

**Kimberly School District**  
**Policy #1500**  
**THE BOARD OF TRUSTEES**  
**Board Meetings (Defined)**

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

### **Regular Meetings**

Unless otherwise specified, all meetings will be held in the same location. Regular meetings shall be held at ~~7:30 p.m. during daylight savings time and 7:00 p.m. during the remainder of the year~~ on the third Thursday 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 twenty-eight (28) days prior to its annual meeting, the Board shall have prepared a budget, in the form prescribed by the state superintendent of public instruction and shall hold a public hearing. At such public hearing or at a special meeting held no later than fourteen (14) days after the public hearing, the Board shall adopt a budget for the ensuring year. Notice of the budget hearing shall be posted and published as prescribed in I.C. § 33-402. From the time noticed, a copy of the budget shall be available for public inspection during regular business hours.

### **Special Meetings**

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

### **Executive Sessions**

Under Idaho law, upon a two-thirds (2/3's) roll call recorded in the minutes of the meeting, the Board may hold an executive session after the Board Chair has expressly identified the specified legal authorization for holding an executive session and provided sufficient detail to identify the general purpose and topic of the executive session. ~~However, the information provided shall not compromise the purpose of going into an executive session.~~ 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 conduct deliberations regarding labor negotiations;
4. To acquire an interest in real property which is not owned by a public agency;
5. To consider records which are exempt from public disclosure;
6. To consider preliminary negotiations involving matters of trade or commerce in which the Board is in competition with other governing bodies in other states or nations;
7. To communicate with legal counsel and to discuss any legal ramifications and/or legal options for pending litigation or possible legal controversies not yet being litigated. The presence of legal counsel at executive session does not satisfy this requirement.
8. To communicate with a representative of the District's risk management or insurance provider to discuss a pending claim or prevention of a possible claim to be filed. The presence of a risk management or insurance provider at executive session does not satisfy this requirement.

~~Labor negotiations may be conducted in executive session if either side requests closed meetings.~~

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

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

~~Legal Reference:~~

~~I.C. §33-510 Annual meetings - Regular Meetings - Board of Trustees~~

~~I.C. §33-514 Issuance of annual contracts - Support programs & Categories of contracts - Optional placement~~

~~I.C. §67-2341 Open Public Meetings - Definitions~~

~~I.C. §67-2342 Governing Bodies Requirement for Open Public Meetings~~

~~I.C. §67-2343 Notice of Meetings~~

~~I.C. §37-2344 Written Minutes of Meetings~~

~~I.C. §67-2345 Executive Sessions - When Authorized~~

Legal Reference: I.C. § 33-205 Denial of Student Attendance

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, current edition

Policy History:  
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