

Board of Trustees

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The legal name of the school district will be School District No. 305, Lewis, Nez Perce, and Idaho Counties, State of Idaho. The administrative offices of the school district are located at 112 Boulevard, Craigmont, Idaho 83523.

The Highland Joint School District #305 is declared to be a body corporate and politic, and in its corporate capacity may sue and be sued and may acquire, hold, and convey real and personal property necessary to its establishment, extension and existence. It shall have authority to issue negotiable coupon bonds and incur such other debts, in the amounts and manner as provided by law.

Idaho Code provides that in any joint district, the duties imposed upon, and the records required to be kept by the county commissioners or any other county officer in respect to school districts, including the assessment of taxable property and the levying of and collection of taxes, shall be performed or kept by the commissioners and other county officers in each county in which the district lies as though the portion of the district in each county were a separate district therein:

One (1) of the counties in which a joint district lies shall be the home county of the district.

The home district of Highland Joint School District #305 shall be Lewis County.

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LEGAL REFERENCE:

Idaho Code Sections 33-301
33-304
33-305

ADOPTED: 9/19/77, reviewed 4/10/2000

AMENDED: 10/14/2002

The Highland District shall be governed by a Board of Trustees. The Board of Trustees of the district shall consist of five (5) members. Each trustee shall at the time of their nomination and election, or appointment, be a school district elector of their district and a resident of the trustee zone from which nominated and elected, or appointed.

An oath of office is required to be administered to each school board trustee, whether elected, re-elected or appointed. The trustee is required to take their oath within ten (10) days after the trustee has notice of their election or appointment, or within fifteen (15) days from the commencement of their term of office. Before any school district trustee elected or appointed enters upon the duties of their office, they must take the following oath:

I do solemnly swear (or affirm, if re-elected) that I will support the Constitution of the United States, and the Constitution of the State of Idaho, and that I will faithfully discharge the duties of the office of Trustee of Joint School District #305 in Lewis, Nez Perce, and Idaho Counties, State of Idaho, according to the best of my ability.

The oath is required to be administered by the clerk, or by a trustee. Additionally, the records of the district are required to show that such oath of office has been taken and by whom the oath was administered. Finally, this information is required to be filed with the official records of the district.

Each trustee shall qualify for and assume office on the next January 1 in the year following their election or, if appointed, at the regular meeting of the Board of Trustees next following such appointment.

Legal Reference:	I.C. § 33-501	Board of Trustees
	I.C. § 33-504	Vacancies on Boards of Trustees
	I.C. § 59-401	Loyalty Oath—Form
	I.C. § 59-402	Time of Taking Oath

ADOPTED: 9/19/77

AMENDED: 7/23/90, 11/9/90, 2/14/2011, 12/10/2018

REVIEWED: 4/10/2000, 8/12/2002

Elections conducted on behalf of the District are non-partisan elections governed by the election laws of the State of Idaho and include the election of Board members, various public policy propositions and advisory questions.

Board elections shall be held on the first Tuesday following the first Monday in November in odd-numbered years. Any person legally qualified to hold the position of school trustee, may file a declaration of candidacy for the office. The declaration must include the name of the candidate, the term for which declaration of candidacy is made and include the signatures of not less than five (5) school district electors residing in the trustee zone of which the candidate seeks election. Such declaration must be filed with the clerk of the school district not later than 5:00 p.m. on the ninth Friday preceding the day of the election for the subject trustee position. Any person seeking to become a write-in candidate must file a declaration of intent with the county clerk not later than forty-five (45) days before the election date and include the signatures of not fewer than five school district electors residing in the trustee zone of which the candidate seeks election.

If, after expiration of the date for filing written nominations, it appears that only one (1) qualified candidate has been nominated for a position or if only one (1) candidate has filed a write-in declaration of intent, no election shall be held for that position, and the board of trustees or the clerk with the written permission of the board, shall declare such candidate elected as a trustee. The clerk shall immediately prepare and deliver to the person a certificate of election signed by him or her bearing the seal of the district. All other scheduled trustee elections will move forward under the regular procedures.

In each Trustee zone, the person receiving the greatest number of votes cast within their zone shall be declared by the Board of Trustees as the trustee elected from that zone.

If any two (2) or more persons have an equal number of votes in any trustee zone and a greater number than any other nominee in that zone, the Board of Trustees shall determine the winner by a toss of a coin.

Legal Reference:	§ I.C. 33-401	Legislative Intent
	§ I.C. 33-501	Board of Trustees
	§ I.C. 33-502	Declaration of candidacy for trustees
	§ I.C. 33-502B	Board of Trustees – One nomination – No election.
	§ I.C. 33-503	Election of Trustees – Uniform Date
	§ I.C. 34-1407	Write-in Candidates
	§ I.C. Title 34	Elections

ADOPTED: 10/14/2002

AMENDED: 2/14/2011, 3/12/2012, 12/10/2018

The Highland Board of School District Trustees shall organize at its annual meeting and elect a chairman, a vice-chairman, a clerk, and a treasurer. The clerk and the treasurer may be members of the Board of Trustees, or in the discretion of the Board, either or both may be selected from among competent and responsible persons outside the membership of the Board. The Board, in its discretion, may allow compensation for the clerk, and for the treasurer if other than the county treasurer.

Each member of the Board shall be compensated for actual expenses incurred for travel to, from, and attending meetings of the Board. Such compensation shall be paid from district funds.

It shall be the duty of each member of the Board of Trustees to attend all meetings, both regular and special; and the Board shall have the following powers and duties:

- 1) To make by-laws, rules and regulations for its government and that of the district, consistent with the laws of the State of Idaho and the rules and regulations of the State Board of Education.
- 2) To call special meetings or elections for such purpose as may be necessary for the proper conduct and management of the school or schools of the district.
- 3) To employ an attorney or attorneys when deemed for the best interests of the district, or for the purpose of defending the district against any suit or for bringing action deemed necessary to be commenced by the Board.



LEGAL REFERENCE:
Idaho Code Sections 33-506

ADOPTED: 9/19/77

AMENDED: 11/10/80, 7/26/90, 11/9/92

REVIEWED: 4/10/2000, 8/12/2002



Code of Ethics for School Board Members

As a member of my local board of trustees, I will strive to improve student achievement in public education, and to that end I will:

1. Attend all regularly scheduled board meetings insofar as possible, having read my packet ensuring that I am informed about the issues to be considered at the meetings;
2. Recognize that the board must comply with the Open Meeting Law and only has authority to make decisions at official board meetings;
3. Make all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
4. Understand that the board makes decisions as a team. Individual board members may not commit the board to any action unless so authorized by official board action;
5. Recognize that decisions are made by a majority vote and the outcome should be supported by all board members;
6. Acknowledge that policy decisions are a primary function of the board and should be made after full discussion at publicly held board meetings, recognizing that authority to administer policy rests with the superintendent or administrator of the charter school;
7. Be open, fair and honest – no hidden agendas, and respect the right of other board members to have opinions and ideas which differ from mine;
8. Recognize that the superintendent or the administrator is the board's advisor and should be present at all meetings, except when the board is considering the superintendent's evaluation, contract or salary;
9. Understand the chain of command and refer problems or complaints to the proper administrative office while refraining from communications that may create conditions of bias should a concern ever rise to the attention of the board as a hearings panel;
10. Keep abreast of important developments in educational trends, research and practices by individual study and through participation in programs providing such information;
11. Respect the right of the public to be informed about district decisions and school operations;
12. Understand that I will receive information that is confidential and cannot be shared;
13. Give staff the respect and consideration due skilled, professional employees and support the employment of those best qualified to serve as district staff, while insisting on regular and impartial evaluation of all staff;
14. Present personal criticism of district operations to the superintendent or administrator, not to district staff or to a board meeting;
15. Refuse to use my board position for personal or family gain or prestige. I will announce any conflicts of interest before board action is taken; and
16. Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

Trustee Signature: _____ *Date:* _____

The chairman shall be elected by the Board from its members at its annual meeting in July. Term of office is for one year.

Duties of chairman shall be:

- 1) Shall preside over all meetings of the Board.
- 2) May help Superintendent in preparing agenda for each meeting.
- 3) May call special meetings as he or she deems necessary.
- 4) May appoint committees.
- 5) May vote in all cases.

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LEGAL REFERENCE:

Idaho Code Sections 33-506
33-510

ADOPTED: 9/19/77

AMENDED: 11/9/92

REVIEWED: 4/10/2000, 8/12/2002

The vice-chair will be elected the same as the chair. Duties of vice-chair:

- 1) Shall take over in the absence of the chair and perform the duties required of the chair.

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LEGAL REFERENCE:
Idaho Code Sections 33-506

ADOPTED: 9/19/77

AMENDED: 11/9/92

REVIEWED: 4/10/2000, 8/12/2002

The clerk of the Board of Trustees shall have such duties as shall be prescribed by the Board. He or she shall attend all meetings of the Board of Trustees, shall keep the record of the proceedings, and shall enter in said record all matters required by law, or by the Board, so to be entered; and said record shall be open to inspection by any person at all reasonable times. The Clerk shall have the care and custody of the records, books, and documents of the Board of Trustees.

When the clerk does not attend a meeting of the Board of Trustees, the Board shall appoint some person who, as temporary clerk, shall keep the record of the proceedings of the Board and certify the same to the clerk, to be entered by him or her.

Whenever in the judgment of the Board of Trustees it is deemed prudent to do so, the clerk may be placed under a fidelity bond, in the manner of section 33-509, in such amount as the Board of Trustees shall determine.



LEGAL REFERENCE:
Idaho Code Sections 33-508

ADOPTED: 9/19/77

AMENDED: 11/9/92

REVIEWED: 4/10/2000, 8/12/2002

The treasurer elected by the Board of Trustees of a school district shall have such duties as the Board may prescribe. The Treasurer shall be placed under fidelity bond issued by a surety company authorized to do business in the State of Idaho, in such amount as the Board of Trustees may from time to time determine, or under personal bond equal to twice such determined amount with at least two (2) sureties who each shall qualify as in the case of sureties on the bonds of county officers.

The treasurer shall deposit the moneys of the district in accordance with the provisions of the Public Depository Law as now appearing or as it may be amended.



LEGAL REFERENCE:

Idaho Code Sections 33-509
33-705

ADOPTED: 9/19/77

AMENDED: 11/9/92

REVIEWED: 4/10/2000, 8/12/2002

The Board of Trustees may, at their discretion, retain an attorney for legal advice to the Board on all aspects of the educational program.

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LEGAL REFERENCE:
Idaho Code Sections 33-506

ADOPTED: 9/19/77

AMENDED: 7/26/90

REVIEWED: 4/10/2000, 8/12/2002

The Board of Trustees shall cause to be made each year, a full and complete audit of all of the financial transactions of the district, and of the activity or student body funds. Any audit shall be made under the direction of the Board of Trustees by an independent auditor, in accordance with generally accepted auditing standards and procedures.

The auditor shall be employed on written contract.



LEGAL REFERENCE:
Idaho Code Sections 33-701

ADOPTED: 9/19/77

AMENDED: 11/10/80 , 10/13/86

REVIEWED: 4/10/2000, 8/12/2002

Formulation of policies:

(1) Method of Proposal:

Policies shall be in a written form and presented to the Board for consideration of approval.

(2) Action necessary:

After considering the proposal for the good of all, the Board makes the proposal a policy by a majority vote. Action on proposed policies may take place at the same regular meeting that the proposal is presented.

(3) Review and revision:

The Board may at any time review and revise the policy but generally shall review the policies of the district every third year.

(4) Administration of policies delegated to Superintendent:

The Board shall delegate the administrative details to the Superintendent and their staff to carry out Board policies.



LEGAL REFERENCE:

Board Action

ADOPTED: 9/19/77

AMENDED: 5/16/2011

REVIEWED: 4/10/2000; 8/12/2002

It will be unlawful for any board member to have pecuniary interest directly or indirectly in any contract or other transaction pertaining to the maintenance or conduct of the school district, or to accept any reward or compensation for services rendered as a board member except as otherwise provided by law. The board may accept and award contracts involving the school district to businesses in which a trustee or his or her relative has a direct or indirect interest if three (3) or less suppliers of a good or a service exist within a fifteen (15) mile radius of where the good or service is to be provided and the contract is necessary to respond to a disaster. If no disaster exists the following procedures must be followed:

1. The contract is competitively bid and the board member or his or her relative submits the low bid;
2. Neither the board member nor his or her relative takes part in the preparation of the contract or bid specifications, and the board member takes no part in voting on or approving the contract or bid specification;
3. The board member makes full disclosure, in writing, to all members of the board of his or her interest, or the interest of his or her relative, and sets forth his or her intention, or the intention of his or her relative, to bid on the contract; and
4. Neither the board member nor his or her relative has violated any provisions of Idaho law pertaining to competitive bidding or improper solicitation of business.

“Relative” is defined as a person related to the board member by blood or marriage within the second degree.

The receiving, soliciting, or acceptance of monies of a school district for deposit in any bank or trust company, or the lending of money by any bank or trust company to any school district, will not be deemed to be a contract pertaining to the maintenance or conduct of a school district. The payment by any school district board of compensation to any bank or trust company for services rendered in the transaction of any banking business with such board, will also not be deemed the payment of any reward or compensation to any officer or director of any such bank or trust company.

It will be unlawful for the board of any school district to enter into or execute any contract with the spouse of any member of such board, the terms of which said contract requires, or will require, the payment or delivery of any school district funds, money or property to such spouse, except as provided above.

When any relative of any board member or relative of the spouse of a board member related by affinity or consanguinity within the second degree is considered for employment in a school district, such board member will abstain from voting in the election of such relative, and will be absent from the meeting while such employment is being considered and determined.



LEGAL REFERENCE:

Idaho Code Sections

18-1361

18-1361A

33-506

33-507

ADOPTED: 9/19/77

AMENDED: 11/10/80 ; 10/14/2002

REVIEWED: 4/10/2000

The Board of Trustees of each school district shall have the following powers and duties:

- (1) Each elementary school district shall maintain at least one (1) elementary school, and each other school district one (1) elementary school and one (1) secondary school;
- (2) To employ necessary help and labor to maintain and operate the schools of the district;
- (3) To discontinue any school within the district whenever it shall find such discontinuance to be in the best interests of the district and of the pupils therein. For the purpose of this section, discontinuing a school shall mean no longer maintaining a school of any kind at the same location.



LEGAL REFERENCE:

Idaho Code Sections 33-511

ADOPTED: 9/19/77

AMENDED:

REVIEWED: 4/20/2000; 8/12/2002

The Board of Trustees of each school district shall have the following powers and duties:

1. To fix the days of the year and the hours of the day when schools shall be in session. However:

- a) Each school district shall annually adopt and implement a school calendar which provides its students at each grade level with the following minimum number of instructional hours:

Grades	Hours
9-12	990
4-8	900
1-3	810
K	450

- b) School assemblies, testing and other instructionally related activities involving students directly may be included in the required instructional hours.
- c) When approved by a local school board, annual instructional hour requirements stated in paragraph (a) may be reduced as follows:
 - (1) Up to a total of twenty-two (22) hours to accommodate staff development activities.
 - (2) Up to a total of eleven (11) hours of emergency school closures due to adverse weather conditions and facility failures. However, transportation to and from school, passing times between classes, non instructional recess and lunch periods shall not be included.
- d) Student and staff activities related to the opening and closing of the school year, grade reporting, program planning, staff meetings, and other classroom and building management activities shall not be counted as instructional time or in the reductions provided in paragraph (c) (1).
- e) For Multiple shift programs, this rule applies to each shift (i.e., each student must have access to the minimum annual required hours of instructions).
- f) The instructional time requirement for grade 12 students may be reduced by action of a local school board for an amount of time not to exceed eleven (11) hours of instructional time.

- g) The state superintendent of public instruction may grant an exemption from the provisions of this section for a individual building within a district, when closure of that building, for unforeseen circumstances, does not affect the attendance of other buildings within the district.
2. To adopt and carry on, and provide for the financing of, a total educational program for the district. Such programs in other than elementary school districts may include education programs for out-of-school youth and adults; and such districts may provide classes in kindergarten.
3. To provide, or require pupils to be provided with, suitable textbooks and supplies, and for advice on textbook selections may appoint a textbook adoption committee as provided in section 33-512A, Idaho Code;
4. To protect the morals and health of the pupils;
5. To exclude from school, children not of school age;
6. To prescribe rules for the disciplining of unruly or insubordinate pupils, such rules to be included in a district discipline code adopted by the Board of Trustees and a summarized version thereof to be provided in writing at the beginning of each school year to the teachers and students in the district in a manner consistent with the student's age, grade and level of academic achievement;
7. To exclude from school, pupils with contagious or infectious diseases who are diagnosed or suspected as having a contagious or infectious disease or those who are not immune and have been exposed to a contagious or infectious disease; and to close school on order of the state board of health or local health authorities;
8. To equip and maintain a suitable library or libraries in the school or schools and to exclude therefrom, and from the schools, all books, contracts, papers, and catechisms of sectarian nature;
9. To determine school holidays. Any listing of school holidays shall include not less than the following: New Year's Day, Memorial Day, Independence Day, Thanksgiving Day and Christmas Day. Other days listed in Section 73-108, Idaho Code, if the same shall fall on a school day, shall be observed with appropriate ceremonies; and any days the state board of education may designate, following the proclamation by the governor, shall be school holidays.
10. To erect and maintain on each schoolhouse or school grounds a suitable flagstaff, and display thereon the flag of the United States of America on all days, except during the inclement weather, when the school is in session.

11. Each school in session on Veteran’s Day will conduct and observe an appropriate program for at least one class period remembering and honoring American veterans.
12. A day during the month of April in each year, designated as Arbor Day, will be observed by such exercises as will encourage the planting, preservation, and protection of trees and shrubs.
13. To prohibit entrance to each schoolhouse or school grounds, to prohibit loitering in schoolhouses or on school grounds and to provide for the removal from each schoolhouse or school grounds of any individual or individuals who disrupt the educational processes or whose presence is detrimental to the morals, health, safety, academic learning or discipline of the pupils. A person who disrupts the educational process or whose presence is detrimental to the morals, health, safety, academic learning or discipline of the pupils or who loiters in schoolhouses or on school grounds, is guilty of a misdemeanor.
14. To supervise and regulate, including by contract with established entities, those extra-curricular activities which are by definition outside of or in addition to the regular academic courses or curriculum of a public school, and which extra-curricular activities shall not be considered to be a property, liberty or contract right of any student, and such extra-curricular activities shall not be deemed a necessary element of a public school education, but shall be considered to be a privilege.



LEGAL REFERENCE:

Idaho Code Sections 33-512
33-1606

ADOPTED: 9/19/77

AMENDED: 11/10/80, 10/13/86, 11/9/92, 10/14/2002

REVIEWED: 4/10/2000

The Board of Trustees of each school district shall have the following powers and duties:

- (1) To employ professional personnel, on written contract in form approved by the State Superintendent of Public Instruction, conditioned upon a valid certificate being held by such professional personnel at the time of entering upon the duties thereunder. Should the Board of Trustees fail to enter into written contract for the employment of any such person, the State Superintendent of Public Instruction shall withhold ensuing apportionments until such written contract be entered into.

The Board of Trustees shall withhold the salary of any teacher who does not hold a teaching certificate valid in this state. It shall not contract to require any teacher to make up time in attending any meeting called by the State Board of Education or by the State Superintendent of Public Instruction nor while attending regularly scheduled official meetings of the State Teachers Association nor while school is closed as provided in section 33-1002(4), Idaho Code.

- (2) In case of school districts other than elementary school districts, to employ a Superintendent of Schools for a term not to exceed three (3) years, who shall be the executive officer of the Board of Trustee with such powers and duties as the Board may prescribe.

The Superintendent shall also act as the authorized representative of the district whenever such is required, unless some other person shall be named by the Board of Trustees to act as its authorized representative.

- (3) To suspend, grant leave of absence, place on probation, or discharge certificated professional personnel for continued violation of any lawful rules or regulations of the Board of Trustees, or of the State Board of Education, or for any conduct which could constitute grounds for revocation of a teaching certificate. No certificated professional employee shall be discharged during a contract term except under procedures as listed in Idaho Code 33-513.



LEGAL REFERENCE:

Idaho Code Sections 33-513

ADOPTED: 9/19/77

AMENDED: 11/10/80, 11/10/86, 11/9/92

REVIEWED: 4/10/2000, 8/12/2002

The Board of Trustees of each school district shall have the following powers and duties:

- (1) To rent to or from others, school buildings or other property used, or to be used, for school purposes.
- (2) To contract for the construction, repair, or improvement of any real property, or the acquisition, purchase or repair of any equipment, or other personal property necessary for the operation of the school district.

No such contract shall be executed which entails the expenditure of fifteen thousand dollars (\$15,000.00) or more without notice first being given by publishing twice in the manner required by subsections g and h of section 33-402, Idaho Code, unless in cooperation with the division of purchasing or cooperative agency established pursuant to chapter 23, title 67, and/or sections 33-315 - 33-318 inclusive, Idaho Code. The Board of Trustees may let the contract to the lowest responsible bidder, or reject any bid, or reject all bids and publish notice for bids, as before. If, thereafter, no satisfactory bid is received, the Board may proceed under its own direction, subject to the approval of the State Board of Education.

- (3) To designate and purchase any real property necessary for school purposes or in the operation of the district, the provisions of subsection 2 of this section notwithstanding, or remove any building, or dispose of any real property. The Board of Trustees shall determine the size of the site necessary for school purposes. The site shall be located within the incorporated limits of any city within the district; provided, however, that if the Board finds that it is not in the best interests of the electors and the students of the district to locate the site within the incorporated limits of a city, the Board, by duly adopted resolution setting forth the reasons for its finding, may designate a site located elsewhere within the district.
- (4) (a) To convey, except as provided by (b) of this subsection, by deed, bill of sale, or other appropriate instrument, all of the estate and interest of the district in any property, real or personal.

Prior to such sale or conveyance, the Board shall have the property appraised, which appraisal shall be entered in the records of the Board of Trustees. The property may be sold at public auction or by sealed bids, as the Board of Trustees shall determine, to the highest bidder.

Such property may be sold for cash or for such terms and conditions as the Board of Trustees shall determine for a period not exceeding ten (10) years, with the annual rate of interest on all deferred payments not less than seven percent (7%) per annum. The title to all property sold on contract shall be retained in the name of the school district until full

payment has been made by the purchaser, and title to all property sold under a note and mortgage or deed of trust shall be transferred to the purchaser at the point of sale under the terms and conditions of the mortgage or deed of trust as the Board of Trustees shall determine. Notice of the time and the conditions of such sale shall be published twice, and proof thereof made, in accordance with the subsections g and h of section 33-402, Idaho Code, except that when the appraised value of the property is less than one thousand dollars (\$1,000), one (1) single notice by publication shall be sufficient and the property shall be sold by sealed bids or at public auction.

The Board of Trustees may accept the highest bid, may reject any bid, or reject all bids. If the real property was donated to the school district the Board may, within a period of one (1) year from the time of the appraisal sell the property without additional advertising or bidding. Otherwise, the Board of Trustees must have new appraisals made and again publish notice for bids, as before. If, thereafter, no satisfactory bid is made and received, the Board may proceed under its own direction to sell and convey the property. In no case shall any real property of the school district be sold for less than its appraisal.

The Board of Trustees may sell personal property, with an estimated value of less than one thousand dollars (\$1000), without appraisal, by sealed bids or at public auction, provided that there has been not less than one (1) published advertisement prior to the sale of said property. If the board, by a unanimous vote of those members present, finds that the property has an estimated value of less than five hundred dollars (\$500) and is of insufficient value to defray the costs of arranging a sale, the property may be disposed of in the most cost-effective and expedient manner by an employee of the district empowered for that purpose by the board.

- (b) Real and personal property may be exchanged hereunder for other property if the consideration received by said school district shall be deemed adequate by the Board of Trustees, provided, however, that aside from the provisions of this paragraph hereof, any school district may by a vote of one-half (1/2) plus one (1) of the members of the full Board of Trustees, by resolution duly adopted, authorize the transfer of conveyance of any real or personal property owned by such school district to the government of the United States, any city, county, the State of Idaho, any hospital district organized under chapter 13, title 39, Idaho Code, any other school district, any library district, any junior college district, or any recreation district, with or without any consideration accruing to the school district, when in the judgment of the Board of Trustees it is for the interest of such school district that said transfer or conveyance be made.

- (5) To enter into contracts with any city located within the boundaries of the school district for the joint purchase, construction, development, maintenance and equipping playgrounds, ball parks, swimming pools, and other recreational facilities upon property owned either by the school district or the city.
- (6) To convey rights-of-way and easements for highway, public utility, and other purposes over, upon or across any school property and, when necessary to the use of such property for any such purpose, or authorize the removal of school buildings to such new location, or locations, as shall be determined by the Board of Trustees, and such removal shall be made at no cost or expense to the school district.
- (7) To authorize the use of any school building of the district as a community center, or for any public purposes, and to establish a policy of charges, if any, to be made for such use.
- (8) To exercise the right of eminent domain under the provisions of chapter 7, title 7, Idaho Code, for any of the uses and purposes provided in section 7-701, Idaho Code.
- (9) If there is a great public calamity, such as an extraordinary fire, flood, storm, epidemic, or other disaster, or if it is necessary to do emergency work to safeguard life, health or property, the Board of Trustees may pass a resolution declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property. Upon adoption of the resolution, the Board may expend any sum required in the emergency without compliance with this section.

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LEGAL REFERENCE:
Idaho Code Sections 33-601

ADOPTED: 9/19/77

AMENDED: 11/10/80, 11/10/83, 11/9/92, 10/14/2002

REVIEWED: 4/10/2000

The Board of Trustees of each school district, including specially chartered districts, or the designated representative(s) of such district, is hereby empowered to and shall, upon its own initiative or upon the request of a local education organization, enter into a negotiation agreement with professional employees and negotiate with such employees in good faith on those matters specified in any such negotiation agreement between the local Board of Trustees and the local educational organization. A request for negotiations may be initiated by either party to such negotiation agreement. Accurate records or minutes of the proceedings shall be kept, and shall be available for public inspection at the offices of the Board of Education during normal business hours. Joint ratification of all final offers of settlement shall be made in open meetings.



LEGAL REFERENCE:

Idaho Code Sections 33-1271

ADOPTED: 9/19/77

AMENDED: 11/10/80

REVIEWED: 4/10/2000, 8/12/2002

The issue of separation of church and state has received much recent interest. While no definite answer exists, it is generally held that such activities as the distribution of Gideon's bibles and school organized prayer are unconstitutional.

Therefore, it is the policy of the Highland District:

1. To not distribute bibles or other religious documents,
2. and to not have prayers as part of any activity of the district, i.e., invocation and benediction at graduation.

This policy will be reviewed upon any ruling of the U.S. Supreme Court or Idaho Supreme Court on this subject.



LEGAL REFERENCE: Idaho Constitution
U.S. Constitution

ADOPTED: 1/14/91

AMENDED: 11/9/92

REVIEWED: 4/10/00, 8/12/2002

Must meet the qualifications set forth by the State Board of Education and must hold the proper certificate.

Ancillary personnel include a school psychologist, a speech and hearing person, a pre-school teacher, and school nurse. In School District No.305, they all are part time people who work with other school districts or are contracted. They are selected, assigned duties, and evaluated by the Superintendent working cooperatively with the Superintendents of those districts.



LEGAL REFERENCE:

Board Action

ADOPTED: 9/17/77

AMENDED: 12/8/85, 12/14/92

REVIEWED: 2/17/2003

Board Meetings

Meeting Defined

A meeting is defined as the convening of the Board of Trustees to make a decision or to deliberate toward a decision on any matter. Trustees may participate in school board meetings via electronic means (including telephonic or video conferencing devices) provided at least one (1) member of the Board of Trustees or the Superintendent is physically present at the meeting location.

Annual Organization Meeting

After the issuance of the election certificates to the newly elected Trustees in November and on the date of its regular January meeting, the Board shall elect from among its members a Chair and a vice chair to serve one year terms. The Board shall also elect a clerk and a treasurer, who may be Members of the Board of Trustees or, at the discretion of the Board, either or both positions may be selected from among competent and responsible persons outside the membership of the Board. The Board, in its discretion, may allow compensation for the clerk and for the treasurer if other than the county treasurer. If a Board Member is unable to continue to serve as an officer, a replacement shall be elected immediately. In the absence of both the Chair and the vice chair, the Board shall elect a chair pro tempore, who shall perform the functions of the Chair during the latter's absence. The clerk shall act as Board secretary.

The normal order of business shall be modified for the annual organizational meeting by considering the following matters after the approval of the minutes of the previous meeting:

1. Welcome and introduction of newly-elected Board Members by the current Chair;
2. Swearing in of newly-elected Trustees;
3. Call for nominations for Chair to serve during the ensuing year;
4. Election of a Chair;
5. Assumption of office by the new Chair;
6. Call for nominations for vice chair to serve during the ensuing year;
7. Election of a vice chair;
8. Election of a clerk; and
9. Election of a treasurer; and
10. Review the code of ethics.

Policies and bylaws shall continue from year to year until and unless the Board changes them.

Regular Meetings

Unless otherwise specified, regular meetings of each Board of School District Trustees shall be held monthly, on the second Monday of the Month at 7:00 p.m. in the School Library.

Emergency Meetings

In the event of an emergency involving possible personal injury or property damage, immediate financial loss, or the likelihood of injury, damage or loss, the Board may meet immediately and take official action without prior notification when the notice requirements would make such notice impracticable, or increase the likelihood or severity of such injury, damage or loss, and the reason for the emergency is stated at the outset of the meeting.

Budget Meetings

No later than twenty-eight (28) days prior to its annual meeting, the Board shall have prepared a budget, in the form prescribed by the state superintendent of public instruction, and shall hold a public hearing. At such public hearing or at a special meeting held no later than fourteen (14) days after the public hearing, the Board shall adopt a budget for the ensuing year. Notice of the budget hearing shall be posted and published as prescribed in I.C. § 33-402. From the time noticed, a copy of the budget shall be available for public inspection during regular business hours.

Special Meetings

Special meetings may be called by the Chairperson or by any two (2) members of the trustees. If the time and place of special meetings has not been determined at a meeting of the Board with all members present, then written notice of a special meeting, stating the purpose of the meeting, shall be delivered to each trustee not less than twenty-four (24) hours prior to the time of the meeting. Such written notice shall be posted conspicuously at the school district office and at least two (2) or more public buildings within the school district. Business transacted at a special meeting will be limited to that stated in the notice of the meeting.

Executive Sessions

Pursuant to Idaho Code, upon a two-thirds (2/3's) vote recorded in the minutes of the meeting, the Board may hold an executive session after the Board Chair has expressly identified the specified legal authorization for holding an executive session and provided sufficient detail to identify the general purpose and topic of the executive session. However, the information provided shall not compromise the purpose of going into an executive session.

An executive session may be held for, and only for, the following purposes:

1. To consider hiring a public officer, employee, staff member, or individual agent wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. Please note this does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.
2. To consider the evaluation, dismissal or disciplining of, or to hear complaint or charges brought against, a public officer, employee, staff member or individual agent, or a student.
3. To conduct deliberations regarding labor negotiations. *Note: The Board may still deliberate regarding labor negotiations and may caucus regarding negotiations in Executive Session. However, all actual negotiations between the parties; such as the exchange of offers, counteroffers, and exchange of documents; must be conducted in open session.*
4. To acquire an interest in real property which is not owned by a public agency;
5. To consider records exempt from public disclosure;
6. To consider preliminary negotiations involving matters of trade or commerce in which the Board is in competition with other governing bodies in other states or nations;
7. To communicate with legal counsel and to discuss any legal ramifications and/or legal options for pending litigation or possible legal controversies not yet being litigated. The presence of legal counsel at executive session does not satisfy this requirement.
8. To communicate with a representative of the District's risk management or insurance provider to discuss a pending claim or prevention of a possible claim to be filed. The presence of a risk management or insurance provider at executive session does not satisfy this requirement.

Except for making a determination to place a certified professional employee on probation, no final action may be held for the purpose of taking any final action or making any final decisions.

If an executive session only will be held, a twenty-four (24) hour meeting and agenda notice shall include the date, time, place and items to be discussed and including the specific provision of law authorizing the executive session. The Board will not change the subject within the executive session to one not identified within the motion to enter executive session or to any topic for which an executive session is not provided.



LEGAL REFERENCE:

- I.C. §33-506 Organization and Government of Board of Trustees
- I.C. §33-510 Annual Meetings – Regular Meetings – Board of Trustees
- I.C. § 74-202 Open Public Meetings – Definitions
- I.C. § 74-203 Governing Bodies—Requirement for Open Public Meetings
- I.C. § 74-204 Notice of Meetings
- I.C. § 74-205 Written Minutes of Meetings
- I.C. § 74-206 Executive Sessions – When Authorized
- I.C. § 74-206A Negotiations in Open Session

ADOPTED: 9/19/77

AMENDED: 11/9/92, 5/8/2000, 10/14/2002, 8/9/2004, 12/10/2007, 10/12/09, 5/9/2016
12/10/2018

Rules of Order:

Roberts Rules of Order will be the official rules of order by the Board.



LEGAL REFERENCE:
Board Action

ADOPTED: 9/19/77

AMENDED:

REVIEWED: 4/10/2000, 8/12/2002

School Board Meeting ProcedureAgenda

The agenda for any Board meeting shall be prepared by the Superintendent and Board Chairman. Items submitted by the Board Chair or at least two (2) board members shall be placed on the agenda. Citizens may also suggest inclusions on the agenda. Such suggestions must be received by the Superintendent at least six (6) days before the Board meeting, unless of immediate importance. Individuals who wish to address the Board must also notify the Superintendent, in writing, of the request. The request must include the reason for the appearance. Citizens wishing to make brief comments about school programs or procedures or items on the agenda need not request placement on the agenda, and must follow the procedure established for public input at Board meetings.

Regular Meeting Agendas - A forty-eight (48) hour agenda notice shall be required in advance of each regular meeting, however, additional agenda items may be added after completion of the agenda up to and including the hour of the meeting, provided that a good faith effort is made to include in the notice all agenda items known at the time to be probable items of discussion. Notices and agendas must be posted in a prominent place at the principal office of the District, or if no such office exists, at the building where the meeting is to be held.

Special Meeting Agendas – Special meetings require a twenty-four (24) hour meeting and agenda notice. The agenda notice shall include at a minimum the meeting date, time and place

Order of Business

The order of business will be determined by the Board Chairman and Superintendent with input from the Board. Upon consent of the majority of the members present, the order of business at any meeting may be changed.

The following will be the order of business followed by the Board:

- 1) Call to Order
- 2) Announcement of any changes/additions to agenda
- 3) Consideration of Consent Agenda
 - A. Approval of Minutes –
 - B. Budget Report/Balance Sheet
 - C. Payment of Current Bills
 - D. Associated Student Body Records
- 4) Programs

- 5) Unfinished Business
- 6) New Business
- 7) Reports and Comments Requiring No Action
- 8) Adjourn

Consent Agenda

To expedite business at a Board meeting, the Board approves the use of a consent agenda, which includes those items considered to be routine in nature. Any item which appears on the consent agenda may be removed by a member of the Board. It is strongly suggested that any Board member who wishes to remove an item from the consent agenda give advance notice in a timely manner to the Board Chairman and Superintendent. The remaining items will be voted on by a single motion. The approved motion will be recorded in the minutes, including a listing of all items appearing on the consent agenda.

Minutes

The Clerk shall keep written minutes of all open Board meetings, which shall be signed by the Chair and the Clerk. The minutes shall include:

- The date, time and place of the meeting;
- The presiding officer;
- Board members recorded as absent or present;
- All motions, resolutions, orders, or ordinances proposed and their disposition;
- The results of all votes, and upon the request of a member, the vote of each member, by name;
- Legal basis for recessing into executive session; and
- Time of adjournment.

When issues are discussed that may require a detailed record, the Board may direct the Clerk to record the discussion verbatim.

Unofficial minutes shall be delivered to Board members in advance of the next regularly scheduled meeting of the Board. Minutes need not be read publicly, provided that members have had an opportunity to review them before adoption. A file of permanent minutes of Board meetings shall be maintained in the office of the Clerk, to be made available within a reasonable period of time after a meeting for inspection upon the request.

Minutes of Executive Session

The Clerk shall keep written minutes of executive session. Said minutes shall be limited to a specific reference to the Idaho code section authorizing the executive session and sufficient detail to provide the general subject matter. The minutes shall not contain information that would compromise the purpose of going into executive session. Executive session minutes may be recorded in the body of the written minutes of the open session and are a public record.

Use of Electronic Devices During Meetings

Board members will not utilize electronic communication during board meetings unless that communication is also publicly communicated to those in attendance at the meeting. Such communication will be recorded or otherwise referenced in the board minutes, as determined appropriate, given the nature of the topic being considered.

Quorum

No business shall be transacted at any meeting of the Board unless a quorum of the members is present. A majority of the full membership of the Board shall constitute a quorum. A majority of the quorum may pass a resolution.

Meeting Conduct and Order of Business

General rules of parliamentary procedure are used for every Board meeting. The most current edition of *Robert's Rules of Order* may be used as a guide at any meeting. The order of business shall be reflected on the agenda. The use of proxy votes shall not be permitted. Voting rights are reserved to those trustees in attendance. Voting shall be by acclamation or show of hands.

Delivery to Board Members

The Board agenda shall be delivered to Board Members at least two full days prior to meeting and posted according to law. All meetings are open to the public.



LEGAL REFERENCE:

Idaho Code Section 33-510, 67,2343, 67-2344

ADOPTED: 9/19/77

AMENDED: 11/10/80, 11/10/86, 11/11/2002, 12/10/2007

REVIEWED: 4/10/2000

The Board may make use of committees to study certain current problems and to report findings to the whole board with recommendations for action. After action has been taken, such committees will be discharged.



LEGAL REFERENCE: Board Action

ADOPTED: 9/19/77

AMENDED: 11/13/86

REVIEWED: 4/10/2000, 8/12/2002

ACTION PRIOR TO PLACEMENT ON THE AGENDA

Prior to requesting placement on the agenda of the Board of Trustees meeting, concerns should be handled on the following manner:

- 1) If the concern involves a staff member, a conference with the staff member should be arranged to communicate and attempt to resolve the concern(s)
- 2) If the concern is not resolved, the administration should be contacted to attempt resolution of the concern.
- 3) If neither of these contacts resolves the concern(s), a request to appear before the Board of Trustees may be initiated.

REQUEST FOR PLACEMENT ON THE AGENDA

In order to request placement on the agenda of the Board of Trustees meeting, the request should be made to the superintendent of schools, who serves as the chief executive officers of the Board or to the Chairman of the Board. If possible, the request should be given at least five days prior to the next regular meeting of the Board. The request should detail the purpose of the proposed presentation.

DECORUM DURING PRESENTATION

During the presentation to the Board of Trustees, the following decorum should be used:

1. Persons addressing the Board should limit their oral presentation to the time limit agreed upon before hand with the superintendent and Board chairperson.
2. All oral statements in such presentations is under the direction of the Board chairperson.
3. Once recognized by the Board, the person should confine his or her remarks to the subject announced.
4. The Board chairperson will determine when full and complete information has been given.
5. The Board of Trustees reserves the right to terminate the presentation at any time the Board determines the conduct of orderly business is no longer possible.
6. No use of specific names nor accusations are to be made in open session.

SECTION 100: BOARD OF TRUSTEES

7. A minor student who wishes to address the board should be accompanied by his or her parent(s) or guardian.



LEGAL REFERENCE: IC 33-512 , 67-2345, Board Action

ADOPTED: 9/19/77

AMENDED: 1/13/86, 12/9/2002

REVIEWED: 4/10/2000

The Board of Trustees will transact all official business at meetings of the Board. No member shall make any Board commitment or promise or have power to act outside of Board Meetings unless specifically authorized by the Board.



LEGAL REFERENCE:
Idaho Code Sections 33-506

ADOPTED: 9/19/77

AMENDED:

REVIEWED: 4/10/2000, 8/12/2002

The public has the right to access this district's public records. This policy sets forth the procedure for accessing public records.

DEFINITIONS

Public Records: These include, but are not limited to, any writing containing information relating to the conduct or administration of the district's business that is prepared, owned, used, or retained by the district.

Writing: The information maintained in many forms, including, for example, pictures, maps, tapes, magnets, or punched cards and computer disks.

Inspect: This includes the right to listen, view, and make notes of public records, so long as the public record is not altered or damaged.

Copies: This includes transcribing by handwriting, photocopying, duplicating machine, and reproducing by any other means, so long as the public record is not altered or damaged.

Custodian: The district employees who have physical custody and control of the public records, including those employees who respond to requests for information on a routine basis. "Custodian" also includes the person, whether elected or appointed, who is legally responsible for administration of the district, or that person's designee.

Designated Custodians: Those employees authorized to perform specific responsibilities that are described in this policy, including denying requests for information when appropriate to do so.

The following persons are the designated custodians for this district:

1. Superintendent
2. Business Manager
3. Clerk/Treasurer

The above-named custodians may delegate responsibility for routine information requests.

EXEMPT MATERIALS FROM PUBLIC REVIEW

The Idaho Legislature has set forth particular records that are exempt from disclosure to the public. All employees should be aware of the following exemptions that apply to this school district. The following list sets forth some of the designated exempt records:

SECTION 100: BOARD OF TRUSTEES

1. Any public record exempt from disclosure by federal or state law or federal regulations to the extent specifically provided for by such law or regulation. This includes, but is not limited to, student records under the Family Educational Rights and Privacy Act.
2. Records relating to the appraisal of real property, timber, or mineral rights, prior to its acquisition, sale, or lease by the district.
3. Any estimate prepared by the district that details the cost of a public project until such time as disclosed or bids are opened, or upon award of the contract for construction of the public project.
4. The records of a library that, when examined alone or when examined with other public records, would reveal the identity of the library patron checking out, requesting, or using an item from the library.
5. Computer programs developed and purchased by or for the district for its own use. However, computer program does not include:
 - a. The original data including, but not limited to, numbers, texts, voice, graphics, and images;
 - b. Analysis, compilation, and other manipulative forms of the original data produced by use of the program;
 - c. The mathematical or statistical formulas that will be used if the manipulative forms of the original data were to be produced manually.
6. Employment security information and unemployment insurance benefit information, except that all interested parties may agree to waive the exemption.
7. Facts contained in any records of a juvenile maintained under the Juvenile Correction Act will be furnished upon request to any district where the juvenile is enrolled or is seeking enrollment. If a juvenile is fourteen (14) years or older and is adjudicated guilty of an offense that would be a felony if committed by an adult, the name, the offense of which the juvenile was adjudicated, and the disposition of the court will be disclosed.
8. All personnel records of a current or former employee other than the employee's public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace, and employing district.
9. All other personnel information relating to the employee or applicant, including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, applications, testing and scoring materials,

grievances, correspondence, and performance evaluations, will not be disclosed to the public without the employee's or applicant's written consent. An employee or authorized representative may inspect and copy his or her personnel records, except for material used to screen and test for employment.

RECORDS CONTAINING A COMBINATION OF BOTH EXEMPT AND NON-EXEMPT MATERIALS

When exempt and non-exempt materials are combined, the district is responsible for separating the exempt from the non-exempt information and for supplying the non-exempt record. The Public Records Law prohibits denying access based on the fact that the record contains both types of materials.

Even if an exemption applies to a record, the law allows disclosure of statistical information that does not identify any particular person.

PROCEDURES FOR REQUESTING PUBLIC RECORDS

Although the Public Records Law allows this district to require written requests for information, it is this district's policy to waive the formal requirement in those cases where the information requested is readily available and routinely provided by this district.

Under some circumstances, however, this district may ask the individual or organization seeking the information to put the request in writing, and to provide the individual's or organization's name, mailing address, and telephone number. Those circumstances include instances when uncertainty exists over what the individual wants, when uncertainty exists over whether the information requested is protected or privileged, or when compiling or copying the information requested is anticipated to be unduly time-consuming or difficult.

The law prohibits asking why the information is needed, except to verify the identity of a person requesting a record to ensure that the requested record or information will not be used for purposes of a mailing or telephone list prohibited by Idaho Code Section 9-348. This district is permitted to explain what records are available and to help identify the material that is desired. This district is also permitted to allow the person to examine non-exempt files in order to select the specific records needed.

Staff must maintain vigilance to see that records are not altered or destroyed, but the law prohibits examination of any copy, photograph, or notes in the person's possession.

A request for records, whether submitted informally or in writing, must be granted or denied within three (3) working days. The designated custodians are the individuals in this district who are authorized to determine that a request cannot be fulfilled within three (3) working days. If more than three (3) working days are needed to locate or retrieve the

records, the individual seeking the records will be requested to submit a written request. The request must be granted or denied in whole or in part within ten (10) working days. Provided that, if it is determined that a requested electronic record exists but must first be converted to another electronic format, and that such conversion cannot be completed within ten (10) days, the custodian shall notify the individual requesting the record in writing. The district shall provide the converted public record at a time mutually agreed upon between the district and the requesting party, with due consideration given to any limitations that may arise due to the process of conversion, or the use of a third party to make the conversion.

If no answer is provided by this district within ten (10) working days, the request will be deemed to have been denied.

DISTRIBUTION OR SALE OF MAILING OR TELEPHONE NUMBER LISTS PROHIBITED

This district will not distribute or sell for use as a mailing list or a telephone number list any list of persons, including students and employees, without first securing the permission of those individuals named on the list. This district will verify the identity of a person requesting a record to ensure that the requested record or information will not be used for purposes of a mailing or telephone list.

COSTS FOR PROVIDING PUBLIC RECORDS

The Public Records Law permits this district to charge for the actual cost of copying records or for providing a duplicate computer tape, computer disc, microfilm, or similar or analogous record system containing the public record information requested. The district's actual cost of conversion, of the existing record is converted to another electronic form, may be charged to the requesting party. The copying or conversion fee schedule will be made available to those individuals requesting copies and will be updated from time to time as necessary to reflect the actual copying costs to the district.

The fee charged for providing information in the form of computer tapes, disks, microfilm, or similar record media, may not exceed the amount of the direct cost of copying. If the information is also available in publication form, the district may offer the published material to the individual or organization at the standard cost of selling the publication.

This district may also charge, at the discretion of the custodian of the records, the actual labor cost, which will include the hourly wage and cost of benefits of the employee associated with locating and copying documents when:

1. The request is for more than one hundred (100) pages of paper records; or
2. The request includes records from which nonpublic information must be deleted;
or

3. The actual labor, as defined above, associated with locating and copying documents for a request exceeds two (2) person hours.

This district may require advance payment of the photocopying charges for major copying work. A decision on whether to require advance payment will be made by a custodian of the records.

No cost or fees for copies or labor will be charged by this district when the requester demonstrates:

1. The inability to pay; or
2. That the public's interest or the public's understanding of the operations or activities of government or its records would suffer by the assessment or collection of any fee.

When necessary, a designated custodian may authorize an examination of records to be done outside of regular working hours. In this event, the persons designated to represent the custodian during such examination will be entitled to reasonable compensation to be paid to them out of funds provided in advance by the person examining the records.

If there is a request to mail copies of documents to an individual, the custodian may request advanced payment for the copies and a stamped, self-addressed envelope large enough for the number of copies. If the information requested is unusual, or if there is confusion about what is being sought, the individual may be asked to submit the request in writing, along with advance payment for copies and a stamped, self-addressed envelope large enough for the number of copies. If it is deemed unnecessary to receive a written request, advance payment or a self-addressed, stamped envelope, any or all of the requirements may be waived. Any questions should be referred to a custodian of the records.

INSPECTION AND CORRECTION OF AN INDIVIDUAL'S RECORDS

An individual may inspect, copy, and request correction of public records pertaining to that person, except those portions of records that are exempt from disclosure. Such requests will be referred to a designated custodian immediately. A correction, or a written refusal to make the correction, must be made within ten (10) calendar days.

If a request to correct an individual's record is denied, written notification is required within ten (10) calendar days of the receipt of the request. A notice of refusal to amend a record must state the reasons for the refusal, and provide the statement of appeal rights and certificate of mailing as set forth below.

DENIAL OF REQUESTS

SECTION 100: BOARD OF TRUSTEES

If there is any doubt about whether information should be disclosed, the person who is making the request will be asked to submit that request in writing. The written request will immediately be directed to a designated custodian.

If a request for a record is denied in whole or in part, the person making the request must be notified in writing. This notice must include:

1. A statement that an attorney for the district has reviewed the request, or that the district had the opportunity to consult with an attorney and has chosen not to do so;
2. The statutory basis for the denial;
3. A simple statement of the right to appeal and the time limit for an appeal.

A certificate of mailing must accompany the notice.

The time limit for filing an appeal is one hundred eighty (180) days from the date the notice of denial is mailed. The sole remedy for protesting the district’s decision is to file a petition in the district court of the county where the records or some part of them are located, requesting the court to compel the district to make the information available or to correct the record.

When a request is denied, the requested records must be retained until the end of the appeal period, until there has been a decision on an appeal, or as otherwise provided by the Public Records Law, whichever is longer. Whenever a request is denied, there must be some indication made on the record that it must not be purged without the approval of a designated custodian.

PENALTY AND IMMUNITY

The Public Records Law provides a penalty of up to one thousand dollars (\$1,000) for deliberate, bad faith denial of information that should be disclosed. The Public Records Law also provides immunity from liability for the release of records as long as there is a good-faith attempt to comply with the law’s requirements. Therefore, it is important that any questions or any requests that seem doubtful be immediately referred to a designated custodian.



LEGAL REFERENCE:

Idaho Code Section 9-337, et seq. 34 CFR Part 99

ADOPTED: 1/14/91

AMENDED: 11/9/92, 7/10/00, 9/9/2002, 11/13/06

Use of electronic mail (e-mail) by members of the Board will conform to the same standards of judgment, propriety, and ethics as other forms of school board-related communication. Board members will comply with the following guidelines when using e-mail in the conduct of Board responsibilities:

1. The Board will not use e-mail as a substitute for deliberations at Board meetings or for other communications or business properly confined to Board meetings.
2. Board members will be aware that e-mail and e-mail attachments received or prepared for use the Board business or containing information relating to Board business may be regarded as public records, which may be inspected by any person upon request, unless otherwise made confidential by law.
3. Board members will avoid reference to confidential information about employees, students, or other matters in e-mail communication, because of the risk of improper disclosure or unsecure websites. Board members will comply with the same standards as school employees with regard to confidential information.

Definitions

“Deliberation” is defined as the receipt or exchange of information or opinion relating to a decision, but shall not include informal or impromptu discussions of a general nature which do not specifically relate to a matter then pending before the public agency for decision.

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LEGAL REFERENCE:

Idaho Code Sections 9-337, 67-234, Cowles Pub.Co. v Kootenai Co, Bd. Of County Commissions 144 Idaho 259 (2007).

ADOPTED: 12/14/09

AMENDED:

It is the policy of this board not to discriminate on the basis of race, color, creed, national origin, religion, age, disability or sex in its educational programs or employment practices.



- Title VII of the Civil Rights Act of 1965,
42 USC Section 2000e, *et seq.*
- Title VI of the Civil Rights Act of 1964,
42 USC Section 2000d, *et seq.*
- Section 1981 of the Civil Rights Act of 1866,
42 USC Section 1981
- Section 1983 of the Civil Rights Act of 1871,
42 USC Section 1983
- The Equal Pay Act 1963,
29 USC Section 206d
- Title IX of the Education Amendments of 1972,
20 USC Section 1681
- Age Discrimination and Employment Act of 1967,
29 USC Section 621, *et seq.*
- Americans with Disabilities Act of 1990,
42 USC Section 12101, *et seq.*
- Section 504 of the Vocational Rehabilitation Act 1973,
29 USC Section 794
- Idaho Commission on Human Rights,
Idaho Code Section 67-5901, *et seq.*

ADOPTED: 9/19/77

AMENDED: 11/10/80, 11/9/92, 10/14/2002

REVIEWED: 4/10/2000

Grievances by employees, students or other persons alleging illegal discrimination by this district, its employees, other students, or third parties in any of the district's public facilities, programs or activities based on race, sex, national origin, color, age (persons forty (40) years of age or older), religion, or disability may be filed as follows:

FILING A CIVIL RIGHTS GRIEVANCE COMPLAINT

A complaint should be filed in writing by the complainant, by the complainant's representative, parent or guardian or both. Any complaints received by this district by telephone or verbally will be recorded by the district in written form. The complaint must be filed with the office of the superintendent or clerk of the board within one hundred eighty (180) days of the alleged discriminatory action. The complaint should set forth the date, place, and nature of the discriminatory action and specify the remedy sought by the complainant.

INVESTIGATION AND REPORT

The school district will contact the complainant in writing within ten (10) working days of receipt of the complaint to let him or her know the complaint was received and what action the district has taken or will take in an attempt to resolve the complaint.

Within ninety (90) calendar days after receiving the complaint, the superintendent or designee must investigate the incident and issue a written finding of whether or not discrimination was found. The investigation will include, but not be limited to, interviews with the complainant and school district personnel. The investigator will allow both parties an opportunity to present written statements of witnesses and/or other evidence.

If the complainant does not agree with the findings of the superintendent or designee, he or she will have thirty (30) days to provide additional information to the designee of the superintendent to facilitate further review of the complaint.

The complainant will be notified of his or her right to appeal the findings of the district to the proper state or federal compliance agency. A complainant may at any time file a complaint directly with other agencies listed on page two of this policy.

REMEDY IF DISCRIMINATION IS FOUND

If the superintendent or board designee finds that the alleged discrimination occurred, the superintendent will take immediate steps to remedy such discrimination and to prevent the recurrence of discrimination. The superintendent will provide the complainant with a written report of the findings and proposed remedy, if any. The superintendent will report the investigation findings and proposed remedy, if any, to the board at the next special or regular meeting.

SECTION 100: BOARD OF TRUSTEES

FILING OTHER COMPLAINTS

The complainant may also file a complaint with the following state and federal agencies:

1. Idaho Human Rights Commission, 1109 Main Street, P.O. Box 83720, Boise, Idaho 83720-0040.
2. Office for Civil Rights, U.S. Department of Education, 915 2nd Avenue, Room 3310, Seattle, WA 98174-1099.
3. U.S. Department of Justice, Washington, D.C. 20530.

Employment complaints may be filed with the Equal Employment Opportunity Commission, 2815 2nd Avenue, Suite 500, Seattle, Washington 98121.

NO RETALIATORY ACTION

No individual who has filed a complaint, testified, assisted or participated in any manner in the investigation of a complaint will be intimidated, coerced or otherwise discriminated against.

RETENTION OF RECORDS

All records of complaints and investigations filed under this procedure will be retained with the district for a period of three (3) years.

SCHOOL DISTRICT ACTIONS

All employees, students, and third parties of the district will be responsible for acting in accordance with this policy.



LEGAL REFERENCE:

- Title VII of the Civil Rights Act of 1965
42 USC Section 2000e, et seq.
- Title VI of the Civil Rights Act of 1964
42 USC Section 2000d, et seq.
- Section 1981 of the Civil Rights Act of 1866
42 USC Section 1981
- Section 1983 of the Civil Rights Act of 1871
42 USC Section 1983
- The Equal Pay Act 1963
29 USC Section 206d
- Title IX of the Education Amendments of 1972
20 USC Section 1681

SECTION 100: BOARD OF TRUSTEES

**POLICY TITLE: Grievance Procedure under
Affirmative Action**

**Policy No.:150.2
Page 3 of 3**

Age Discrimination and Employment Act of 1967

29 USC Section 621, et seq.

Americans with Disabilities Act of 1990

42 USC Section 12101, et seq.

Section 504 of the Rehabilitation Act 1973

29 USC Section 794

ADOPTED: 9/19/77

AMENDED: 10/14/2002, 6/13/2016

REVIEWED: 4/10/2000

A vacancy shall be declared by the board of trustees within thirty (30) days of when any of the following occurs: A Trustee:

1. Dies;
2. Resigns;
3. Removes him/herself from the trustee’s zone of residence;
4. No longer is a resident or school district elector of the district;
5. Refuses to serve as trustee;
6. Fails to attend four consecutive regular meetings of the Board of Trustees without excuse acceptable to the Board

A trustee position also shall be vacant when an elected candidate fails to qualify.

A declaration of vacancy shall be made at any regular or special meeting of the board of trustees, when any of the above-mentioned conditions are determined to exist.

In the case of a trustee vacancy, the remaining trustees shall fill the vacancy by appointment. The Board will receive applications from any qualified persons seeking to fill the position after suitable public notice. The Board will consider all applications from qualified persons seeking to fill the position in open session. The Board will appoint one candidate to serve for the balance of the unexpired term of office which was declared vacant. In the event the board of trustees is unable to appoint a trustee from the zone vacated after ninety (90) days from the date the board declared the vacancy, the Board of Trustees may appoint a person at-large from within the boundaries of the s School District to serve as the Trustee from the zone where the vacancy occurred. For Trustees who are recalled, vacancy period begins upon certification of the recall election. Otherwise, after 120-days of the declaration of vacancy, the county commissioners of the county in which the district is situated OR of the home county, if the district is a joint school district shall appoint a qualified person to fill such vacancy.

The authority of a Trustee subject to recall is limited from the period of the special recall election until the time of certification by the board of county commissioners, consistent with 1500P.

Legal References:

- I.C. § 33-501
- I.C. § 33-504
- I.C. § 67-2345(1)(a)

Description

- Board of Trustees
- Vacancies on Boards of Trustees
- Executive Sessions When Authorized

Cross Reference

ISBA Code

- 1100
- 1120
- 1120-P(1)
- 1240
- 1500

Description

- Membership
- Taking Office
- Taking Office - Oath of Office
- Duties of Individual Trustees
- Board Meetings

1500-B(1)
1500-P(1)

Board Meetings - Board Operating Procedure & Protocol
Board Meetings - Board Meeting Procedure

ADOPTED: 9/19/77

REVIEWED: 4/10/2000, 8/12/2002

AMENDED: 10/13/86, 7/23/90, 11/9/92, 2/14/2011, 10/14/2024

Agenda

The agenda for any Board meeting shall be prepared by the Superintendent and Board Chair or their designee. Items submitted by the Board Chair or at least two board members shall be placed on the agenda. Patrons of the district may also suggest inclusions on the agenda. Such suggestions must be received by the Superintendent at least six (6) days before the Board meeting, unless of immediate importance. Individuals who wish to address the Board must also notify the Superintendent, in writing, of the request.

Regular Meeting Agendas

A 48-hour agenda notice shall be required in advance of each regular meeting. Notices and agendas must be posted in a prominent place at the principal office of the District, if no such office exists, at the building where the meeting is to be held. All meeting notices and agendas must be posted on the District website.

Special Meeting Agendas

Special meetings require a 24-hour meeting and agenda notice. The agenda notice shall include at a minimum the meeting date, time and place. The Board clerk or their designee shall maintain a list of the news media requesting notification of meetings and shall make a good faith effort to provide advance notification to them of the time and place of each meeting. All meeting notices and agendas must be posted on the District website.

Amending Agendas

An agenda may be amended provided that a good faith effort is made to include, in the original agenda notice, all items known to be probable items of discussion.

Amending the Agenda More than 48 Hours Before a Regular Meeting or 24 Hours Before a Special Meeting: If an amendment to an agenda is made after an agenda has been posted but 48 hours or more prior to the start of a regular meeting, or 24 hours or more prior to the start of a special meeting, then the agenda is amended upon the posting of the amended agenda.

Amending the Agenda Less than 48 Hours Before a Regular Meeting or 24 Hours Before a Special Meeting: If an amendment to an agenda is proposed after an agenda has been posted and less than 48 hours prior to a regular meeting or less than 24 hours prior to a special meeting but prior to the start of the meeting, the proposed amended agenda shall be posted but shall not become effective until a motion is made at the meeting and the Board votes to amend the agenda.

Amending the Agenda After the Start of a Meeting: An agenda may be amended after

the start of a meeting upon a motion that states the reason for the amendment and states the good faith reason the agenda item was not included in the original agenda posting.

Negotiation Meeting Notices

Notice of all negotiation sessions between the District and the local education organization shall be posted at the earliest time practicable on the front page of the District's website. Additionally, if time permits, the District shall post notice of the negotiation sessions within 24 hours at the same physical locations the District uses for posting its regular meetings.

Order of Business

The order of business will be determined by the Board Chairman and Superintendent with input from the Board. Upon consent of the majority of the members present, the order of business at any meeting may be changed. The Board shall accept public comment before it takes action on any District business.

Consent Agenda

To expedite business at a Board meeting, the Board approves the use of a consent agenda, which includes those items considered to be routine in nature. Any item which appears on the consent agenda may be removed by a member of the Board. It is strongly suggested that any Board member who wishes to remove an item from the consent agenda give advance notice in a timely manner to the Board Chair and Superintendent. The remaining items will be voted on by a single motion. The approved motion will be recorded in the minutes, including a listing of all items appearing on the consent agenda.

Action Items

All agenda items that require a vote shall be identified on the agenda as such. Final action may not be taken on any agenda item added after the start of a meeting unless an emergency is declared necessitating action at that meeting. The declaration and justification shall be reflected in the Board minutes.

Minutes

The Clerk shall keep written minutes of all open Board meetings, which shall be signed by the Chair and the Clerk. The minutes shall include:

- The date, time and place of the meeting;
- The presiding officer;
- Board members recorded as absent or present;
- All motions, resolutions, orders, or ordinances proposed and their disposition;
- The results of all votes, and upon the request of a member, the vote of each member, by name;
- Legal basis for recessing into executive session; and
- Time of adjournment.

When issues are discussed that may require a detailed record, the Board may direct the Clerk to record the discussion verbatim.

Unofficial minutes shall be delivered to Board members in advance of the next regularly scheduled meeting of the Board. Minutes need not be read publicly, provided that members have had an opportunity to review them before adoption. A file of permanent minutes of Board meetings shall be maintained in the office of the clerk, to be made available within a reasonable period of time after a meeting for inspection upon the request.

Minutes of Executive Session

The Clerk shall keep written minutes of executive session. Said minutes shall be limited to a specific reference to the Idaho code section authorizing the executive session and sufficient detail to provide the general subject matter. The roll call vote to go into executive session shall be recorded in the minutes. The minutes shall not contain information that would compromise the purpose of going into executive session.

Minutes of Negotiation Sessions

In all negotiation sessions between the District and the local education organization, the District shall cause to be taken written minutes. All documentation exchanged between the parties during a negotiation session, including all offers and counter-offers, shall be retained by the District and shall be subject to public writings disclosure laws.

Quorum

No business shall be transacted at any meeting of the Board unless a quorum of the members is present. A majority of the full membership of the Board shall constitute a quorum. A majority of the quorum may pass a resolution. However, in the event one or more vacancies on the board exist in accordance with Policy 1140, a quorum is permitted if a majority of the remaining members of the board are present.

Meeting Conduct and Order of Business

General rules of parliamentary procedure are used for every Board meeting. The most current edition of *Robert’s Rules of Order* may be used as a guide at any meeting. The order of business shall be reflected on the agenda. The use of proxy votes shall not be permitted. Voting rights are reserved to those trustees in attendance. Voting shall be by acclamation or show of hands. The Board shall adopt a board operating protocol and rules of procedure, and make it available for patrons at all Board meetings.

Recall of School Trustees

In the event one or more Board Members are subject to a recall election, those Board Member(s) shall not vote on any of the following action items until after the certification of the recall election results:

1. Action items that would alter the structure of the Board; or
2. Action items that would create a new contractual or financial obligation for the District.

This prohibition shall apply to all Board Members who are subject to the recall election, regardless of the result of the election, and it shall apply from the date of the recall election until the results are certified. These Board Members may participate and vote in all other routine matters.



Legal References

Description

IC § 33-205

Denial of School Attendance

IC § 33-510

Annual Meetings – Regular Meetings – Board of Trustees

IC § 74-202

Open Public Meetings – Definitions

IC § 74-203

Governing Bodies--Requirement for Open Public Meetings

IC § 74-204

Notice of Meetings

IC § 74-205

Written Minutes of Meetings

IC § 74-206

Executive Sessions – When Authorized

IC § 74-206A

Negotiations in Open Session

Idaho Open Meeting Law Manual

Current edition

Cross References

Code

Description

1140

Vacancies

4105

Public Participation in Board Meeting

4105

Public Participation in Board Meeting

ADOPTED: 9/19/77

AMENDED: 11/10/80, 11/10/86, 11/11/2002, 12/10/2007, 9/9/2024

REVIEWED: 4/10/2000

Idaho Law requires school boards to adopt rules of order that govern their meetings, including offering in-person public comment during regular meetings. ISBA School Board Standards recommend that boards develop Board Operating Protocols from the concepts below with adaptation to their local context – this should be unique to your board, however, the first 4 items are strongly recommended for inclusion. Once developed, we suggest that boards publicly commit collectively and individually to their operating protocols to enhance teamwork among board members and between the board and chief administrator. Once you’ve finalized the protocols, we recommend that you have a display copy available for your public in your board room, along with your relevant policies on public comment.

1. The Board will conduct its meetings and order of business using general rules of parliamentary procedure for small boards. Should a question on parliamentary procedure arise at any meeting, the most current edition of *Robert’s Rules of Order (small boards)* will be used as a guide.
2. All Board meetings shall be held in a location that is accessible to the public. Any person with a disability that requires accommodation or support to allow them to attend a meeting and/or provide comment may request such accommodation as described in Policy 4150.
3. The Board will abide by all rules of the Idaho Open Meetings Law, and the Board Clerk shall keep written minutes of all open Board meetings.
4. The order of business shall be reflected on the agenda and is determined by the Board Chair and Superintendent with input from the Board. Upon consent of a majority of the Board, the order of business at any meeting may be changed. Patrons may suggest items for inclusion on the agenda by submitting a written request to the Board Clerk.
5. Proxy voting is not permitted. Board Members are allowed, by Idaho Law, to attend virtually or by phone when they are unable to attend the meeting in-person. Each Board Member will attend all meetings in-person and only remotely when necessary.
6. The Board will accept in-person public comment at every regular meeting before action is taken on District business, including the consent agenda. The Board may take action to approve an agenda prior to public comment. Our rules for patron comment are outlined in Policy 4105. The Board may accept public comment at Special Meetings on items that warrant input. No public comment will be allowed

- on items that require an executive session as outlined in Idaho Code 74-206, including but not limited to, subject matter that includes personnel, students, pending litigation, or other items that are deemed confidential by Idaho Law.
7. The Board will consistently follow our audience participation procedures outlined in **Policy 4105**.
 8. The Board will consider and represent the needs and interests of ALL of the children in our District.
 9. The Board will lead by example. We agree to avoid inflammatory and personally directed language and actions that create a negative impression of an individual, the Board, or the District. While we encourage debate and differing points of view, we will do it thoughtfully and with respect.
 10. Surprises to Board Members or the Superintendent will be the exception and not frequent. We agree to ask the Board Chair and/or the Superintendent to place an item on the agenda instead of bringing it up unexpectedly at a meeting, as doing so may be an Open Meeting Law violation and not conducive to good governance practices.
 11. Board requests of staff are to be made through the Superintendent.
 12. All personnel complaints and criticisms received by the Board or its individual members will be directed to the Superintendent through the Board's Uniform Grievance Procedure.
 13. Board Members will encourage others to follow the Board policy on complaint procedures to present their concerns, problems, or proposals to the person who can properly address their issue by using the Board's Uniform Grievance Procedure.
 14. To be efficient and effective, long Board meetings will be avoided. If a Board Member needs more background information on business items, they will contact the superintendent in advance of the meeting and consider a special meeting to address tabled matters.

15. The Board will consider research, best practices, public input, and financial impacts in our decision making.
16. The superintendent is the CEO (chief executive officer) and should recommend, propose, or advise on all items that go before the Board.
17. The Board will speak to the issues on the agenda and not engage in off-topic debate. Facts and information needed from the administration will be referred to the Superintendent.
18. Work sessions will be for in-depth discussion on one or two agreed-upon topics, which will be identified on an agenda.
19. When executive sessions are held, Board Members will honor the confidentiality of everything presented or discussed.
20. The Board commits itself to continuous improvement through annual Board retreats, work sessions, and participating together in learning opportunities. The Board will ensure it includes a properly noticed agenda for such meetings.
21. The Board and Superintendent will annually facilitate goal setting for the School District.
22. Board Members will do their homework and improve their board skills by attending learning and networking opportunities.
23. We recognize that individual Board Members do not have authority. Only the Board as a whole has authority. We agree that an individual Board Member will not take unilateral action.
24. The Board Chair or designee will be the Board's spokesperson.
25. When Board Members serve on committees or attend committee meetings, their role shall be as liaison to the Board and, when addressing the committee, shall be only as one individual on the Board. The Board will establish the vision, mission, and goals for the District, adopt policies, and assure accountability. The Superintendent will manage the schools.

Legal References

IC § 33-205

Description

Denial of School Attendance

IC § 33-510

Annual Meetings – Regular Meetings – Board of Trustees

IC § 74-202

Open Public Meetings – Definitions

IC § 74-203

Governing Bodies--Requirement for Open Public Meetings

IC § 74-204

Notice of Meetings

IC § 74-205

Written Minutes of Meetings

IC § 74-206

Executive Sessions – When Authorized

IC § 74-206A

Negotiations in Open Session

Idaho Open Meeting Law Manual

Current edition

Cross References

Code

4105

Description

Public Participation in Board Meeting

ISBA Model Policy Reference

1140

Vacancies

4105-F(1)

Public Participation in Board Meeting - REQUEST TO ADDRESS THE BOARD

Adopted: 9/9/2024



~~LEGAL REFERENCE:~~
~~Board Action~~

ADOPTED: 9/19/77

AMENDED:

REVIEWED: 4/10/2000, 8/12/2002