

1000 SERIES—BOARD OF TRUSTEES

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Avery School District
#394
THE BOARD OF TRUSTEES

Legal Status and Operation

1001

The Board of Trustees of the Avery School District is the governmental entity established by the State of Idaho to plan and direct all aspects of the District's operations to the end that students shall have ample opportunity to achieve their individual and collective learning needs and to provide a thorough system of education.

The District 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. The District shall have authority to issue negotiable coupon bonds and incur such other debt in the amounts and manner as prescribed by law.

The policies of the Board define the organization of the Board and the manner of conducting its official business. The Board's operating policies are those the Board adopts from time to time to facilitate the performance of its responsibilities.

Legal Reference: I.C. § 33-301 School Districts Bodies Corporate
 I.C. § 33-511 Maintenance of Schools
 I.C. § 33-512 Governance of Schools
 I.C. § 33-1612 Thorough System of Public Schools

Policy History:
Adopted 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Organization and Classification

1010

The legal name of this District is Avery School District No.394, Shoshone County, State of Idaho. The District is classified as an **Elementary School District** giving instruction to pupils in grades K (kindergarten through eighth grades (8)).

In order to achieve its primary goal of providing each child with the necessary skills and attitudes to become effective citizens, the Board shall exercise the full authority granted to it by the laws of the State of Idaho. Its legal powers, duties, and responsibilities are derived from the Idaho Constitution and State statutes and rules. Sources such as the school laws of Idaho and the rules and regulations of the State Board of Education delineate the legal powers, duties, and responsibilities of the Board.

Legal Reference: I.C. § 33-302	Classification of School Districts
I.C. § 33-305	Naming and Numbering School Districts
I.C. § 33-506	Organization and Government of Board of Trustees

Policy History:
Adopted 12/5/16

Avery School District
#394
THE BOARD OF TRUSTEES

Membership

1100

The District is governed by a Board of Trustees. The District shall have three Trustee Zones of residency with all Trustees elected district wide. The Board's powers and duties include the broad authority to adopt and enforce all necessary policies for the management and government of the public schools. Except as otherwise provided by law, elected Trustees shall hold office for terms of four years. Terms of office begin on the second Monday of January following election in November, and end on the second Monday of January four years later.

Appointed Board members of Avery School District #394 shall serve until the next regular trustee election.

Trustee Zones

- Zone 1 Avery-Hoyt
- Zone 2 Calder
- Zone 3 Clarkia

When appointing members to fill vacancies, the Trustees will attempt to see that all parts of the district are represented on the Board. All Trustees shall participate on an equal basis with other Members in all business transactions. Official action by Board Members must occur at a duly called and legally conducted meeting. A meeting of the Board means convening to make a decision or to deliberate toward a decision on any matter.

School Board Members, as individuals, have no authority over school affairs or personnel, except as provided by law or as authorized by the Board.

Legal Reference: I.C. § 33-313 Trustee Zones
 I.C. § 33-501 Board of Trustees
 I.C. § 33-504 Vacancies on Boards of Trustees
 I.C. § 67-2341 Open Public Meetings – Definitions

Policy History

Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Membership Zones

1100

District Boundaries

Northern Boundary	Northern border of Township 46 - Latitude 47 Degrees 22' 30 "
Eastern Boundary	Shoshone County/Montana Border
Southern Boundary	Shoshone County Southern Border with Clearwater and Latah Counties
Western Boundary	Shoshone County Western Border with Benewah and Latah Counties, excluding Census Block 2053 which is in Shoshone County and the St. Maries School District near the Benewah County Border.

Zone Boundaries

Zone 1 Avery	<p>Northern Boundary</p> <p>Latitude 47 Degrees 22' 30" from Forest Service Road (FSR) 155 on the West to the Montana Border on the East</p> <p>Eastern Boundary</p> <p>Shoshone County border with Montana</p> <p>Western Boundary</p> <p>South from Latitude 47 Degrees 22' 30 " on FS Road 155 to FS Road 537 continuing south on FSR 537 to Potlatch Road (Old RR Grade) crossing to the South Bank of the St. Joe River. East along the South Bank of the St. Joe River to the South Bank intersection with the Calder Bridge. South on Calder Road continuing South on St. Joe Mt. Road 346 to the southwest corner of Section 14, T45N R2E, BM. Due South in a straight line to the Shoshone County Border.</p> <p>Southern Boundary</p> <p>Shoshone County/Clearwater County Border.</p>
Zone 2 Calder	<p>Northern Boundary</p> <p>Latitude 47 Degrees 22' 30" from the Benewah County Line in the West to Forest Service Road 155 on the East.</p> <p>Eastern Boundary</p> <p>South from Latitude 47 Degrees 22' 30 " on FS Road 155 to FS Road 537 continuing south on FSR 537 to Potlatch Road (Old RR Grade) crossing to the South Bank of the St. Joe River.</p>

West along the South Bank to Calder Road. South on Calder Road, continuing South on St. Joe Mt. Road 346 to the southwest corner of Section 14, T45N R2E, BM.

Western Boundary

South from Latitude 47 Degrees 22' 30 " along the Benewah/Shoshone County Line then following the boundary of U.S. Census Bureau Census Block #2053 (excluded from the Avery School District) to the St. Joe Highway.

Southern Boundary

East from the Shoshone County Border with Benewah County on the St. Joe Highway to Hugus Creek. South on Hugus Creek Rd to the intersection of Evergreen Ridge Rd. Northeast on Evergreen Ridge Road to the intersection of the southwest corner of Section 14, T45N R2E, BM.

Zone 3 (Clarkia)

Northern Boundary

East from the Benewah County/Shoshone County Border along the South Bank of the St. Joe River to the Calder River Bridge.

Eastern Boundary

Due South from the South Bank of the St. Joe River and the intersection with Calder Bridge to the Shoshone County Border with Clearwater County.

Western Boundary

South on the Shoshone County border with Benewah and Latah Counties from the South Bank of the St. Joe River.

Southern Boundary

Shoshone County Border with Clearwater.

**Avery School District
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THE BOARD OF TRUSTEES**

Elections

1110

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

Board Trustee elections shall be held on the third Tuesday following the first Monday of November in odd-numbered years. Any person legally qualified to hold the position of school district 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 School District electors residing in the trustee zone of which the candidate seeks election. Such declaration must be filed with the clerk of the District not later than 5:00 PM 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 45 days before the election date and include the signatures of not less 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 qualified candidate has been nominated for a position or if only one candidate has filed a write-in declaration of intent, no election shall be held for that position. The Board 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.

If any two (2) or more persons residing in the same trustee zone have an equal number of votes and a greater number than any other nominee residing in that zone, then 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. 34-1404	Declaration of Candidacy
	§ I.C. 34-1407	Write-in Candidates

Policy History:

Adopted on 12/15/16

Amended 3/11/19

**Avery School District
#394
THE BOARD OF TRUSTEES**

Candidate Edification

1110P

Candidates for appointment or election to the Board shall be urged to attend public meetings of the Board. All public information about the school system shall be made available to them. Additionally, the Board directs the Superintendent to cooperate impartially with all candidates in providing them with information about school governance, Board operations, and school programs.

Notices of candidate meetings that are sponsored by impartial, nonpartisan organizations may be announced in District publications or be sent home with students. The following procedures shall be followed:

1. If a candidate is scheduled to appear or speak as a part of a school-sponsored program, all candidates for that position shall be invited to attend or to send representatives;
2. The school will not send home partisan materials through the students; and
3. The Superintendent shall invite all candidates to an information session. Each candidate will be given the same materials and information at these sessions.

Procedure History
Adopted 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Board Members Terms of Office

1115

Board members of the Avery School District shall serve a four (4) year term of office when elected.

If appointed to fill a vacancy the member shall stand for election at the next regularly scheduled Trustee election date.

All members of the Board shall be elected District wide/at large.

Trustee Position	Year of Election
Zone 1 Avery/Hoyt	2021, 2025
Zone 2 Calder	2021, 2025
Zone 3 Clarkia	2023, 2027

Date of Adoption: February 2021

**Avery School District
#394
THE BOARD OF TRUSTEES**

Taking Office

1120

At the time of nomination, election, or appointment, each Trustee shall be a school district elector of the District and a resident of the trustee zone from which nominated and elected or appointed.

Each Trustee shall qualify for and assume office on the next January Board of Trustees meeting following his or her election or, if appointed, at the regular meeting of the Board of Trustees next following such appointment.

An oath of office shall be administered to each Trustee, whether elected, re-elected, or appointed. The oath may be administered by the clerk, or by a Trustee of the District. The records of the District shall show such oath of office to have been taken and by whom the oath was administered and shall be filed with the official records of the District.

Cross Reference: 1140

Vacancies

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

Policy History:

Adopted on 12/5/16

**Avert School District
#394
BOARD OF TRUSTEES**

Oath of Office

1120P

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 his or her oath within ten days after the Trustee has notice of his or her election or appointment, or within 15 days from the commencement of his or her term of office. Before any Trustee, elected or appointed, enters upon the duties of his or her office, he or she 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 Trustee of the _____ School District # ___ 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.

Procedure History

Adopted on 12/5/16, Amended 2/9/2021

**Avery School District
#394
THE BOARD OF TRUSTEES**

Resignation

1130

Resignation of a Trustee, for whatever reason, must be submitted in writing to the clerk. The Board shall accept the resignation at any duly convened regular or special meeting and proceed to fill the vacancy as provided by statute and Board policy.

Trustees retiring from the Board may be recognized for their service to the District by presentation of a service plaque or other appropriate activities.

Legal Reference: I.C. § 33-504 Vacancies on Boards of Trustees
 I.C. § 59-902 Resignations

Policy History

Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Vacancies

1140

A vacancy shall be declared by the Board of Trustees within 30 days of when any of the following occurs: A Trustee:

1. Dies;
2. Resigns;
3. Removes him or herself from the trustee 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; or
7. Is recalled and discharged from office.

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 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 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 School District to serve as the Trustee from the zone where the vacancy occurred. Otherwise, after 120 days of the declaration of vacancy, the county commissioners of the county in which the District is situated shall appoint a qualified person to fill such vacancy.

Cross Reference: 1240 Duties of Individual Trustees

Legal Reference:	I.C. § 33-501	Board of Trustees
	I.C. § 33-504	Vacancies on Boards of Trustees
	I.C. § 67-2345(1)(a)	Executive Sessions When Authorized

Policy History:
Adopted on 12/5/16

**Avery School District
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THE BOARD OF TRUSTEES**

Annual Organization Meeting

1200

After the issuance of the election certificates to the newly elected Trustees in November, and on the date of its next 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.

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

Legal Reference: I.C. § 33-506 Organization and Government of Board of Trustees
 I.C. § 33-510 Annual Meetings – Regular Meetings – Board of Trustees

Policy History:

Adopted on: 12/15/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

School Board Powers and Duties

1205

The Board shall concern itself primarily with broad questions of policy rather than with administrative details. The application of policies is an administrative task to be performed by the Superintendent and District staff, which shall be held responsible for the effective administration and supervision of the entire school system.

The Board, functioning within the framework of laws, court decisions, opinions of attorneys general, State Department of Education regulations, and similar mandates from the State and national levels of government, recognizing the authority of the State, fulfills its mission as the governing body of a political subdivision by acting as follows in the execution of its duties:

1. Enacting policy;
2. Adopting courses of study and providing instructional aides;
3. Employing all staff members and fixing and prescribing their duties;
4. Approving the budget, financial reports, audits, major expenditures, payment of obligations, and policies whereby the administration may formulate procedures, regulations, and other guides for the orderly accomplishment of business;
5. Estimating and seeking to provide funds for the operation, support, maintenance, improvement, and extension of the school system;
6. Providing for the planning, expansion, improvement, financing, construction, maintenance, use, and disposition of physical plants of the school system;
7. Prescribing the minimum standards needed for the efficient operation and improvements of the school system;
8. Evaluating the educational program to determine the effectiveness with which the schools are achieving the educational purpose of the school system;
9. Requiring the establishment and maintenance of records, accounts, archives, management methods, and procedures considered essential to the efficient conduct of school business;
10. Providing for the dissemination of information relating to the schools necessary for creating a well-informed public.

Legal Reference: I.C. § 33-313 Trustee Zones
 I.C. § 33-501 Board of Trustees
 I.C. § 74-202 Open Public Meetings – Definitions

Policy History
Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Qualifications, Terms, and Duties of Board Officers

1210

The Board officers are the Chair and vice chair. These officers are elected at the annual organizational meeting.

Chair

The Board elects a Chair from its members for a one year term. The duties of the Chair are to:

1. Preside at all meetings and conduct meetings in the manner prescribed by the Board's policies;
2. Make all Board committee appointments;
3. Sign all papers and documents as required by law and as authorized by the action of the Board; and
4. Close Board meetings as prescribed by Idaho law.

The Chair is permitted to participate in all Board meetings in a manner equal to all other Board members, including the right to participate in debate and to vote. The Chair may not make a motion, but may second motions.

Vice Chair

The vice chair shall preside at all Board meetings in the absence of the Chair, and shall perform all of the duties of the Chair in case of the Chair's absence or disability.

Legal Reference: I.C. § 33-506 Organization and Government of Board of Trustees

Policy History

Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Clerk

1220

The clerk of the Board shall have such duties as prescribed by the Board and the Superintendent. The clerk of the Board shall attend all meetings of the Board, unless excused by the Chair, keep an accurate record of the proceedings, and enter in said record all matters required by law or by the Board so to be entered. The clerk shall have custody of the records, books, and documents of the Board. In the absence or inability of the clerk to attend a Board meeting, the Board will designate a person to serve as temporary clerk for the meeting. The temporary clerk shall keep the record of the proceedings of the Board and certify the same to the clerk.

The clerk will make the preparations legally required for the notice and conduct of all District elections.

Legal Reference: I.C. § 33-506 Organization and Government of Board of Trustees
 I.C. § 33-508 Duties of Clerk

Policy History:
Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Duties of the Treasurer

1230

The treasurer shall have such duties as prescribed by the Board. 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 determined by the Board or under personal bond equal to twice such determined amount with at least two sureties who each shall qualify as in the case of sureties on the bonds of county officers.

The treasurer shall account for the deposit of all moneys of the District in accordance with the provisions of the public depository law, Chapter 1, Title 57, Idaho Code.

The Board may elect one or more assistant treasurers who shall have such duties as prescribed by the Board. Assistant treasurers shall act at and under the control, supervision, and direction of the treasurer.

Legal References: I.C. § 33-506	Organization and Government of Board of Trustees
I.C. § 33-509	Duties of the Treasurer
I.C. § 33-509A	Assistant Treasurers

Policy History:
Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Duties of Individual Trustees

1240

The authority of individual Trustees is limited to participating in actions taken by the Board as a whole when legally in session. Trustees shall not assume responsibilities of administrators or other staff members. Neither the Board nor staff shall be bound by an action taken or statement made by an individual Trustee except when such statement or action is pursuant to specific instructions and official action taken by the Board.

Each Trustee shall review the agenda and any study materials distributed prior to the meeting and be prepared to participate in the discussion and decision-making for each agenda item.

Each Member is obligated to attend both regular and special Board meetings. Whenever possible, each Trustee shall give advance notice to the Chair or Superintendent of the Trustee's inability to attend a Board meeting. A majority of the Board may excuse a Trustee's absence from a meeting if requested to do so.

Cross Reference: 1140

Vacancies

Legal Reference: I.C. § 33-506

Organization and Government of Board of Trustees

Policy History:

Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Committees

1250

Generally, the Trustees will function as a committee of the whole. Nevertheless, the Board may create Board committees as deemed necessary.

Standing committees of the Board may be created and their purpose defined by a majority of the Board. The Board Chair shall appoint Trustees to serve on such committees. Board committees shall be limited to less than half of the Board.

Advisory Committees

Advisory committees may be organized when appropriate. Both District-wide and at the school level, advisory committees shall function within the organizational frameworks approved by the Board. A staff member will be assigned to each group to help it carry out its functions. The composition of the advisory committees shall be broadly representative and shall take into consideration the specific task assigned to the committee. Only the Board shall have the authority to dissolve the committees it has created.

The Board will instruct each committee as to:

1. The length of time each member is invited to service;
2. The service the Board wishes the committee to render;
3. The resources the Board will provide;
4. The approximate dates on which the Board wishes to receive major reports;
5. Board policies governing citizens' committees and the relationship of these committees to the Board as a whole, individual Board members, the Superintendent, and other members of the professional staff; and
6. Responsibilities for the release of information to the press.

Policy History:

Adopted on 12/5/16

Avery School District
#394
THE BOARD OF TRUSTEES

Authorization of Signatures and Electronic Signatures

1260

For the conduct of the business of the District, the Board may grant authority to specific staff to sign certain documents on behalf of the District.

The Chair [**Optional - Superintendent, Business Manager,**] and Clerk are authorized to use a facsimile signature plate or stamp or other electronic signature as addressed herein.

Invoices

Staff employed by the District, in the following designated positions, are authorized to certify invoices for the District:

Business Manager
Superintendent
Head Teacher

Checks

The Superintendent is designated as the custodian of all District petty cash accounts. Staff employed by the District, in the following designated positions, are authorized to sign on behalf of the Board checks drawn on any specific petty cash account:

Business Manager

Contracts for Goods, Services, and Leases

The Superintendent is authorized to sign on behalf of the Board contracts, leases, and/or contracts for goods and services for amounts under \$5,000 without prior approval of the Board. The types of goods and services contracted for must be preapproved by the Board.

Personnel Contracts

The Board Chair and Clerk are authorized to sign personnel contracts and agreements of employment on behalf of the Board by facsimile signature or via electronic signature.

Negotiated Agreements

Negotiated agreements shall be signed for the District by the Board Chair and the Clerk.

Electronic Signatures

Electronic signatures or digital signatures can take many forms and can be created using many different types of technology. For the purpose of this policy an electronic signature means any electronic identifier intended by the person using it to have the same force and effect as a manual signature.

District Use of Electronic Signatures

When not practical or possible to have an approved individual physically sign a document, and not otherwise prohibited by applicable laws, electronic signatures may satisfy the requirement of a written signature when transacting business with and/or for the District and/or with parents/guardians when the authenticity and reliability of such electronic signature(s) meets the provisions of this policy. In such instances, the electronic signature shall have the full force and effect of a manual signature.

In order to qualify for acceptance of an electronic signature the following additional requirements are applicable:

1. The electronic signature identifies the individual signing the document by his or her name and title;
2. The identity of the individual signing the document with an electronic signature is capable of being validated through the use of an audit trail;
3. The electronic signature, as well as the documents to which it is affixed, cannot be altered once the electronic signature is affixed. If the document needs to be altered, a new electronic signature must be obtained; and
4. The electronic signature conforms to all other provisions of this policy.

The District shall maintain District electronically signed records in a manner consistent with the District's document retention policies yet also capable of accurate and complete reproduction of the electronic records and signatures in their original form. Such retention should include a process whereby the District can verify the attribution of a signature to a specific individual, detect changes or errors in the information contained in the record submitted electronically and protect and prevent access and/or manipulation or access/use by an unauthorized person.

The District shall maintain a hardcopy of the actual signature of any District employee authorized to provide an electronic signature in connection with school board business.

Abuse of the electronic signature protocols by any District employee serves as grounds for disciplinary action up to and including termination.

Parent/Student Use of Electronic Signatures

With regard to documentation received by the District with an electronic signature from a parent/legal guardian, so long as the following provisions are met, the District may receive and accept such electronic signature as an original document:

1. Such communication with signature, on its face, appears to be authentic and unique to the person using such signature;
2. The District is unaware of any specific reason to believe that the signature has been forged;
3. The District is unaware of any specific reason to believe the document has been altered subsequent to the electronic signature; and
4. The signature is capable of verification.

The District's Superintendent or designee may, at their discretion, request that an original of the electronic communication, signed manually by hand, be forwarded to the District in a timely manner.

District personnel may periodically audit the authenticity of such signature via a security procedure including such acts as making follow-up inquiry to the individual/entity who has submitted an electronic signature.

Should it be discovered that a student has falsified a parent's electronic signature on an official District document, the student may be subjected to discipline and the District Administration is authorized, at their discretion, to thereafter only accept manual signatures associated with any submitted school document.

Legal Reference: I.C. § 33-705 Activity Funds

Policy History:
Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

District Policy

1300

The adoption of new policies and the revision and amending of existing policies shall be the sole responsibility of the Board of Trustees.

All policies shall conform to local, State, and federal laws as well as to the rules and regulations of the State Board of Education.

Adoption and Amendment of Policies

Proposed new policies and proposed changes in existing policies shall be presented in writing for reading and discussion at a regular or special Board meeting. Such proposals may be referred to the Superintendent for detailed study as needed prior to Board action on the proposal. The Board encourages the Superintendent to contact other experts to have potential policies researched. Interested parties, including any Board Member, citizen, or employee of the Board may submit views or present data or arguments, orally or in writing, in support of or in opposition to proposed policy. Any written statement by a person relative to a proposed policy or amendment should be directed to the District clerk prior to the second reading.

Proposed new policies and proposed changes in existing policies shall undergo a minimum of two readings in the following manner:

1. At a regular or special Board meeting the proposed new or amended policy shall be presented in writing for reading and discussion; and
2. The final vote for adoption shall take place not earlier than at the second reading of the particular policy.

Although approval of a new or amended policy requires a minimum of two readings, temporary approval may be granted by the Board in lieu of formal policy to meet emergency conditions or special events which will take place before formal action can be taken or the Board can take a majority vote to suspend the two reading requirement for warranted circumstances.

All new or amended policies shall become effective upon adoption, unless a specific effective date is provided in the motion for adoption.

Policies as adopted or amended shall be made a part of the minutes of the meeting at which action was taken and shall also be included in the District's policy manual. Policies of the District shall be reviewed annually by the Board.

Administration in Absence of Policy

In cases where action must be taken before the next Board meeting and where the Board has provided no policies or guides for administrative actions, the Superintendent shall have to power to act.

His or her decisions, however, shall be subject to review by action of the Board at its next regular meeting. In addition, it shall be the duty of the Superintendent to inform the Board of such action and the need for policy.

Suspension of Policies

Under circumstances which require a waiver of a policy, policy may be suspended by a majority vote of the members present. In order to suspend a policy, all Trustees must have received written notice of the meeting which included a proposal to suspend the policies with an explanation of the purpose of such proposed suspension. If such a proposal is not made in writing in advance of the meeting, the policies may only be suspended by a unanimous vote of all Trustees present.

Policy Manuals

The Superintendent shall develop and maintain a current policy manual which contains the policies of the District. Each administrator, as well as staff, students, and other residents, shall have ready access to the manual. All policy manuals distributed to anyone shall remain the property of the District and shall be subject to recall at any time.

Legal References: I.C. § 33-506 Organization and Government of Board of Trustees
 I.C. § 33-512 Governance of Schools

Policy History:

Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Administrative Procedures

1310

The Superintendent shall develop such administrative procedures as are necessary to ensure consistent implementation of policies adopted by the Board.

When a written procedure is developed, the Superintendent shall submit it to the Board as an information item. Such procedures need not be approved by the Board, though they may be revised when it appears that they are not consistent with the Board's intentions as expressed in its policies. On controversial topics, the Superintendent may request prior Board approval.

Policy History

Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

District Planning

1315

Each year, the Board of Trustees shall create a collaborative continuous improvement plan designed to improve student achievement in the District, assess and prioritize needs, and measure outcomes.

The Board shall work with the Superintendent to engage students, parents, teachers, administrators, and community members as appropriate in the planning process.

The annual continuous improvement plan shall:

1. Be data driven, specifically in student outcomes, and shall include but not be limited to analysis of demographic data, student achievement and growth data, graduation rates, and college and career readiness;
2. Set clear and measurable targets based on student outcomes;
3. Include a clearly developed and articulated vision and mission;
4. Include key indicators for monitoring performance; and
5. Include a report of progress toward the previous year's improvement goals.

The Board may engage in planning training to assist in the process and the development of the plan. Qualified planning training may be reimbursable by the State through the process outlined in Idaho State Board of Education rule.

The Board shall continuously monitor progress towards the targets for student outcomes included in the plan by using relevant data to measure growth. Such progress shall be included in the Board's annual evaluation of the Superintendent.

The District plan shall be made available to the public by being posted on the District's website. The plan must be reviewed, updated annually, and posted no later than October 1 each year.

Cross Reference: 1645 Board Development Opportunities
 4130 Public Access to District Website

Legal Reference: I.C. § 33-320 Continuous Improvement Plans and Training
IDAPA 08.02.01.801 Planning and Training

Policy History:
Adopted on 12/5/16

Avery School District
#394
THE BOARD OF TRUSTEES

Management Rights

1320

Except where limited or restricted by a collective bargaining agreement, the Board retains the right to operate and manage its affairs in such areas as but not limited to:

1. The school calendar;
2. The procedures to use in handling public complaints about employees;
3. The nonteaching duties and responsibilities of teachers;
4. The procedure for conducting teacher evaluations;
5. When and under what circumstances a certificated employee will be placed on probation;
6. Establishment of contract notification dates;
7. Extracurricular assignments;
8. Personnel files;
9. Direction, employment, dismissal, promotion, transfer, assignment, and retention of employees;
10. Relieving employees from duties because of lack of work or funds and under conditions where continuation of such work would be inefficient and nonproductive;
11. Maintenance of the efficiency of District operations;
12. The methods, means, job classifications, and personnel by which District operations are to be conducted;
13. Any actions necessary to carry out the missions of the District in situations of emergency; and
14. Establishment of the methods and processes by which work is performed.

The Board reserves all other rights, statutory and inherent, as provided by State law. The Board also reserves the right to delegate authority to the Superintendent for the ongoing direction of all District programs.

Cross Reference: 6100

Superintendent-Board Relations

Legal Reference: I.C. § 33-514	Issuance of Annual Contracts – Supports Programs – Categories of Contracts – Optional Placement
I.C. § 33-514A	Issuance of Limited Contract – Category 1 Contract
I.C. § 33-515	Issuance of Renewable Contracts
I.C. § 33-515A	Supplemental Contracts
I.C. § 33-518	Employee Personnel Files

Policy History:

Adopted on 12/5/16:

**Avery School District
#394
THE BOARD OF TRUSTEES**

Board/Staff Communications

1400

Every reasonable means of communication is encouraged throughout the education community. Nevertheless, an organization must maintain some order and structure to promote efficient and effective communications.

Staff Communications to the Board

All official communications or reports to the Board from principals, supervisors, teachers, or other staff members shall be submitted through the Superintendent. This shall not deny any staff member's right to appeal to the Board administrative decisions, provided that the Superintendent shall have been notified of the forthcoming appeal and that it is processed according to the applicable procedures for complaints and grievances.

Board Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent. The Superintendent will employ all such media as are appropriate to keep staff fully informed of the Board's concerns and actions.

Visits to Schools

Trustees should be certain to visit each school of the District not less than once each school year to examine its condition and needs. Individual Board Members interested in visiting schools should, out of courtesy, make arrangements for visitations through the principals of the various schools. Such visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes.

Social Interaction

Staff and Board Members share a keen interest in the schools and education. When they meet at social affairs and other functions, informal discussion on such matters as educational trends, issues and innovations, and general District problems can be anticipated.

Policy History

Adopted on 12/5/16

Avery School District
#394
THE BOARD OF TRUSTEES

School Board Use of Email and Social Media

1405

Use of email 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 email in the conduct of Board responsibilities:

1. The Board will not use email, communications via social media, or other electronic communications as a substitute for deliberations or voting at Board meetings or for other communications or business properly confined to Board meetings.
2. Board Members will be aware that email and email attachments received or prepared for use in Board business or containing information relating to Board business, regardless of whether sent or received on a school-owned computer or personally-owned computer, 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 note that individual postings made to social media sites should be considered carefully in light of how they would reflect on the poster, the Board of Trustees, and the District. Opinions expressed by staff on a social networking website have the potential to be disseminated far beyond the speaker's desire or intention, and could undermine the public perception of fitness of the individual to serve students' interests. Individual Board member postings are an act of the individual and are not an act of the Board.
4. Board members will avoid reference to confidential information about employees, students, or other matters in email communications because of the risk of improper disclosure and 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.

Legal Reference: Title 74 Chapter 1 Public Records Act
I.C. § 74-202 Open Public Meetings – Definitions
Cowles Pub. Co. v. Kootenai Co. Bd. of County Commissioners 144 Idaho
259 (2007).

Policy History:
Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Board/Superintendent Relationship

1410

The Board/Superintendent relationship is based on mutual respect for their complementary roles. The relationship requires clear communication of expectations regarding the duties and responsibilities of both the Board and Superintendent.

The Board hires, evaluates, and seeks the recommendations of the Superintendent as the District chief executive officer. The Board adopts policies necessary to provide the general direction for the District and to encourage achievement of District goals. The Superintendent develops plans, programs, and procedures needed to implement the policies and directs the District's day-to-day operations.

The Superintendent shall be employed for a term not to exceed three years and shall be the executive officer of the Board with such powers and duties as the Board prescribes. The Superintendent shall act as the authorized representative of the District whenever such is required.

The Board shall conduct an annual, written formal evaluation of the work of the Superintendent.

Cross Reference: 6100 Superintendent

Legal Reference: I.C. § 33-513 Professional Personnel

Policy History:
Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Trustee Expenses

1420

A Trustee shall not receive remuneration for service as a Trustee. However, each Trustee shall be compensated for actual expenses incurred for travel to, from, and attending meetings of the Board as provided herein. Reimbursement may be paid as the travel is assumed or may accumulate until the end of the fiscal year, at the discretion of the Trustee.

Board Meetings

Whenever any Trustee resides at such distance from the meeting place of the Board as to require such Member to incur extraordinary expense in traveling from his or her home to and from the meeting place, the Board may approve payment to a Trustee of the extraordinary expense incurred in attending any such meeting. The Board has determined that those Trustees who travel in excess of 10 miles from the place where School Board meetings are generally held shall be entitled to an allowance for mileage or actual travel expense incurred, whichever is less.

Expenses for Board Members at Out-of-District Meetings

Trustees normally attend workshops, training institutes, and conferences at both the State and national level. It is appropriate that Trustee expenditures at these out-of-District meetings be paid by the District from the general fund. It is the intent of the District to pay all legitimate costs for Trustees to attend out-of-District meetings, at the established rates for reimbursement set by the District, including the following:

1. Transportation as approved by the Board;
2. On-site transportation during the course of the meeting, such as bus, taxi, or rental car;
3. Hotel or motel costs for Trustee, as necessary;
4. Food costs as necessary;
5. Telephone services shall be provided for necessary communications with business or family, resulting from the Trustee being away from the Avery School District; and
6. Incidental expenditures for tips and other necessary costs attributable to the Trustee's attendance at the meeting.

The District will not reimburse or pay for such items as liquor, expenses of a spouse, separate entertainment, or other unnecessary expenditures.

Cross Reference: 7430

Travel Allowances and Expenses

Legal Reference: I.C. § 33-506
I.C. § 33-701

Organization and Government of Board of Trustees
Fiscal Year – Payment and Accounting of Funds

Policy History
Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Trustee Insurance

1430

The District shall maintain sufficient insurance to protect the Board and its individual Members against liability arising from actions of the Board or its individual Members while each is acting on behalf of the District and within the Trustee's authority.

Legal Reference I.C. § 59-801 et seq. Surety Bond Act

Policy History:

Adopted on 12/5/16

Avery School District
#394
THE BOARD OF TRUSTEES

Board Participation in Activities

1440

Members of the Board, collectively and individually, are encouraged to attend school activities, social functions, and instructional programs at no cost to the Trustees in order to view and observe such functions in operation. Attendance at such programs as musical presentations, speech activities, clubs, dramatic productions, and athletic events indicates interest in school affairs and provides opportunities for more comprehensive understanding of the total school program. Administration will provide appropriate communications to Trustees to keep them informed about activities they may wish to attend.

Policy History

Adopted on 12/5/16

**Avery School District
#394
BOARD OF TRUSTEES**

Board Meetings

1500

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 Board meetings via electronic means, including telephonic or video conferencing devices, provided at least one member of the Board of Trustees or Superintendent is physically present at the meeting location.

Regular Meetings

Unless otherwise specified, all meetings will be held in the Calder School, Avery Community Center, or Clarkia Library. Regular meetings shall be held at 6:00 PM on the second Monday day of each month.

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 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 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 Idaho Code. 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 Chair or by any two 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 24 hours prior to the time of the meeting. Such written notice shall be posted conspicuously at the District Office and at least two or more public buildings within the 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 2/3 roll call vote recorded in the minutes of the meeting, the Board may hold an executive session after the Board Chair has expressly identified the specific 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 acquire an interest in real property that is not owned by a public agency.
4. To consider records exempt from public disclosure.
5. 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.
6. 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, but imminently likely to be litigated. The presence of legal counsel at executive session is not sufficient to satisfy this requirement.
7. 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 imminently likely to be filed. The presence of a risk management or insurance provider at executive session is not sufficient to satisfy this requirement.
8. 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.*

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

If only an executive session will be held, a 24 hour meeting and agenda notice shall include the date, time, place, items to be discussed, and the specific provision of law authorizing the executive session. The Board will not change the subject within the executive session to any

subject 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. § 33-510 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
Idaho Open Meeting Law Manual, July 2015

Policy History:
Adopted on 12/5/16

Avery School District

#394

THE BOARD OF TRUSTEES

Board Operating Procedure & Protocol

1500B

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 OR APPLICABLE DISTRICT POLICY]**. 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

Adopted 09/2024

Code	Description
1140	<u>Vacancies</u>
4105	<u>Public Participation in Board Meeting</u>
4105-F(1)	<u>Public Participation in Board Meeting - REQUEST TO ADDRESS THE BOARD</u>

**Avery School District
#394
THE BOARD OF TRUSTEES**

Board Meeting Procedure

1500P

Agenda

The agenda for any Board meeting shall be prepared by the Superintendent and Board Chair. Items submitted by the Board Chair or at least two Board Members shall be placed on the agenda. The clerk, administration, or patrons of the District may also suggest inclusions on the agenda. Such suggestions must be received by the Superintendent at least 5 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 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 or, if no such office exists, at the building where the meeting is to be held.

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 secretary or his or her 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.

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 a 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 Chair 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.

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.

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:

1. The date, time, and place of the meeting;
2. The presiding officer;
3. Board Members recorded as absent or present;
4. All motions, resolutions, orders, or ordinances proposed and their disposition;
5. The results of all votes, and upon the request of a Member, the vote of each Member, by name;
6. Legal basis for recessing into executive session; and
7. 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 subsection authorizing the executive session and sufficient detail to provide the general subject matter to identify the purpose and topic of the executive session. 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.

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 Board Members in attendance. Voting shall be by acclamation or show of hands.

Procedure History

Promulgated on 12/5/16

Avery School District

#394

THE BOARD OF TRUSTEES

Board Meeting Procedure

1500P

Agenda

The agenda for any Board meeting shall be prepared by the Superintendent and Board Chair. Items submitted by the Board Chair or at least two Board Members shall be placed on the agenda. The clerk, administration, or patrons of the District may also suggest inclusions on the agenda. Such suggestions must be received by the Board Clerk at least 7 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 or, 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 Chair 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:

1. The date, time, and place of the meeting;
2. The presiding officer;
3. Board Members recorded as absent or present;
4. All motions, resolutions, orders, or ordinances proposed and their disposition;
5. The results of all votes, and upon the request of a Member, the vote of each Member, by name;
6. Legal basis for recessing into executive session; and
7. 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 subsection authorizing the executive session and sufficient detail to provide the general subject matter to identify the purpose and topic of the executive session. 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 Board Members 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-F(1)	Public Participation in Board Meeting - REQUEST TO ADDRESS THE BOARD

Avery School District

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BOARD OF TRUSTEES

Board Meetings

1500

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 Board meetings via electronic means, including telephonic or video conferencing devices, provided at least one member of the Board of Trustees or Superintendent is physically present at the meeting location.

Regular Meetings

Unless otherwise specified, all meetings will be held in the Calder School Multipurpose Room. Regular meetings shall be held at 6:00 PM on the 2nd Monday of each month.

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 28 days prior to its regular July 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 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 Idaho Code. 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 Chair or by any two 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 24 hours prior to the time of the meeting. Such written notice shall be posted conspicuously at the District Office and at least two or more public buildings within the 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 2/3 roll call vote recorded in the minutes of the meeting, the Board

may hold an executive session after the Board Chair has expressly identified the specific 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. Only in the event that Board vacancies, and not absences, prevent a 2/3 majority from being present, a simple majority vote to enter executive session may be called.

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 acquire an interest in real property that is not owned by a public agency.
4. To consider records exempt from public disclosure.
5. 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.
6. 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, but imminently likely to be litigated. The presence of legal counsel at executive session is not sufficient to satisfy this requirement.
7. 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 imminently likely to be filed. The presence of a risk management or insurance provider at executive session is not sufficient to satisfy this requirement.
8. 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.*

No action may be held for the purpose of taking any final action or making any final decisions except for making a determination to place a certified professional employee on probation or taking action on a student disciplinary hearing.

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

Legal References

Description

Adopted 9/2024

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-F(1)	Public Participation in Board Meeting - REQUEST TO ADDRESS THE BOARD

**Avery School District
#394
BOARD OF TRUSTEES**

Open Meeting Law Compliance and Cure

1510

Formation of Public Policy at Open Meetings

The District recognizes that the formation of public policy is public business and shall not be conducted in secret. The District further recognizes the goal of the Open Meeting Law is compliance, and that in order to achieve compliance, the District must have the ability to correct any errors.

Violations

If an action, or any deliberation or decision-making that leads to an action, occurs at any meeting which fails to comply with the guidelines set forth in Idaho's Open Meeting laws, such action shall be null and void.

The Board may self-recognize an open meeting violation or receive written notice to the Clerk of the Board of an alleged violation. A civil complaint filed and served upon the Board may serve as written notice.

An individual Board member who conducts or participates in a meeting which violates the Open Meeting Law is subject to a civil penalty of up to \$250. A knowing violation is subject to a civil penalty of up to \$1,500. A second knowing violation within a twelve month time period is subject to a civil penalty of up to \$2,500.

Cure Provision

A violation may be cured by the Board upon:

1. The Board's self-recognition of a violation; or
2. Receipt by the Clerk of a written notice of an alleged violation. A civil complaint filed and served upon the Board may be substituted for other forms of written notice. Upon notice of an alleged open meeting violation, the Board shall have 14 days to respond publicly and either acknowledge the open meeting violation and state an intent to cure the violation or state that Board has determined that no violation has occurred and that no cure is necessary. Failure to respond shall be treated as a denial of any violation.

Following the Board's acknowledgment of a violation, the Board shall have 14 days to cure the violation by declaring as void all actions taken in violation of the Open Meeting Law.

Within 14 days of acknowledging the violation, and stating an intent to cure, the Board shall cure the violation by holding a properly noticed meeting to address the voided actions. The Board

may then address the voided actions and lawfully take the desired action in accordance with the Open Meeting Law. Curing the violation in this manner bars any civil penalty for an unintentional violation. Private enforcement actions are stayed during the cure period.

Ratification

Any suit brought for the purpose of having an action or decision declared null and void must be commenced within 30 days of the decision or action that results from an open meeting violation. Actions taken in violation of the Open Meeting Law are not void unless they are challenged within 30 days. Even where an action is not challenged within 30 days, it is the best practice to cure any known violation by holding a meeting in accordance with the law to ratify a decision or action that results from an open meeting violation.

Legal Reference: I.C. § 74-201 Formation of Public Policy at Open Meetings
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. § 74-208 Violations
Idaho Open Meeting Law Manual, July 2015
City of McCall v. Buxton, 146 Idaho 656 (2009)

Policy History:

Adopted on 12/5/16

**Avery School District
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THE BOARD OF TRUSTEES**

Board Meeting News Coverage

1525

One of the paramount responsibilities of the Board of Trustees is to keep the public informed of its actions. Consequently, local news media representatives shall be welcome and encouraged to attend all regular and special meetings of the Board.

Broadcasting and Taping Of Board Meetings

Photographic and electronic audio and video broadcasting and recording devices may be used at regular and special Board meetings legally open to the public according to the following guidelines:

1. Photographs, broadcasting, and recording of meetings are permitted only when the District and the person(s) seeking to use cameras or broadcasting and/or recording devices have been informed that cameras or broadcasting and/or recording devices will be used. The District requests that notification occur at least 24 hours prior to the meeting in order to give the District time to accommodate the request or be prepared to make an official District copy of the video or audio recording. This time period could be subject to Board waiver, provided good cause is shown. All equipment setup shall take place prior to the commencement of the meeting, and all equipment removal will take place either during a recess or after conclusion of the meeting.
2. Persons operating cameras or broadcasting and/or recording devices must do so with a minimum of disruption to those present at the meeting. Specifically, the view between Trustees and the audience must not be obstructed, interviews must not be conducted during the meeting, and no commentary is to be given in a manner that distracts the Trustees or the audience.

The Board, or its representatives, will make the necessary arrangements to have audio and video recordings of regular meetings and any special meetings that it deems appropriate. Audio and video recordings are not to be considered part of the minutes of any meeting.

Legal Reference: I.C. § 33-510	Annual Meetings – Regular Meetings – Boards of Trustees
I.C. § 74-204	Notice of Meetings -- Agendas
I.C. § 74-205	Written Minutes of Meetings

Policy History:
Adopted on 12/5/16

**Avery School District
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THE BOARD OF TRUSTEES**

Records Available to Public

1530

Subject to the limitations provided herein and as provided by law, full access to information concerning the administration and operations of the District shall be afforded to the public. Public access to District records shall be afforded according to appropriate administrative procedures.

Every person has the right to examine and take a copy of any public record at all reasonable times. All District records except those restricted by State and federal law shall be made available to citizens upon written request for inspection at the clerk's office.

The Superintendent shall serve, or appoint someone to serve, as "public records coordinator" with the responsibility and authority for ensuring compliance with the display, indexing, availability, inspection, and copying requirements of federal law, State law, and this policy. Responsibility and authority for indexing shall include identifying the general subject matter of all public records kept or maintained by the District, the custodian of these records, and their physical location. The public records coordinator shall authorize the inspection and copying of the District's records only in accordance with the criteria set forth in this policy and in compliance with State and federal laws.

A written copy of the Board's minutes shall be available to the general public within a reasonable time after the meeting in which they are approved.

A "public record" includes any writing containing information relating to the conduct or administration of the public's business prepared, owned, used, or retained by any State agency, independent public body corporate and politic, or local agency regardless of physical form or characteristics.

A "writing" includes, but is not limited to, handwriting, typewriting, printing, photocopying, photographing, and every means of recording, including letters, words, pictures, sounds or symbols, or combination thereof; and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, or other documents.

In accordance with Title 9, Chapter 3, Idaho Code, the following records shall not be subject to public inspection or copying:

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.
2. All other personnel information relating to a public employee or applicant including but not limited to information regarding sex, race, marital status, birth date, home address and telephone number, net pay, applications, testing and scoring materials, grievances,

correspondence, and performance evaluations; shall not be disclosed to the public without the employee's or applicant's written consent.

3. Retired employees' and retired public officials' home addresses, home telephone numbers, and other financial and non-financial membership records.
4. Records of a current or former employee other than the employee's duration of employment with the District, position held, and location of employment. This exemption from disclosure does not include the contracts of employment or any remuneration, including reimbursement of expenses. All other personnel information relating to an 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, retirement plan information, and performance evaluations shall not be disclosed to the public without the employee's or applicant's written consent.
5. Records relating to the appraisal of real property, timber, or mineral rights prior to its acquisition, sale, or lease by the District.
6. 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.
7. Records of any risk retention or self-insurance program prepared in anticipation of litigation, or for analysis of, or settlement of potential or actual money damage claims against the District or its employees except as otherwise discoverable under the Idaho or federal rules of civil procedure. These records shall include but are not limited to claims evaluations, investigatory records, computerized reports of losses, case reserves, internal documents, and correspondence relating thereto. At the time any claim is concluded, only statistical data and actual amounts paid in settlement from public funds shall be deemed a public record unless otherwise ordered to be sealed by a court of competent jurisdiction. Provided however, nothing in this subsection is intended to limit the attorney client privilege or attorney work product privilege otherwise available to any public agency or independent public body corporate and politic.
8. Computer programs developed or purchased by or for the District for its own use. As used in this subsection, "computer program" means a series of instructions or statements which permit the functioning of a computer system in a manner designed to provide storage, retrieval, and manipulation of data from the computer system, and any associated documentation and source material that explain how to operate the computer program. This does not include:
 - A. The original data including but not limited to numbers, text, voice, graphics, and images;
 - B. Analysis, compilation, and other manipulated forms of the original data produced by use of the program; or

- C. The mathematical or statistical formulas that would be used if the manipulated forms of the original data were to be produced manually.
9. Personal information from any file maintained for students. Information from student records shall be disclosed only in accordance with the requirements of the Family Educational Rights and Privacy Act of 1974 and adopted District policy.
 10. Test questions, scoring keys, or other examination data used to administer academic tests.
 11. Records that are relevant to a controversy to which the District is a party but which records would not be available to another party under the rules of pretrial discovery for cases pending resolution.
 12. Records of buildings, facilities, infrastructures, and systems when the disclosure of such information would jeopardize the safety of persons or the public safety. Such records may include emergency evacuation, escape, or other emergency response plans; vulnerability assessments; operation and security manuals; plans; blueprints; or security codes.

However, all personnel records of a current or former public official reflecting public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace, and employing agency are subject to public inspection and copying.

If the record requested for inspection and/or copying contains both information exempted from disclosure and nonexempt information, the District shall, to the extent practicable, produce the record with the exempt portion deleted and shall provide a written explanation for the deletion.

The District shall require that a public records request be submitted in writing upon a form prescribed by the District with the requester's name, mailing address, email address, and telephone number. The District may provide the requester information to help the requester narrow the scope of the request or to help the requester make the request more specific when the records requested are voluminous or costly.

The District shall either grant or deny a person's request to examine or copy public records within three working days of the date of the receipt of a request for public records. If a longer period of time is needed to locate or retrieve the records, the District shall notify the person requesting the records of the same and provide the records to such person not later than ten working days following the request. In the event an individual requests a record be provided in electronic format, the District shall provide the record in electronic format if the record is available in that format. If a record is requested in electronic format and the record cannot easily be converted to electronic format within ten working days, the District shall notify the person requesting the records of this fact and provide them with an estimate of the time necessary to complete the conversion. The documents shall then be provided at a time mutually agreeable to the parties giving consideration to any limitations that may exist regarding electronic conversion.

If the District fails to respond, the request shall be deemed to be denied within ten working days following the request. If the District denies the person's request for examination or copying the public records or denies in part and grants in part the person's request for examination and copying of the public records, the public records coordinator shall notify the person in writing of the denial or partial denial of the request for the public record. The notice of denial or partial denial shall state that the attorney for the District has reviewed the request or shall state that the District has had an opportunity to consult with an attorney regarding the request for examination or copying of a record and has chosen not to do so. The notice of denial or partial denial also shall indicate the statutory authority for the denial and indicate clearly the person's right to appeal the denial or partial denial and the time periods for doing so.

The public records coordinator is authorized to seek an injunction to prevent the disclosure of records otherwise suitable for disclosure when it is determined that there is reasonable cause to believe that the disclosure would not be in the public interest and would substantially or would irreparably damage any person or would substantially or irreparably damage vital governmental functions.

Unless the person requesting the public record can demonstrate an inability to pay or if the requester's interest is in litigation in which the requester is, or may become, a party, or the public's interest or understanding of the operation or activities of the District or its records would suffer by the assessment or collection of any fee; the District will adhere to its copying fee schedule.

The public records coordinator shall determine if there is an inability to pay by the requester or whether the request is likely to contribute significantly to the public's understanding of the operations or activities of government. The public records coordinator shall notify the requester in writing of their decision within ten working days following the request. If the fee waiver is denied, the requester shall then have seven days to file an appeal of the denial with the Superintendent. The Superintendent shall review the denial and either affirm or reverse the denial of the public records coordinator in writing within ten working days of receipt of the appeal. In the event that the Superintendent is the public records coordinator then the appeal shall be filed within seven days with the Board. At the Board's next regularly scheduled meeting, the Board shall review the denial of fee waiver and either affirm or reverse it. There shall be no further appeal beyond the Board. The request shall not be fulfilled or prepared until such time as the denial has been reversed. If the denial is reversed, the time for response shall run from the date of the written reversal of the denial. If the denial is affirmed and there are no further appeals available, the requester shall be required to pay in advance the estimated costs for the request.

A requester may not file multiple requests for public records solely to avoid payment of fees. If the District suspects that this is the case, it can aggregate the related requests and charge based upon its copying fee schedule.

The copying fee schedule of the District is as follows:

1. The District shall not charge a fee for the first 100 pages of records or the first two hours of labor in responding to a request.

2. Copies of public records - 10¢ per page for copies beyond the first 100 pages or beyond the first two hours of labor in responding to a request.
3. The District will charge for the labor costs associated with locating and copying documents if:
 - A. The request is for more than 100 pages of records;
 - B. The request includes nonpublic information that must be redacted from the public records; or
 - C. The labor associated with locating and copying the records exceeds two hours.
4. The fees for labor associated with responding to a public records request shall be charged at the per hour pay rate of the lowest-paid administrative staff employee of the District who is necessary and qualified to process the request.
5. The fees associated with redactions required to be made by an attorney employed by the District shall be charged at the lowest-paid hourly rate of the lowest paid attorney employed by the District or, if there are no attorneys employed by the District, the rate shall be no more than the usual and customary rate of the attorney retained by the District.
6. For a duplicate computer disc or similar record system the fee shall not exceed:
 - A. The District's cost of copying the information in that form;
 - B. The District's cost of conversion, or the cost of conversion charged by a third party, if the electronic record must be converted to electronic form.

Fees shall be collected in advance. The District shall provide requesters with an itemized statement of fees to show the per page costs for copies and the hourly rate of employees and attorneys involved in responding to the request.

A request for public records may be conducted by electronic mail.

Cross Reference:	1530	Records Available to Public
	3570-3570P	Student Records
	4130	Public Access to District Website

Legal Reference:	I.C. § 9-303 et al.	Public Writings
	I.C. § 9-338	Public Records – Right to Examine
	I.C. § 9-339	Response to Request for Examination of Public Records
	I.C. § 9-347	Agency Guidelines
	I.C. § 67-2344	Written Minutes of Meetings
	IDAPA 08.01.01.100.03	Written Request

Policy History:
Adopted on 12/5/16

Itemized Statement of Fees:

Per page cost for copies \$ _____

Hourly rate of employees \$ _____

Hourly rate of attorneys \$ _____

Actual time spent responding to request: _____

Estimated Fees \$ _____ Collected Fees \$ _____ Returned Fees \$ _____

Avery School District
#394
THE BOARD OF TRUSTEES

Code of Ethics for School Board Members

1600

As a member of my local Board of Trustees, I will strive to improve 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 meeting;
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;
7. Be open, fair, and honest; have 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 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 District 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, 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: _____

Policy History:
Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Conflict of Interest

1610

A Trustee may not:

1. Use the Trustee's official power to further the Trustee's own interests;
2. Have a pecuniary interest directly or indirectly, except a remote interest, in any contract or other transaction pertaining to the maintenance or conduct of the School District. A "remote interest" means:
 - A. The Trustee is a non-salaried employee of a nonprofit corporation; or
 - B. The Trustee is an employee or agent of a contracting party where the compensation of the Trustee as an employee or agent consists entirely of fixed wages or salary; or
 - C. The Trustee is a landlord or tenant of a contracting party; or
 - D. The Trustee is a holder of less than one percent of the shares of a corporation or cooperative contracting party;and the Trustee discloses such remote interest to the Board of Trustees;
3. Accept any reward or compensation for services rendered as a Trustee except as expressly provided by law;
4. Accept and award contracts involving the School District to businesses in which a Trustee or person related to him or her by blood or marriage within the second degree has a direct or indirect interest except when the procedures set forth in I.C. §§ 18-1361 or 18-1361A are followed;
5. Be involved in the employment of a relative related by affinity or consanguinity within the second degree. The Trustee shall be absent from the meeting while such employment is being considered and/or determined;
6. Employ the spouse of a Trustee when such employment requires or will require the payment or delivery of any School District funds, money, or property to such spouse except when the procedures set forth in I. C. § 33-507(3) are followed as outlined in Policy 1615;
7. Enter into a contract in the Trustee's individual capacity, the effect of which is to create a personal interest which may conflict with the officer's public duty;

8. Accept a bribe for money, a promise, a gift, or any other form of personal advantage or engage in a substantial financial transaction for the Trustee's private business purpose with a person whom the Trustee inspects or supervises in the course of official duties;
9. Be a purchaser or vendor at any sale or purchase made by the Trustee in the Trustee's official capacity;
10. Use public funds or property to obtain a pecuniary benefit for himself or herself;
11. Solicit, accept, or receive a pecuniary benefit as payment for services, advice, assistance, or conduct customarily exercised in the course of the Trustee's official business;
12. Use or disclose confidential information gained in the course of or by reason of the Trustee's official position or activities in any manner with the intent to obtain a pecuniary benefit for the Trustee or any other person or entity in whose welfare the Trustee is interested or with the intent to harm the District;
13. Appoint or vote for the appointment of any person related to him or her by blood or marriage within the second degree to any clerkship, office, position, employment, or duty, when the salary, wages, pay, or compensation of such appointee is to be paid out of public funds or fees of office; or appoint or furnish employment to any person whose salary, wages, pay, or compensation is to be paid out of public funds or fees of office, and who is related by either blood or marriage within the second degree to any other public servant making or voting for such appointment.

Relation by blood within the second degree includes grandparents and grandchildren. Laterally, it includes brothers and sisters.

Legal Reference:	I.C. § 18-1359	Use Public Position for Personal Gain
	I.C. § 18-1361	Self-Interest Contracts - Exception
	I.C. § 18-1361A	Non-compensated Appointed Public Servant – Relative of Public Servant – Exceptions
	I.C. § 33-507	Limitation Upon Authority of Trustees
	I.C. § 59-201	Officers Not to be Interested in Contracts
	I.C. § 59-202	Officers Not to be Interested in Sales

Policy History:
Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

Trustee Spouse Employment

1615

It is generally unlawful for a Trustee to have their spouse employed by the District in any paying position whereby such employment would require the payment or delivery of any District funds, money, or property to their spouse.

However, Trustees in Districts that annually meet the following criteria may have a spouse employed in the District under the following conditions:

1. The District had a fall enrollment of 1,200 or fewer students in the prior school year;
2. The spouse will be employed in a nonadministrative position;
3. The position has been listed as open for application on the District's website or in a local newspaper for at least 60 days unless the opening occurred during the school year, in which case the position must have been listed as open for at least 15 days on the District's website or in a local newspaper;
4. No applications were received that met the minimum certification, endorsement, education, or experience requirements of the position except the Trustee's spouse; and
5. The Trustee abstained from voting in the employment of the spouse and was absent from the meeting while such employment was being considered and determined.

The above five criteria must be met in each subsequent school year in which the Trustee's spouse is employed. Additionally, the following provisions are applicable in such situations:

1. Throughout the course of the spouse's employment, the Trustee shall abstain from voting in any decision that affects the compensation, benefits, individual performance evaluation, or disciplinary action relating to the spouse and shall be absent from the meeting while such issues are being considered. Such limitation shall include a prohibition on voting and attendance with regard to the following subject matters:
 - A. Negotiations regarding compensation and benefits;
 - B. Discussion and negotiation with District benefits providers; and
 - C. Any matters relating to the spouse and letters of reprimand, direction, probation, or termination.
2. Regardless of spouse employment status, the Trustee may participate in deliberations and vote upon the District's annual fiscal budget and annual audit report;

3. Should the spouse of a Trustee be hired as a certificated teacher, notwithstanding any other policy or law to the contrary, such spouse may only be employed under a Category 1 annual contract pursuant to section 33-514A, Idaho Code, and so long as the status of Trustee and spouse employee remains, shall not progress to subsequent contract stages with the District.

Legal Reference: I.C. § 33-507 Limitation Up On Authority of Trustees

Policy History:
Adopted on 12/5/16

Avery School District
#394
THE BOARD OF TRUSTEES

Board Goals and Objectives

1620

Each year, the Board will formulate annual objectives for the District and have available a written comprehensive philosophy of education with goals which reflect the District's philosophy of education. The philosophy of education and goals shall be in writing and shall be available to District staff and to the public. To this end the Board will:

1. Periodically set performance objectives for the Board itself and evaluate their accomplishments;
2. Establish practical and simple goals and conduct a concrete review annually of performance against these goals;
3. Manage the school system in accordance with Board policy; and
4. Maintain two-way communication with the public served by the schools.

At the conclusion of the year, the Superintendent shall submit a report to the Board which shall reflect the degree to which the annual objectives have been accomplished. Upon receipt and review of the report the Board shall:

1. Hold an evaluation of the objectives at a regular meeting or a work session with all Board Members present;
2. Develop a consensus of opinion on the objectives following a discussion by all Board Members; and
3. Develop both short and long range priorities to ensure continued proficiency in areas of excellence, to strengthen weak areas, and to eliminate those areas no longer applicable.

Policy History:

Adopted on 12/5/16

Avery School District
#394
THE BOARD OF TRUSTEES

Evaluation of Board

1630

At the conclusion of each year, the Board may evaluate its own performance in terms of generally accepted principles of successful Board operations.

The Board may choose to evaluate the effectiveness of the processes that it employs in carrying out the responsibilities of the District. Those processes include but are not limited to team building, decision making, functions planning, communications, motivation, influence, and policy.

Policy History:
Adopted on 12/5/16

Avery School District
#394
THE BOARD OF TRUSTEES

In-service Conference for Trustees

1640

Because the Board, as the policy-making authority of the school system, is responsible to the public for the success of all educational services offered by the school system, and because that success is directly dependent upon each Board Member's comprehension of system wide operations and the Member's ability to participate meaningfully in the decision-making process, the Board will provide, as soon as practicable, for the orientation of new Members. The purpose of the orientation is to help them become acquainted with their duties and responsibilities as Members of the Board.

In keeping with the need for continued boardsmanship development, the Board encourages the participation of its Members at appropriate Board conferences, workshops, conventions, and District-sponsored inservice training sessions. Funds for participation at such meetings will be budgeted on an annual basis.

Policy History:

Adopted on 12/5/16

Avery School District
#394
THE BOARD OF TRUSTEES

Board Development Opportunities

1645

The Avery School District Board of Trustees realizes that proper board training is important. Decisions about school policy, personnel, finance, curriculum, and communications can be overwhelming and may require training. Training Board Members to be effective leaders and decision makers is an educational investment that benefits the entire community. The Board believes that with proper training, it can create a positive and productive atmosphere for decision-making. There needs to be strong leadership among Board Members demonstrated by teamwork, effective communication, problem-solving skills, and a positive relationship between the Board and the Superintendent.

The Board places a high priority on a planned and continuing program of inservice education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance in our community. The Board shall plan specific inservice activities designed to assist members in their efforts to improve their skills as members of the policy-making body; to expand their knowledge about trends, issues, and new ideas affecting the continued welfare of our local schools; and to deepen their insights into the nature of leadership in a modern democratic society.

Funds may be budgeted annually to support the program. Qualified training in continuous improvement planning, finance, superintendent evaluation, ethics, and governance may be reimbursable by the State through the process outlined in Idaho State Board of Education rule. Individual Board Members shall be reimbursed for out-of-pocket expenses, as prescribed in Policy 1420 Trustee Expenses, incurred through participation in approved activities.

The Board, as a whole, shall retain the authority to approve or disapprove the participation of Members in planned activities. The public shall be kept informed through the news media about the Board's continuing inservice education and about the programs anticipated for short and long-range benefits to our schools.

The Board regards the following as examples of activities and services appropriate for implementing this policy:

1. Participation in school board conferences, workshops, and conventions held by the State and national school boards associations;
2. District-sponsored training sessions for board members; and
3. Subscriptions to publications addressed to the concerns of board members.

In order to control both the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidelines:

1. A calendar of board conferences, conventions, and workshops shall be maintained by the Superintendent. The Board will periodically decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the District.
2. Funds for participation at such meetings will be budgeted on an annual basis. When funds are limited, the Board will designate which of its Members will participate at a given meeting.
3. When a conference, convention, or workshop is not attended by the full Board, those who do participate will be requested to share information, recommendations, and materials acquired at the meeting.

Board Members are encouraged to attend workshops presented by the state and national school boards associations.

Cross Reference: 1315 District Planning

Legal Reference: I.C. § 33-320 Continuous Improvement Plans and Training
IDAPA 08.02.01.801 Planning and Training

Policy History:
Adopted on 12/5/16

**Avery School District
#394
THE BOARD OF TRUSTEES**

New Board Member Workshop

1650

The Avery School District Board of Trustees will assist newly elected or appointed Board Members to become familiar with their duties and responsibilities as quickly as possible. All Board Members are encouraged to attend appropriate workshops, seminars, and conventions in order to develop professionalism and expertise in governance.

Newly elected/appointed Board Members are urged to complete at least 8 hours of instruction on education issues; including Idaho education laws, school finance, ethics, duties, and responsibilities of District Board Members. The instruction should be completed as early in the Board Member's tenure as possible. The Board and the Superintendent will ensure that new Members are notified of the date and time of such workshops.

Board Members who attend and successfully complete such workshops, shall be reimbursed for actual expenses for lodging, meals, registration fees, and transportation to and from the location of the workshop as prescribed in Policy 1420 Trustee Expenses.

The Superintendent or his or her designee will maintain records of each Board Member's training accomplishments and will notify any Board Member of the need for that Board Member to accomplish any additional training.

Legal Reference: I.C. § 33-701 et seq. Fiscal Affairs of School Districts

Policy History:
Adopted 12/5/16