

2019 ISBA RESOLUTION NO. 3

REDUCE THE 2/3 MAJORITY VOTE REQUIREMENT TO A SIMPLE MAJORITY IN THE EVENT OF TWO BOARD VACANCIES IN ORDER TO CONVENE IN EXECUTIVE SESSION PER SECTION 74-206 (a-j). IDAHO CODE

WHEREAS, many school districts and charter schools in Idaho may have a quorum present, however cannot enter into Executive Session because of the lack of enough members present to qualify a 2/3 vote to do so; and

WHEREAS, Boards consisting of 5 or more members may be able to convene in regular session by having a simple majority present (3 of 5 members or 4 of 7 members – qualifying a quorum) but are required to have 4 of the 5 or 5 of the 7 to conduct business in Executive Session; and

WHEREAS, many times Boards will find themselves needing to address time-sensitive or emergent circumstances that fall under an Executive Session Category. Categories such as personnel matters, disciplinary issues, or labor negotiations all require a confidential handling by the Board and fall under the Section 74-206 (a-j), Idaho Code and cannot be addressed without the 2/3 vote to enter into the Executive Session;

WHEREAS, Boards today face unexpected multiple resignations, family circumstances and other unplanned absences that render them unable to conduct business of a sensitive nature, because of the inability to bring the 2/3 vote requirement to the table when they do not have a quorum present.

NOW, THEREFORE BE IT RESOLVED, that the Idaho School Boards Association work to reduce the 2/3 majority vote requirement to a simple majority in the event of two or more Board vacancies in order to convene in Executive Session per Section 74-206 (a-j), Idaho Code.

STATEMENT OF PURPOSE

Due to the likelihood of not always being able to have a 2/3 majority of members present, the Idaho School Boards Association should actively work to reduce the 2/3 majority vote requirement stated in Idaho Code 74-206 (a-j) to convene in Executive Session to a simple majority qualified quorum in the event of two or more Board vacancies.

Submitted by St. Maries Joint School District No. 41

RECOMMENDATION OF THE ISBA EXECUTIVE BOARD: DO PASS

Brian Pyper of the ISBA Executive Board will address the Executive Board's recommendation to the membership at the Business Session of the Annual Convention.

**PASSED
TABLED
FAILED**

**AYES
NAYES
TOTAL**