

Snake River School Board of Trustees
Held at the Snake River District Office
103 South 900 West, Blackfoot, Idaho 83221
Friday, January 11, 2019

1. WELCOME AND ROLL CALL

Vice Chairman Kent Miller called the meeting to order at 8:00 a.m. Board members present were Carol Hepworth, Lon Harrington, and Marci VanOrden. Bill Martin was absent. Also attending were Superintendent David Kerns and Board Clerk Terisa Coombs.

2. PLEDGE OF ALLEGIANCE

Lon Harrington opened the meeting with the Pledge of Allegiance.

3. ACTION ITEMS:

a. Approval of Agenda

A motion was made by Lon Harrington and seconded by Carol Hepworth to approve the agenda as presented. All board members present voted aye. Bill Martin was absent. Motion passed 4-0.

4. SEWER SYSTEM DISCUSSION

Superintendent Kerns discussed funding of the sewer system. Since the problem began in June of 2016, the district has been saving funds to prepare for the day when the project would move forward, unaware that the project would take 2 ½ years to bring the project to bid. Discussion held. A solid foundation has been laid to move ahead. At the last meeting, the Board directed the district's engineers to go to bid. A meeting will be held today, January 11, 2019, with Rocky Mountain Engineering, Country Haven Utilities, and Keller Engineering. Superintendent Kerns will also continue going to the board meetings of the Groveland Sewer District.

**5. ACTION ITEMS—POLICY READINGS
SECOND READINGS:**

Policy 2230 “Board Meetings” This updated policy reflects amendments to Idaho Code § 33-506 and 33-510 made in 2018 to the time of the annual board meeting and organization of the board. Rather than occurring in July, the annual meeting will occur at the first regular meeting in January. No further changes made.

Policy 2430, “Trustee Nomination and Election” The legislature in 2018 amended the time when trustees are elected from May to November in odd-numbered years. The amendment also provides that, effective July 1, 2018, the terms of incumbent trustees will expire on January 1 following the November election of their successors. This update reflects the 2018 statutory amendments. No further changes made.

Policy 2470, “Trustee Vacancy” This policy is updated to reflect amendments made to Idaho Code §33-504 over the last few years relating to the term of a board member who is appointed to fill a vacancy. The updated language, consistent with current law, provides that a board member appointed to fill a vacancy will serve for the balance of the unexpired term of the office, which was declared vacant and filled by appointment. No further changes made.

Lon Harrington moved and Marci VanOrden seconded to approve the second readings of Policy 2230 “Board Meetings;” Policy 2430, “Trustee Nomination and Election;” and Policy 2470, “Trustee Vacancy.” Bill Martin was absent. All board members present voted aye. Motion passed 5-0.

Bill Martin joined by phone at 8:15 a.m.

FIRST READINGS:

Policy 3010, “Code of Ethics for Certificated Employees” The updates to this policy are primarily technical in nature and also included are updates based on 2018 amendments to regulations of the SDE that include the Code of Ethics. No further changes made.

Policy 4310, “Access to Public Records” The updates to this policy reflect amendments made to the public records law during the 2018 legislative session. The definition of "custodian" is updated to reflect that each school district must appoint at least one person to respond to public record requests. It is also updated to reflect that by January 1, 2019, school districts must adopt guidelines that identify the general subject matter of all public records kept or maintained by the district, the custodian(s) thereof, and the physical location of such documents. In addition, the updates reflect changes made as to what constitutes exempt personnel records (e.g. social security numbers and drivers license numbers are explicitly exempt from disclosure, while salary information including bonuses, severance packages, other compensation or vouchered and unvouchered expenses for which reimbursement was paid is subject to disclosure). Some language regarding denial of a public record request was modified to be optional to reflect the current state of the law. On page one under the title of “Request to Examine Public Records” in the second paragraph where it says it is this district's policy to waive the formal requirement” has been changed to “this district may waive the formal requirements.” No further changes.

Policy 5120, “Budget Planning and Adoption” This update incorporates legislative amendments to Idaho Code §33-801 from the last few years. For example, in the second paragraph of this policy, there is now a reference to Idaho Code §33-804(4). In addition, the policy is clarified to state that the budget hearing will be held within the stated timelines before the board's regular July meeting (as opposed to the annual meeting, which is now in January). Legal references are also updated. No further changes were made.

Policy 5590, “Negotiated Agreement Terms” The 2018 legislature, by HB 647, modified the language relating to what a local education association must show in order to establish its representative status. In order to establish representative status, a local education organization must show that within the last two (2) years, fifty percent (50%) plus one (1) of the professional employees, as defined in Idaho Code §33-1272, indicated agreement to be represented by the local education organization for negotiation purposes. However, evidence of fifty percent (50%) plus one (1) inconsistent with Idaho Code §33-1271(3) will not be counted in the establishment of representative status. In addition, this policy is updated to reflect prior changes to the open meeting law as to when executive sessions may be held relating to labor negotiations. Discussion held on changes to Idaho Code.

Carol Hepworth moved and Lon Harrington seconded to approve the first readings of Policy 3010, “Code of Ethics for Certificated Employees;” Policy 4310, “Access to Public Records;” Policy 5120, “Budget Planning and Adoption;” and Policy 5590, “Negotiated Agreement Terms;” All board members present voted aye. Bill Martin joined by phone. Motion passed 5-0.

Bill Martin left the meeting at 8:30 a.m.

Policy 5740, “Record Retention and Destruction” The definition of "custodian" is updated in this policy to fall in line with amendments made to the public records law during the 2018 legislative session. No further changes were made.

Policy 5760, “Storage and Retrieval of Business Records” This policy is new. Language has been added from the 2018 amendments to the public records law to this policy to more fully reflect the obligations of school districts with respect to storage and retrieval of business records. As this language is included in Policy 4310, which we recommend updating as soon as possible, this update need not necessarily take priority in importance of policies to be updated. No further changes were made.

Policy 6305, “Advanced Opportunities” The updates to this policy follow amendments to the advanced opportunities statute that become effective July 1, 2018. In particular, definitions for "full credit load" and "overload course" have been amended. Revised language regarding eligibility for certain types of classes is also included. New language is added to reflect amendments to the statute that require a student who has earned 15 postsecondary credits using the advanced opportunities program and who wishes to earn additional credits to first identify his/her postsecondary goals. Advisors are also now required to counsel any student who wishes to take dual credit courses that students should ascertain whether the particular postsecondary institution a student desires to attend will accept the transfer of coursework credits earned. The revision also includes new language requiring a student who desires to apply for the advanced opportunities scholarship to do so within two (2) years of graduating from an Idaho public school. Discussion held and no further changes were made.

Policy 6410, “School Calendar” This policy is updated to reflect amendments to Idaho Code. The addition of instructional hour requirements for alternative schools was added to the statute a few years ago. We have also added the waiver language which was added to state law in 2017. School districts can now request a waiver from the instructional requirements when districtwide school closures are necessary as a result of natural occurrences. Discussion held. To the chart on the first page, Grades 9-12 were split to show the correct instructional hours: Grades 9-11: 990 hours and Grade 12: 979 hours. No further changes were made.

Lon Harrington moved and Carol Hepworth seconded to approve the first readings of Policy 5740, “Record Retention and Destruction;” Policy 5760, “Storage and Retrieval of Business Records;” Policy 6305, “Advanced Opportunities;” and Policy 6410, “School Calendar” All board members present voted aye. Bill Martin was absent. Motion passed 4-0.

Policy 6446, “Qualifications and Training Requirements of Instructional Paraprofessionals,” This updated policy reflects changes to the state regulations governing qualifications of paraprofessionals in 2017. Outdated language from NCLB is removed. No changes made.

Policy 6500, “Student Safety Measures” This policy is new to us. It removes references to NCLB as outdated, and replaces them with references to the ESSA. In addition, since the SDE’s policy was adopted in 2003, the Idaho legislature has modified some of the language of the criminal offenses defined in the policy (for example the definition of stalking has been completely modified to first and second degree). Discussion held. (Unsafe School Option) was added to the title, no further changes.

Policy 7510, “Criminal History Checks for Employees, Volunteers, and Contractors,” This policy is updated to reflect a 2017 statutory change relating to when a record of background checks for a school district will be provided to the district or the job applicant by the Idaho SDE. This law now provides that the SDE will provide a copy of the background check records to the district if requested by the district at the time of application or within 6 months following the performance of the criminal history check. Discussion held. No further changes made.

Policy 7560, “Employer Recommendations” This policy is updated and removes outdated provisions and includes references to the updated legal requirements related to employer recommendations. Existing law on the prohibition against maintenance of blacklists and confidentiality are maintained in updated policy. No changes were made.

Marci VanOrden moved and Carol Hepworth seconded to approve the first readings of Policy 6446, “Qualifications and Training Requirements of Instructional Paraprofessionals;” Policy 6500, “Student Safety Measures;” Policy 7510, “Criminal History Checks for Employees, Volunteers, and Contractors;” and Policy 7560, “Employer Recommendations” All board members present voted aye. Bill Martin was absent. Motion passed 4-0.

Policy 7570, "Personnel Files" This policy is updated to reflect amendments to the public records law relating to what personnel information may be disclosed to the public. Under the 2018 amendments, "salary history" now includes bonuses, severance packages, other compensation or vouchered and unvouchered expenses for which reimbursement was paid. No further changes were made.

Policy 7580, "Information on Past Job Performance" This policy is updated to include the full requirements as set forth in Idaho Code 33-1210 for obtaining information on past job performance of job applicants. The updates to this policy primarily consist of technical corrections. No further changes were made.

Policy 7590, "Whistle Blower" This policy is new and reflects all of the statutory definitions in the Protection of Public Employees Act (i.e. the whistle blower act). No changes were made.

Policy 7670, "Idaho State Veteran Employment Preference," This policy is new. The statutory provisions governing the rights and privileges of veterans to preference in government hiring. **7670f1—Veterans Preference Form** is used when job applicants claim a veteran's preference. No changes were made.

Lon Harrington moved and Marci VanOrden seconded to approve the first readings of Policy 7570, "Personnel Files;" Policy 7580, "Information on Past Job Performance;" Policy 7590, "Whistle Blower;" and Policy 7670, "Idaho State Veteran Employment Preference." All board members present voted aye. Bill Martin was absent. Motion passed 4-0.

Policy 8480, "Student Suicide Prevention" This policy is updated to reflect the addition of a new statute that becomes effective July 1, 2018. The new law is Idaho Code §33-136 - Suicide Prevention in Schools, which requires the State Board of Education to adopt rules supporting suicide awareness and prevention training each year for public school personnel; requires school districts to adopt a policy on student suicide prevention, which must, at a minimum, address procedures relating to suicide prevention, intervention and postvention; and provides that the State Department of Education will develop a model policy to serve as a guide to school districts for adopting a suicide prevention policy. Despite these requirements, the statute includes a provision that no person will have a cause of action for any loss or damage resulting from any training provided under the new law, or lack thereof, and that the requirement for training does not impose any specific duty of care. No changes, discussion held.

Policy 8700, "Investigating and Reporting Suspected Child Abuse, Abandonment, or Neglect" The Idaho public records law was amended in 2018 to provide that the identity of a reporting party maintained by any law enforcement entity or the Department of Health and Welfare relating to the investigation of child abuse, neglect or abandonment is exempt from disclosure unless the reporting party consents in writing to the disclosure or the disclosure of the reporting party's identity is required in any administrative or judicial proceeding. This policy update reflects the amendment. No further changes were made.

Policy 8790, "Prohibition of Weapons" The 2018 legislature amended Idaho Code §18-33021, relating to threatening violence upon school grounds. Pursuant to the amendments, a threat, punishable as a misdemeanor, now includes one made by any electronic means and includes a threat to "disrupt the normal operations of an education institution by making a threat of violence." Knowingly possessing, altering or repairing a firearm or other deadly or dangerous weapon in the furtherance of carrying out a threat to do violence or disrupt the normal operations of the school district is punishable as a felony under the revised law. This update adds optional language as set forth in the amended statute. It also adds a definition for "on school grounds" as set forth in Idaho Code §18-33021. No changes were made.

Marci VanOrden moved and Carol Hepworth seconded to approve the first readings of Policy 8480, "Student Suicide Prevention;" Policy 8700, "Investigating and Reporting Suspected Child Abuse, Abandonment, or Neglect;" and Policy 8790, "Prohibition of Weapons." All board members present voted aye. Bill Martin was absent. Motion passed 4-0.

6. ADJOURN

Lon Harrington moved and Marci VanOrden seconded to adjourn.

The meeting was adjourned at 9:10 a.m.

ATTEST:

Clerk

Chairman

Date