

**Xavier Charter School  
District 462  
1000 Series  
Board of Directors**

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# Mission Statement

*Policy Number: 1100*

The Mission of Xavier Charter School is to instill in its students:

- A love of perpetual learning
- An aspiration for personal achievement
- The capacity to become cooperative contributors to society

# Philosophy Statement

*Policy Number: 1200*

Xavier Charter School's philosophy lies with the strong belief that all children can learn. It is our goal to prepare each student with personal tools that will assist them in life's choices. We do so by addressing the needs of the Whole Child –Body, Mind, and Spirit:

**Body:** The atmosphere of the school and the classrooms will reflect mutual respect so that students will feel empowered to take risks necessary for growth and learning. Mistakes will be seen as opportunities to learn and all ideas will be valued.

Teachers will possess positive attitudes necessary to shape and facilitate learning in the classroom through encouraging, believing in the students, caring and requiring excellence in every detail.

**Mind:** We will seek to challenge every student all of the time through a coherent and orderly classical education curriculum.

We will have high expectations of our students, and our teachers will possess knowledge and skill necessary to assist students in achieving those high expectations.

Students will learn to value knowledge for knowledge's sake.

**Spirit:** Students will develop the self-esteem necessary to allow them to achieve their personal goals and to become active, responsible members of their communities.

Classical Education shall be defined as teaching by the same educational principles and toward the same educational pursuits as the ancients. To do so is known as the Trivium, Latin for "the three roads". The three classical subjects are called Grammar (Elementary

years), Logic (Middle School years), and Rhetoric (High School years). Levels of development in the classical sense are Knowledge, Understanding, and Wisdom. The picture is that human beings have three areas of mental capacity: one for gathering up information (*Knowledge*), a second for arranging the information in a logical order (*Understanding*), and a third for putting this information and this ordering to practical use (*Wisdom*). These three capacities are mutually dependent upon each other, but have a logical and developmental order between them. They all develop at the same time, from birth, yet they each pass through periods of intensive development until they finally meet each other and work harmoniously together. Classical Education weaves the subjects of literature, history, language, art, music, dance, math, and science together to formulate a student's foundation in cultural literacy.

## Legal Status

### *Policy Number: 1210*

An organizing group of founders have written the initial petition for a Charter for Xavier Charter School and have recruited and appointed an initial Board of Directors. The founders will continue to be a data gathering entity, recommending curriculum, teaching instruction, professional development and/or daily operations that will reflect the vision, purpose and mission of Xavier Charter School to the Xavier Board of Directors. Additional Founding Members may be recruited prior to the official opening of the first school year in order to accomplish the goals of Xavier Charter School. This group will remain as advisors to the Board of Directors. The number of Founding Families is anticipated not to exceed ten families.

Xavier Charter School, Inc. is a non-profit organization organized and managed under the Idaho Nonprofit Corporation Act. The Corporation is organized exclusively for educational purposes within the meaning Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding provisions of any future federal income tax code.

Upon approval, members of the Governing Board are deemed public agents to control the Charter School. The Governing Board (hereafter called the Board of Directors) has all the power and duties afforded to a Board of Directors. The Charter School will be considered a public school for all purposes and, as such, shall be responsible to identify and comply with all statutory requirements affecting the operation of a public school. Therefore, upon approval, the Board of Directors meetings will follow the open meeting laws, keep accurate minutes and make said minutes available to the public.

The Articles of Incorporation for Xavier Charter School, Inc. were filed with the Secretary of the State of Idaho June 8, 2006. The SS-4, Application for Employer Identification Number, was submitted June 8, 2006. The 501(c)(3) was submitted in February 2007.

The governing body consists of directors elected or appointed as set forth in the corporate bylaws section 4.3. The number of Directors constituting the Board of the Corporation shall be not less than five (5) or more than seven (7) Directors. The function of the Board can be described as policy making, advising and evaluating. The Board shall have further duty of directing 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 charter school.

The Board, as a board, shall have the full power and duty to manage and oversee the operation of the Corporation's business and to pledge the credit, assets, and property of the Corporation when necessary to facilitate the efficient operation thereof. Authority is given to the Charter School Board of Directors by the State of Idaho as provided in the "Public Charter Schools Act of 1998." (I.C. 33-5204) The Governing Body will adhere to the Xavier Charter School Corporate Bylaws (specifically Articles 5 and 8) addressing the Idaho Open Meeting Law.

During the initial year of operation, the Board shall be comprised of at least the following positions: chairman, vice-chairman, secretary, and treasurer. The responsibilities of these positions are outlined in the Corporate Bylaws.

The Board of Directors will be determined through elections as outlined in the Corporate Bylaws. The Corporate Principals will remain the same unless the Articles of Incorporation are amended through the Idaho Secretary of State's office.



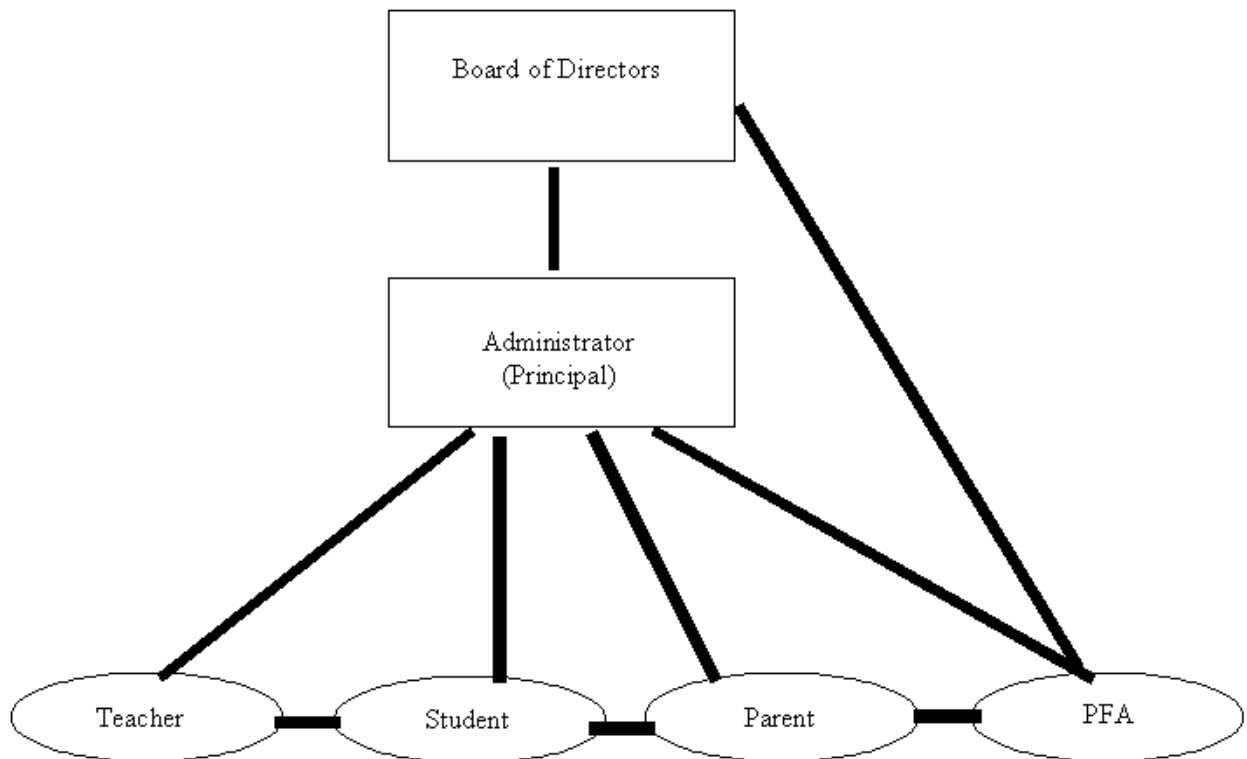
**Legal Reference:**

- I.C. § 33-301 School schools bodies corporate
- I.C. § 33-511 Maintenance of schools
- I.C. § 33-512 Governance of schools
- I.C. § 33-1612 Thorough system of public schools
- XCS Bylaws 4.1 and 4.2

# Organization Plan

*Policy Number: 1215*

The Xavier Charter School will function as a non-profit organization, organized and managed under the *Idaho Nonprofit Corporation Act*, as outlined in the school's Corporate Bylaws and Articles of Incorporation. Accordingly, the organizational flow chart representing the flow of information and the chain of command is as follows:



The above flow chart includes, but is not limited to, the following details:

- The Board, as a board, shall have the full power and duty to manage and oversee the operation of the Corporation's business.
- The Board of Directors will have the responsibility to approve the selection of the school Principal, who may not be one of its members. The Board also will be responsible for hearing, and approving or disapproving, the recommendations of the school Principal with respect to changes in staffing, programs, or curriculum.
- The Board of Directors and PFA (Parent Faculty Association) of Xavier Charter may provide consultation to the Principal regarding ongoing plans for the school.

- The Board will, when necessary, adjudicate disagreements between parents and the administration.
- The Board is responsible to the authorized chartering entity directly.
- The Principal (Administrator) represents the Board of Directors of the Charter School as the liaison between the Board and the charter school.
- The Principal supervises, directly or indirectly, all employees of the charter school.

The school may hire staff or contract with a service provider for services such as transportation, food service, accounting, business management, or other business or educational services. A list of all contracts identifying the party with whom XCS has contracted, the length of the contract, and the expenditures required by the contract must be submitted to the Authorized Chartering Entity for its review no later than thirty (30) days prior to the opening of school and thereafter, annually.

## Board Candidate Qualifications

*Policy Number: 1220*

Candidates for the Board must meet the following criteria:

- A candidate must show a working knowledge of board procedure, board policies, bylaws, articles of incorporation, the Xavier Charter School's charter and Idaho State code relevant to charter schools and education
- Have a demonstrated history and continued commitment to volunteering in the school.
- Embrace the ideals of classical education.
- Have read and support wholeheartedly the views presented in the following three books:
  - *Why Jonny Can't Tell Right from Wrong* by William Kilpatrick
  - *The Schools We Need and Why We Don't Have Them* by E.D. Hirsch Jr.
  - *The Making of Americans or Cultural Literacy* by E.D. Hirsch Jr.

# Election Procedure Policy

*Policy Number: 1222*

Candidates for appointment or election to the Board shall be urged to attend public meetings of the Board. All public information about the school system shall be made available to them. Additionally, the Board directs the Principal to cooperate impartially with all candidates in providing them with information about school governance, Board operations and school programs.

Notices of candidate's meetings that are sponsored by impartial, non-partisan organizations may be announced in School publications and/or be sent home with students. The following procedures may be followed:

1. If a candidate is scheduled to appear or speak as a part of a school-sponsored program, all candidates for that position shall be invited to attend or to send representatives;
2. The school will not send home partisan materials through the students; and
3. The Principal shall invite all candidates to an information session. Each candidate will be given the same materials and information at these sessions.

## Terms

*Policy Number: 1224*

Directors shall be elected or appointed to a two (2) year term of office. However, during the initial year of operation one Director shall be selected by the founders of the charter school for a term of only one (1) year; two Directors will be appointed for a term of two (2) years and two Directors will be appointed for a term of three (3) years.

Each Director shall serve until the stakeholders at the annual meeting of the Corporation duly elect his/her successor.

The Board officers are the Chairman and Vice-Chairman. These officers are elected at the annual organizational meeting.

# Resignation and Removal

*Policy Number: 1225*

Subject to the provisions of Section 30-3-69 of the Idaho Nonprofit Public Corporation Act, any Director may resign effective upon giving written notice to the Chairman of the Board, or the Secretary of the Board, unless the notice specifies a later effective time. If the resignation is effective at a future time, a successor may be selected before such time, to take office when the resignation becomes effective. Directors retiring from the Board may be recognized for their service to the School by presentation of a service plaque or other appropriate activities.

A Director may be removed without cause by a majority of the Directors then in office.

Any Officer may be removed, either with or without cause, by a majority of the Directors then in office.



**Legal Reference:**

I.C. § 33-504 Vacancies on boards of trustees

I.C. § 59-902 Resignations

XCS Bylaws 4.5

# Governing Board of Directors Vacancy and Terms of Office

*Policy Number: 1226*

In accordance with the By-Laws of Xavier Charter School, the Governing Board shall be comprised of no less than five (5) and no more than seven (7) Directors. Directors shall serve a three (3) year term of office and shall be appointed/elected in accordance with the Bylaws and policies of Xavier Charter School.

If a vacancy occurs on the Board prior to the annual May school election, the position will be filled in accordance with the terms set forth in Xavier Charter School's Bylaws.

Referenced: Bylaws Section 4.3 (a) – (b) and 4.6.



**Legal Reference:**

I.C. § 33-506 and 510

## Vacancies

*Policy Number: 1227*

Definitions and procedures associated with Board vacancies are set forth and contained in Xavier Charter School's Bylaws.



### **Legal Reference:**

I.C. § 33-504 Vacancies on boards of trustees

I.C. § 30-3-85 Idaho Nonprofit Public Corporation Act

XCS Bylaws 4.6

## Duties of Directors

*Policy Number: 1230*

The authority of individual directors is limited to participating in actions taken by the Board as a whole when legally in session. Directors shall not assume responsibilities of administrators or other staff members. The Board or staff shall not be bound by an action taken or statement made by an individual director except when such statement or action is pursuant to specific instructions and official action taken by the Board.

Each director shall review the agenda and any study materials distributed prior to the meeting and be prepared to participate in the discussion and decision-making for each agenda item. Each member is obligated to attend both regular and special board meetings. Whenever possible, each director shall give advance notice to the Chair or Principal of the director's inability to attend a Board meeting. A majority of the Board may excuse a director's absence from a meeting if requested to do so.



### **Legal Reference:**

I.C. § 33-506 Organization and government of board of trustees.

## Committees

*Policy Number: 1231*

Generally, the Directors will function as a committee of the whole. Nevertheless, the Board may create Board committees as deemed necessary. Standing committees of the Board may be created and their purpose defined by a majority of the Board. The Board Chair shall appoint directors to serve on such committees. Board committees shall be limited to less than one-half (1/2) of the Board.

## Oath of Directors

*Policy Number: 1232*

An oath of office shall be administered to each Director, whether elected, re-elected or appointed. The oath may be administered by the Secretary, or by a Director of the charter school. The records of the charter school shall show such oath of office to have been taken, by whom the oath was administered and shall be filed with the official records of the charter school. The Director is required to take his/her oath within ten (10) days after the Director has notice of his/her election or appointment, or within fifteen (15) days from the commencement of his/her term of office. Before any Director elected or appointed enters upon the duties of his/her office, he/she must take the following oath:

**AS A MEMBER OF XAVIER CHARTER SCHOOL BOARD OF DIRECTORS, I  
WILL STRIVE TO IMPROVE PUBLIC EDUCATION, AND TO THAT END I WILL:**

- Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings;
- Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
- Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community;

- Work with other Board members to establish effective Board policies and to delegate authority for the administration to the Principal;
- Recognize and respect the responsibilities that properly are delegated to the Principal;
- Communicate to the Principal expression of public reaction to Board policies, school programs, or staff;
- Inform myself about current educational issues by individual study and through participation in programs providing needed information, in particular Core Knowledge and Great Expectations
- Support the employment of those persons best qualified to serve as school staff, and insist on regular and impartial evaluation of staff;
- Avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal or partisan gain;
- Avoid compromising the Board or administration by inappropriate individual action or comments, and respect the confidentiality of information that is privileged under applicable law;
- Remember always that my first and greatest concern must be the educational welfare of the students attending Xavier Charter School.

I do solemnly swear (or affirm, if re-elected) that I will support the Constitution of the United States, and the Constitution of the State of Idaho, and that I will faithfully discharge the duties of Director of Xavier Charter School according to the best of my ability.

## Officers and Duties

### *Policy Number: 1233*

The Officers of the Corporation shall be Chair of the Board, Vice Chairman, Secretary, and Treasurer. Any number of offices may be held by the same person, except that neither the Secretary nor the Treasurer may serve concurrently as the Chairman of the Board. Officers of the Corporation shall also be Directors of the Corporation. The Officers shall be elected each year at the annual meeting by the Board and serve at the pleasure of the Board for a term of one (1) year when their respective successor shall be elected. Individual officers of the Corporation, have no authority over school affairs, except as provided by law or as authorized by the Board.

#### **Chairman of the Board**

The Chairman of the Board is the general manager and chief executive officer of the Corporation and has, subject to the control of the Board, general supervision, direction

and control of the business of the Corporation. The Chairman of the Board shall preside at all meetings of the Board. The Chairman of the Board has the general management powers and duties usually vested in the office of President and General Manager of a corporation as well as such other powers and duties as may be prescribed from time to time by the Board. Sign all papers and documents as required by law and as authorized by action of the Board.

### **Vice Chairman**

In the absence or disability of the Chairman of the Board, the Vice Chairman will perform all the duties of the Chairman of the Board and, when so acting, shall have all the powers of, and be subject to all the restrictions upon, the Chairman of the Board. The Vice Chairman shall have such other powers and perform such other duties as the Board may prescribe from time to time.

### **Secretary**

The Secretary shall keep or cause to be kept, at the principal office or such other place as the Board may order, a book of minutes of all meetings of the Board and its committees, including the following information all such meetings: the time and place of holding; whether regular or special; if special, how authorized; the notice thereof given; the names of those present and absent, and the proceedings thereof. The Secretary shall keep, or cause to be kept, at the principal office in the State of Idaho the original or a copy of the Corporation's Articles of Incorporation and Bylaws, as amended to date, and a register showing the names of all Directors and their respective addresses.

The Secretary shall give, or cause to be given, notice of a meetings of the Board and any committees thereof required by these Bylaw or by law to be given, and shall distribute the minutes of meetings of the Board to all its members promptly after the meetings; shall see that all reports, statements and other documents required by law are properly kept or filed, except to the extent the same are to be kept or filed by the Treasurer; and shall have such other powers and perform such duties as may be prescribed from time to time by the Board.

### **Clerk of the Board**

If the Board of Directors so chooses, a Clerk of the Board may be hired/assigned to assist the Secretary. The Clerk of the Board shall have such duties as prescribed by the Board and the Principal. The Clerk of the Board shall attend all meetings of the Board, unless excused by the Chair, and keep an accurate record of the proceedings, and shall enter in said record all matters required by law, or by the Board, so to be entered. The Clerk shall have custody of the records, books, and documents of the Board. In the absence or inability of the Clerk to attend a Board meeting, the Board will designate a person to serve as temporary Clerk for the meeting. The temporary clerk shall keep the record of the proceedings of the Board and certify the same to the Clerk. Additionally, the Clerk will make the preparations legally required for the notice and conduct of all School elections.

## **Treasurer**

The Treasurer of the Corporation shall keep and maintain, or cause to be kept and maintained, adequate and correct accounts of the properties and transactions of the Corporation, including accounts of its assets, liabilities, receipts and disbursements. The books of account shall at all times be open to inspection by any Board member.

The Treasurer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the Corporation with such depositories as may be designated from time to time by the Board. The Treasurer shall disburse the funds of the Corporation as may be ordered by the Board, and shall render to the Board, upon request, an account of all transactions as Treasurer and of the financial condition of the Corporation. The Treasurer shall present an operating statement and report, since the last preceding regular Board meeting, to the Board at all regular meetings. The Treasurer shall have such other powers and perform such other duties as may be prescribed from time to time by the Board



## **Legal Reference:**

I.C. § 33-506 Organization and government of board of trustees

I.C. § 33-508 Duties of clerk.

I.C. § 33-509 Duties of the treasurer

I.C. § 33-509A Assistance treasurers

XCS Bylaws 6.1, 6.2, 6.4,

## **Board Meetings**

*Policy Number: 1240*

A meeting is defined as the convening of the Board of Directors to make a decision or to deliberate toward a decision on any matter.

Except as provided herein, all meetings shall be open to the public and all persons shall be permitted to attend any meeting.

## **Regular Meetings**

Unless otherwise specified, all meetings will be held in the same location. The place of all meetings of the Directors shall be the principal office of the Corporation in the County of Twin Falls, Idaho, or at such other place as shall be determined from time to time by the Board; and the place at which such meetings shall be held shall be stated in the notice and call of meeting. No change in the place of meeting shall be made within three (3) days before the day on which an election of directors is to be held.

Regular meetings shall be held at 5:30 p.m. on the third Thursday of each month.

### **Annual Meetings**

After the issuance of the election certificates to the newly elected trustees in May, and on the date of its regular July meeting, the Board shall elect from among its members a Chairman and a Vice-Chairman to serve one-(1)-year terms. The Board shall also elect a Clerk and a Treasurer, who may be members of the Board of Directors or, at the discretion of the Board, either or both positions may be selected from among competent and responsible persons outside the membership of the Board.

If a Board Member is unable to continue to serve as an officer, a replacement shall be elected immediately. In the absence of both the Chair and the Vice-Chair, the Board shall elect a Chairman pro tempore, who shall perform the functions of the Chair during the latter's absence. The Clerk shall act as Board secretary.

The normal order of business shall be modified for the annual organizational meeting by considering the following matters after the approval of the minutes of the previous meeting:

1. Welcome and introduction of newly-elected Board Members by the current Chair.
2. Swearing in of newly-elected trustees.
3. Call for nominations for Chairman to serve during the ensuing year.
4. Election of a Chair.
5. Assumption of office by the new Chair.
6. Call for nominations for Vice-Chairman to serve during the ensuing year.
7. Election of a Vice-Chair.
8. Election of a Clerk.
9. Election of a Treasurer.

Policies and Bylaws shall continue from year to year until and unless the Board changes them.

### **Emergency Meetings**

In the event of an emergency involving possible personal injury or property damage, immediate financial loss, or the likelihood of injury, damage or loss, the Board may meet immediately and take official action without prior notification when the notice requirements would make such notice impracticable, or increase the likelihood or severity of such injury, damage or loss, and the reason for the emergency is stated at the outset of the meeting.

### **Budget Meetings**

No later than twenty-eight (28) days prior to its annual meeting, the Board shall have prepared a budget, in the form prescribed by the state superintendent of public instruction, and shall hold a public hearing. At such public hearing or at a special meeting held no later than fourteen (14) days after the public hearing, the Board shall adopt a budget for the ensuing year. Notice of the budget hearing shall be posted and published as prescribed in I.C. § 33-402. From the time noticed, a copy of the budget shall be available for public inspection during regular business hours.

### **Special Meetings**

Special meetings may be called by the Chairperson or by any two (2) members of the trustees.

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

### **Executive Sessions**

Under Idaho law, upon a two-thirds (2/3's) vote recorded in the minutes of the meeting, the Board may hold an executive session after the Board Chair has expressly identified the specified legal authorization for holding an executive session. An executive session may be held for, and only for, the following purposes:

1. To consider hiring a public officer, employee, staff member or individual agent.
2. To consider the evaluation, dismissal or disciplining of, or to hear complaint or charges brought against, a public officer, employee, staff member or individual agent, or a student;
3. To conduct deliberations regarding labor negotiations;
4. To acquire an interest in real property which is not owned by a public agency;
5. To consider records that are exempt from public disclosure;
6. To consider preliminary negotiations involving matters of trade or commerce in which the Board is in competition with other governing bodies in other states or nations;
7. To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation;

Except for making a determination to place a certified professional employee on probation, no final action may be held for the purpose of taking any final action or making any final decisions. If an executive session only will be held, a twenty-four (24) hour meeting and agenda notice shall include the date, time, place and items to be discussed.



### **Legal Reference:**

- I.C. § 33-510 Annual meetings – Regular Meetings – Board of Trustees
- I.C. § 33-514 Issuance of annual contracts – Support programs – Categories of contracts – Optional placement
- I.C. § 67-2343 Notice of Meetings.
- I.C. § 67-2345 Executive Sessions – When Authorized
- I.C. §67-2341 Open Public Meetings – Definitions
- I.C. § 33-506 Organization and government of board of trustees

# School Board Meeting Procedure

*Policy Number: 1242*

## **Agenda**

The agenda for any Board meeting shall be prepared by the Chairman of the Board and/or the Principal. Items submitted by the Board Chair or at least two (2) board members shall be placed on the agenda. Citizens may also suggest inclusions on the agenda. Such suggestions must be received by the Chairman of the Board and/or the Principal at least 10 working days before the Board meeting, unless of immediate importance. Individuals who wish to be placed on the Board meeting must also notify the Chairman of the Board and/or the Principal, in writing, of the request. The request must include the reason for the appearance. Citizens wishing to make brief comments about items not on the agenda need not request placement on the agenda, and may ask for recognition by the Chair at the appropriate time. Such comments shall not include personnel or student personnel issues.

Regular Meetings - A forty-eight (48) hour agenda notice shall be required in advance of each regular meeting, however, additional agenda items may be added after completion of the agenda up to and including the hour of the meeting, provided that a good faith effort is made to include in the notice all agenda items known at the time to be probable items of discussion. Notices and agendas must be posted in a prominent place at the school.

Special Meetings – Special meetings require a twenty-four (24) hour meeting and agenda notice.

## **Order of Business**

Upon consent of the majority of the members present, the order of business at any meeting maybe changed.

## **Consent Agenda**

To expedite business at a Board meeting, the Board approves the use of a consent agenda, which includes those items considered to be routine in nature. Any item, which appears on the consent agenda, may be removed by a member of the Board. It is strongly suggested that any Board member who wishes to remove an item from the consent agenda give advance notice in a timely manner to the Chairman of the Board and/or the Principal. The remaining items will be voted on by a single motion. The approved motion will be recorded in the minutes, including a listing of all items appearing on the consent agenda.

## **Minutes**

The Secretary and/or Clerk shall keep written minutes of all open Board meetings, which shall be signed by the Chair and the Secretary and/or Clerk. The minutes shall include:

- The date, time and place of the meeting;

- The presiding officer;
- Board members recorded as absent or present;
- All motions, resolutions, orders, or ordinances proposed and their disposition;
- The results of all votes, and upon the request of a member, the vote of each member, by name;
- Legal basis for recessing into executive session; and
- Time of adjournment.

When issues are discussed that may require a detailed record, the Board may direct the Secretary and/or Clerk to record the discussion verbatim. Unofficial minutes shall be delivered to Board members in advance of the next regularly scheduled meeting of the Board. Minutes need not be read publicly, provided that members have had an opportunity to review them before adoption. A file of permanent minutes of Board meetings shall be maintained in the office of the Secretary and/or Clerk, to be made available within a reasonable period of time after a meeting for inspection upon the request.

**Quorum**

No business shall be transacted at any meeting of the Board unless a quorum of the members is present. A majority of the full membership of the Board shall constitute a quorum. A majority of the quorum may pass a resolution.

**Meeting Conduct and Order of Business**

General rules of parliamentary procedure are used for every Board meeting. Robert’s Rules of Order may be used as a guide at any meeting. The order of business shall be reflected on the agenda. The use of proxy votes shall not be permitted. Voting rights are reserved to those trustees in attendance. Voting shall be by acclamation or show of hands.



**Legal Reference:**

- I.C. § 67-2343 Notice of Meetings
- I.C. § 67-2344 Written Minutes of Meetings
- I.C. § 33-510 Annual meetings – Regular meetings – Boards of trustees

**Audience Participation**

*Policy Number: 1243*

The Board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. The Board also recognizes the value of public input prior to making significant decisions affecting the educational process. In order to permit fair and orderly expression of such comment, the Board will provide a period at the beginning of the meeting, during which visitors may make presentations. The Chair may control such comment to ensure an orderly progression of the meeting and allow for public comment. The Board will also allow individuals to express an opinion prior to Board action on agenda items. Individuals wishing to be heard by the Chair shall first be recognized by the Chair. Individuals, after identifying themselves, will proceed to make comments as briefly as the subject permits. The Chair may interrupt or terminate an individual's statement when appropriate, including when statements are out of order, too lengthy, personally directed, abusive, obscene, or irrelevant. The Board as a whole shall have the final decision in determining the appropriateness of all such rulings. It is important for all participants to remember that Board meetings are held in public, but are not public meetings. Members of the public shall be recognized and allowed input during the meeting, at the discretion of the Chair.

## Policies

### *Policy Number: 1250*

The adoption of new policies and the revision and amending of existing policies shall be the sole responsibility of the Board of Directors. All policies shall conform to local, state, and federal laws as well as to the rules and regulations of the Idaho Department of Education. Proposed new policies and proposed changes in existing policies shall be presented in writing for reading and discussion at a regular or special Board meeting. Such proposals may be referred to the principal for detailed study as needed prior to Board action on the proposal. The Board encourages the principal to contact other experts to have potential board policy researched. Interested parties, including any Board member, citizen, or employee of the Board may submit views, present data or arguments, orally or in writing, in support of or in opposition to proposed policy. Any written statement by a person relative to a proposed policy or amendment should be directed to the Board Secretary prior to the second reading.

Proposed new policies and proposed changes in existing policies shall undergo a minimum of two (2) readings in the following manner:

1. At a regular or special Board meeting the proposed new or amended policy shall be presented in writing for reading and discussion.

2. The final vote for adoption shall take place not earlier than at the second reading of the particular policy.

Although approval of a new or amended policy requires a minimum of two (2) readings, temporary approval may be granted by the Board in lieu of formal policy to meet emergency conditions or special events which will take place before formal action can be taken.

All new or amended policies shall become effective upon adoption, unless a specific effective date is provided in the motion for adoption.

Policies as adopted or amended shall be made a part of the minutes of the meeting at which action was taken, and shall also be included in the Charter School's policy manual. Policies of the Charter School shall be reviewed annually by the Board.

### **Policy Manuals**

The Principal shall develop and maintain a current policy manual, which contains the policies of the School. Each administrator, as well as staff, students and other shareholders, shall have ready access to the manual. All policy manuals distributed to anyone shall remain the property of the School. They shall be subject to recall at any time. The School may also have the policies of the School available for public access online.

### **Suspension of Policies**

Under circumstances, which require a waiver of a policy, the policy may be suspended by a majority vote of the members present. In order to suspend a policy, all trustees must have received written notice of the meeting, which included a proposal to suspend the policies with an explanation of the purpose of such proposed suspension. If such a proposal is not made in writing in advance of the meeting, the policies may only be suspended by a unanimous vote of all trustees present.



### **Legal Reference:**

I.C. § 33-506 Organization and government of board of trustees.

I.C. § 33-512 Governance of schools.

## Administrative Procedure

*Policy Number: 1252*

The Principal shall develop such administrative procedures as are necessary to ensure consistent implementation of policies adopted by the Board. When a written procedure is developed, the Principal shall submit it to the Board as an information item. Such procedures need not be approved by the Board, though they may be revised when it appears that they are not consistent with the Board's intentions as expressed in its policies. On controversial topics, the Principal may request prior Board approval.

## Authorization of Signatures

*Policy Number: 1255*

For the conduct of the business of the School, the Board may grant authority to specific staff to sign certain documents on behalf of the School. The Chair, and another board member duly authorized to sign school checks are authorized to use a facsimile signature plate or stamp.

### **Checks:**

The school principal is designated as the custodian of each school building activity fund. The Director of Food Services is designated as the custodian of the Food Service Funds. The School Athletic Director is designated as the custodian of the School Athletic Funds. The Principal is designated as the custodian of all School petty cash accounts.

### **Contracts for Goods and Services and Leases:**

The Principal is authorized to sign on behalf of the Board, contracts, leases, and/or contracts for goods and services for amounts under \$5,000 without prior approval of the Board. The types of goods and services contracted for must be pre approved and included in the annual approved budget by the Board.

### **Personnel Contracts:**

The Board Chair and Clerk are authorized to sign personnel contracts and agreements of employment on behalf of the Board by facsimile signature.

### **Negotiated Agreements:**

Negotiated agreements shall be signed for the School by the Board Chair, Clerk, and or Principal.



### **Legal Reference:**

## Annual Goals and Objectives

*Policy Number: 1257*

Each year, the Board will formulate annual objectives for the School and have available a written comprehensive philosophy of education with goals which reflect the School's philosophy of education. The philosophy of education and goals shall be in writing and shall be available to the staff and to the public.

At the conclusion of the year, the Principal shall submit a report to the Board, which shall reflect the degree to which the annual objectives have been accomplished.

A programmatic audit report shall also be included in an annual report to the authorized chartering entity and submitted no later than October 15.

## Records available to the Public

*Policy Number: 1258*

Every person has the right to examine and take a copy of any public record at all reasonable times. All School records except those restricted by state and federal law shall be available to citizens for inspection at the Clerk's office. The School shall either grant or deny a person's request to examine or copy public records within three (3) working days of the date of the receipt of a written request for public records. A written request must include the person or entity's name, mailing address and telephone number. If a longer period of time is needed to locate or retrieve the records, the School shall notify the person requesting the records of the same and provide the records to such person not later than ten (10) working days following the request.

A written copy of the Board's unofficial minutes shall be available to the general public within a reasonable time after the meeting.

The copying fee schedule of the School is as follows:

- a) Copies of public records -.05 per page;
- b) In addition to the cost per page set forth above, the School will charge for the actual labor costs associated with locating and copying documents if:
  - (1) The request is for more than 100 pages of records;
  - (2) The request include non-public information that must be redacted from the public records; and/or
  - (3) The labor associated with locating and copying the records exceeds two (2) hours.

If the Charter School fails to respond within ten (10) working days after the requested is submitted, the request shall be deemed to be denied.

If the Charter School denies a person or entities request to examine or copying records or

denies in part and grants in part the request to examine and/or copy the records, the person legally responsible for administering the Charter School shall notify the person or entity in writing of the denial or partial denial of the request for the public record. In addition, the notice of denial or partial denial shall state that the attorney for the Charter School has reviewed the request or shall state that the Charter School has had an opportunity to consult with an attorney regarding the request for examination or copying of a record and has chosen not to do so. The notice of denial or partial denial shall also indicate the statutory authority for the denial and clearly indicate the right to appeal the denial or partial denial and the time periods for doing so.

Pursuant to Title 33 Chapter 52 of the Idaho Code, all other provision of Title 9, Chapter 3 of the Idaho Code shall be applicable to a request for public records in the same manner that a traditional school and the boards of school trustees are subject to those provisions.



**Legal Reference:**

- I.C. § 9-338 Public Records – Right to Examine
- I.C. § 9-339 Response to Request for Examination of Public Records
- I.C. § 67-2344 Written Minutes of Meetings

## Conflict of Interest

*Policy Number: 1282*

**A director may not:**

1. use the director’s official power to further the director’s own interests;
2. have a pecuniary interest directly or indirectly (except a remote interest) in any contract or other transaction pertaining to the maintenance or conduct of the school. A “remote interest” means:
  - A. the director is a non-salaried employee of a nonprofit corporation; or
  - B. the director is an employee or agent of a contracting party where the compensation of the director as an employee or agent consists entirely of fixed wages or salary; or
  - C. the director is a landlord or tenant of a contracting party; or
  - D. the director is a holder of less than one percent (1%) of the shares of a corporation or cooperative a contracting party ; AND
  - E. the director discloses such remote interest to the Board of Directors.
3. accept any reward or compensation for services rendered as a director except as expressly provided by law;
4. accept and award contracts involving the school to businesses in which a director or person related to him by blood or marriage within the second degree has a direct or

indirect interest except when the procedures set forth in §§ 18- 1361 or 1861A are followed;

5. be involved in the election of a relative related by affinity or consanguinity within the second degree and shall be absent from the meeting while such employment is being considered and/or determined;

6. enter into a contract in the director's individual capacity, the effect of which is to create a personal interest which may conflict with the officer's public duty;

7. enter into a contract;

8. accept a bribe in the way for money, a promise, gift or any other form of personal advantage engage in a substantial financial transaction for the director's private business purpose with a person whom the director inspects or supervises in the course of official duties;

9. be a purchaser or vendor at any sale or purchase made by the director in the director's official capacity;

10. use public funds or property to obtain a pecuniary benefit for himself;

11. solicit, accept or receive a pecuniary benefit as payment for services, advice, assistance or conduct customarily exercised in the course of the director's official business;

12. use or disclose confidential information gained in the course of or by reason of the director's official position or activities in any manner with the intent to obtain a pecuniary benefit for the director or any other person or entity in whose welfare the director is interested or with the intent to harm the School;

13. appoint or vote for the appointment of any person related to him by blood or marriage within the second degree to any clerkship, office, position, employment or duty, when the salary, wages, pay or compensation of such appointee is to be paid out of public funds or fees of office, or appointment or furnish employment to any person whose salary, wages, pay or compensation is to be paid out of public funds or fees of office, and who is related by either blood or marriage within the second degree to any other public servant making or voting for such appointment. Relation by blood within the second degree includes grandparents and grandchildren. Laterally, it includes brothers and sisters.



**Legal Reference:**

I.C. § 33-507 Limitation upon authority of directors

I.C. § 18-1359 Use public position for personal gain

I.C. § 18-1361 Self-Interest Contracts - Exception

I.C. § 18-1361A Non-compensated Appointed Public Servant – Relative of Public Servant -- Exceptions

I.C. § 59-201 Officers not to be interested in contracts

I.C. § 59-202 Officers not to be interested in sales

# Management Rights

*Policy Number: 1284*

Except where limited or restricted by a collective bargaining agreement, the Board retains the right to operate and manage its affairs in such areas as but not limited to:

1. Establish the school calendar;
2. Determine the procedures to use in handling public complaints about employees;
3. Direct non-teaching duties and responsibilities of teachers;
4. Procedure for conducting teacher evaluations;
5. When and under what circumstances a certificated employee will be placed on probation;
6. Contract notification dates;
7. Extra-curricular assignments;
8. Personnel files;
9. Direct, employ, dismiss, promote, transfer, assign, and retain employees;
10. Relieve employees from duties because of lack of work or funds under conditions where continuation of such work would be inefficient and non-productive;
11. Maintain the efficiency of School operations;
12. Determine the methods, means, job classifications, and personnel by which School operations are to be conducted;
13. Take whatever actions may be necessary to carry out the missions of the School in situations of emergency;
14. Establish the methods and processes by which work is performed. The Board reserves all other rights, statutory and inherent as provided by state law. The Board also reserves the right to delegate authority to the Principal for the on-going direction of all School programs.



## **Legal Reference:**

- I.C. § 33-514 Issuance of annual contracts – Supports programs – Categories of contracts – Optional Placement
- I.C. § 33-514A Issuance of limited contract – Category 1 contract
- I.C. § 33-515 Issuance of renewable contracts
- I.C. § 33-515A Supplemental contracts
- I.C. § 33-518 Employee personnel files
- XCS Bylaws 4.8

## Evaluation of the Board

*Policy Number: 1285*

At the conclusion of each year, the Board may evaluate its own performance in terms of generally accepted principles of successful Board operations. The Board may choose to evaluate the effectiveness of the processes that it employs in carrying out the responsibilities of the School. Those processes include, but are not limited to: team building, decision making, functions planning, communications, motivation, influence and policy.

## Board-Principal Relationship

*Policy Number: 1287*

The Board-Principal relationship is based on mutual respect for their complimentary roles. The relationship requires clear communication of expectations regarding the duties and responsibilities of both the Board and Principal. The Board hires, evaluates, and seeks the recommendations of the Principal as the School chief executive officer. The Board adopts policies necessary to provide the general direction for the School and to encourage achievement of School goals. The Principal develops plans, programs, and procedures needed to implement the policies and directs the School's day-to-day operations.

The Principal shall be the executive officer of the Board with such powers and duties as the board prescribes. The Principal shall act as the authorized representative of the school whenever such is required.

The Board shall conduct an annual, written formal evaluation of the work of the Principal.



### **Legal Reference:**

I.C. § 33-513 Professional personnel.

## Board Staff Communications

*Policy Number: 1288*

Every reasonable means of communication is encouraged throughout the education community. Nevertheless, an organization must maintain some order and structure to promote efficient and effective communications.

#### **Staff Communications to the Board**

All official communications or reports to the Board from principals, supervisors, teachers, or other staff members shall be submitted through the Principal. This shall not deny any staff member's right to appeal to the Board from administrative decisions, provided that the Principal shall have been notified of the forthcoming appeal and that it is processed according to the applicable procedures for complaints and grievances.

#### **Board Communications to Staff**

All official communications, policies and directives of staff interest and concern will be communicated to staff members through the Principal. The Principal will employ all such media as are appropriate to keep staff fully informed of the Board's concerns and actions.

#### **Visits to Schools**

Directors should make a point to visit the school not less than once each month to examine its condition and needs. Individual Board members interested in visiting schools should, out of courtesy, make arrangements for visitations through the principal. Such visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes.

#### **Social Interaction**

Staff and Board members share a keen interest in the schools and education. When they meet at social affairs and other functions, informal discussion on such matters as educational trends, issues, innovations and general School problems can be anticipated.

## In-service for Board Members

*Policy Number: 1290*

In keeping with the need for continued boardmanship development, the Board encourages the participation of its members at appropriate Board conferences, workshops, conventions and School-sponsored in-service training sessions. Funds for participation at such meetings will be budgeted on an annual basis.

## Board Members Expenses

*Policy Number: 1292*

### **Expenses for Board Members - In-School**

A director shall not receive remuneration for service as a director. However, each director shall be compensated for actual expenses incurred for travel to, from, and attending meetings of the board as provided herein. Reimbursement may be paid as the travel is assumed or may accumulate until the end of the fiscal year, at the discretion of the director.

### **Expenses for Board Members at Out-of-School Meetings**

Directors normally attend workshops, training institutes, and conferences at both the state and national level. It is appropriate that director expenditures at these out-of-School meetings be paid by the School from the general fund as pre-approved by the Board of Directors. It is the intent of the School to pay all legitimate costs for directors to attend out-of-School meetings, at the established rates for reimbursement set by the School:

1. Transportation as approved by the Board.
2. On-site transportation during the course of the meeting, i.e., bus, taxi, or rental car.
3. Hotel or motel costs for director, as necessary.
4. Food costs as necessary.
5. Telephone services shall be provided for necessary communications with business or family, resulting from the director being away from home.
6. Incidental expenditures for tips and other necessary costs attributable to the director's attendance at the meeting. The School will not reimburse or pay for such items as liquor, expenses of a spouse, separate entertainment, or other unnecessary expenditures.



### **Legal Reference:**

I.C. § 33-506 Organization and government of board of trustees.  
I.C. § 33-701 Fiscal Year – Payment and Accounting of Funds  
XCS Bylaws 4.7

## Board Member Insurance

*Policy Number: 1294*

The School shall maintain sufficient insurance to protect the Board and its individual members against liability arising from actions of the Board or its individual members while each is acting on behalf of the School and within the trustee's authority.

## Nondiscrimination on Basis of Disability

*Policy Number: 1300*

XCS will be open to all children, on a space available basis within each grade level as established by the Board. The school will not discriminate based on race, creed, color, gender, national origin, or ancestry. Special needs of students will not be a factor in admission decisions.