



STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201

STEVE CLARK
ATTORNEY GENERAL

(501) 371-2007

OPINION NO. 85-39

February 12, 1985

Honorable Bud Canada
State Senator
106 Meyer Building
Hot Springs, AR 71901

Dear Senator Canada:

This is in response to your opinion request wherein you posed the following facts and attendant question:

Garland County, like many other counties, no longer has a County School Supervisor.

There is confusion as to the filing of contract(s) concerning and made by the school districts as to where or if they should be filed. Our school districts no longer issue warrants but issue their own checks.

May I request an opinion on the following question concerning the above:

Does a school district have to file a copy of their contracts, if so, with whom?

Ark. Stat. Ann. 80-225 (Repl. 1980) speaks to the duties and powers of the office of county supervisor, one of which is the maintenance of contracts. Ark. Stat. Ann. 80-235 (Repl. 1980), however, provides for the abolition of the office of county supervisor as follows:

The County Board of Education in the several counties shall have the power and authority to abolish the office of the county school supervisor in their respective counties. If any County Board of Education so elects to abolish the office of the county school supervisor, then the said County Board of Education shall, at their option, either employ a secretary, with the salary and the level of office expense set by the

County Board of Education, to perform all the powers, duties and responsibilities now vested in and imposed by law on the county school supervisors in the several counties of the State; or the County Board of Education may authorize all the powers, duties and responsibilities now vested in and imposed by law on the said county school supervisors to be vested in and be discharged by the superintendent of schools of the school districts in the county with such powers and duties to be exercised by such superintendent of schools within the territorial boundaries of their respective school districts. Provided, in any county in which the County Board of Education elects to abolish the office of county school supervisor and employ a secretary, the salary prescribed by the Board for the secretary of the Board shall not exceed the highest salary paid to a classroom teacher in the particular county.

It is therefore the opinion of this office that if the position of county school supervisor is abolished, school district contracts should be filed with either a secretary employed by the County Board of Education or the respective superintendent of schools.

The foregoing opinion, which I hereby approve, was prepared by Assistant Attorney General C. Randy McNair, III.

Sincerely,



STEVE CLARK
Attorney General

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