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It is the policy of the Kamiah Joint School District No. 304 Board of Trustees to recognize and maintain the distinction between those activities which are appropriate to the board of trustees as the legislative governing body of the school district and those administrative activities which are to be performed by the superintendent of schools and his or her staff in the exercise of administrative authority. The functions of the board can be described as policy-making, appraisal, and evaluation.

The board of trustees shall have the further duty of providing the financial means by which the educational program is conducted. They shall also ensure that the community be informed of the needs, purposes, values, and status of the schools.

LEGAL REFERENCE:
Idaho Code Section 33-506

ADOPTED:
7-19-99
The legal name of the school district is Kamiah Joint School District No. 304, Lewis County, State of Idaho. The administrative offices of the school district are located at 1102 Hill Street, Kamiah, Idaho 83536.

LEGAL REFERENCE:
Idaho Code Section 33-305

ADOPTED:
7-19-99
The Kamiah Joint School District No. 304 Board of Trustees is authorized by law to make by-laws, rules and regulations for its government and that of the district, consistent with the laws of the state of Idaho and the rules and regulations of the state board of education. All such by-laws, rules and regulations will be adopted by the board as policy and will be available for review at the district administrative office.

The adopting of new policies and amending of existing policies is the duty and responsibility of the board of trustees. All policies must conform to local, state, and federal laws and regulations.

In matters involving policy, the board will seek advice and guidance from the superintendent regarding what policies are necessary and how proposed policies or amendments would affect the schools in the district.

Proposals for new policies or amendments to existing policies may be initiated in writing by any board member, administrator, or staff member through their administrator/supervisor. Such proposals must be referred to the superintendent for review prior to board action on the policy.

Policies and policy amendments presented to the board will not be adopted until a subsequent meeting to allow board members an opportunity to thoroughly review the matter before voting. However, temporary approval may be granted by the board to meet emergency conditions or special events which may occur before formal action can be taken by the board. The board, at its discretion, may hold a public hearing prior to adopting or amending a policy.

The superintendent and staff, with appropriate consultation, will draft the policies for the board, and will make changes as designated by the board, prior to final adoption.

Policies adopted or amended will be attached to the minutes of the meeting in which the action occurred and will also be included in the district’s policy manual.

Policies adopted or amended by the board become effective on the date of adoption unless a different effective date is specified in the policy.

All board members, administrators, employees, students, parents and patrons are subject to the policies adopted by the board, consistent with the laws of the state of Idaho and the rules and regulations of the State Board of Education.

LEGAL REFERENCE:
Idaho Code Section 33-506

ADOPTED:
7-19-99
A charter school is a public, nonreligious, publicly funded school which is accountable for the provisions set forth in its charter petition and its contract, as negotiated with Kamiak Joint School District No. 304. The charter school shall operate independently within the boundaries of the district, and shall be responsible for its own operation including, but not limited to, personnel matters, preparation of a budget, and contracting for services.

A charter school may be formed by creating a new school or converting an existing public school to charter status. The district cannot authorize the conversion of any private or parochial school to a charter school. A charter school cannot be operated for profit.

A charter school shall be subject to all federal and state laws including, but not limited to, laws concerning discrimination on the basis of race, color, sex, religion, age, birth, ancestry, national origin, family relationship, personal or political patronage, or disability. A charter school is exempt from the rules of the State Board of Education and the State Superintendent of Public Instruction, except for the requirements of personnel certification.

Involvement with the charter school by any student, parent/guardian, or employee must be voluntary. Enrollment must be open to any student who resides within the district. Nonresident students may be admitted to a charter school, but priority must be given to admission of resident students. A charter school shall not charge tuition or fees except those fees normally charged by other public schools.

A charter school must accomplish all of the following:

1. Improve student learning;
2. Increase learning opportunities and expand learning experiences for students;
3. Include the use of different and innovative teaching methods;
4. Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site;
5. Provide parents and students with expanded choices in the educational opportunities that are available within the public school system; and
6. Be accountable for meeting measurable student educational standards.

District Liability

Idaho law provides that the board of trustees and the district have no liability for the acts, omissions, debts or other obligations of a charter district, except as may be provided in an agreement or contract between the district and a charter school. The charter school shall defend,
hold harmless and indemnify the board against any claim, action, loss, damage, injury liability, cost or expense of any kind or nature, including, but not limited to, attorney’s fees and court costs, arising out of the operation of the charter school and/or arising out of the acts or omissions of the agents, employees, invitees or contractors of the charter school. The charter school also shall maintain a policy of general liability insurance, errors and omissions insurance and any other insurance necessary to provide coverage for the potential losses described in this paragraph. Each such policy shall list the Kamiah Joint School District No. 304 as an additional insured.

The policy of insurance shall have limits of liability of not less than $3 million in aggregate per person and $1 million per occurrence. The charter school shall provide to the district proof of such insurance prior to the opening of the charter school and by the date stipulated in the contract.

Each charter school shall:

1. Be organized and managed under the Idaho nonprofit corporation act;

2. Have a board of directors to act as public agents to control the charter school and have the same responsibilities and liability as any governing board of public education;

3. Be considered a public school for all purposes.

**Limits to Authorization**

Except in cases where fewer than twelve (12) charters are approved by October 1 of a year in the State of Idaho,

1. Not more than one (1) charter may be granted in the district for any one (1) school year;

2. Not more than two (2) charters per school year may be approved for the educational region in which the district exists.

**Time line for Establishing a Charter School**

The board will only accept charter school petitions for new public charter schools during one period each year. The board may modify the time period(s) during which petitions may be accepted. The superintendent or designee shall determine dates for:

1. Advertising the submission of statement(s) of intent;

2. The submission of petition(s);

3. The public meeting for the purposes of considering the merits of the petition(s) and the level of employee and parental support for the petition;

4. The deadline for the board to make a decision concerning the petition(s);
5. The deadline for extensions of the petition process, if applicable;

6. The deadline for the contract to be signed.

**Technical Assistance for Preparation of a Charter School Petition**

A statement of intent should be submitted by the potential charter school group to the district at least one month prior to the petition deadline so the district will have enough time in which to conduct a review of possible petition components within the required 30 day evaluation period.

The superintendent or designee may provide technical assistance for a charter school applicant over issues of compliance with district policy and procedure. The assistance from the district should be consistent with the assistance provided to other charter school applicants and should be within the limits of district resources.

**Petition requirements**

State law requires that the board can only consider a petition;

1. If the petition to convert an existing school, has signatures from not less than 60% of certificated personnel currently assigned to that school and from parents/guardians of not less than 60% of the students currently attending that school;

2. If the petition for a new charter school facility has been signed by not less than thirty (30) qualified electors of the district.

Charter school applicants must submit a “Charter School Petition Application” during the filing period. Applicants who fail to submit a petition by the deadline shall automatically be denied the opportunity to establish a charter school for the school year specified in the petition application. Petitions will be received and processed according to the requirements of Idaho Code 33-5205 (2) - (4).

**Criteria for Approving a Petition**

The board may approve a charter school petition if the petition;

1. Appears to have sufficient support from district parents/guardians, teachers, patrons, and students as prescribed;

2. Has the elements of a sound plan for the charter school’s educational philosophy and mission, board of directors, instruction, students, community relations, personnel, administration, financial management, non-instructional operations, school facilities, and relations with the district, as evaluated according to administrative guidelines and statutory provisions for charter schools;

3. Has reasonable plan for procuring the required material resources;

4. Has the human resources necessary to implement the proposal;
5. Has a stable governance structure with competent, ethical leadership;

6. Admits the liability of the charter school board of directors and shows proof of liability and/or other insurance coverage or eligibility for the coverage;

7. Offers a choice which is not available in any of the schools in the district;

8. Is submitted in accordance with district policies and procedures on charter schools;

9. Meets all of the requirements of state and federal laws.

The board may choose to interview key members of the charter school team prior to making a decision on the petition. The interview will be open to the public. The board, superintendent or designee may also choose to visit the charter school facility. If a site has not been identified at that time, the board, superintendent or designee reserves the right to visit the facility.

Board acceptance of the petition shall be contingent on the approval of the petition by the State Board of Education and on the signing of a contract by both the board and the board of directors of the charter school. Both parties must sign a contract within eight (8) months from the granting of a petition by Kamiah Joint School District No. 304 or the petition shall be null and void. A charter school may begin immediately following the signing of the contract, unless otherwise stated in the contract.

Charter School Appeal Process

If the board grants a charter for the conversion of an existing school within the district over the objection of thirty (30) or more persons or employees of the district, or denies a petition for the establishment of a new charter school for any reason including, but not limited to, failure by the petitioner to follow procedures or failure to provide required information, then such decisions may be appealed to the State Superintendent of Public Instruction, at the request of persons opposing the conversion of an existing school, or at the request of the petitioner whose request for a new charter was denied. The board will consider appeal results as given in Idaho Code 33-5207.

Development of a Charter School Contract

The board delegates to the Superintendent or designee the development of a charter school contract through negotiations with the representatives(s) of the applicant. The negotiated contract requires the approval of the Board and of the charter school’s board of directors.

A board contract with a charter school shall include, but not be limited to:

1. The length of the contract;

2. The original petition and any subsequent changes or revisions agreed upon by both parties;
3. All agreements including, but not limited to, service contracts and the release of the charter school from any specified Board policies;

4. Detailed plans for the charter school's educational philosophy and mission, board of directors, instruction, students, community relations, personnel, administration, financial management, non-instructional operations, school facilities, and relations with the district, and any other information required by district policies and procedures on charter schools.

5. Documentation of the charter school's insurance coverage, including health, automobile liability for student transportation, general liability, property, officer and employee liability, which shall be provided to the district prior to the opening of the school and annually for the duration of the contract;

6. Complete documentation of ownership or lease of a facility, and of certification, that the building satisfies all requirements for fire, safety, and accessibility for the disabled prior to the opening of the charter school and by the date stipulated in the contract;

7. A copy of the charter school's incorporation documents, bylaws, contracts, and any other documents;

8. The requirement that the district be named as a lien holder on any of the real or personal property of the charter school's nonprofit corporation.

Use of District Services and/or Facilities

A charter school may contract with the district to provide services or facilities to the charter school. The district will charge for the services or facilities at a rate which is stipulated in the contract.

If the charter school will use a district facility, the contract will:

1. Identify the facility;

2. Outline the permissible use;

3. Provide for joint inspection and notation of the initial condition of the building;

4. Limit the permissible alterations of the facility;

5. Allow district inspection of the facility;

6. Determine the operational costs to be paid by the parties, including, but not limited to, utilities, maintenance and custodial services;

7. Determine the manner in which the building must be restored to its original condition at the end of the leasing period;
8. Provide for alternative arrangements or termination of the charter school in the event the facility is damaged or destroyed.

Personnel

1. Charter school employees are not employees of the district.

2. The staff of the charter school shall not be a part of the district’s employees collective bargaining unit.

3. Should the staff of the charter school elect to participate in collective bargaining, they will be separate and independent from the district for purposes of collective bargaining.

4. A district certificated employee who leaves the district for employment at a charter school, but requests to be reemployed by the district within one (1) year of the date that he/she was last employed by the district shall be considered for employment. If an appropriate vacant position is available, in a position similar to the one held prior to leaving the district, at the discretion of administrators announcing vacant positions, upon completion of the proper district personnel documents.

5. A charter school certificated employee who requests to be reemployed by the district after one (1) year, but within two (2) years, of the date that he/she was last employed by the district, shall be considered for employment, as appropriate in compliance with district policies and procedures, and as a part of the district’s process for new employees. If the employee is seeking an assignment in the same area of certification as when he/she was formerly employed by the district and if the employee provides the district with the following information: a district application, an updated transcript and resume, a recommendation and/or evaluations from the charter school, and an indication of his/her preferences for assignment(s), grade(s) or subject(s).

6. A charter school certificated employee who requests to be reemployed by the district after two (2) years of the date that he/she was last employed by the district must apply through the district’s employment procedures for new employees.

7. A charter school certificated staff member who has never been employed by the district and who wishes to be employed by the district, must apply through the district’s employment procedures for new employees.

8. Return of former district employees to the district during an academic year shall be at the sole discretion of the district.

9. Certificated teachers who are hired by the district from a charter school shall have their charter school experience count on the salary schedule the same as the certificated employees hired from other school districts.

10. Charter school certificated employees who are reemployed by the district shall receive full credit for their years of service in the district.
11. The board of directors for the charter school shall provide coverage for their employees with the public employee retirement system, federal social security, unemployment insurance and worker’s compensation insurance.

Evaluation of the Charter School

The Board shall retain the right to evaluate at any time the degree to which the charter school is meeting the terms of the contract. The Superintendent or designee may have a District representative or an independent evaluator:

1. Visit the charter school;

2. Review the charter school’s records and data;

3. Directly survey the charter school’s parents/guardians, students, employees;

4. Audit the books of the charter school

5. Pursue any other reasonable means of determining accountability for the charter school contract.

To enact any of the above measures, the Superintendent or designee must state the specific nature of the concern and the concern must be substantial. The request must be reasonable in terms of the timing and the amount or types of information required.

Annual Report and Renewal of Charter Contract

Each charter school shall annually submit a report to the district. The report shall include an audit of financial operations conducted by an independent auditing firm and an audit of the charter school’s programmatic operations, which includes a report on student progress as outlined in the school’s contract.

The board may grant a renewal of the contract for one (1) or more subsequent years. No renewal shall exceed five (5) years. A material revision of the terms of the charter school contract requires the approval of the board and the charter school’s board of directors.

Termination and Nonrenewal

The board may terminate during the term of the charter or refuse to renew the charter if the board finds that the charter school has:

1. Failed to substantially meet one or more of the student educational standards identified in the charter contract;

2. Committed a material violation of any condition, standard or procedure set forth in the charter petition or contract;

3. Failed to meet generally accepted accounting standards of fiscal management;
4. Lost substantial support of the school’s parents, staff, and/or community;

5. Violated any provision of law;

6. Failed to submit required reports to the district;

7. Filed for bankruptcy or financial reorganization and is unable to pay its creditors;

8. Shown that it is not in the best interest of students for the school to continue operation.

Except in emergency situations, the board will provide thirty (30) days written prior notice and an opportunity for the charter school’s board of directors to be heard by the board before the Board can terminate a charter school contract. The charter school petitioner may negotiate and submit a revised charter, consistent with the components of the Petition Approval Criteria and Charter School Contract Development, within sixty (60) days, as requested by the board. A decision to terminate or not to renew a charter may be appealed directly to the State Board of Education.

Upon nonrenewal or termination of the charter school contract, all records of students residing in the district shall be immediately transferred to the district.

Definitions:

Measurable Student Educational Standards: Extent to which students demonstrate that they have attained the skills and knowledge specified as goals in the school’s educational program.

Board: Board of Trustees of Kamiah Joint School District No. 304.

Charter: Document setting forth the arrangements or contract entered into between a petitioner applicant and the Board under which an independent or converted charter school may operate within the school district.
LEGAL REFERENCE:
Idaho Code Sections
  30-3-1 et seq.
  33-203
  33-509
  33-512(6)
  33-1401 et seq.
  33-1612
  33-5101 et seq.
  33-5201 et seq.
  67-5201 et seq.

ADOPTED:
7-19-99
The board of trustees of this district may grant a charter for the operation of a charter school if it determines that the petition contains the following:

1. The number of verified electors’ signatures required.

2. Information regarding the proposed operation and potential effects of the school, including, but not limited to, the following:
   a. The facilities to be used by the school.
   b. The manner in which administrative services of the school are to be provided.
   c. The potential civil liability effects upon the school and upon the district.

3. Verification that the person or entity making application for a charter school has been properly incorporated under the Idaho Nonprofit Corporation Act pursuant to Idaho Code Section 30-3-1, et seq.

4. A copy of the non-profit corporation’s articles of incorporation.

5. A plan for termination of the charter by the board of directors, to include:
   a. Identification of who is responsible for dissolution of the charter school;
   b. A description of how payment to creditors will be handled;
   c. A procedure for transferring all student records, with notice to parents of how to request a transfer of student records to a specific school; and
   d. A plan for the disposal of the public charter school’s assets, including a statement specifying that the district will be the primary recipient of any and all assets remaining after the non-profit corporation is dissolved.

6. Verification that the treasurer of the board of directors for the non-profit corporation submitting the petition has been bonded as required by Idaho Code Section 33-509.

7. A description of the attendance area from which a new charter school or a converted charter school will accept students.

8. A statement acknowledging that the charter school will give enrollment preference to students who reside within the charter school’s attendance area.

9. When applicable, information relating to the site of a converted charter school, including the following:
a. A five-year (5-year) maintenance schedule for upkeep and repairs to the buildings and grounds.

b. A statement acknowledging that an annual buildings and grounds report will be submitted to the board of trustees in writing no later than June 30 of each year. The report will detail what repairs and upkeep to the buildings and grounds have taken place, and what repairs and upkeep are anticipated to take place the following year.

c. A statement acknowledging that the structure of the charter school site will not be altered without the written approval from the board of trustees.

d. A statement acknowledging that district personnel have the right to inspect the charter school buildings and grounds with or without notice.

e. A statement acknowledging that the converted charter school will be returned to the district in as good a condition as when it was received from the district to be converted to a charter school; this includes situations where the charter has expired or has been revoked or voluntarily relinquished.

10. A statement acknowledging that, with regard to a converted charter school, the non-profit corporation will provide the district with a damage deposit in the form of a percentage of the insurable replacement value, as determined by the board of trustees.

11. A statement acknowledging that the charter school's fiscal year will end June 30 of each year.

12. A statement acknowledging that the charter school will comply with all requirements of the Idaho open meeting (Idaho Code § 67-2300, et seq.) and public records (Idaho Code § 9-300, et seq.).

13. The following statements:

a. The petition, if approved, becomes the charter which constitutes the mutual agreement of the district and the non-profit corporation in whole. No alteration or variation of the terms of the charter and no oral understandings or agreements not incorporated herein, unless made in writing between the parties, will be binding.

b. The failure of the district or of the non-profit corporation to insist upon strict performance of any of the terms or conditions of the charter will not be construed to be a waiver or relinquishment of any such right or responsibility, unless such waiver is agreed to in writing by both parties.

c. The non-profit corporation will not, without the written consent of the district, assign the charter in whole or in part. The non-profit corporation may contract for related services as necessary.
d. The non-profit corporation will not discriminate on the basis of race, color, creed, national origin, religion, age, disability, or sex in its educational programs or employment practices.

14. Statement acknowledging that fees, if any, will be charged only for voluntary extracurricular activities and/or for items or services that exceed program and/or class requirements.

15. Descriptions of all of the following:

a. The educational program of the charter school, designed, among other things, to identify what it means to be an “educated person” in the twenty-first century and how learning best occurs.

b. The goals of the charter school's educational program, which must include how all educational thoroughness standards will be fulfilled. The thoroughness standards include the following:

i. Providing a safe environment conducive to learning.

ii. Empowering educators to maintain classroom discipline.

iii. Emphasizing the basic values of honesty, self-discipline, unselfishness, respect for authority, and the central importance of work.

iv. Teaching the skills necessary to communicate effectively.

v. Providing a basic curriculum necessary to enable students to enter academic or vocational post-secondary educational programs.

vi. Teaching the skills necessary for students to enter the work force.

vii. Introducing students to current technology.

viii. Emphasizing the importance of students acquiring the skills to enable them to be responsible citizens of their homes, schools, and communities.

In addition, this district requires a petition to include a mission statement and a statement of purpose to assist the board of trustees in determining how the charter school will fit into the district's philosophy for strengthening public school education in this district.

c. The measurable student educational standards identified for use by the charter school.

In addition, this district requires a petition to include an assessment of how the charter school's student performance standards will meet or exceed this district's exiting standards required of all students in the traditional public school system.
d. The method by which student progress in meeting student educational standards is to be measured.

e. An annual report to the board of trustees provided not later than June 30 of each year, that sets forth student progress based on the charter school's student educational standards.

f. A provision by which students of the charter school will be tested with the same standardized tests as other Idaho public school students.

In addition, a petition must address how the statewide mandated testing program of this district will be coordinated, as well as any additional testing program used by this district.


g. A provision which ensures that the charter school shall be state accredited as provided by State Board of Education rules.

h. The governance structure of the charter school including, but not limited to:

i. The person or entity who will be legally accountable for the operation of the school.

ii. The process to be followed by the charter school to ensure parental involvement.

iii. The following governance and operational support provisions:

(a) School-wide governance, including the school calendar and how the charter school will operate on a day-to-day basis.

(b) Fiscal affairs, including a proposed budget for the first year of operation.

(c) Food services.

(d) Ancillary personnel support, including clerical and custodial.

(e) The method by which public relations will be handled.

i. The qualifications to be met by individuals employed by the charter school. All instructional staff must be certificated teachers, or may apply for a waiver or any of the limited certification options provided by state board of education rules.

In addition, this district requires that a petition address the following personnel matters:

i. Qualifications of non-certificated staff.
ii. Method by which staff criminal background checks will occur.

iii. Hiring practices for both certificated and non-certificated employees.

iv. Supervision, evaluation, probation, and dismissal for both certificated and non-certificated employees.

v. State and federal mandates prohibiting discrimination.

vi. Confidentiality of and access to personnel records.

vii. Grievance procedures.

viii. Use of state-approved contracts for certificated employees.

j. The procedures that the charter school will follow to ensure the health and safety of students and staff as required by federal and state laws.

k. Admission procedures, including a provision for over enrollment which specifies that admission will be determined by lottery or other random method. The petition will describe the random method to be used and set forth procedures for its use.

In addition, this district requires that a petition address enrollment caps for grade levels and programs, as well as admission of students under the following statutory provisions; taking into account this district’s established policies:

i. Open enrollment pursuant to Idaho Code Section 33-1401, et seq.

ii. Dual enrollment pursuant to Idaho Code Section 33-203.

iii. Postsecondary enrollment options pursuant to Idaho Code Section 33-5101, et seq.

l. The manner in which an annual audit of the financial and programmatic operations of the charter school is to be conducted, including the following:

i. A provision requiring the charter school to annually submit a written report to the board of trustees setting forth the results of the audit.

ii. The deadline for submitting the report to the board of trustees, to be not later than June 30.

iii. The method by which any deficiencies found by the annual audit will be addressed.

iv. A statement acknowledging that the financial portion of the audit will be conducted by an independent source.
v. A report on student progress based on the charter school’s student educational standards.

vi. A copy of the charter school’s annual accreditation report.

m. The procedures by which students can be suspended, expelled, and re-enrolled, including a plan for denying school attendance to any student: (1) who is habitually truant; (2) who is incorrigible; (3) whose conduct, in the judgment of the board of directors is continuously disruptive of school discipline, or the instructional effectiveness of the school; (4) whose presence is detrimental to the health and safety of other pupils; or (5) who was expelled from another district in this state or another state.

In addition, this district requires that a petition address the following student discipline issues:

i. Procedures for disciplining students with disabilities.

ii. Procedure by which the students and parents/guardians will be notified annually of the disciplinary rules, which must be set forth in an age-appropriate manner, as required by Idaho Code Section 33-512(6).

iii. Procedures for suspension, expulsion, and denial of enrollment for disciplinary reasons.

iv. Procedures required by Idaho Code Section 33-210, relative to students using or under the influence of alcohol or controlled substances.

n. A provision which ensures all staff members of the charter school will be covered by the public employee retirement system, federal social security, unemployment insurance, health insurance, and worker’s compensation insurance.

O. The public school attendance alternative for students residing within the district who choose not to attend the charter school; this provision applies to the conversion of a traditional public school to a public charter school.

In addition, this district requires that a petition address the following student placement issues:

i. Transportation for students.

ii. Transfer procedure for students attending the charter school who wish to enroll in traditional public schools in this district.

iii. Transfer procedure for students attending traditional public schools in this district who wish to enroll in the charter school.
p. The transfer rights of any employee choosing to work in a charter school and the rights of such employees to return to any non-charter school in this district after employment at a charter school as approved by the board (see "Employment Requirements").

q. A provision which ensures that the staff of the charter school will be considered a separate unit for purposes of collective bargaining.

In addition, this district requires that a petition address the method by which the local education organization will be selected.

r. The procedures to be followed by the charter school and this district to resolve disputes relating to provisions of the charter.

In addition, this district requires that a petition address the procedure for amending a charter, including this district's right to review the charter any time the board of trustees determines that such a review is necessary.

s. The manner by which eligible students from the charter school will be allowed to participate in dual enrollment in non-charter public schools within the district.

t. Proof of liability and property loss insurance for either a newly established or converted charter school, as well as a provision for notifying the board of trustees if such insurance is canceled, or is at risk of being canceled, for any reason. The liability and property loss insurance must list this school district as an additional insured.

u. Procedure for handling student records, including, but not limited to, special education records and disciplinary records, that addresses the following:

i. Confidentiality of student records.

ii. Access to student records.

iii. Requesting records for students transferring to the charter school.

iv. Responding to a request for a transfer of student records for a student transferring out of the charter school.

v. Transfer of student and personnel records upon expiration, revocation or voluntary relinquishment of the charter, including the following:

i. Procedure for transferring all student records to the traditional public school serving the attendance area of the charter school within three (3) workdays after a charter has expired or has been revoked or voluntarily relinquished.
ii. Procedure for transferring personnel records of all charter school personnel who were employed by the district on either an annual or a renewable contract immediately prior to employment at the charter school. The procedure must describe how such records will be provided to the district administration office within three (3) workdays after a charter has expired or has been revoked or voluntarily relinquished.

16. A description of adequate plans, policies, procedures, contractual or other arrangements, and budget to ensure that students with disabilities attending the charter school will receive special education and related services that meet all the requirements of the IDEA.

In addition, the petition shall describe how the charter school or district will:

a. Conduct Child Find activities and evaluations;

   i. Develop, review, and revise IEPs;

   ii. Provide special education and related services identified on student IEPs using qualified personnel;

   iii. Meet Least Restrictive Environment requirements;

   iv. Implement IDEA discipline procedures; and

   vi. Protect student and parent rights.

b. Provisions to employ special education and related services professionals who are appropriately licensed and/or certificated for the duties they are assigned. This could include any combination of the following:

   i. Full- or part-time professionals employed by the charter school to serve special education students;

   ii. Contracts with private individuals or agencies; or

   iii. A contract or other arrangement to have the district provide special education services.

c. A professional development plan for training needs of special education personnel as well as general education teachers in order to meet the needs of students with disabilities who are enrolled in the charter school.

d. A plan that ensures access to charter school programs, as required under the ADA. This plan may include the actual location of the school, classrooms, and settings within the classrooms to permit access by students with disabilities.

e. A transportation plan for special education students who may, because of the nature of their disabilities, be entitled to specialized transportation as a related
service, even if the charter school does not provide transportation to other students.

f. Provisions for notifying the district in the event that a formal complaint or due process hearing request is filed by or on behalf of a charter school student.

g. A provision of whether funding or services of comparable value will be provided to the charter school by the district.

h. In addition, this district requires that a petition address the following:

i. Gifted and talented services; and

ii. Services for students with disabilities pursuant to Section 504 of the 1973 Rehabilitation Act (Section 504) and the Americans with Disabilities Act (ADA).

17. For charter schools in the initial year of operation, the petition shall include a proposal for transportation services with an estimated first year cost.

LEGAL REFERENCE:
Idaho Code Sections
33-506
33-5205

ADOPTED: January, 2006

REVIEWED:

REVISED:
Kamiah Joint School District No. 304 will be governed by a five (5) member board of trustees. The members are elected for three (3) year terms. Each member must be a qualified elector in the school district and a resident of the zone he/she represents.

LEGAL REFERENCE:
Idaho Code Section 33-501

ADOPTED:
7-19-99
The Kamiah Joint School District No. 304 Board of Trustees has the powers and duties attributed to it by the Constitution and laws of the State of Idaho.

Individual members of the board have no power separate from the board as a whole. Members of the board have authority relative to the district only when acting as a board legally in session. The board is not bound by any action or statement on the part of an individual board member, except when such statement or action is pursuant to specific instructions from the board.

No board member, by virtue of his/her office, may exercise any administrative responsibilities with respect to the district schools or, as an individual, command the services of any district employee.

LEGAL REFERENCE:
Idaho Code Section 33-506

ADOPTED:
7-19-99
The Kamiah School District No. 304 Board of Trustees represents the community in all matters pertaining to the operation of the public educational system. The primary functions of the board are as follows:

1. Establish the district’s educational program and attendant policies.
2. Establish the district’s personnel policies and employ necessary personnel, including professional and responsible administrators.
3. Evaluate the accomplishments of the educational system and plan for continued effectiveness and further improvement.
4. Assume responsibility for raising, spending, and accounting for funds to support the educational program.
5. Provide and maintain the district’s physical plant and equipment.
6. Delegate to the superintendent the authority to execute all established policies of the district.

LEGAL REFERENCE:
Idaho Code Sections
33-506
33-513
33-701
33-801

ADOPTED:
7-19-99
Each member of the Kamiah Joint School District No. 304 Board of Trustees will attend all meetings, both regular and special. The powers and duties of the board include, but are not limited to, the following:

1. Make by-laws, rules, and regulations for its government, and that of the district, consistent with the federal and state laws and regulations, and the rules of the State Board of Education.

2. Call special meetings or elections for such purpose as may be necessary for the proper conduct and management of the schools within the district.

3. Employ attorneys when deemed in the best interest of the district, or for the purpose of defending the district against any suit or for bringing action deemed necessary to be commenced by the board. Where it is not feasible for the board to meet and appoint an attorney to advise on a matter, the superintendent will be authorized to contact an attorney of his or her choice for legal advice.

4. Maintain at least one (1) elementary school and one (1) secondary school.

5. Employ necessary personnel (subject to budgetary constraints) to maintain and operate the schools of the district.

6. Discontinue any school within the district whenever such discontinuance is found to be in the best interest of the district and of the students.

7. Set the school calendar and when schools will be in session.

8. Adopt, carry on, and provide for the financing of a total educational program for the district.

9. Provide suitable textbooks and supplies.

10. Protect the morals and health of the students.

11. Exclude from school children not of school age.

12. Prescribe rules for the disciplining of unruly and insubordinate students.

13. Exclude from school students with contagious or infectious diseases, or who are diagnosed or are suspected of having a contagious or infectious disease, or those who are not immune and have been exposed to a contagious or infectious disease; and to close school on order of the State Board of Health or local health authorities.
14. Maintain libraries in each of the schools and exclude from the libraries all books, tracts, papers, and catechisms of sectarian natures.

15. Determine school holidays.

16. Erect and maintain at each school a suitable flagstaff or flagpole and display a flag of the United States of America on all days when school is in session, except during inclement weather.

17. On each Veteran's Day that school is in session, conduct and observe an appropriate program of at least one class period remembering and honoring American veterans.

18. Prohibit entrance to each schoolhouse or school grounds; prohibit loitering in schoolhouses or on school grounds; and provide the removal from such schoolhouses or school grounds of any individual who disrupts the educational process(es) or whose presence is detrimental to the morals, health, safety, academic learning or discipline of the students.

19. Supervise and regulate all extracurricular activities.

20. Govern the district in compliance with state laws and rules of the State Board of Education.

21. Submit to the superintendent of public instruction by July 1 of each year, documentation which meets the reporting requirements of the Federal Gun Free Schools Act of 1994, as contained within the Federal Improving America's Schools Act of 1994.

LEGAL REFERENCE:
Idaho Code Sections
33-506
33-511
33-512

ADOPTED:
7-19-99
The Kamiah Joint School District No. 304 Board of Trustees shall organize itself at its annual meeting in July 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 among competent and responsible persons outside the membership of the board. The board, at its discretion, may allow compensation for the clerk and for the treasurer if other than the county treasurer.

DUTIES OF BOARD CHAIRMAN

The chairman of the board shall serve as president of the board and is authorized to vote on all issues before the board. The chairman’s duties and rights include:

1. Presiding at all meetings of the board and enforcing the usual parliamentary rules;
2. Offering resolutions and discussing questions;
3. Calling special meetings of the board whenever there is sufficient business to conduct, or upon written request of other members of the board;
4. Advising the superintendent on the preparation of the agenda for meetings;
5. Exercising such other powers as may be delegated to him/her by the board;
6. Appointing an assistant clerk in the absence of the clerk;
7. Affixing his/her signature to such documents as the annual financial statement, master agreements, board transcript, and all other instruments as deemed necessary by the board for accurate and official board records.
8. Advising the superintendent so that all regular and special meetings of the board comply with the Idaho Open Meeting Law.
9. Appointing committees with approval of the other trustees.
10. Enforcing policies relating to the board’s own governance and public comment at School Board meetings.

DUTIES OF BOARD VICE-CHAIRMAN

In the absence of the chairman, the vice-chairman will perform the duties and obligations of the chairman.
DUTIES OF TREASURER

The treasurer shall be placed under fidelity bond issued under a surety company authorized to do business with the State of Idaho, in such amount as the board may from time to time determine, 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 officials.

The treasurer shall account for the deposit of all monies of the district in accordance with the provisions of the public depository laws, Chapter 1, Title 57, Idaho Code.

The treasurer is the official custodian of public monies for the district. Other duties of the treasurer include:

1. Keep a full and accurate record of the financial transactions of the district; and

2. Along with the board chairman and clerk, certify the annual Statement of Financial Condition as true and correct.

3. Along with the board chairman or vice-chairman, sign all checks for the district.

The treasurer may be a member of the Board of Trustees or may be selected from the competent and responsible persons outside the membership of the Board. If the treasurer is not a member of the board, the board may vote to compensate the treasurer for his/her services.

DUTIES OF AN ASSISTANT TREASURER(S)

The board may elect one or more assistant treasurers who will have such duties as the board may prescribe. Assistant treasurers will be subject to the control, supervision, and direction of the treasurer of the district. An assistant treasurer may perform the statutory duties prescribed by law for the treasurer to the extent authorized by the board.

DUTIES OF CLERK

The clerk of the board will attend all meetings of the board, keep a full and accurate record of the proceedings, and enter into the record all matters required by law, or by the board. The record maintained by the clerk will be available for inspection by the public at all reasonable times.

When the clerk is unable to attend a meeting of the board, the board will appoint another person to act as a temporary clerk and keep a record of the proceedings. The temporary clerk will certify the record to the clerk, who will then enter the record.

When it is deemed prudent by the board, the clerk may be placed under a fidelity bond, in the manner specified in Section 33-509, Idaho Code, in an amount determined by the board.
Additional duties of the clerk prescribed by the board include:

1. Being responsible to the board for all matters pertaining to the care of the board’s records and documents;

2. Notifying all board members of regular, special, and executive session meetings;

3. Sending to all board members a written agenda and relevant documents for all established by the Superintendent with the assistance of the Board Chairman; and

4. Ensuring that all special meetings are called in conformance with the Open Meeting law.

5. Publishing legal notices regarding all school district business, including, but not limited to, notices of board meetings.

The clerk may be a member of the Board of Trustees or may be selected from the competent and responsible persons outside the membership of the Board. If the clerk is not a member of the board, the board may vote to compensate the clerk for his/her services.

LEGAL REFERENCE:
Idaho Code Sections
9-340, et seq.
33-506
33-508
33-509
33-509A

ADOPTED:
7-19-99
As a member of the Kamiah Joint School District No. 304 Board of Trustees, I shall strive to improve public education and to that end I shall:

1. Attend regularly scheduled board meetings insofar as possible and become informed concerning the issues to be considered at those meetings;

2. Recognize that I should endeavor to make policy decisions only after full discussions at publicly held board meetings;

3. Render all decisions based on the available facts and my independent judgement and refuse to surrender that judgement to individuals or special interest groups;

4. Encourage the free expression of opinions by all board members and seek systematic communications between the board and students, staff, and elements of the community;

5. Work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent;

6. Communicate to other board members and the superintendent expressions of public reactions to board policies and school programs;

7. Inform myself about current educational issues by individual study and thorough participation in programs providing needed information, such as those sponsored by my state and national school boards association;

8. Support the employment of those persons best qualified to serve as school staff and insist on a regular and impartial evaluation of all staff;

9. Avoid being placed in a position of conflict of interest and refrain from using my board position for personal or partisan gain;

10. Take no private action that will compromise the board or administration and respect the confidentiality of information that is privileged under applicable law;

11. Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

(Source: National School Boards Association)

ADOPTED:
7-19-99
Members of the Kamiah Joint School District No.304 Board of Trustees will, at various times, be approached by individuals with a concern or complaint. While it is proper for the member to hear such concern, the member must remember that she/he has no authority except in an official meeting of the board. The board member should make no statement or commitment which may appear to obligate the board or which may jeopardize herself/himself or the board in any official action in the matter.

Upon receiving a patron complaint, board members shall:

1. Encourage the patron to follow the chain of command by contacting the appropriate teacher, building principal, or superintendent to further discuss the matter.

2. If necessary, he/she may refer the matter to the attention of any administrator for investigation and resolution, and/or bring the matter to the board sitting as a whole.

LEGAL REFERENCE:
Idaho Code Sections
   33-506
   33-511
   33-512

ADOPTED:
7-19-99
The Kamiah Joint School District No. 304 Board of Trustees may hold membership in the regional Trustee's Association, Idaho School Board's Association, and the National School Board's Association. The board may authorize, on an annual basis, that such membership dues be paid from the district's general fund. A board member's affiliation with the regional, state, or National School Board's Association, and attendant expenses, may also be authorized by the board.

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LEGAL REFERENCE:
Idaho Code Section 33-506

ADOPTED:
7-19-99
Members of the Kamiah Joint School District No. 304 Board of Trustees, not otherwise compensated from public monies, will be compensated for actual expenses incurred for travel to and from, and while attending, meetings of the board. Such compensation shall be paid from district funds.

Expenses of any board member incurred while traveling on the business of the board, or attending a meeting called by the State Board of Education or the State Superintendent of Public Instruction, or attending any annual or special meeting of the State School Trustees Association, shall be paid from the general fund of the district.

Whenever any member of the board resides at such distance from the meeting place of the board as to require, in the judgment of the board, such member to incur extraordinary expense in traveling from his home to and from said meeting place, the board may approve payment to such member of the extraordinary expense incurred in attending any meeting of the board.

LEGAL REFERENCE:
Idaho Code Sections
33-506
33-701

ADOPTED:
7-19-99
It shall be unlawful for any member of the Kamiah Joint School District No. 304 Board of Trustees to have a pecuniary interest directly or indirectly in any contract or other transaction pertaining to the maintenance or conduct of the school district, or to accept any reward or compensation for services rendered as a board member except as otherwise provided by law. The board may accept and award contracts involving the school district to businesses in which a trustee or his/her relative has a direct or indirect interest if three (3) or less suppliers of a good or a service exist within a fifteen (15) mile radius of where the good or service is to be provided and the contract is necessary to respond to a disaster. If no disaster exists, the following procedures must be followed:

1. The contract is competitively bid and the board member or his/her relative submits the low bid;

2. Neither the board member nor his/her relative takes part in the preparation of the contract or bid specifications, and the board member takes no part in voting on or approving the contract or bid specification;

3. The board member makes full disclosure, in writing, to all members of the board of his/her interest or the interest of his/her relative and sets forth his/her intention, or the intention of his/her relative, to bid on the contract; and

4. Neither the board member nor his/her relative has violated any provisions of Idaho law pertaining to competitive bidding or improper solicitation of business.

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

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

It shall be unlawful for the board of any school district to enter into or execute any contract with the spouse of any member of such board, the terms of which said contract requires, or will require, the payment or delivery of any school district funds, money or property to such spouse, except as provided above.
LEGAL REFERENCE:
Idaho Code Sections
  33-439
  33-501
  33-504

ADOPTED: January 18, 2010

AMENDED:
Federal Impact Aid Funds (Impact Aid) are based upon the number of students served by the Kamiah Joint School District No. 304 whose parents live and/or work on federal lands. Since federal land, including Native American Reservation Land, is not taxable and cannot generate funds for a Local Education Agency (L.E.A.), Impact Aid is paid by the federal government, in lieu of the local taxes, to help support the impacted L.E.A. Impact Aid, therefore, is to be used as supplemental to other funding sources in the support of basic education programs, which are available and of equal benefit to all district students.

INSTRUCTIONAL IMPROVEMENT FOR NATIVE AMERICAN STUDENTS

The federal government has further recognized that districts who serve students living on Native American reservations may encounter unique problems in meeting the needs of that population. The district will earmark $25,000/year of Impact Aid received, to be budgeted for Instructional Improvement for Native American students. Priorities for expending these dollars will be identified by the Indian Education Parents’ Committee (Education Committee) and submitted to the superintendent for final consideration by the board. The Education Committee will present suggestions, questions or concerns regarding actions related to this policy and these procedures, review the continuing efforts of the district, and ensure that adequate actions are being taken to fulfill the intent of this policy.

Recognizing that some of the Impact Aid funds received by the district are generated because of Native American students residing on Native American Reservation Land, the district has adopted procedures pursuant to federal regulations to provide maximum information and opportunities for input concerning programs supported by Impact Aid funds to parents of Native American students and the Education Committee. The procedures will be reviewed annually, in a public meeting, with changes made according to need, input, or legal requirements.

To ensure compliance with board policy and procedures on public participation and other issues related to Impact Aid, building principals will serve as Ad-Hoc members of the Education Committee.

Native American students have the opportunity to participate in school programs on an equal basis with all other students educated by the district. The superintendent and building principals will report to the board, annually, regarding the steps taken to effectuate such participation.

The superintendent will assure the board, annually, that all applications, evaluations, and program plans are disseminated to tribal officials and parents regarding Impact Funds. Copies of the applications, evaluations, and program plans will be available, upon request.

EDUCATION COMMITTEE INPUT

The Education Committee and tribal officials, with input from the parents of Native American students, will participate in the development of district programs as follows:
1. They will have an opportunity to present their views regarding application for Impact Aid funds through the process of parent conferences, committees, board meetings, etc.;

2. They will have an opportunity to make recommendations to school officials and the board concerning the needs of Native American students and ways by which the district and Native American parents can work together to assist Native American students in realizing the benefits to be derived from the educational programs of the district;

3. They will be consulted and involved in the planning and development of the educational programs;

4. They will be afforded the opportunity to present their views to school officials and the board on the educational programs being offered by the district, the degree of Native American student involvement in those programs, and the degree of parent participation allowed.

5. They will be afforded time on the agenda of the board for a representative of the Education Committee to report to the board on what the committee is suggesting to help improve the education of Native American students.

6. They will have access to aggregate data, collected by the district, to effectively measure and assess the degree of Native American student participation in district programs and the level of achievement of Native American students.

**PROCEDURE FOR IMPLEMENTATION OF DISTRICT POLICY**

**Opportunity for Input to Programs Funded by Impact Aid Funds**

Any parent of a Native American student attending the district schools, members of the Education Committee, any tribal official, or other person, may request to be heard by the Board on the following issues:

1. Equal participation in educational programs of Native American students;

2. Program evaluations, program plans and the Impact Aid application;

3. Education programs provided by the district;

4. Needs of Native American students;

5. Ways to assist Native American students;

6. Such other concerns which directly affect the education of Native American students.

**Responsibility of the School District**

To insure that parents and the Education Committee may influence programs serving Native
American students, the board and administration will conduct the following activities in a timely manner:

1. Distribute information to the Education Committee on P.L. 874 and other applicable local, state, and federal programs serving Native American students.

2. Assess school data and community input to curriculum and other committees to determine the extent Native American students participate in school services.

3. Gather input from Native Americans in a variety of ways including the Education Committee; comments from tribal leaders, parents and students; comments at board meetings, etc. The board will modify the program, when necessary, to provide equal education opportunities for all students.

4. Assign the building principals to be active Ad-Hoc members of the Education Committee for the purpose of assessing tribal, parent and student input, identifying concerns, and recommending modifications to the Impact Aid application and other district services that address these concerns.

5. Distribute to the Education Committee a copy of the application for P.L. 874 funds.

6. Inform the Education Committee when P.L. 874 is scheduled for board approval and their right to appear and comment on board agenda items pertaining to P.L. 874.

7. Communicate annually the district’s Native American education policy/procedures, to the Nez Perce Tribal Executive Committee (NPTEC) in Lapwai, Idaho.

8. Communicate annually the district’s Native American education policy/procedures, to the Bureau of Indian Affairs (BIA), Northern Idaho Agency, in Lapwai, Idaho.

9. Hold the annual P.L. 874 hearing inviting staff, parents of Native American students, and Native American students 18 years of age and older. The purpose of this hearing is to review the district’s educational program and budget. A public notice of the hearing will be published in the local newspaper.

10. Notify the Education Committee of all vacancies and seek appropriate input from the Education Committee.

11. Continue to actively recruit Native Americans for both certificated and non-certificated positions to determine the best qualified applicant for all vacancies.

12. Encourage district employees to take continuing education credits on issues related to the educational needs of Native American students, the history and culture of the Nez Perce Tribe, and curriculum development strategies for Native American related topics.

13. The district, with assistance from the JOM coordinator, will provide the following information:
Federal Impact Funds—continued

a. Number of Native American students who were enrolled at the beginning and the conclusion of each school year.

b. Number of Native American students who withdrew or transferred and the reason for the withdrawal/transfer.

c. The academic performance of Native American students by grade level.

d. Drop out rate for Native American students.

e. Number and percentage of disciplinary actions taken for Native American students as compared to the total student body, by semester (suspensions, corporal punishment and expulsions).

f. Number and position of each Native American employed by the district.

14. If the board finds that Native American students are not participating in basic education programs on an equal basis, or that the special needs of Native American students are not being met, it shall implement the following steps:

a. Establish a task force composed of Native American parents, staff members, and other interested persons to address specific objectives, needs, and concerns.

b. The administration will implement solutions which will allow equal participation and document that the opportunity for equal participation has been achieved.

15. The district may, from time-to-time, provide further opportunities for consultation and involvement by utilizing special parent advisory committees. These parent advisory committees will be temporary in nature and selected to work on short term projects.

LEGAL REFERENCE:
Public Law 81-874
34 CFR 223

ADOPTED: 2-17-97

Revised:

Reviewed:
The five (5) trustee zones for Kamiah Joint School District No. 304 are as follows:

**Trustee Zone No. 1**

Beginning at a point in Idaho County, which point is the intersection of Lolo Creek with the Clearwater River; thence in a southeasterly direction up the center of the said Clearwater River to the section line being the common boundary between Sections 35 & 36, TWP 34N, R3E, BM; thence south along section line between Sections 35 & 36, TWP 34N, R3E, BM and Sections 1 & 2, TWP 33N, R3E, BM, to its intersection with the Lewis Clark Highway (U.S. #12); thence in an easterly direction along the center line of said highway to its intersection with the Clearwater River; thence northwesterly along with Clearwater River to its intersection with the Toma-Ta-Ha Creek; thence up Toma-Ta-Ha Creek to the center of the Toma-Ta-Ha Road to its intersection with the Adams Grade Road (Carabel Road); thence up the center of the Adams Grade to the section line common to Section 15, 16, 21, 22, 27 & 28; TWP 34N, R4E, BM; thence north on said section line to its intersection of Lolo Creek; thence in a northwesterly direction down Lolo Creek to the point of beginning.

**Trustee Zone No. 2**

Beginning at a point being the intersection of the Lewis Clark Highway (U.S. #12) and Idaho Street in the City of Kamiah, south along said Idaho Street to its intersection with the section line common to Sections 1 & 12, TWP 33N, R3E, BM; and Sections 6 & 7, TWP 33N, R4E, BM; thence east along said line to its intersection with the Clearwater River; thence in a southerly direction along the center of said Clearwater River to section line common to Sections 24 & 19, TWP 33N, R3E, BM. Thence south to ½ mile mark on section line; thence east 1 mile; thence north 1 ½ miles; thence east 2 miles; thence south ½ mile; thence east ½ mile; thence north 1 mile; thence east 1 mile to the quarter corner common to Sections 11 & 14, TWP 33N, R4E, BM; thence north ¼ mile; thence east ½ mile; thence south ¼ mile; thence east 1 mile; thence south 1 mile to the southwest corner of Section 18, TWP 33N, R5E, BM; thence east 6 miles to the range line common to ranges 5 & 6 E, BM; thence north 6 miles more or less, to intersection of said line with Lolo Creek; thence in a westerly direction along the center Lolo Creek to its intersection with the section line common to Sections 15, 16, 21, 22, 27, & 28, TWP 34N, R4E, BM; thence south along said section line to its intersection with the Adams Grade Road (Carabel Road); thence in a westerly direction along the center of said road to its intersection with the Toma-Ta-Ha Road to its intersection with the Clearwater River; thence southeast along the center of the Clearwater River to its intersection with the Lewis Clark Highway (U.S. #12); thence west along the center of said highway to the point of beginning.

**Trustee Zone No. 3**

Beginning at a point in the center of the Clearwater River where it intersects with the channel of Six Mile Creek; thence in a westerly direction and up said creek to the intersection of said creek with the west boundary line of Section 12, TWP 34N, R2E, BM; thence south along said west
line of said Section 12 to the southwest corner of said Section 12, thence east ½ mile; thence south ½ mile; thence east ½ mile; thence south 2 ½ miles to the southwest corner of Section 30, TWP 34N, R3E, BM; thence east 2 miles to the southwest corner of Section 28, TWP 34N, R3E, BM; thence south 2 miles to the southwest corner of Section 4, TWP 33N, R3E, BM; thence east 2 3/4 miles to the northeast corner of the northwest quarter of the northeast quarter of Section 11, TWP 33N, R3E, BM; thence south ½ mile, more or less, to the center of State Highway #62; thence northeasterly along the center of said highway to its intersection with 9th Street in the City of Kamiah; thence east along the center of 9th Street to its intersection with Hill Street; thence north along the center of Hill Street to its intersection with the Lewis Clark Highway (U.S. #12); thence westerly along the center of the Lewis Clark Highway to its intersection with the section line common to Sections 1 & 2, TWP 33N, R3E, BM, and Sections 35 & 36, TWP 34N, R3E, BM; thence north along said section line to its intersection with the Clearwater River; thence in a northwesterly direction and down said Clearwater River to its intersection with the channel of Six Mile Creek and the point of beginning.

Trustee Zone No. 4

Beginning at a point where Hill Street intersects the Lewis Clark Highway (U.S. #12) City of Kamiah; thence south to a point where the extension of Hill Street would intersect the common boundary line of Sections 13 & 24, TWP 33N, R3E, BM; thence east on said line to its intersection with the Clearwater River; thence down the center of the Clearwater River to its intersection with the section line common to Sections 1 & 12, TWP 33N, R3E, BM; and Sections 6 & 7, TWP 33N, R4E, BM; thence west on said line to its intersection with Idaho Street, City of Kamiah; thence north along the center of Idaho Street to its intersection with the Lewis Clark Highway (U.S. #12); thence west along the center of said highway to the point of beginning.

Trustee Zone No. 5

Beginning at a point being at the southwest corner of Section 4, TWP 33N, R3E, BM; thence east 2 3/4 miles to the northeast corner of the northwest quarter of the northeast quarter of Section 11, TWP 33N, R3E, BM; thence south ½ mile, more of less, to the center of State Highway #62; thence northeasterly along the center of said highway to its intersection with 9th Street, City of Kamiah; thence east along the center of 9th Street to its intersection with Hill Street; thence south along the center of Hill Street to a point where the extension of Hill Street would intersect the common boundary line of Sections 13 & 24, TWP 33N, R3E, BM; thence east on said line to its intersection with the Clearwater River; thence up the Clearwater River to its intersection with the range line common to Ranges 3 & 4; thence south 6 ½ miles, more or less, to the northeast corner of the southeast quarter of the southeast quarter of Section 24, TWP 32N, R3E, BM; thence west 2 miles; thence north 2 miles; thence west 1 mile; thence south ½ mile; thence west to the northeast corner of Section 17, TWP 32N, R3E, BM; thence south 1 mile; thence east 1/4 mile; thence south ½ mile; thence west 1 mile to the southwest corner of the southeast quarter of the northwest quarter of Section 20, TWP 32N, R3E, BM; thence north 1/4 mile; thence east 1/4 mile; thence north 1/4 mile; to the northwest corner of the northeast quarter of Section 20, TWP 32N, R3E, BM; thence east 1/4 mile; thence north 1 mile to the northwest quarter of Section 17, TWP 32N, R3E, BM; thence west 3/4 mile to the northwest corner of Section 17, TWP 32N, R3E, BM; thence north 3/4 mile; thence east 1/4 mile to the southeast corner of the northwest quarter of the northwest quarter of Section 8, TWP 32N, R3E, BM;
thence north 1 1/4 miles; thence west 1 1/4 miles; thence north 1/2 mile; thence east 1/4 mile; thence north 1 mile; thence west 1/2 mile to the southeast corner of the southeast quarter of the northeast quarter of Section 25, TWP 33N, R2E, BM; thence north 1/2 mile; thence east 1/4 mile; thence north 1/4 mile to the northeast corner of the southeast quarter of the southeast quarter of Section 24, TWP 33N, R2E, BM; thence west 1/2 mile; thence south 3/4 mile to the center of Section 25, TWP 33N, R2E, BM; thence west 1 3/4 miles, more of less, on the east-west line through the center of Sections 25 & 27, TWP 33N, R2E, BM; to its intersection with Lawyers Creek; thence down the center of Lawyers Creek to its intersection with the north and south center line of Section 12, TWP 33N, R2E, BM; thence north approximately 1 mile to the section line common to Sections 1 & 12, TWP 33N, R2E, BM, and Sections 6 & 7, TWP 33N, R3E, BM; thence east on said line 2 1/2 miles to the point of beginning.

LEGAL REFERENCE:
Idaho Code Section 33-501

ADOPTED:
7-19-99
At the time of the nomination and election, or appointment, each member of the Kamiah Joint School District No. 304 Board of Trustees must be a qualified elector of the district and a resident of the trustee zone from which he or she is nominated and elected, or appointed.

A qualified elector is any person at least eighteen (18) years of age who has been a resident of Kamiah Joint School District No. 304 for thirty (30) days prior to the election and who physically resides in the trustee zone from which he or she seeks election.

Each trustee must qualify for and assume office at the annual meeting of the school district next following the election, or, if appointed, at the regular meeting of the board following such appointment.

An oath of office will 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, and the records of the district shall show such oath of office to have been taken, and by whom administered, and shall be filed with the official records of the district.

LEGAL REFERENCE:
Idaho Code Section 33-501

ADOPTED:
7-19-99
NOMINATION OF TRUSTEES

Any person legally qualified to hold the office of school trustee may file a declaration of candidacy for the office. The declaration must bear the name of the candidate, state the term for which declaration of candidacy is made, and bear the signature of not less than five (5) school district electors resident of the trustee zone of which the candidate is resident. The declaration of candidacy must be filed with the clerk of the board not later than five (5) o’clock p.m. on the fifth (5th) Friday preceding the day of election of trustees.

Any person interested in being a write-in candidate for a school trustee position must file a declaration of intent indicating that the person desires the trustee office and is legally qualified to assume the duties of school trustee if elected. The declaration of intent for write-in candidates must be filed with the county clerk not later than fourteen (14) days before the day of election. No write-in vote will be counted unless a declaration of intent has been properly filed.

Any person who filed a declaration of candidacy may withdraw from the election by filing a notarized statement of withdrawal with the county clerk. The notarized statement must contain all the information necessary to identify the person and the office sought, and the reason for the withdrawal. The candidate may not withdraw later than 45 days prior to the day of the election. The board is prohibited from appointing any candidate who filed a statement of withdrawal, unless the vacancy occurs because of the death of a previous candidate.

ELECTION OF TRUSTEES

Joint district located in two counties
The election of the trustees shall be conducted by the county clerks of the respective counties in which the district is located, in compliance with Title 34 of the Idaho Code.

If the date for filing written nominations for the office of trustees has expired, and it appears that only one (1) qualified candidate has been nominated for a trustee position, or if only one (1) candidate has filed a write-in declaration of intent, no election will be held for that position, and the board, or the school district clerk with the written permission of the board, will declare such candidate elected as trustee. A certificate of election bearing the seal of the district will be prepared by the school district clerk and delivered to the person declared as elected.

Trustee elections will be held on the third (3rd) Tuesday in May in odd-numbered years. In each trustee zone, the person receiving the greatest number of votes cast in his or her trustee zone will be declared by the board as the trustee elected from that trustee zone. The elected trustee will assume office on July 1, next following the election.

If any two (2) or more persons have an equal number of votes in any trustee zone and a greater number than any other nominee in that trustee zone, the board will determine the winner by a toss of a coin.
LEGAL REFERENCE:
Idaho Code Sections
33-401
33-501
33-502
33-502B
33-503
34-702A
34-717

ADOPTED: January 18, 2010

AMENDED:
A vacancy will be declared by the board when any nominee has been elected but failed to qualify for office, or within thirty (30) days of when any trustee will:

1. Die;
2. Resign as trustee;
3. Remove himself/herself from his or her trustee zone of residence;
4. No longer be a resident or school district elector of the district;
5. Refuse to serve as a trustee;
6. Without excuse acceptable to the board, fail to attend four consecutive regular meetings of the board; or
7. Be recalled and be discharged from office as provided in Section 33-439, Idaho Code.

The declaration of vacancy will be made at any regular or special meeting of the board, at which any of the above-mentioned conditions are determined to exist.

The board will appoint to the vacancy a person qualified to serve as a trustee of the school district provided there remains in membership on the board a majority of the membership thereof, and the board will notify the State Superintendent of Public Instruction of the appointment. The appointment must be made within ninety (90) days of the declaration of vacancy. If, after ninety (90) days, the board is unable to appoint a trustee from the zone vacated, the board may appoint a person at-large from within the boundaries of the district to serve as the trustee from the zone where the vacancy occurred. Otherwise, after one hundred twenty (120) days from the declaration of vacancy, the board will refer the matter to the board of county commissioners in which it is situated, and request that the board of county commissioners appoint a trustee to fill the vacancy.

Any person appointed as herein provided will serve until the annual meeting of the board next following the appointment. At the annual election a trustee will be elected to complete the unexpired term of the office which was declared vacant and filled by appointment.

The elected trustee will assume office on July 1, next following the election.
When any relative of any board member or relative of the spouse of a board member related by affinity or consanguinity within the second degree is considered for employment in a school district, such board member shall abstain from voting in the election of such relative, and shall be absent from the meeting while such employment is being considered and determined.

LEGAL REFERENCE:
Idaho Code Sections
18-1361
18-1361A
33-506
33-507

ADOPTED:
7-19-99
The agendas for the meetings of the Kamiah Joint School District No. 304 Board of Trustees will be prepared by the superintendent in consultation with the chairman of the board. The agenda and written documentation in support of any agenda item will be provided to each board member prior to each scheduled board meeting. If possible, the agenda and supporting documentation will be provided to board members at least four (4) days prior to the board meeting.

Patrons may submit written requests to be placed on the agenda of a board meeting for the purpose of presenting complaints or address other issues regarding the school district. The written request and supporting documentation must be submitted to the superintendent's office at least six (6) days prior to the scheduled board meeting to allow sufficient time for the matter to be placed on the agenda. The superintendent will notify the patron regarding the status of his/her request.

The agenda will be posted at the public posting places approved by the board of trustees at the annual meeting.

The agenda may be amended at any board meeting with the approval by two-thirds (2/3) vote of the members.

The board may, at its discretion, decline to place a proposed item on the agenda, postpone it to a future meeting, or refer the matter to the district superintendent without discussion.

LEGAL REFERENCE:
Idaho Code Section 33-506

ADOPTED:
7-19-99
All meetings of the board are open to the public and all persons are permitted to attend any regular, special, or emergency meeting of the board. The right to attend a meeting of the board does not grant any individual the right to provide public input to the board during its meeting. The board may exclude the public from any meetings it may hold in executive session.

PUBLIC PARTICIPATION

The board chairperson has the authority and responsibility to oversee the orderly process of a board meeting, and is responsible for recognizing all speakers, utilizing the following guidelines:

1. Public participation will be permitted only as indicated on the order of business as set forth in the board's agenda, or as determined appropriate by the chairperson.

2. Members of the public will not be recognized while the board is conducting its official business.

3. Members of the public wishing to make formal presentations to the board must make a written request one (1) week in advance, submitted to the district office. Individuals will be notified regarding whether their request to address the board has been granted and, if so, will be provided the approximate time as set forth in the meeting agenda.

4. Members of the public must be recognized by the chairperson and must preface their comments by announcing their name, address, and group affiliation, if appropriate.

5. A single spokesman must be selected by groups or organizations desiring to address the board in order to avoid repetitious information.

6. Each statement made by a member of the public shall be limited to three (3) minutes duration, or as determined appropriate by the chairperson.

7. All comments must be limited to items directly related to the district. When deemed appropriate by the chairperson, comments and questions at a regular board meeting may deal with any topic related to the board's conduct of schools. Comments at special meetings must be related to the call of the meeting.

8. The board will not hear complaints against personnel or any students in a public board meeting.

9. All statements shall be directed to the chairperson; no member of the public may address or question board members individually.

The chairperson may:
1. *Interrupt or terminate a participant’s statement when the statement is too lengthy, personally directed, abusive, obscene, irrelevant, or redundant.*

2. *Request any individual to leave the meeting when that person does not observe reasonable decorum.*

3. *Request the assistance of law enforcement officers in the removal of a disorderly person when the person’s conduct interferes with the orderly process of the meeting.*

4. *Call a recess or an adjournment when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action.*

**USE OF ELECTRONIC DEVICES DURING MEETINGS**

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

**PARTICIPATION VIA TELECOMMUNICATIONS DEVICES**

Any board meeting may be conducted using telecommunications devices which enable all participating board members to communicate with each other; provided, however, that at least one (1) board member, or the superintendent, must be physically present at the location designated in the meeting notice, to ensure that the public may attend such meeting in person. Such telecommunication devices may include, but are not limited to, telephone or video conferencing devices and similar communications equipment. All communications must be audible to the public attending the meeting in person and all participating board members. Any board member participating via telecommunications devices shall be deemed to be present in person at the meeting.

**BOARD DECISIONS**

All final actions and final decisions by the board will be made at a regular or special meeting. No final decisions will be made in executive session, with one exception. The decision to place a certificated employee, who is employed on an annual contract, on probationary status may be made in executive session. In such cases, the employee will not be named in the minutes of the meeting. No decision at a regular or special meeting of the board will be made by secret ballot.
LEGAL REFERENCE:
Idaho Code Sections
  33-510
  33-514
  67-2341, et seq.

ADOPTED: ____________

REVIEWED: ___________

REVISED: April 2008
*Language in text set forth in italics is optional.
The Kamiah Joint School District No. 304 Board of Trustees encourage patrons, employees and students to attend board meetings. However, board meetings are not public meetings, but meetings held in public. The following policies are adopted to give all attendees an opportunity to participate meaningfully in the meeting.

1. All attendees are required to sign the “visitor list” prior to the beginning of the meeting. Attendees who are not known to the trustees may be asked to introduce themselves.

2. Attendees may comment to the board regarding a specific agenda item at the time designated for comments on agenda items. An individual may speak at the meeting only upon recognition from the chairman. The chairman may limit statements which he determines to be redundant, irrelevant, argumentative, in excess of the specified time period, or for other good cause.

3. All attendees are expected to act in a decorous manner throughout the board meeting. Attendees are prohibited from making or causing any loud, raucous, abusive or profane comments or gestures; personally attacking district employees; displaying banners, placards or signs; or any other conduct which distracts from the orderly process of the meeting.

4. Upon prior approval by the clerk (requests must be made at least 24 hours before the meeting), attendees may use audio/video equipment to record all or part of an open session of a board meeting if they comply with the following guidelines:

   a. The clerk will designate the areas in which the recording device may be set-up. The equipment, or operation thereof, must not interfere with the ingress and egress pathways.

   b. The equipment must be set-up prior to the commencement of the meeting and removed during a recess or after the conclusion of the meeting.

   c. The use of equipment which emits noises, the use of special light sources, such as flashguns, flashbulbs, floodlights, etc., and the use of electrically powered equipment, via electrical cords, are prohibited.

   d. Upon request of the district, any individual recording the meeting is required to provide a copy of the tape to the district. The district will pay the reasonable cost of reproduction.
LEGAL REFERENCE:
Idaho Code Section 33-510

ADOPTED:
7-19-99
The annual meeting of the Kamiah Joint School District No. 304 Board of Trustees shall be held at its regular July meeting each year. The board, at its annual meeting, will establish the dates, times and location for the regular monthly school board meetings for the upcoming year.

At the annual meeting, the board shall 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.

LEGAL REFERENCE:
Idaho Code Sections
  33-506
  33-510

ADOPTED:
7-19-99
At its annual meeting in July, the board will set its monthly meetings at regular intervals and direct the clerk to post notice of the regular meeting schedule at least once each year. 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.

The clerk of the board will prepare and post an agenda notice forty-eight (48) hours in advance of each regular meeting. The board may amend the agenda, provided that a good faith effort is made to include in the original agenda notice all items known to be probable items of discussion. The agenda may be amended in the following manner:

1. If the agenda is amended after it has been posted but there exists forty-eight (48) hours or more prior to the start of the meeting, the agenda may be amended by posting a new agenda.

2. If an amendment to the agenda is proposed less than forty-eight (48) hours prior to a regular meeting but prior to the start of the meeting, the clerk will post the proposed amended agenda but it will not become effective until a motion is made at the meeting and the board votes to amend the agenda.

3. The board may amend the agenda after the start of the meeting upon a motion that states the reason for the amendment and the good faith reason the agenda item was not included in the posted agenda.

LEGAL REFERENCE:
Idaho Code Sections
33-510
67-2343

ADOPTED: January 18, 2010

AMENDED:
Special meetings may be called by the chairman or by any two 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. An emergency is a situation involving injury or damage to persons or property, or immediate financial loss, or the likelihood of such injury, damage, or loss, when the notice requirements of the 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.

NOTICE OF SPECIAL MEETING

The notice for a special meeting will include the following:

1. Meeting date;
2. Time;
3. Place; and
4. Name of the school district calling for the meeting.

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 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.

The clerk will maintain a list of the news media requesting notification of meetings and will make a good faith effort to provide advanced notification to them of the time and place of each special meeting.

AGENDA

The clerk will post the agenda in the same manner as the notice of special meeting. The board may amend the agenda, provided that a good faith effort is made to include in the original agenda notice, all items known to be probable items of discussion. The agenda may be amended in the following manner:

1. If the agenda is amended after it has been posted but there exists twenty-four (24) hours or more prior to the start of the special meeting, the agenda may be amended by posting a new agenda.
2. If an amendment to the agenda is proposed less than twenty-four (24) hours prior to a special meeting but prior to the start of the meeting, the clerk will post the proposed amended agenda but it will not become effective until a motion is made at the meeting and the board votes to amend the agenda.

3. The board may amend the agenda after the start of the meeting upon a motion that states the reason for the amendment and the good faith reason the agenda item was not included in the posted agenda.

LEGAL REFERENCE:
Idaho Code Sections
33-510
67-2343

ADOPTED: January 18, 2010

AMENDED:
An executive session, at which members of the public are excluded, may be held upon a two-thirds (2/3) vote recorded in the minutes of the open meeting by roll call vote. The motion to go into executive session must identify the specific subsection(s) of Idaho Code Section 67-2345 authorizing the executive session. The roll call vote will be recorded in the meeting minutes.

Notice of an executive session will be set forth in the agenda notice of a regular or special meeting, and may be amended in the same manner as open meeting agenda items. If only an executive session will be held by the board, a twenty-four (24) hour meeting and agenda notice will be given and will state the reason and specific subsection of Idaho Code Section 67-2345 authorizing the executive session.

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 section 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, or individual agent, or public school student;

3. To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by the school district;

4. To consider records that are exempt from disclosure as provided by the Public Records Law, Chapter 3, Title 9, Idaho Code;

5. 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.

6. 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.

Labor negotiations with the local education organization representing professional employees may be conducted in executive session if either side requests closed meetings. Subsequent sessions of the negotiations may continue without further public notice. Adequate records or
minutes of the negotiation procedures will be kept, and will be available for public inspection at the offices of the board during normal business hours. Joint ratification of all final offers of settlement will be made in an open meeting.

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 not authorized for an executive session by the open meeting law.

PROHIBITION AGAINST VOTING

No final action or final decision may be made in an executive session except a decision to place a certificated employee on probationary status. If a decision is made in executive session to place a certificated employee on probationary status, the employee will not be named in the minutes of the meeting.

MINUTES OF EXECUTIVE SESSION

The board will record written minutes of all executive session meetings. The minutes must specify the specific subsection of Idaho Code Section 67-2345 authorizing the executive session, and provide sufficient detail to identify the purpose and topic of the executive session. Executive session minutes may be recorded in the body of the written minutes of the open session and are a public record.

LEGAL REFERENCE:
Idaho Code Sections
33-514
33-515
67-2340, et seq.

ADOPTED: January 18, 2010

AMENDED:
A complete and accurate set of minutes will be kept of each board meeting. All minutes will be available to the public within a reasonable amount of time after the meeting and will include at least the following information:

1. All members of the board present;

2. All motions, resolutions, orders, or policies proposed and their dispositions; and

3. The result of all votes and, at the request of a member, the vote of each member by name.

Minutes of executive sessions will reference the specific subsection of Idaho Code Section 67-2345 authorizing the executive session, and provide sufficient detail to identify the purpose and topic of the executive session without compromising the purpose of going into executive session.

If the designated clerk is not available to attend a meeting of the board, the board will appoint a person to act as the temporary clerk. That person will keep the record of the proceedings of the board and certify the same to the clerk, to be entered by him or her.

Following a meeting of the board, the clerk will prepare the typed copy of the minutes from the record of the meeting. A copy of the minutes will be given to each board member prior to the next regular meeting. At the next regular meeting of the board, the minutes will be approved and signed by the clerk and the chairman of the board. The approved and signed minutes will become part of the official ledger of minutes maintained in the district office.

LEGAL REFERENCE:
Idaho Code Sections
  33-508
  67-2344

ADOPTED: January 18, 2010
AMENDED:
The quorum for the transaction of business by the Kamiah Joint School District No. 304 Board of Trustees shall consist of a majority of the members of the board. Unless otherwise provided by law, all questions shall be determined by a majority of the votes cast. The chairman of the board may vote in all cases.

All motions will be recorded and the voting results specified in the board minutes. The minutes will include the names of those who made the motions, and each trustee's individual vote on each motion.

LEGAL REFERENCE:
Idaho Code Section 33-510

ADOPTED:
7-19-99
The public has the right to access this district’s public records. This policy sets forth the procedure for accessing public records.

DEFINITIONS

Public Records: Include, but are not limited to, any writing containing information relating to the conduct or administration of the district’s business that is prepared, owned, used, or retained by the district, regardless of the physical form or characteristics and includes e-mail containing information relating to the conduct and administration of district business.

Writing: Includes, but is not limited to, handwriting, typewriting, printing, photostatting, photographing, and every means of recording, including words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, disks, drums, or other documents.

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

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

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

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

The following persons are the designated custodians for this district:

1. Superintendent
2. Treasurer
3. Clerk

The above-named custodians may delegate responsibility for routine information requests.
EXEMPLARY MATERIALS FROM PUBLIC REVIEW

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

1. Any public record exempt from disclosure by federal or state law or federal regulations to the extent specifically provided for by such law or regulation. This includes, but is not limited to, student records under the Family Educational Rights and Privacy Act.

2. Records relating to the appraisal of real property, timber, or mineral rights, prior to its acquisition, sale, or lease by the district.

3. Any estimate prepared by the district that details the cost of a public project until such time as disclosed or bids are opened, or upon award of the contract for construction of the public project.

4. The records of a library that, when examined alone or when examined with other public records, would reveal the identity of the library patron checking out, requesting, or using an item from the library.

5. Computer programs developed and purchased by or for the district for its own use. However, computer program does not include:
   a. The original data including, but not limited to, numbers, texts, voice, graphics, and images;
   b. Analysis, compilation, and other manipulative forms of the original data produced by use of the program;
   c. The mathematical or statistical formulas that will be used if the manipulative forms of the original data were to be produced manually.

6. Employment security information and unemployment insurance benefit information, except that all interested parties may agree to waive the exemption.

7. Facts contained in any records of a juvenile maintained under the Juvenile Correction Act will be furnished upon request to any district where the juvenile is enrolled or is seeking enrollment. If a juvenile is fourteen (14) years or older and is adjudicated guilty of an offense that would be a felony if committed by an adult, the name, the offense of which the juvenile was adjudicated, and the disposition of the court will be disclosed.

8. All personnel records of a current or former employee other than the employee’s public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace, and employing district.
9. All other personnel information relating to the employee or applicant, including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, applications, testing and scoring materials, grievances, correspondence, and performance evaluations, will not be disclosed to the public without the employee’s or applicant’s written consent. An employee or authorized representative may inspect and copy his or her personnel records, except for material used to screen and test for employment.

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

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

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

PROCEDURES FOR REQUESTING PUBLIC RECORDS

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

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

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

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

A request for records, whether submitted informally or in writing, must be granted or denied within three (3) working days. The designated custodians are authorized to determine that a request cannot be fulfilled within three (3) working days. If more than three (3) working days are needed to locate or retrieve the records, the individual seeking the records will be requested
to submit a written request. The request must be granted or denied in whole or in part within ten (10) working days. Provided that, if it is determined that a requested electronic record exists but must first be converted to another electronic format, and that such conversion cannot be completed within ten (10) days, the custodian shall notify the individual requesting the record in writing. The district shall provide the converted public record at a time mutually agreed upon between the district and the requesting party, with due consideration given to any limitations that may exist due to the process of conversion, or the use of a third party to make the conversion.

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

DISTRIBUTION OR SALE OF MAILING OR TELEPHONE NUMBER LISTS PROHIBITED

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

COSTS FOR PROVIDING PUBLIC RECORDS

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

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

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

1. The request is for more than one hundred (100) pages of paper records; or

2. The request includes records from which nonpublic information must be deleted; or

3. The actual labor, as defined above, associated with locating and copying documents for a request exceeds two (2) person hours.
This district may require advance payment of the photocopying charges for major copying work. A decision on whether to require advance payment will be made by a custodian of the records.

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

1. The inability to pay; or

2. That the public's interest or the public's understanding of the operations or activities of government or its records would suffer by the assessment or collection of any fee.

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

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

INSPECTION AND CORRECTION OF AN INDIVIDUAL'S RECORDS

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

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

DENIAL OF REQUESTS

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

If a request for a record is denied in whole or in part, the person making the request must be notified in writing. This notice must include:
3. A simple statement of the right to appeal and the time limit for an appeal.

A certificate of mailing must accompany the notice.

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

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

PENALTY AND IMMUNITY

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

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

ADOPTED: 7-19-99

REVIEWED: January 2007

REVISED: February 2007
1. A statement that an attorney for the district has reviewed the request, or that the district had the opportunity to consult with an attorney and has chosen not to do so;

2. The statutory basis for the denial;

3. A simple statement of the right to appeal and the time limit for an appeal.

A certificate of mailing must accompany the notice.

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

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

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**LEGAL REFERENCE:**

Idaho Code Section 9-337, *et seq.*

34 CFR Part 99


**ADOPTED:__________**

**REVIEWED:__________**

**REVISED: _April 2008_**

*Language in text set forth in italics is optional.*
The State Board of Education may grant a waiver of any rule not required by state or federal law to any school district upon written request. The Board will not grant waivers of any rule required by state or federal law. State and federal law includes case law (including consent decrees), statutes, constitutions, and federal regulations.

The Kamiah Joint School District No. 304 will seek waivers from the State Board of Education when extenuating circumstances preclude compliance with any rule governing Administration, Uniformity or Thoroughness. The superintendent or designee will prepare and submit proposed waiver requests to the board of trustees. The board of trustees will review waiver requests on a case-by-case basis, and, if approved, will submit the waiver request to the State Board of Education.

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**LEGAL REFERENCE:**
IDAPA 08.02.01.001

**ADOPTED:**
7-19-99
It is the policy of this board not to discriminate on the basis of race, color, creed, national origin, religion, age, disability or sex in its educational and extracurricular programs, or employment practices.

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

ADOPTED: 7/19/99

REVISED: July 21, 2008
Kamiah Joint School District No. 304 will make a good faith effort to provide reasonable accommodations for persons with disabilities, whether they are employees or non-employees. If a district employee receives a request for an accommodation he or she believes is unreasonable, the employee will contact the district’s 504/ADA Coordinator. The 504/ADA Coordinator is the superintendent or designee.

A committee designated by the superintendent to oversee 504/ADA compliance will evaluate or determine whether a requested accommodation is reasonable or unreasonable, requesting expert assistance from the community if necessary. The 504/ADA Coordinator will discuss the determination with the requesting employee or other person, and will respond in writing to any request deemed unreasonable. The person requesting the accommodation may use the civil rights grievance procedures to file a complaint. District employees may appeal 504/ADA committee determinations to the board.

All public meetings, workshops, and conferences sponsored by the district shall meet the following provisions:

MEETING LOCATIONS

Meetings are to be held in wheelchair accessible locations. The district employee responsible for meeting arrangements must check with the facilities management to determine the accessibility status of a site prior to scheduling the meeting. The 504/ADA Coordinator shall be notified when (a) no accessible locations are available for a meeting, and there is reason to believe mobility impaired persons may wish to attend or (b) whenever particular facilities are found not to be accessible.

SAFETY PROCEDURES

An emergency evacuation plan is required for each meeting. The recommended procedure should be obtained from the meeting site management and announced to the group at the beginning of the meeting, as well as the location of restrooms and other amenities. Any special procedures for persons with disabilities, such as fire-safe areas, should also be announced.

PRINTED MEETING NOTICES

The following clause should be included in all printed meeting notices: NOTE: If any auxiliary aids or services are needed for individuals with disabilities, please contact (contact person’s name) at (contact person’s phone number) or T.D. (telephone device for the deaf phone number) no later than three (3) working days before the meeting. The name and phone number of the district employee in charge of the meeting should be inserted as the “contact person.”
REASONABLE ACCOMMODATIONS

This district is required to provide reasonable accommodations for persons with disabilities who wish to attend district-sponsored meetings. Accommodations may include interpreters for the deaf, written text in large print or braille, information recorded on audio tape, amplified hearing devices, and assistance with reading instructions or filling out forms. The associated cost, if any, becomes a part of the cost of sponsoring the meeting. Reasonable accommodations should be requested at least three (3) working days before the meeting. Contact persons may request assistance from the 504/ADA Coordinator in providing the necessary accommodations.

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LEGAL REFERENCE:
Americans with Disabilities Act,
42 USC 12101
Section 504 of the 1973 Rehabilitative Act
29 USC 794

ADOPTED:
7-19-99
Grievances by employees, students or other persons alleging illegal discrimination by Kamiah Joint School District No. 304, or any of its employees, in any of the district’s public facilities, programs or activities based on race, sex, national origin, color, age (persons forty (40) years of age or older), religion, or disability may be filed as follows:

FILING A CIVIL RIGHTS GRIEVANCE COMPLAINT

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

INVESTIGATION AND REPORT

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

Within ninety (90) calendar days after receiving the complaint, the superintendent or designee must investigate the incident and issue a finding of whether or not discrimination was found. The investigation will include, but not be limited to, interviews with the complainant and school district personnel.

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

The complainant will be notified of his or her right to appeal the findings of the district to the proper state or federal compliance agency.

REMEDY IF DISCRIMINATION IS FOUND

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

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

1. Idaho Human Rights Commission, 1109 Main Street, P.O. Box 83720, Boise, Idaho 83720-0040.


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

NO RETALIATORY ACTION

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

RETENTION OF RECORDS

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

EMPLOYEE ACTIONS

All employees of the district will be responsible for acting in accordance with this policy.

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LEGAL REFERENCE:
Americans with Disabilities Act
42 USC 12101
Section 504 of the Rehabilitation Act
29 USC 794
Title IX of the Education Amendments of 1972
20 USC Section 1681(a)

ADOPTED:
7-19-99