

**BOARD MEETINGS: BOARD MEETING REGULATIONS, BOARD AUTHORITY, &  
RESPONSIBILITIES POLICY**

**BOARD MEETING REGULATIONS:**

The Board Chairperson has the authority and responsibility to oversee the orderly process of a board meeting, and is responsible for recognizing all speakers, and of fulfilling its obligation to create and maintain an accurate and official record of the proceedings of the board. The chairperson of this board shall preside over all meetings in accordance with the rules of procedure adopted by the board and all final rulings on points of order and procedure shall be made by the chairperson. Except where otherwise specified, the proceedings of the board shall be governed by Robert's Rules of Order. Three board members in attendance is considered a quorum for the transaction of business, and four board members is considered a two-thirds majority.

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.

All regular board meetings are held the third Tuesday of every month, starting at 7:30 p.m., in the district office boardroom or remotely unless notice is posted/published stating otherwise.

All special board meetings may be called by the Board Chair or at the request of a majority of the board members.

**THE BOARD WILL HOLD THE FOLLOWING BASIC TYPES OF MEETINGS:**

1. **Annual Meeting** – Consistent with Idaho Code 33-510, the first regular meeting after January 1 and directly following an election of each school district shall be on the date of its first regular January meeting in each year. The board will determine during the first regular meeting of the Board of Trustees for a uniform day of a uniform week.
2. **Regular Meeting** – The Board of Trustees shall meet in regular session every third Tuesday of every month, starting at 7:30 p.m., in the MHSD boardroom or remotely.
  - a. The clerk will post the notice of the regular meeting schedule and the agendas for such meetings at a prominent place in the administrative office of the district or, if no such office exists, at the building where the meeting is to be held. If the district at any time maintains an online presence either through a district website or social media platform, the notice for meetings and agendas will also be posted electronically.
  - b. The clerk of the board will prepare and post an agenda notice forty-eight (48) hours in advance of each regular meeting in the same manner as the notice of the meeting. An agenda item that requires a vote of the board will be identified on the agenda as an “action item” to provide notice that action may be taken on that item. Identifying an item as an

“action item” on the agenda does not require a vote to be taken on that item. 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. Final action may not be taken on an agenda item added after the start of a meeting unless an emergency is declared necessitating action at that meeting. The declaration and justification will be reflected in the minutes of the meeting.
- c. A quorum for the transaction of business of the board of trustees will consist of a majority of the members of the board. Unless otherwise provided by law, all questions will be determined by a majority of the votes cast. The chairman of the board may vote in all cases.
3. **Emergency Meetings** – In the event of an emergency involving possible personal injury or property damage, immediate financial loss, or the likelihood of injury, damage or loss, the board may meet immediately and take official action without prior notification when the notice requirements would make such notice impracticable, or increase the likelihood or severity of such injury, damage or loss, and the reason for the emergency is stated at the outset of the meeting.
  4. **Special Meetings** – Called by the Board Chairman or by any two members of the board due to circumstances requiring immediate action for the operation of the District, or by the Board of Trustees in an open meeting by official action. Such a meeting will be strictly limited to agenda items requiring action, which necessitated the calling of the meeting. Official action will be taken on agenda items only. Special and Adjourned meetings may be called by the Chairman or by any two members of the board and held at any time.
  5. **Budget Meetings** – No later than twenty-eight (28) days prior to the July regular board meeting, the board shall have prepared a budget, in the form prescribed by the state superintendent of public instruction and shall hold a public hearing. At such public hearing or at a special meeting held no later than fourteen (14) days after the public hearing, the board shall adopt a budget for the ensuing year.

**PUBLIC’S RIGHT TO ADDRESS THE BOARD/PUBLIC INPUT:**

The Board of Trustees being interested in receiving input from the public, consistent with the efficient processing of business of the board will allow and/or restrict public comment at board meetings. The public, whether attending a board meeting or giving public input will follow the hearing/public input procedures as follows:

- A. **Open/Special Meetings** – All meetings of the board are open to the public and all persons are permitted to attend or participate remotely any “open” sessions of the regular, or special, or emergency meeting of the board, which sessions shall be defined as all meetings other than those meetings, or parts thereof, which may be or which are required to be held in “executive” sessions by the laws of the state of Idaho, Title 74, Chapter 2, Section 74-202-206(A), Idaho Code.
- 1) Attendance or participation remotely at said open meetings by members of the public is subject to observance and compliance with the rules of order, “Robert’s Rules of Order,” and conduct set forth herein.
    - Items of business may not be suggested from the floor or remotely for discussion and/or action at that same meeting except at the discretion of the chairperson or a majority of the board members present.
  - 2) Members of the public will not be recognized while the board is conducting its official business.
  - 3) Members of the public wishing to give input must be legal residents of the Mountain Home School District or be a firm eligible to bid on materials or services solicited by the board.
  - 4) 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.
    - No member of the public may address or question board members individually.
  - 5) Complaints of misconduct against students or employees of the school district, which involve alleged criminal activity or are grounds for disciplinary action, are heard in executive session pursuant to Idaho Code Section 74-206(1)(a)(b).
  - 6) The board will not hear complaints against school district employees by name or against students by name, or regarding curriculum in a public board meeting in open session. If you have a complaint against personnel or students by name, you need to schedule an appointment with the Superintendent. There will be no action taken at this time, but action on a problem area could be scheduled for a subsequent meeting of the board.

- Any complaints against district personnel, including, but not limited to, administration, directors, teachers, paraprofessionals, coaches, and students will not be heard in open session, but rather in executive session and upon the approval of the board.
  - Complaints of school district personnel and school district students will not be heard during Public Input. Complaints will be heard in executive session.
    - \* Members of the public must refrain from using the student's name to protect the student.
  - Any complaint about the District, including instruction, discipline, district personnel, district policy, procedures, and curriculum should be referred through proper administrative channels before it is presented to the board for consideration and possible action.
  - The complainant must have submitted a letter to the Superintendent Administrative Assistant/Board Clerk or Superintendent no later than the Tuesday of the week before the board meeting.
  - All statements shall be directed to the chairperson.
- 7) 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.
- 8) Comments at special meetings must be related to the call of the meeting.
- 9) **Delegations:**
- Members of the public wishing to make formal presentations to the board should submit a written request to the Superintendent or the Superintendent Administrative Assistant/Clerk of the Board no later than the Tuesday before the regular board meeting (one (1) week prior to the regular board meeting) to allow sufficient time for the matter to be placed on the agenda as a Delegation. The board may decline to hear any matter at its discretion.
    - \* A single spokesperson must be selected by groups or organizations desiring to address the board in order to avoid repetitious information.
    - \* The delegate or group spokesperson must be recognized by the Chairperson and must preface his or her comments by announcing his or her name and the organization/group for whom they represent.
  - The board will not hear complaints against school district employees by name or against students by name in open session. If you have a complaint against personnel or students by name, you need to schedule an appointment with the

Superintendent. There will be no action taken at this time, but action on a problem area could be scheduled for a subsequent meeting of the board.

- Members of the public may be notified regarding whether their request to address the board has been granted and will be given all pertinent information regarding the date and time of the board meeting.
- All comments must be limited to items directly related to the District.

10) **Public Input:**

- Effective 1 April 2020, those wishing to give public input remotely are required to submit the [Regular Board Meeting – Public Input Request Form](#) to the Clerk of the Board no later than 12 noon the day of the regular board meeting. The Chairperson will determine if the public input form comments is allowable in the open session part of the meeting.
- Those wishing to give public input in-person need to sign the Public Input Sign-in Sheet and should complete and submit to the Chairperson the [MHSD Regular Board Meeting - Public Input Request Form](#) located at the Board Materials table, prior to the start of the board meeting and only upon recognition of the Chairperson.
- 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.
- All statements and public input will be allowed a maximum of three (3) minutes to present views, or as determined appropriate by the Chairperson.
  - \* A single spokesperson must be selected by groups or organizations desiring to address the board during public input.
  - \* When public input is to be received, members of public wishing to address the board must be recognized by the chairperson, and they must announce their name, address, and organization/group affiliation for whom they represent.
- The board will not hear complaints against school district employees by name or against students by name in open session. If you have a complaint against personnel or students by name, you need to schedule an appointment with the Superintendent. There will be no action taken at this time, but action on a problem area could be scheduled for a subsequent meeting of the board.
- The board may or may not address the items brought up during Public Input.

B. **Executive/Closed Sessions** – Members of the public shall not be allowed to attend “executive” sessions of this board unless invited by the board, Title 74, Chapter, 2, Sections 74-202 and 74-206, Idaho Code.

C. **The Chairperson/Vice-Chair 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) In person Attendance: 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.

Remote Attendance: May terminate the remote attendance of a disorderly person.

- 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.

D. **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.

**COMPLAINTS PROTOCOL:**

All complaints should be resolved through the proper channels in the following order:

1. The first and most effective step is to take the concern to the staff members (teacher, coach, etc.) who are closest to that problem. Most problems are resolved at this level.
2. If there is still a concern, it should be brought to the building principals, unresolved concerns are usually resolved satisfactorily by the building administrator.
3. If the concern persists, then it should be taken to the Superintendent of Schools.
4. If the matter has not been satisfactorily resolved, the patron may appeal to the Board of Trustees by submitting in writing their reason to be placed on the agenda to the Superintendent or Superintendent Administrative Assistant/Clerk of the Board no later than the Tuesday before the next regular board meeting (one (1) week prior to the regular board meeting), possibly in executive session.

**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 device shall be deemed present in person at the meeting. (Idaho Code, Section 74-203 & 74-204)

**AUTHORITY & RESPONSIBILITIES:**

This board has the powers and duties attributed to it by the Constitution and laws of the State of Idaho.

The Board of Trustees of Mountain Home School District No. 193 is authorized by law to adopt policies, make by-laws, rules, and regulations for its governance; call special meetings or elections for such purpose as may be necessary for the proper conduct and management of the schools within the district; 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; set the days of the year and the hours of day and holidays when schools shall be in session in accordance with state law and regulation.

The board will establish the educational policies for the district and will determine the personnel and student policies of the school system. The board will employ professional school administrators to manage the school system and employ necessary help and labor to maintain and operate the schools of the district. In matters involving policy, the Board will look to the superintendent and his or her administration for advice and guidance regarding how the policies being discussed would affect the schools in the district.

The board or their designee(s) will develop a school safety plan for each school by meeting annually with emergency first responders; prescribe rules and discipline for unruly and insubordinate students; 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 individuals who disrupt the educational processes or whose presence is detrimental to the morals, health, safety, academic learning, or discipline of the students; exclude from school students with or suspected of being contagious or infectious diseases.

The board will provide support for teachers in their first two (2) years in the profession in the areas of administrative and supervisory support, mentoring, peer assistance and professional development, and to require that all certificated and noncertificated employees hired on or after July 1, 2008, and other individuals who are required by the provisions of Section 33-130, Idaho Code, to undergo a criminal history check no later than five (5) days following the first day of employment or unsupervised contact with students in a K-12 setting, whichever is sooner.

The board will have the responsibility of dispersing and accounting for funds to support the school system, including the physical plant and necessary equipment and provide textbooks and supplies. The board will be responsible for having the books audited annually.

Individual members of the board have no power separate from the board as a whole. Members of the board have authority 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 in pursuance to specific instructions from the board. No board member, by virtue of his or her office, may exercise any administrative responsibilities with respect to the schools or, as an individual, command the services of any school employee.

**ROBERT'S RULES OF ORDER** – For maintenance of order necessary to the efficient conduct of the business of this board, members of the public, trustees, and officials of the district shall be subject to the following rules of order:

- A. Ruling Authority – The chairperson of this board shall preside over all meetings in accordance with the rules of procedure adopted by the board and all final rulings on points of order and procedure shall be made by the chairperson. Except where otherwise specified, the proceedings of the board shall be governed by Robert's Rules of Order.
  
- B. Conduct in General – All persons in attendance at a meeting of the board will speak only as indicated on the order of business as set forth in the board agenda, or as determined appropriate by the Chairperson and upon recognition by the chairperson. All persons will refrain from making or causing to be made any loud, raucous, abusive, or profane language or gestures.
  - 1) No person attending said meetings shall have in their possession or subject to their control any devices of distraction, which would make noise, create bright or flashing light, and/or any banners, place cards, or signs.
  - 2) No person in attendance of said meetings of the board shall have any substance or article within their possession or subject to their control, which would constitute a menace, or which would endanger the safety or well-being of those in attendance.
  - 3) No person in attendance at said meetings of the board shall smoke or be under the influence of drugs and/or alcohol.
  
- C. Public use of recording devices –
  - 1) The use of tape recorders or electronic recording devices by members of the public is prohibited except in situations where an electronic tape recording or transcript is required by law, in which case the Clerk of the Board or other board designated persons shall use electronic recording equipment of high quality approved by the district to create an electronically recorded transcript which shall be maintained as the official transcript of such proceeding. The board, in its discretion, may choose to record any or



- all regular sessions of the board, which shall become the official transcript of the proceedings.
- With the exception of the School Board of Trustees, Board Clerk, or other board-designated persons, no recording devices are authorized unless approved by the Board Chair.
- 2) Recording devices and/or video streaming/devices are prohibited during a board meeting by members of the public due to the ability to alter the recording and/or video, limited space for equipment, disrupting the meeting process, and/or disruptive to those in attendance.
- If the public is allowed to tape/video record meetings, there must be an official tape recording prepared by a school official to secure the sanctity of the record. High-quality tape-recording equipment necessary to record meetings is expensive.
  - Many tape-recording devices either are of an inferior quality or not designed to properly and accurately record proceedings of public meetings (i.e. dictating machines). Tape recording devices fail at times to make an audible record of remarks or to reproduce with sufficient quality to allow the listener to determine what is being said.
  - Tapes are easily tampered with and replay of a tampered tape may cause improper embarrassment to school trustees, officers, patrons, students, etc.
  - Devices include, but are not limited to, cameras, voice recorders, cellphones, video equipment, digital recorders, etc.
- 3) Exceptions: the board recognizes that there may be times or certain events where the use of cameras or video equipment would be desirable and the board may approve from time to time limited use of such devices for events such as presenting awards, the swearing in of new board members, etc., under such conditions and restrictions as in the judgment of the board are appropriate.



**LEGAL REFERENCE:**

Idaho Code Sections

- 33-506 – Organization & Government of Board of Trustees
- 33-510 – Annual Meetings, Regular Meetings; Boards of Trustees
- 33-511 – Maintenance of Schools
- 33-512 – Governance of Schools
- 33-513 – Professional Personnel
- 33-701 – Fiscal Year – Payment & Accounting of Funds
- 33-801 – School District Budget

74-101 *et. seq.* – Public Records Law

74-201 *et seq.* – Formation of Public Policy at Open Meetings

74-204 – Notice of Meetings, Agendas

Moore, Smith, Buxton & Turcke, Chtd. (Eberharter-Maki & Tappen. LLC) (212, 214, 215, 216, 226, 260, 262, 264, 266, 268, 270, 446)

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