

It is the policy of the Board of Trustees of Minidoka County Joint School District No. 331 to follow the Idaho State Constitution in forming the Board of Trustees for Minidoka County. The District is governed by a Board of Trustees consisting of five (5) members. Each member represents a different Trustee zone unless a Trustee was appointed at-large to fill a vacancy. Except as otherwise provided by law, Trustees shall hold office for terms of four (4) years until January 1 of the year in which the Trustee's term expires.

Provisions:

The following provisions are to be delineated:

1. Membership of the Board shall consist of the following:
 - a. The Board of Trustees shall consist of five members nominated and elected by the qualified voters of Zone in which the Trustees live for a term of four years. The Trustee election shall be held on the first Tuesday following the first Monday in November in odd-numbered years.
 - b. Each Trustee shall be a school district elector of his\her district at the time of his or her nomination and a resident of the Trustee Zone from which nominated and elected, or appointed.
 - c. The Board of Trustees shall have authority to fill (appoint) any vacancies which may occur in that body. The person appointed shall serve until January 1 of the year in which the original term expires for the Trustee Zone that was filled by the appointee.
2. The Board of Trustees shall organize at the Annual Meeting and elect a Chairman, a Vice-Chairman, a Clerk, and a Treasurer.
3. It shall be the duty of each member of the Board of Trustees to attend all meetings, both regular and special. The Board shall have the following powers and duties:
 - a. To make bylaws, rules and regulations for its governance and that of the District, consistent with the laws of the State of Idaho and the rules and regulations of the State Board of Education.
 - b. To call special meetings or elections for such purpose as may be necessary for the proper conduct and management of the schools of the District.
 - c. To employ an attorney or attorneys when deemed the best interest of the District, or the purpose of defending the District against any suit or bringing action deemed necessary to be commenced by the Board.
4. Governing authority is granted to the Board, not to the individual members. The Board actually is not in existence unless it is sitting in a legal session. It is only at that time that a Board has legal authority. Members of the Board have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any action or statement on the part of an individual Board Member except when such statement or action is in pursuance of specific instructions from the Board. No Board Member, by

virtue of his\her office, shall exercise any administrative responsibility with respect to the schools, or as an individual, command the services of any school employee. School Board Members, as individuals, have no authority over school affairs or personnel, except as provided by law or authorized the Board.

5. Major functions of the Board of Trustees are the following:
 - a. Provide the best educational program possible within the financial means available.
 - b. To establish the educational policies of the District.
 - c. To determine the personnel policies of the District.
 - d. To select and employ a well qualified professional school administrator to manage the system.
 - e. To employ the necessary personnel upon recommendation of the Superintendent of Schools.
 - f. To establish the educational and administrative structure of the school system external and internal.
 - g. To provide and maintain the physical plant and equipment.
 - h. To assume and carry out the responsibility for the raising, spending, and accounting of the funds to support the school system.
 - i. To evaluate the accomplishments of the school system.
 - j. To plan for the continued effectiveness and further improvement of the school system.

Elections:

Elections conducted on behalf of the District are non-partisan elections governed by the election laws of the State of Idaho and include the election of Board Members, various public policy propositions and advisory questions.

Board elections shall be held on the first Tuesday following the first Monday in November in odd-numbered years. Any person legally qualified to hold the position of School Board Trustee, may file a declaration of candidacy for the office. The declaration must include the name of the candidate, the term for which declaration of candidacy is made and include the signatures of not less than five (5) school district electors residing in the Trustee Zone of which the candidate seeks election. Such declaration must be filed with the Clerk of the School District not later than 5:00 p.m. on the ninth Friday proceeding the day of the election for the subject Trustee position. Any person seeking to become a write-in candidate must file a declaration of intent with the County Clerk not later than forty-five (45) days before the election date.

If, after expiration of the date for filing written nominations, it appears that only one (1) qualified candidate has been nominated for a position or if only one (1) candidate has filed a write-in declaration of intent, no election shall be held for that position, and the Board of Trustees or the Clerk with the written permission of the Board, shall within thirteen (13) days before the date of the election declare such candidate elected as a Trustee. The Clerk shall immediately prepare and deliver to the person a certificate of election signed by him bearing the seal of the district. All other scheduled Trustee elections will move forward under the regular procedures.

In each Trustee zone, the person receiving the greatest number of votes cast within his Trustee Zone shall be declared by the Board of Trustees as the Trustee elected from that Zone.

If any two (2) or more persons have an equal number of votes in any Trustee Zones and a greater number than any other nominee in that Zone, the Board of Trustees shall determine the winner by a toss of a coin.

Taking Office:

At the time of nomination and election or appointment, each Trustee shall be a School District elector of the District and a resident of the Trustee Zone from which nominated and elected, or appointed.

Each Trustee shall qualify for and assume office on the next January 1 following his or her election, or, if appointed, at the regular meeting of the Board of Trustees next following such appointment.

An oath of office shall be administered to each Trustee, whether elected, re-elected or appointed. The oath may be administered by the Clerk, or by a Trustee of the District. The records of the district 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 District.

A Trustee holds office from ~~July~~ January 1 in the year in which he or she is elected until ~~July 1~~ January 1 in the year in which his or her term of office expires, unless he or she:

1. Dies;
2. Resigns as Trustee;
3. Removes him or herself from the trustee zone of residence;
4. Refuses to serve as Trustee;
5. Fails to attend four consecutive regular meetings of the Board without an acceptable excuse to the Board of Trustees; or
6. Is recalled and discharged from office.

If the Trustee is appointed, he or she holds office from the time he or she takes the oath of office until ~~July 1~~ January 1 in the year in which the original term of office to which he or she was appointed expires, unless he or she:

1. Dies;
2. Resigns as Trustee;
3. Removes him or herself from the trustee zone of residence;
4. Is no longer a resident or school district elector of the District;
5. Refuses to serve as Trustee;
6. Fails to attend four consecutive regular meetings of the Board without an acceptable excuse to the Board; or
7. Is recalled and discharged from office.



LEGAL REFERENCE: I.C. § 33-401 Legislative Intent,
I.C. § 33-501 Board of Trustees,
I.C. § 33-313 Trustee Zones
I.C. § 33-501 Board of Trustees [Effective January 1,
2011]
I.C. § 33-502 Declaration of Candidacy for Trustees
I.C. § 33-502B Board of Trustees-One nomination-No
election
I.C. § 33-503 Election of Trustees-Uniform Date
I.C. § 33-504 Vacancies on Boards of Trustees
I.C. § 67-2341 Open Public Meetings – Definitions
I.C. § 34-1404 Declaration of Candidacy
I.C. § 34-1407 Write-in Candidates
I.C. Title 34 Elections

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