



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

STEVE CLARK
ATTORNEY GENERAL

#171

(501) 371-2007

OPINION NO. 85-143

June 19, 1985

The Honorable Ron Fuller
State Representative
10020 Rodney Parham - West
Suite D
Little Rock, AR 72207

Dear Representative Fuller:

In response to your opinion request to clarify Attorney General opinion 85-131 the following answers are provided to the question you posed.

1. Does public law prohibit a district from entering an agreement with the following provisions:

The district will release the teacher from all duties for the purpose of representing the teacher association and conducting association business. One hundred percent (100%) of salary and social security costs will be repaid by the teacher organization to the school district. All other benefits, i.e., retirement, insurance, etc. will be borne by the district and the state. Service as association president will count toward accumulation of seniority, tenure, and other benefits accrued as though the teacher were teaching. Upon completion, the teacher will return to the teacher's present assignment.

No. As stated in opinion 85-131 there are no dispositive statutes which clearly prohibit such an agreement.

2. Is it permissible for a local district to have such a policy agreement?

Yes. This is a matter for local determination.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steve Clark", written over the typed name.

STEVE CLARK
Attorney General

JSC:ldc