

6-13-701. Powers and duties -- Definition.

- (a) The board of directors of any school district in Arkansas is authorized to appoint a treasurer to handle the **funds** of the school district.
- (b) The treasurer shall be appointed at a regular meeting of the board of directors.
- (c) An executed certificate of appointment shall be filed with the county clerk, the county treasurer, and the Director of the Department of Finance and Administration.
- (d) School district treasurers shall execute a surety bond in such amount as may be required by the director, who shall approve the bond. The premium on the bond shall be paid out of the **funds** of the school district.
- (e) The duties of the school district treasurer shall be as follows:
 - (1) (A) To receive and disburse **funds** of the school district. Disbursements of such **funds** shall be made only upon:
 - (i) Checks or warrants signed by the disbursing officer of the school district board of directors and by the superintendent of the school district; or
 - (ii) The electronic transfer of **funds** if the electronic transfer is:
 - (a) Initiated by the school district; and
 - (b) Authorized in writing by both the disbursing officer of the board of directors and the superintendent of the school district.
 - (B) As an evidence of authority for disbursement of any **funds**, the school district treasurer shall have on hand approved:
 - (i) Invoices;
 - (ii) Payrolls that conform with written contracts on file in his or her office; and
 - (iii) Other appropriate documentation that indicates an authority for disbursement;
 - (2) To keep a record of all financial transactions of the school district on forms approved by the Department of Education and Arkansas Legislative Audit;
 - (3) To make a monthly statement to the school district board of directors of the financial condition of the school district;
 - (4) To submit an annual statement of the affairs of the school district to the school district board of directors in July of each year;
 - (5) To make such financial reports to the Department of Education as are required by law;
 - (6) To not be interested directly or indirectly in any contract authorized by the school district board of directors;
 - (7) To make his or her records available at all times for inspection by any taxpayer of the school district; and
 - (8) To perform all duties now imposed by law upon the treasurer of a school district and to be subject to all regulations.
- (f) (1) (A) All local taxes of the school district shall be remitted to the county treasurer by the county collector.
- (B) The county treasurer shall remit the **funds** in a timely manner to the school district treasurer in those school districts maintaining a school district treasurer.
- (2) The school district treasurer shall issue duplicate receipts for all **funds** he or she receives. The original shall be transmitted to the party making the remittance, and the duplicate shall be kept by the school district treasurer.
- (g) (1) As used in this section, "activity funds" means those funds whose sources of revenues are from:
 - (A) The sale of tickets to athletic contests or other school-sponsored activities;
 - (B) The sale of food, except that which is sold in the lunchroom;

(C) The sale of soft drinks, school supplies, and books; and

(D) Fees charged by clubs and organizations.

(2)

(A) All school districts may maintain **activity funds** and school service **funds** at the school.

(B) All **activity funds** and school food service **funds** shall be maintained and accounted for in accordance with guidelines and procedures established by the Department of Education.

(C) The superintendent of the school maintaining **activity funds** and school food service **funds** shall be the official custodian of all **activity funds** and school service **funds** and shall be responsible and accountable for the **funds**.

(D) By resolution adopted by a majority vote of the local school district board of directors, the superintendent may appoint another school employee to be the cocustodian of any or all **activity funds** and school food service **funds**.

(E) The co-custodian shall also be responsible and accountable for **activity funds** and school food service **funds** maintained by the co-custodian.

(h) The county treasurer shall receive as commission for handling the **funds** of such school districts only one-fourth of one percent (0.25%) of all **funds** passing through his or her hands on which county treasurers are authorized by law to charge commissions.

(i) The records of the school district treasurers shall be audited by Arkansas Legislative Audit annually in the same manner as now provided for the auditing of county officials.

(j) The fraudulent use by the school district treasurer of any **funds** of the school district or by any school district board members shall constitute a Class C felony. Upon conviction, such person shall be ordered to pay in restitution an amount double the amount involved.