

The board of trustees recognizes that it is essential to the maintenance of a democratic society that public business be performed in an open and public manner, except as provided by state law. All meetings of the board of trustees are open to the public and all persons are permitted to attend any regular, special, or emergency meeting of the board. A meeting is defined as the convening of the board 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 or superintendent is physically present at the meeting location.

### **ANNUAL MEETING**

The annual meeting of the board will be held at its regular January meeting each year. The board, at its annual meeting, will establish the regular monthly school board meetings date, time, and location for the year. **[For elementary school districts only:** Notice of the annual meeting of elementary school districts shall be given as provided in Idaho Code §33-402, but one (1) publication shall suffice.]

At the first regular meeting after the January 1 directly following an election, the board will organize itself and elect a chairman, a vice-chairman, a clerk, and a treasurer. The clerk and the treasurer may be members of the board or, at the discretion of the board, either or both may be selected from among competent and responsible persons outside the membership of the board.

### **REGULAR MEETINGS**

Unless otherwise specified, meetings will be held at [specify location]. Regular meetings are held at [specify time] on [specify day, e.g., the first Monday of every month]. The clerk will post the notice of the regular meeting schedule and the agendas for such meetings at a prominent place in the administrative office of the district or, if no such office exists, at the building where the meeting is to be held. If the district at any time maintains an online presence either through a district website or social media platform, the notice for meetings and agendas will also be posted electronically.

In accordance with Idaho law, the board has adopted rules of order and procedure to govern its regular meetings. The rules of order and procedure will be available to the public at each regular meeting of the board and on the district's website, if the district maintains such a website.

### **SPECIAL MEETINGS**

Special meetings may be called by the chairman or by any two (2) members of the board. The board will not hold a special meeting without at least a twenty-four (24) hour meeting and agenda notice, unless an emergency exists. If the time and place of a special meeting has not been determined at a meeting of the board with all members present, then the notice of the time and place will be given to each member and announced by a written notice in at least two (2) or more public buildings within the school district not less than twenty-four (24) hours before the special

meeting is to be convened. If the time and place of a special meeting was determined at a regular meeting of the board with all members present, the notice requirement for meetings and agendas will be satisfied by posting such notices and agendas in a prominent place at the administrative office of the school district not less than twenty-four (24) hours before the special meeting is to be convened. If the district at any time maintains an online presence either through a district website or social media platform, the notice for meetings and agendas will also be posted electronically. Business transacted at a special meeting will be limited to that stated in the notice of meeting.

### **EMERGENCY MEETINGS**

In the event of a situation involving injury or damage to persons or property, or immediate financial loss, or the likelihood of such injury, damage, or loss, the board may meet immediately and take official action without prior notification when the notice requirements of the Idaho Open Meeting law 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.

### **EXECUTIVE SESSIONS**

An executive session at which members of the public are excluded may be held upon a two-thirds (2/3) individual vote of the board. If the board has vacancies such that fewer than two-thirds (2/3) of board members have been seated, then the board may enter into executive session on a simple roll call majority vote. The motion to go into executive session must identify the specific subsection(s) of Idaho Code §74-206 that authorize the executive session. The individual vote will be recorded in the meeting minutes.

#### **Matters Addressed in Executive Session**

The board may hold an executive session 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 (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 complaints or charges brought against a public officer, employee, staff member, individual agent, or public school student.
3. To acquire an interest in real property that is not owned by the school district.
4. To consider records that are exempt from disclosure as provided by the Public Records Law, Chapter 1, Title 74, Idaho Code.
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 for the district to discuss the legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.
7. To engage in communications with a representative of the district's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed. The mere presence of a representative of the district's risk manager or insurance provider at an executive session does not satisfy this requirement.
8. To consider labor contract matters authorized under Idaho Code §74-206A(1)(a) and (b). Such matters include the deliberation of labor contract offers or formulation of a counteroffer; or receiving information about a specific employee, when the information has a direct bearing on the issues being negotiated and a reasonable person would conclude that the release of that information would violate that employee's right to privacy.

### **Final Decisions**

No final action or final decision may be made in an executive session, with the following exceptions: (1) a decision to place a Category 3 or renewable contract employee on probationary status; (2) a decision to expel or deny enrollment of a student as provided in Idaho Code §33-205(2); and (3) a finding by the board that the immediate return to school attendance by a student who has been temporarily suspended would be detrimental to the health, welfare or safety of other students, as provided in Idaho Code §33-205(3).

### **Notice and Agenda**

Notice of an executive session will be given according to the meeting and agenda notice provisions of a regular or special meeting. If an executive session only will be held by the board, a twenty-four (24) hour meeting and agenda notice will be given according to the special meeting notice provisions set forth above. Such notice will state the reason and specific subsection(s) of Idaho Code §74-206 that authorize the executive session.

### **Prohibition Against Discussing Unidentified Subjects**

The board is prohibited from changing the subject within the executive session to one not identified within the motion to enter the executive session or to any topic for which an executive session is not authorized.

### **PUBLIC PARTICIPATION**

The board will provide the opportunity for members of the public residing in the district to comment on school and education matters at regular meetings of the board and to request the addition of an item directly related to district business to the agenda of a regular meeting. The manner in which public comment and requests for agenda items will be governed is included in the

rules of order and procedure adopted by the board. Under no circumstances will public comment be permitted on topics that would authorize the board to enter an executive session.

**BOARD DECISIONS**

All final actions and final decisions by the board will be made at a regular or special meeting. No final action will be taken on an agenda item added after the start of a meeting unless an emergency is declared necessitating action at that meeting. The declaration and justification for taking final action on an item added after the start of the meeting will be reflected in the minutes. No decision at a regular or special meeting of the board will be made by secret ballot.



**LEGAL REFERENCE:**

Idaho Code Sections

- 33-205 – Denial of Student Attendance
- 33-510 – Annual Meetings – Regular Meetings – Board of Trustees
- 33-514 – Issuance of Annual Contracts – Support Programs – Categories of Contracts –  
Optional Placement
- 33-515 – Issuance of Renewable Contracts
- 74-201, et seq. – Open Meetings Act

**ADOPTED: September 8, 2003**

**AMENDED: March 10, 2008**

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