodities available only from the federal government;
3. Utility services;
4. Used equipment and machinery; and
5. Commodities available only from a single source.

Prospective bidders, offerors, or contractors may appeal to the district's superintendent if they believe the district failed follow district bidding and purchasing policy or state law.

Any award of a contract shall be subject to revocation for ten working days or, if an appeal is received, after resolution of the appeal. This shall give prospective bidders, offerors, or contractors the opportunity to appeal the bid award if they believe the facts warrant an appeal. Any appeal shall be **in writing by certified mail** and received by the district office, "attention to the superintendent" within seven calendar days following the initial and revocable award of the contract.

If the district receives an appeal of a bid award, they shall notify, in writing, those prospective bidders, offerors, or contractors who have made a written request to the district for notification of opportunities to bid that an appeal has been submitted. The notification shall state:

- that the contract award has been halted pending resolution of the appeal and could be revoked;
- the reasons for the appeal;
- that the recipient of the letter may respond to the protested issues identified in the appeal;
- the date the decision on the appeal will be made and notification sent;
- that if the appeal is upheld, the bidding process will start all over again;
- that if the bidding is re-opened, changes will be made to the request for bids as necessary to satisfy the reasons for upholding the appeal.⁷

The sole authority to resolve any appeal made relating to this policy shall rest with the superintendent. The superintendent's decision shall be final and conclusive. In the event the district upholds an appeal, the sole responsibility of the district to the aggrieved bidder(s) shall be the re-opening of the bidding process.

BIDS FOR PURCHASING

- A. It shall be unlawful for a member of the School Board of any district to be interested directly or indirectly in any contract or purchase made by the district of which he/she is director, except that said contract be for materials bought on open competitive bid and let to the lowest bidder. (Act 80 of 1909). All statutory requirements must be followed. (See Appendix P.A-5, 6).
- B. Right to Reject all Bids/Negotiate Purchases

The Board always reserves the right to reject any or all bids. If all bids are rejected, each reasonable bidder submitting a bid shall be notified of the determination and shall be given a reasonable opportunity to negotiate.

C. Local Purchasing

The school district recognizes that the district is supported by tax monies paid by individual and businesses of the community. The district will purchase locally whenever and wherever possible; however, the school district's first consideration must be value for money spent. For this reason local suppliers and contractors will be given preference only as the following conditions are equal: price, product, quality, suitability, conformance to specifications, convenience of delivery, and past service to the district.

D. Exceptions to the preceding policy

1. When specifically exempted by the Board.
2. When items or parts to be purchased are required to match or replace existing material or equipment.
3. When joining with another district or cooperative to make purchases and such district or cooperative has utilized bid procedures.
4. On service contracts: when continuous service under present contract terms is deemed most beneficial to the district.
5. On service contracts: when service from one vendor is deemed to be of higher quality or more suitable for the district.
6. When an emergency situation occurs or exists that prohibits regular bid procedures.

E. Additional information or forms may be found in the administrator's handbook.

ARCHITECT/CONSULTANT CONTRACTS

Contracts for architects or other consultants shall be made available for Board review prior to signing, but they are exempt from the bidding procedure.

Legal References: A.C.A. § 6-21-301, 303, 304, 305, 306(b)
A.C.A. § 6-24-101 et seq.

Date Adopted: June 27, 2006
Last Revised: June 27, 2006

7.6—(MH) ACTIVITY ACCOUNT

The District shall maintain an account of activity funds. The funds for the account are those revenues derived from the sale of tickets to athletic contests or other school sponsored activities; the sale of food other than that sold in the cafeteria; the sale of soft drinks, school supplies, and books; and fees charged by clubs and organizations.

Activity funds shall be maintained and accounted for according to guidelines and procedures established by the General Education Division of the Department of Education.

The Superintendent, or his designee, shall be the custodian of all activity funds and shall be responsible and accountable for the funds. The Superintendent may appoint a co-custodian for each school in the District who shall also be responsible for the activity funds he/she maintains.

Legal Reference: A.C.A. § 6-13-701 (e)

Date Adopted: June 27, 2006

Last Revised: June 27, 2006

7.7—CASH IN CLASSROOMS

Teachers shall deposit daily to the principal's office all activity funds collected in their classrooms. No cash or checks are to be left in any classroom overnight.

Date Adopted: June 27, 2006

Last Revised: June 27, 2006

7.8—PERSONAL PROPERTY

To avoid confusion and the potential for misunderstandings, District staff who brings personal property to school to use in the performance of their jobs should label the items with their names. Any such items should be removed from the school at the close of school each year. The District assumes no responsibility for damage to, or the loss of, personal property brought to District facilities by District staff.

Date Adopted: June 27, 2006

Last Revised: June 27, 2006

7.9—PROPERTY INSURANCE

The Superintendent, or his designee, shall be responsible, with approval of the Board, for maintaining adequate insurance coverage for all District properties.

Date Adopted: June 27, 2006

Last Revised: June 27, 2006

7.10—(MH) PUBLIC USE OF SCHOOL BUILDINGS

It is the policy of the Board that District school buildings may be used by citizens of the District to conduct lawful meetings for social, civic, or recreational purposes provided such meetings do not interfere with the regular school work. The Superintendent shall be responsible, with Board approval, for establishing procedures governing such use of school buildings. The governing procedures shall be viewpoint neutral. Building principals shall be consulted to determine if there exists any conflict with planned school activities prior to other groups being allowed to use school facilities.

The District shall establish a fee schedule for the use of school facilities. Charges made for the use of school facilities shall reflect the actual costs (e.g. labor, utility, and materials) incurred by the District. Proper fees must be paid and an application/contract filled out and signed by the organization or group representative and approved by school officials *before* any school facility may be used by an outside group or organization. A copy of the current application/contract form may be found on the school website. This form may be changed only with the Superintendent's approval.

Activities of all groups shall be strictly confined to the area that the group has obtained permission to use.

The following groups shall use the regular application form but shall have free use of buildings and facilities for meetings or school related activities.

- a. Any local student organization (FHA, Student Council, etc.)
- b. Any community groups organized for the benefit of the school (PTA, Boosters Club, etc.) Any organization made up primarily of Mountain Home Public School students (4-H, Boys' Clubs, etc.)

Organizations using school facilities assume full and complete responsibility for the conduct of all persons, regardless of age, associated with their use of the facility while they are in or about the facility. Smoking or the use of tobacco or products containing tobacco in any form or the use of drugs or intoxicants is prohibited. Firearms of any kind are not allowed on school property unless the person carrying the firearm is permitted to do so by law as defined in A.C.A. § 5-73-120.

Consult A.C.A. § 5-73-120 for a list of possible weapons.

Cross Reference: Policy 6.13

Legal Reference: A.C.A. § 6-21-101
 A.C.A. § 5-73-120

Date Adopted: June 27, 2006

Last Revised: June 27, 2006

7.11—USE OF SCHOOL FUNDS FOR POLITICAL PURPOSES

School funds shall not be used for political, charitable, or humanitarian purposes.

Date Adopted: June 27, 2006

Last Revised: June 27, 2006

7.12—(MH) EXPENSE REIMBURSEMENT

The requirements of this policy shall govern reimbursement for expenses related to travel and/or attendance at conferences and professional development activities incurred by Mountain Home School District employees and/or members of the Board of Directors on behalf of the district. Employees and Board members are only eligible for reimbursement for travel expenses for travel which has been approved in advance. Original receipts must accompany all requests for reimbursement to the extent that such receipts are customarily available. For a receipt to be valid it should contain the name of the issuing company, the date, and the amount. No cash advances shall be made for travel. Mileage, lodging, and meal expenses will not be reimbursed when incurred for the personal convenience of the employee and not required by the reason for the travel. Reimbursement for travel shall be for the lesser of the cost between travel by air or by car with some consideration allowed for length of time of the method of travel.

To the extent practicable, employees shall have the district pay initial conference and professional development registration fees and associated necessary materials. In the occasional circumstances where this is not practical, the district shall reimburse the employee for such fees if they are authorized in advance and are supported with proper receipts.

The district will not reimburse expenses of any non-school board member or non-employee who accompanies the school board member or employee during his/her school related travel.

Reimbursable Expenses

Mileage that is driven for a district sanctioned purpose in an employee's personal vehicle shall be reimbursed provided prior supervisor approval is granted and appropriate documentation is submitted establishing the date and time, place, and purpose of the travel. Mileage shall be reimbursed at the rate authorized by the state/IRS¹ as of July 1 of the current fiscal year. Staff members traveling to the same meeting are strongly encouraged to carpool. It will be the responsibility of the immediate supervisor to determine whether mileage is approved for more than one driver. Point of origin for travel reimbursement will be the employee's home base within the school system or the employee's personal residence whichever is shorter. *All personnel with multiple site assignments will be reimbursed for traveling expenses incurred due to those assignments consistent with district policy.*

If an employee is required to commute between schools, the Mountain Home School District will reimburse the employee for miles driven as follows:

- (1) If a round trip is made, then the employee will be reimbursed for the number of miles from the school of origin to the school of destination times 2.
- (2) If the employee concludes the day at the second school, then the employee will be reimbursed for the number of miles from the school of origin to the school of destination.

Meals may be reimbursed for travel which necessitates an overnight stay when submitted according to the dictates of this policy. Meals shall be reimbursed at the following rates. *Except as otherwise specified by this policy, meals are only reimbursable in conjunction with travel requiring an overnight stay.*

For in-state travel requiring overnight lodging, the following meal allowances apply:

Breakfast - \$6.00 Lunch - \$9.00 Dinner - \$15.00

For out-of state travel requiring overnight lodging, the following meal allowances apply:

Breakfast - \$7.50 Lunch - \$12.50 Dinner - \$20.00

If the travel requires a departure prior to 6:00 am on the first day, breakfast will be considered reimbursable. If the travel requires a departure after 6:00 am, but before 12:30, lunch and dinner will be considered reimbursable. If the traveling distance upon the return prohibits an arrival prior to 8:00 pm on the last day, dinner will be considered reimbursable.

Meal expenses incurred by the superintendent as necessary, in the performance of duties when meeting with state officials or consultants may be reimbursed on a prorated, per person basis in line with the mandates of this policy. Such expenses shall only be reimbursed when the expenditure is likely to result in a tangible benefit to the district.

Travel necessitating overnight lodging shall be reimbursed to the extent that it is not lavish and is reasonable based on circumstances of the expenditure. To the extent practicable, employees shall receive assistance from administrators or their designee in arranging travel plans to help keep expenses to a minimum.

Staff members traveling on approved school business will be expected to pay for all of their expenses associated with the approved travel, unless using a school credit card. Request for reimbursement should be filed immediately upon return. The reimbursement request should be made by completing and submitting an official travel reimbursement request form to the building principal or immediate supervisor for approval. The form should detail mileage, dates of trips, destination, names of travelers, and trip purpose, as well as a receipt for overnight accommodations. Approved requests for reimbursement will be forwarded to the business office after which reimbursement will be made within ten working days.

Expenses not covered

The district shall not reimburse the following items/categories of expenses.

- Alcoholic beverages;
- Entertainment expenses – including sports or sporting events; pay per view or game expenses at motels;
- Replacement due to loss or theft;

- Discretionary expenses for items such as clothing or gifts;
- Medical expenses incurred while on route to or from or at the destination of the reason for the travel;
- Optional or supplementary insurance obtained by the employee for the period covered during the travel; and
- Tips, other than those required by the source of the expense, e.g. a restaurant which adds a tip to the bill for all groups of six or more.⁴

Credit Cards

Only those employees specifically issued credit cards to be used in the performance of their jobs to purchase goods, services, or supplies on behalf of the district shall be allowed to use such cards. Employees who incur reimbursable expenses as defined in this policy are expected to pay for them initially by any means they choose and then submit their request for reimbursement. The district assumes no responsibility for the payment of any personal credit card charges incurred by a district employee.

Airport Associated Expenses

Receipts for airport associated expenses are required for reimbursement. All airline flights shall be by coach/economy class. Upon arrival at their destination, employees are expected to take the less expensive option between a taxi and an airport shuttle service to his/her hotel or meeting site. When circumstances dictate that a rental car is necessary and/or the most economical approach to the travel requirements, the least expensive car that will accomplish the job should be rented. The district shall not reimburse for any kind of rental car supplemental insurance.

Notes: The following IRS publications were used in the development of this policy.
15-A, 15-B, 463, 535, 1542, and the Fringe Benefit Training Guide

Date Adopted: June 27, 2006

Last Revised: May 19, 2011

7.13 – (MH) FEDERAL GOVERNMENT GRANT FUNDS

PROCUREMENT REQUIREMENTS

Mountain Home Public Schools will comply with all state and local laws that govern the procurement process, in addition to any federal laws and regulations that apply. Purchases shall be made in accordance with procurement procedures governing school purchases that are deemed in the best interest of the District and are the result of fair and open competition between qualified bidders and suppliers.

The Superintendent is the designated agent of the district with authority to contract or make purchases (or authorize others to make purchases) on behalf of the District.

DEFINITIONS

“Commodities” are all supplies, goods, material, equipment, computers, software, machinery, facilities, personal property, and services, other than personal and professional services, purchased on behalf of the District.

“Specifications” means a technical description or other description of the physical and/or functional characteristics of a commodity.

PROCEDURES

Purchases of commodities with a purchase price of more than \$10,000.00 require prior Board approval, unless an emergency exists in which case the Superintendent may waive this requirement.

The District will advertise in a newspaper with general state coverage and bids received will not be opened before one week from the last day of the advertisement.

1. Purchases in the amount of \$1,000.00 or more shall be made only after obtaining three (3) quotes.
2. Purchases in the amount of \$5,000.00 or more shall be made only after advertising and receiving bids and approved by the Superintendent.
3. Purchases in the amount of \$10,000.00 or more shall be made only after advertising and receiving sealed bids, approved by the Superintendent and Board.

All purchases of commodities in which the estimated purchase price equals or exceeds ten thousand dollars (\$10,000) shall be procured by soliciting bids. Specifications shall be devised for all commodities to be bid that are specific enough to ensure uniformity of the bid and yet not so restrictive that it would prevent competitive bidding. The bid specifications shall not include the name or identity of any specific vendor. The Board reserves the right to reject all bids and to purchase the commodity by negotiating a contract. In such an instance, each responsible bidder who submitted a bid shall be notified and given a reasonable opportunity to negotiate.

Bids shall be awarded after careful examination of the details of the bid to determine the best overall value to the District. In instances where the low bid was not accepted a statement of the reasons shall be attached to the bid. Bidders submitting written bids shall be notified in writing of the bid award.

The following commodities may be purchased without soliciting bids provided that the purchasing official determines in writing that it is not practicable to use other than the required or designated commodity or service, and a copy of this statement is attached to the purchase order:

1. Commodities in instances of an unforeseen and unavoidable emergency;
2. Commodities available only from the federal government;
3. Utility services;
4. Used equipment and machinery; and
5. Commodities available only from a single source.

Prospective bidders, offerors, or contractors may appeal to the district's superintendent if they believe the district failed to follow district bidding and purchasing policy or state law.

Any award of a contract shall be subject to revocation for ten working days or, if an appeal is received, after resolution of the appeal. This shall give prospective bidders, offerors, or contractors the opportunity to appeal the bid award if they believe the facts warrant an appeal. Any appeal shall be in writing by certified mail and received by the district office, "attention to the superintendent" within seven calendar days following the initial and revocable award of the contract.

If the district receives an appeal of a bid award, they shall notify, in writing, those prospective bidders, offerors, or contractors who have made a written request to the district for notification of opportunities to bid that an appeal has been submitted. The notification shall state:

- that the contract award has been halted pending resolution of the appeal and could be revoked;
- the reasons for the appeal;
- that the recipient of the letter may respond to the protested issues identified in the appeal;
- the date the decision on the appeal will be made and notification sent;
- that if the appeal is upheld, the bidding process will start all over again;
- that if the bidding is re-opened, changes will be made to the request for bids as necessary to satisfy the reasons for upholding the appeal.

The sole authority to resolve any appeal made relating to this policy shall rest with the superintendent. The superintendent's decision shall be final and conclusive. In the event the district upholds an appeal, the sole responsibility of the district to the aggrieved bidder(s) shall be the re-opening of the bidding process.

PROCUREMENT CODE OF CONDUCT

As required by EDGAR Section 80.36 Mountain Home Public Schools has established and will maintain and follow a written code of conduct governing employees engaged in purchasing and in the awarding and administration of contracts.

- A. No employee of the district who has an interest either directly or indirectly in any contract or purchase made by the district will participate in the selection, award, or administration of the contract.
- B. No employee of Mountain Home Public Schools shall accept any type of gratuity from any vendor doing business with the district.
- C. Failure to comply with district policy concerning federal grant funds procurement of goods and services and/or deliberate misuse of federal grant funds will be grounds for immediate dismissal.

DELIVERABLES

Whenever the district uses federal funds to pay a vendor for goods or services, a contract will be issued. These contracts will include:

- A description of the items including brand and model number
- The number of items purchased
- The date of the delivery
- Any associated service or maintenance agreements
- Any associated training agreements
- Any associated warranties

INVENTORY MANAGEMENT

The District Federal Programs office shall maintain an inventory of items purchased with federal grant funds. Documentation shall be maintained showing purchase information for items: model, serial number, date of purchase, and initial cost, and the location of items. Each item purchased with federal funds shall have a label with ID number. Items on the inventory list will include, but are not limited to: all technology equipment, software, furniture with a purchase price of \$1000.00 or more. An annual inventory will be conducted to reconcile items in place with records on file.

Date Adopted: May 17, 2007

Last Revised: May 17, 2007

7.14 -WORKER'S COMPENSATION

It is the policy of the *Mountain Home School District* to work continually toward improving our Safety Policy, as well as our safety procedures.

It is the *district's* intent to provide a safe working environment in all areas, for all employees. Accident and injuries are prevented by controlling the work environment and the actions of employees. Therefore, safety will take precedence over expediency or shortcuts. Every attempt will be made to reduce the possibility of accident occurrence. Protection of employees, the public, and *district* property and operation is paramount. *Administration* considers no phase of the operation more important than the health and safety of the employees.

Employee safety is to be the first consideration in the operation of the business. Safe practices on the part of the workers must be part of all operations. Employees must understand their personal responsibility for the prevention of injuries on and off the job. Accident prevention and efficient production go hand-in-hand. All injuries can and should be prevented!

Administration will continue to be guided and motivated by this policy, and with the cooperation of all employees, will actively pursue a safer working environment throughout the company.

- A. Employees are covered under workers' compensation.
- B. Without exception and in all cases, the Superintendent must be notified, and when a claim may need to be filed notice given to the workers' compensation insurance carrier when any employee is injured on the job or is absent due to job-related injury.
 - 1. The Superintendent (or his designee) must be notified immediately or at least the same day as the injury.
 - 2. After notice is given to the school district (Superintendent), if it appears that a claim will be filed or may be needed or filed in the future by the employee, the district shall notify the workers' compensation insurance carrier. This shall be done as soon as possible but at least within the time required by the insurance carrier or by law.
- C. Standard Procedure

At the time of the employee injury or absence, the temporary compensation benefits provided by statute and funded through insurance shall be the only compensation paid to the school employee. Therefore, the regular salary of the employee shall be suspended and all payments while the employee is disabled from continuing his employment shall be the temporary compensation payments through the insurance carrier. While the employee is receiving temporary compensation payments, the

district will continue to provide the same group insurance benefits to the injured employee that were provided prior to the injury. No days will be deducted from the sick leave which the employee may have accumulated.

D. Alternative Procedure to Item C

As an alternative to the preceding Item C, the employee may choose to use his/her accumulated sick leave benefits upon presenting to the Superintendent (or his designee) a written request to do so. If this is done, the district will pay the employee's regular salary amount after subtracting the amount of salary which workers' compensation will pay during the time the employee has accumulated sick leave available. For each day absent the accumulated sick leave shall be reduced by one day, and after the accumulated sick days have been used, salary from the district shall be suspended and the provided in the preceding Item C shall be followed.

However, with approval of the Superintendent (or his designee), up to ten (10) days of lost accumulated sick days can be "bought back" by the teacher if the teacher so requests and pay the equivalent cost of a substitute teacher.

Date Adopted: May 17, 2007

Last Revised: June 12, 2008

7.15—SERVICE ANIMALS IN DISTRICT FACILITIES

In accordance with the provisions of the Americans with Disabilities Act, service dogs and trained miniature horses (hereinafter referred to as *service animals*) are permitted for use by individuals with disabilities on district property and in district facilities provided the individuals and their animals meet the requirements and responsibilities covered in this policy.

When an individual with a disability seeks to bring a service animal into a district facility, the district is entitled to ask the individual if the animal is required because of a disability and what work or task the animal has been trained to perform. The district is not entitled to ask for documentation that the animal has been properly trained, but the individual bringing the animal into a district facility will be held accountable for the animal's behavior.

Any service animal brought into a district facility by an individual with a disability must have been trained to do work or perform tasks for the individual. The work or tasks performed by the service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do **not** constitute work or tasks for the purposes of this policy.

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of a public entity's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control by means of voice control, signals, or other effective means.

District staff may ask an individual with a disability to remove a service animal from the premises if:

- (1) The animal is out of control and the animal's handler does not take effective action to control it; or
- (2) The animal is not housebroken.

If the district excludes a service animal due to the reasons listed above, the district shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.

The District and its staff are not responsible for the care or supervision of a service animal brought onto district property or into district facilities by an individual with a disability.

The District shall not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets.

Legal References: 28 CFR § 35.104
 28 CFR § 35.136

Date Adopted: April 21, 2011
Last Revised: April 21, 2011

7.16—MANAGEMENT AND DISPOSAL OF DISTRICT PROPERTY

Definitions

For the purposes of this policy, the following definitions apply:

Commodities are all supplies, goods, material, computers, software, machinery and other equipment purchased on behalf of the district having a useful life of more than one year and an acquisition cost of \$1,000 or more per unit.

Surplus commodities are those commodities that are no longer needed, obsolete, irreparable, or worn out.

Real property is land and whatever is erected or affixed to land, such as structures or buildings.

Surplus real property is real property that is not presently needed or foreseen to be needed by the District, and that has been authorized for sale as surplus real property by vote of the School Board.

The District's purchases of commodities shall be in accordance with Policy 7.5—PURCHASES OF COMMODITIES and to the extent applicable, the procurement and disposition requirements of Policy 7.13—FEDERAL GOVERNMENT GRANT FUNDS, or any other granting source of funding used to purchase the commodity. The Superintendent shall develop procedures governing the use, management, and dispersal of commodities. At a minimum, the procedures will cover the following topics.

- labeling all commodities in accordance with district and applicable federal or other grant policy;
- establishing adequate controls to account for their location, custody, and security;
- annually auditing the inventory of commodities and updating a listing of such commodities to reconcile the audit with the district's inventory records. The audit will be documented and account for any transfer and/or disposal of a commodity.
- Disposing of surplus commodities and surplus real property, whether purchased in whole or in part with federal grant funds or with local funds.

Disposal of Surplus Commodities

The Board of Directors recognizes that commodities sometime become of no use to the District and thus meet this policy's definition of surplus commodities.

The Superintendent or designee(s) will determine the objective fair market value of surplus commodities. The District will strive to dispose of surplus commodities at or near their fair market value.

The Superintendent may declare surplus any commodity with a fair market value of less than \$1000. Surplus commodities with a fair market value of less than \$1000 will be periodically sold by the most efficient, cost effective means that is likely to result in sales at or near fair market value.

The Superintendent may submit a list of surplus commodities deemed to have a fair market value of \$1,000 or greater to the Board of Directors for authorization to sell such surplus commodities. Once the Board of Directors has authorized the sale of such surplus commodities, the Superintendent or designee(s) may sell that surplus commodity as the need arises. Items with a fair market value of \$1,000 or greater will be sold by the most efficient, cost effective means that is likely to result in sales at or near fair market value. If the Superintendent chooses to dispose of the surplus items by bid, the Superintendent or designee may set a minimum or reserve price on any item, and may reject all bids. The Superintendent or designee is authorized to accept the high bid provided the high bid is at or near the fair market value without further Board action unless the high bid comes under the jurisdiction of Arkansas ethics legislation in which case the provisions of A.C.A. §§ 6-24-101–107 would apply.

If attempts at public sales fail to produce any interested buyers or bidders, such remaining unsold commodities may then, at the discretion of the Superintendent, be disposed of as scrap or junk or be donated to appropriate charitable or education related entities. Computer or technology equipment will be cleansed of data prior to disposal.

Disposal of Surplus Real Property

The Board of Directors recognizes that real property it owns sometimes becomes no longer of use to the District and thus meets this policy's definition of surplus real property.

The Superintendent may submit a request to the Board of Directors for authorization to sell surplus real property. Once the Board of Directors has authorized the sale of such surplus real property, the Superintendent or designated individual(s) may sell that surplus real property as the need arises. The Superintendent or designee(s) shall be responsible for getting a determination of the objective fair market value of surplus real property³. The district will strive to dispose of surplus items at or near their fair market value. The real property may be listed for sale with a real estate broker, and the Superintendent or designated individual may contract on behalf of the district to pay the usual and customary sales commission for such transactions, upon sale of the property.

If the Superintendent chooses to dispose of the surplus items by bid, the Superintendent or designee(s) may set a minimum or reserve price on any item, and may reject all bids. The Superintendent or designee is authorized to accept the high bid provided the high bid is at or near the fair market value without further Board action unless the high bid comes under the

jurisdiction of Arkansas ethics legislation in which case the provisions of A.C.A. §§ 6-24-101–107 would apply.

If attempts at public sales fail to produce any interested buyers or bidders, such remaining unsold real property may then, if agreed to by the Superintendent and Board of Directors, be donated to appropriate education related entities or not-for-profit organizations in accordance with the provisions of state law.

Items obtained with federal funds shall be handled in accordance with applicable federal regulations including, but not limited to, regulations listed at 34 CFR 80.32(c) governing commodities and 34 CFR 80.31 governing disposals of real estate.

The disposal of school property must be for the benefit of the school district and consistent with good business principles.

Legal References: A.C.A. § 6-13-111
 A.C.A. § 6-13-620
 A.C.A. § 6-21-108
 A.C.A. § 6-21-110
 A.C.A. § 6-24-101–107
 34 CFR § 80.3 – 80.52
 34 CFR § 80.31
 34 CFR § 80.32(c)(d)(e)

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