

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

AYES

8137

NAYES	347
TOTAL	8484