

**MINUTES OF THE  
REGULAR SESSION BOARD MEETING  
POCATELLO/CHUBBUCK SCHOOL DISTRICT NO. 25  
Education Service Center Board Room  
Tuesday, April 15, 2014  
5:30 p.m.**

**BOARD MEMBERS/SUPERINTENDENT PRESENT:**

Janie Gebhardt, Chair  
Jackie Cranor, Vice Chair  
Paul Vitale, Clerk

Jim Facer, Assistant Treasurer (Excused)  
Dave Mattson, Member  
Mary Vagner, Superintendent

**CONVENE REGULAR MEETING**

A Regular Session of the Board of Trustees of School District No. 25 was held in Pocatello, Idaho on the 15<sup>th</sup> day of April, 2014, as provided in Section 33-510, Idaho Code. Chair Gebhardt called the Regular meeting to order at 5:30 p.m.

**PLEDGE OF ALLEGIANCE**

Maddie Schei led the audience in the Pledge of Allegiance.

**REVIEW, REVISE, AND APPROVE AGENDA – Self Explanatory – Action**

Chair Gebhardt reviewed the agenda and the addendum. A motion was made by Ms. Cranor and seconded by Mr. Mattson to approve the agenda and the addendum as presented. The voting was unanimous in the affirmative.

**APPROVAL OF MINUTES AND PERSONNEL ACTION – Self Explanatory – Action**

- a. **Special Meeting/Work Session with Legislators** – December 2, 2013
- b. **Special Meeting/Work Session** – February 11, 2014
- c. **Special Meeting/Executive Session/Personnel** – February 11, 2014
- d. **Special Meeting/Executive Session/Hearing** – February 12, 2014
- e. **Regular Board Meeting** – February 18, 2014
- f. **Special Meeting/Executive Session/Hearing** – February 26, 2014
- g. **Special Meeting/Work Session** – March 11, 2014
- h. **Special Meeting/Executive Session/Hearing** – March 12, 2014
- i. **Regular Board Meeting** – March 18, 2014

A motion was made by Mr. Mattson and seconded by Ms. Cranor to approve the minutes as presented. The voting was unanimous in the affirmative.

**RECOGNITIONS/VISITORS/CORRESPONDENCE – Information**

**a. Visitors and Correspondence**

*1) Idaho Power Presentation*

The representatives from Idaho Power were excused.

**b. Recognitions – Information – Ms. Allen**

Ms. Allen invited Maddie Schei and Tricia Harvala to the podium. She said Maddie took a special interest in bully prevention. She said when Maddie saw drama in her school she decided that instead of sitting back and doing nothing she would spread a message of kindness throughout her school. She said Maddie put up posters to remind students to stop whatever was happening that could ruin someone's day. She said Maddie started a Kindness Club at her school and wrote a letter to the President of the United States and got a reply. She said President Barack Obama wrote back that he appreciated her efforts to start a Kindness Club and to stop bullying in her school. She said Maddie supported the District's Belief that "A safe, supportive, caring and respectful environment is critical to student learning". She said as a result of Maddie's efforts, students were being kinder to each other. Ms. Harvala said Mattie came to her in November with her concerns about students that were ruining everyone's day. She said she decided to make the posters and to write a letter to the President to spread the message of kindness. She said there were already 30 students in the 5<sup>th</sup> grade class that signed up for the Club since it was created in January. She said the Club started a campaign at Chubbuck

Elementary that had staff writing kindness letters. She said the Club was in the process of making a music video about respect and what that meant at Chubbuck Elementary. She said Maddie had changed perceptions at the school and showed that one student can make a big difference. She said she was sad to lose Maddie in the coming school year as she would be moving onto the 6<sup>th</sup> grade, but was happy that she could make a positive difference at another school.

Ms. Allen invited Amber Austin and her teacher Jennifer VanWasshenova to the podium. She said Amber attended Pocatello High School and was being recognized for her winning entry in the Idaho Art Education Association's 2014 Youth Art Month flag design contest. She said she competed against students from all over Idaho and won 1<sup>st</sup> place. She said her artwork was designed to represent Idaho and included images of the monarch butterfly, Syringa flower, mountain bluebird, Appaloosa horse, western white pine and the Sawtooth Mountains. She said her artwork would be scanned in and enlarged to a three foot by five foot flag and flown in Washington D.C. to represent the Arts and the state of Idaho. She said it would also be flown at the Idaho Art Education Association Conference. She said in addition Amber, her mother and her teacher would receive an all-expense paid trip to New York City in the summer. She said Amber exemplified the District's mission that each student will develop an appreciation of the arts, and to value the uniqueness of each student and the Belief that "Students learn best through active engagement in their learning with highly qualified staff" and "Parents and the community play a critical role in a student's educational success". Ms. VanWasshenova said Amber was a junior and had been in her art class for three years. She said Amber had a deep rooted work ethic, was driven and continued to expand her art skills on her own time from home. She said she took pointers and applied them. She said Amber's mother helped sew the flag that was flown in Washington D.C. and again at the Idaho Art Education Association Youth Month Conference the month before. She said the artwork was also displayed on the organization's website, [www.idahoarted.org](http://www.idahoarted.org). She said she was grateful to be able to travel to New York City with Amber and her mother in the summer.

Ms. Allen invited Coach Brock Gunter to the podium. She said he was named as the Idaho State Journal's Girls' Basketball Coach of the Year for the 2013-14 season. She said in just one season under the direction of Coach Gunter, the girls earned a berth at state and took 3<sup>rd</sup> place in the state tournament. She said Coach Gunter was well respected throughout the community. She said he had never coached a girls' team but was able to assemble a strong coaching staff and quickly earned the trust and respect of his team and together found a way to win. She said the team won six of its last eight games. She said Coach Gunter and his team demonstrated the mission to "Foster caring relationships among students and adults through mutual trust and respect" and the Beliefs that "High expectations promote high levels of student achievement" and "Students learn best through active engagement in their learning with highly qualified staff". She thanked Coach Gunter for creating a positive environment, for his work ethic and professionalism which led the girls' basketball team to win 3<sup>rd</sup> at state and for being named the ISJ Girls' Basketball Coach of the Year. Principal Cotant said it was an honor to recognize Coach Gunter that evening. He said at the beginning of season there were many challenges to overcome but he believed that Coach Gunter would be able to work with the girls to keep them moving forward and to create a strong team. He said the girls had responded and played well and Coach Gunter was instrumental in leading that charge. He congratulated Coach Gunter on the successful season and for being named the ISJ Girls' Basketball Coach of the Year. Ms. Allen said it spoke volumes that everyone who met Coach Gunter thought the world of him.

Ms. Allen invited the Century High School Percussion Ensemble to the podium and said Mr. Colin Brien could not be there that evening. She said under the leadership of Mr. Brien, the students were invited to perform at the Idaho Music Educators Conference in Nampa. She said the students were one of only eight groups to be invited to perform throughout the state. She thanked Mr. Brien for encouraging students to demonstrate the learner goal to "Exhibit appropriate interpersonal skills, self-discipline and self-confidence when working in individual, small group and large group settings" and to "Demonstrate an understanding and an appreciation of the humanities and the creative and performing arts". She asked one of the students to speak on behalf of the group. Jacob Knievel said there were fifteen students in the Percussion Ensemble including himself, Carter Denton, Tyson Olsen and Britton Nigh who were in attendance that evening. He said the group was honored to be invited to such a prestigious event and thanked Mr. Brien for his leadership and direction.

**c. Public Comment on Items Not on Agenda**

Board Protocols for Public Comment will be followed at all Board Meetings. Patrons wishing to address the Board will fill out Form AD 2 – Request to Appear before the Board and present it to the Board Chair or Board

Secretary prior to the meeting. Because of the diversity of issues, members of the Board may not respond to delegations. Instead, issues are recorded and referred to the proper staff member for follow-up. The Board is informed of these efforts by the staff member responding to concerns.

**Board Operating Principles #22 & 23:**

22) The Board will follow the chain of command referring others to present their issues, problems, or proposals to the person who can properly and expeditiously address the issues; 23) Board members will refrain from communications which create conditions of bias should a problem or complaint become the subject matter of a hearing before the Board.

There was no public comment on items not on the agenda at the time of the meeting.

**d. Public Comment on the Preparation of the 2014-15 Pocatello/Chubbuck School District No. 25 Budget**

Annually the Board invites public comment with respect to budget development for the following fiscal year. The Board Chair solicited public comment relative to the preparation of the 2014-15 budget at the time of the meeting. There was no public comment on the preparation of the 2014-15 Pocatello/Chubbuck School District No. 25 Budget at the time of the meeting.

**REPORTS**

**a. Student Representative Reports (3 minutes each)**

1) **Highland High School** – *Emma Brinton/Hans Liu/Hope Bailey*

Ms. Bailey said the Highland High School FCCLA competed in Boise last weekend. She said several students placed at the competition. She said the cheer and dance teams were the Academic State Champions. She said the dance team won at nationals. She said speech took third at state. She said the juniors would take the SAT the next day.

2) **Pocatello High School** – *Caitlin Lackey/Ethan Hatch*

Ms. Lackey said the school choir took its annual trip. She said several students placed in the speech competition. She said HOSA competed. She said the Pocatello High School talent night was well attended and was a lot of fun. She said the school held its student body elections. She said she was selected as student body president for the 2014-15 school year. She said Kyle Casper was selected as Vice President and she hoped they would work well together. She said the school held a blood drive in the gym earlier that day. She said only a couple of students fainted. She said cheer tryouts were that Thursday. She said the Pocatello High School Education Foundation held a banquet and honored Major Boyd F. Henderson, Major Jerry L. Ridley and Howard D. Burnett. She said the school's prom was that Saturday. She said the school would have its parent night for juniors the following week. She said juniors would take the SAT the next day. She said Pride Week started April 28<sup>th</sup>. She said Highest Honors would also be held that night. She said the school's Awards Night was May 6<sup>th</sup>. She said senior finals would take place that same week and the senior assembly would take place shortly thereafter. She wished the graduating seniors the best of luck.

3) **Century High School** – *Duncan Thompson/Madison Morton*

Mr. Thompson said students were starting to take the SAT. He said students were given cans of Crush soda with a note to "Crush" their finals. He said the school started SBAC testing. He said the school's Percussion Ensemble competed in the Gem State Competition and was awarded the Superior recognition which was the highest level of recognition awarded. He said the Senior All Night Party was planned and seniors were looking forward to the event. He said the student body elections would take place April 28<sup>th</sup>. He said the school's dance showcase was that night. He said it was their last performance of the year. He said the dance team took first at state in the military category. He said the Mr. CHS Event was coming up. He said it was similar to a beauty pageant but was manlier. He said Century High School was once again recognized as one of the top 100 schools in the nation and was one of only eight in the state of Idaho. He said the drama department was presenting "Taming of the Shrew." He said this would be his last report and Connor Moon would replace him for the 2014-15 school year.

4) **New Horizon Center** – *Maggie Gunn*

Ms. Gunn was excused.

**b. Media Report** – Ms. Allen

Ms. Allen said there were very positive stories over the last month. She said there were twenty-four print articles and ten television stories. She said most of the coverage was about schools, staff and students and the various activities and achievements. She said the statewide education issues that were covered included

stories on the legislature and concerns regarding the SBAC. She said she recently started working with Rebecca Longpiper who was now writing features for the Idaho State Journal. She said one of her features was published that month and had great information on the schools. She said she sent Ms. Longpiper a list of educational topics to cover over the next couple of months. She said Mr. Mattson and Mr. Facer had both worked with her on recent editorials. She said next month she would work with Ms. Gebhardt on the next editorial. She said the Board had discussed covering the many District accomplishments in its year end editorial. Ms. Gebhardt said there was an article in the paper about the decorum of graduation that was really well done.

**c. Report on ISBA Region V Meeting**

Chair Gebhardt said the ISBA Region V Meeting was held on Thursday, April 10, 2014 in the Board Room. Mr. Vitale said it was well attended. He said the trainers went over the eight basic characteristics of effective School Boards. He said it was a good reminder and was nice to network with Trustees in neighboring Districts. Mr. Mattson said he appreciated the review of all of the House Bills so that everyone could be made aware of what happened during the legislative session. Ms. Gebhardt said the ISBA Trainer, Jackie Hopper, had resigned so the ISBA would have a new Board Trainer for the upcoming school year.

**d. Report on Standing Committees for 2013-2014**

Mr. Mattson said the Key Communicators met and had a good meeting but said he would like to see more people from around the community attend the meeting. He said the meetings provided very good information for patrons. Ms. Vagner said over 100 people throughout the community were invited by email to participate and was up to them to attend. Ms. Gebhardt suggested informing more people within the District. Mr. Mattson suggested expanding the email invitation list. Ms. Vagner said she would look into it.

**CURRICULUM AND INSTRUCTION AND SCHOOL SAFETY – Information – Mr. Wegner, Dr. Mortensen, Mr. Devine, Mr. Hobbs**

**a. ICS/SBAC Update – Mr. Wegner**

Mr. Wegner said it was hard to believe that end of the year activities and planning for next year were already underway. He said included in the packet was information regarding the Summer 2014 ICS Unit Refinement. He said the document listed the teachers that would participate in working on ICS curriculum refinement over the summer. He reviewed the dates that each department would be in to work on units. He said each of the teachers that participated would earn a \$100 per day stipend. He said Board Members were welcome to stop by and watch the groups work. Ms. Cranor asked how teachers were identified to participate. Mr. Wegner said a lot of the teachers had been involved in TIA since it began in 2007. He said teams were kept to 4 to 5 teachers because that seemed to be the most effective group size. He said some groups had more teachers but a good working size was around 5. He said when teachers rotated in and out of the groups he relied on building principals to recommend replacements. Mr. Mattson asked if the Board would receive an invitation for the unit refinement dates. Mr. Wegner said he would send an invitation. He said the schools had begun SBAC testing. He said some of the feedback from the schools was that testing was taking longer than previously identified; some students were unaware of test tools and some students said it was harder than the ISAT but the passages were informative and they liked the interaction. He said the curriculum department developed a survey for principals to send out to students to get their impressions on the test. He said the survey did not contain any questions regarding specific test content. He said the administration would review the data and would share the results with the Board and the SDE after it was compiled.

**b. Partnership Schools Update – Mr. Wegner**

Mr. Wegner said the District has enjoyed an excellent working relationship with the ISU College of Education. He said the College of Education concentrated on arranging internships in the schools and on developing teacher candidates through the Partnership Schools program. He said the program offered support in the areas of need identified by the schools. He said they also provided information on available course work to teachers in the schools. He said Syringa Elementary and Irving Middle School would rotate out and Gate City Elementary and Alameda Middle School would be added in as new Partnership Schools. He said the schools were selected by the ISU Partnership School Committee for the 2014-15 school year.

**c. Alternate Route to Graduation Requests – Mr. Wegner**

Mr. Wegner said included in the packet was a memorandum detailing the number of students and the various reasons for completing the alternate route to graduation. He said principals had signed off on the requests and

the appropriate paperwork was on file with the Curriculum Department. He said the Board would be asked to approve the requests under Old Business.

**d. Instructional Technology Update – Mr. Wegner**

Mr. Wegner said the past few weeks were filled with classroom training at the elementary level. He said Mr. Merica and Ms. Spall had been working with the 3<sup>rd</sup> and 5<sup>th</sup> grade teacher on PowerPoint training and on how to save and retrieve files. He said they also helped educate teachers on how to stay safe online. He said the Technology Literacy course wrapped up with last two of 30 different trainings from how to use Word, to how to blog and create online presentations. He said currently the trainings were provided partly face to face and partly online. He said the technology training specialists were considering offering fully online courses to all staff next year. He said the department was currently working with teachers to close out a variety of software applications by the end of the school year.

**e. Any Other Curriculum/PLCs/TIA/Beliefs Update – Mr. Wegner**

Mr. Wegner had no further Curriculum updates at the time of the meeting.

**f. Head Start Program Update – Dr. Mortensen**

Dr. Mortensen said the Head Start Grant application that was approved by the Board at the March Regular Board Meeting was finalized and submitted by the April 1, 2014 deadline. She said the Head Start Policy Council would meet that Thursday. She said one of the Head Start program goals was family literacy and in order to meet that goal the school gathered book donations from local organizations including Kiwanis and the Head Start FRED and EMILY Programs and to-date 2,807 books had been distributed to children and their families. She said this time of year Head Start started reviewing its In Kind contributions to make sure it was meeting that requirement. She said Head Start had to have so many parent volunteer hours in order to meet the In-Kind contribution which amounted to 310 parent and community volunteers and 648 volunteer hours. She said out of 186 students in the Head Start program, 170 had family members volunteer.

**g. 21<sup>st</sup> Century After School Program Update – Dr. Mortensen**

Dr. Mortensen said the District had annually applied for 21<sup>st</sup> Century After School Program grant for the last nine years but did not get the grant this year and had no federal funds to sustain the program. She said the committee was regrouping to review funding options to continue the program in some capacity and had some viable options. She said she hoped to have information on what any new program would look like at a future Board Meeting. She said the 5k Pocatello to Africa Walk/Run Challenge was Saturday, April 26<sup>th</sup>. She said students were training at Alameda Park. She said the After School Program awarded scholarships to 14 students to allow them to participate in the science trek at ISU's museum. She said the student's applied for the scholarships which were then awarded by the advisory committee.

**h. Idaho Food Bank Back Pack Program Report – Dr. Mortensen**

Dr. Mortensen said included in the packet was the current Idaho Food Bank – Back Pack program report. She said participation numbers were up at all of the schools except for Gate City Elementary.

**i. Kindergarten Registration Update – Dr. Mortensen**

Dr. Mortensen said included in the packet were the draft Kindergarten Registration numbers for the 2014-15 school year. She said registration was held at the elementary schools on April 10, 2014. She said registration data was compared from year to year and tracked at the District. She said currently Kindergarten registration was up by 37 students. She said almost every kindergarten seat in the District was filled this year and she anticipated a similar kindergarten enrollment in the fall.

**j. District Mobility Report – Dr. Mortensen**

Dr. Mortensen said included in the packet was the District #25 Mobility Report which detailed student mobility rates at each of the schools. She said it calculated and compared free and reduced lunch percentages from the previous year. She said the report tracked mobility which was critical to school success. She said SBAC testing had been moved from May 9<sup>th</sup> to April 25<sup>th</sup> because of the state's testing window.

**k. Nursing Acuity Levels Report – Dr. Mortensen**

Dr. Mortensen said included in the packet was the Nursing Acuity Report for the second trimester. She said it provided a historical view of services. She said Level 1 services showed a decrease in the number of students served and Levels 2 – 4 showed an increase. She said Level 3 and Level 4 were very time intensive services requiring nursing staff to visit the student two or more times in one day.

**l. School Immunization Transcript – Dr. Mortensen**

Dr. Mortensen said included in the packet was a School District Immunization Transcript provided by the State Department of Education. She said the transcript compared District immunization data to state averages.

She said the letter indicated that the information was submitted through the Department of Health & Welfare and then compiled at the SDE. She said the District's rates for 2013-14 were up slightly over the previous year. She said 91% of students in the District were adequately immunized compared to the state rate of 83.9%. She said she attributed the District's higher numbers to the hard work of the school secretaries in making sure that records were gathered and documented. She said it took a lot of time and effort to remind parents. She said it was a big job that kept getting bigger as more and more immunizations were added at the state level.

**m. ISU Administrative Intern Request – Dr. Mortensen**

Dr. Mortensen said included in the packet was a request from the Idaho State University to place an administrative intern, Troy Johnson, at Jefferson Elementary, Irving Middle School and Pocatello High School for the spring trimester, 2014. She said the request was reviewed by the administration and was in order. She said the Board would be asked to approve the request under the Consent Agenda. She said the number of intern hours required depended on the course requirements of the University.

**n. Any Other Elementary Education/PLCs/TIA/Beliefs Update – Dr. Mortensen**

Dr. Mortensen had no further Elementary Education updates at the time of the meeting.

**o. Policy 8125 – Release Time – 2<sup>nd</sup> Reading – Mr. Devine**

Mr. Devine said included in the packet was Policy 8125 – Release Time. He said the change to the policy eliminated release time for specialized educational programs as the practice was antiquated. He said the policy was posted for public input following a first reading and input was received. He said one minor change was made as a result of the input and was highlighted in yellow. He said the change was not substantive and the Board would be asked to hear the policy on second reading for adoption under Old Business. Ms. Cranor said there was a comment from a teacher asking if students taking dual enrollment courses would be affected by the change. Ms. Vagner said students took dual enrollment courses as part of their regular school schedule through PTE or college credit and were not affected by the change. Mr. Devine said a lot of those courses were taught by District teachers.

**p. Century High School – Most Challenging High Schools 2014 – Mr. Devine**

Mr. Devine said Century High School had once again been selected by the Washington Post as one of America's Most Challenging High Schools for 2014. He said the Washington Post selected schools that were identified as having done the best job persuading average students to take college-level courses and AP exams. He said only 9% of approximately 22,000 high schools managed to earn placement on the list. He said it was quite an honor.

**q. New Horizon Center Schedule Change – Mr. Devine**

Mr. Devine said included in the packet was a memorandum detailing the proposed schedule change at the New Horizon Center for the 2014-15 school year. He said the proposal was to move from a six week block to a 12 week trimester. He said as a result of the schedule change, it would no longer be necessary for the Board to adopt a New Horizon Center Calendar as the school would adhere to the District's calendar in the future. He said the previously adopted New Horizon High School calendar would be negated.

**r. Summer School Update – Mr. Devine**

Mr. Devine said included in the packet was the Summer School Brochure for the middle and high schools that detailed the courses available and the duration and cost for each session. He said also included was the 2014 Summer School Calendar. He said Heidi Kessler had been selected as the Summer School Principal this year. He said he would meet with Dr. Kessler in the coming month to finalize and submit the application to the state.

**s. Extra-Curricular Participation Fees Report – Mr. Devine**

Mr. Devine said included in the packet was the Extra-Curricular Participation Fees Report for spring sports. He said the report was self-explanatory. He said the report compared participation numbers from one year to the next and showed the changes that had taken place.

**t. ISU Dual Credit Report – 3<sup>rd</sup> Trimester – Mr. Devine**

Mr. Devine said included in the packet was the ISU Early College Program Dual Credit Report with data as of the third trimester. He said the number of students taking advantage of the courses was impressive. Ms. Cranor said it looked like the numbers were down. Mr. Devine said a decrease in the third trimester was normal as most of the courses were offered in the first two trimesters.

**u. Early Graduation Requests – Mr. Devine**

Mr. Devine said included in the packet was a memorandum listing the number of early graduation requests by school and the reasons students were requesting early graduation. He said the Board would be asked to approve the early graduation requests under Old Business.

**v. Summer Camp Requests – Mr. Devine**

Mr. Devine said included in the packet and the addendum were Summer Camp Requests from the various high schools. He said the requests had been reviewed by the administration and were in order. He said the Board would be asked to approve the requests under Old Business. Ms. Cranor asked if any of the camps interfered with SBAC testing. Mr. Devine said none of the camps were held during the school year. He said there were some challenges with SBAC testing for students involved in spring sports but those were being addressed on a case by case basis. Ms. Cranor said one of the camp requests had the incorrect sum of expenses. She said another camp had an assistant coach that was being paid more than the coach. Mr. Devine said it was for marching band and the assistant should not have been factored into the camp expenses as the marching band director and assistant were paid a stipend which was not collected out of the camp revenue. Ms. Gebhardt said it appeared that the expense was for two assistants. Mr. Devine said that was more than likely correct. Ms. Cranor said another camp had a higher wage for assistant coaches for football. Mr. Devine said several assistant coaches helped out during summer football camps. Ms. Cranor said she was very impressed with the coaches that donated their time to the camps without charging a fee. She said she knew that not everyone could do that but it was worth recognizing those that were able to put all of the money back into the program. Mr. Devine said a detailed reconciliation of revenues and expenses would take place after the camps were complete.

**w. Out of District/Overnight Field Trip Requests – Mr. Devine**

Mr. Devine said included in the packet were several Out of District/Overnight Field Trip requests. He said the requests were reviewed by the administration and were in order. He said the Board would be asked to approve the requests under Old Business. Ms. Gebhardt said the choir group did not have enough chaperones. Mr. Devine said he had spoken with the principal to let her know that twice as many chaperones were needed. Ms. Gebhardt asked why the Skills USA groups were taking two different busses. Mr. Devine said there was a conflict that made it impossible for one group to go at the same time as the other. Ms. Vagner recommended that the Board approve the trip requests pending adequate chaperones for the choir trip.

**x. Any Other Secondary Education/PLCs/TIA/Beliefs Update – Mr. Devine**

Mr. Devine said he was holding a meeting with registrars, secretaries and bursars to review the type of Infinite Campus training that was needed. He said 20 high school and middle school department heads were scheduled to meet with Meg Fleischmann to go over an SBAC Final that Ms. Fleischmann created that was engaging and helping students. He said the administration was looking into implementing the final for all secondary courses. He said teachers had taken the Six Traits of Effective Teachers and were tying into other courses other than English and was having an impact on more effective writing for students. He said the graduation schedule was on the Board's calendar. He said New Horizon High School would have a graduation dinner this year rather than a luncheon. He said the graduation behavior expectation letters were mailed to parents. He said he was working with a group called Volstar Productions to install cameras during graduation. He said they also had jumbotrons available which allowed the audience to see students, speakers and performers better from far away. He said he was hopeful it would improve the focus of students and the audience.

**BUSINESS OPERATIONS (BUDGET, MAINTENANCE, TRANSPORTATION, FOOD SERVICE) –**

Information – Mr. Reed

**a. Idaho General Fund Update**

Mr. Reed said included in the packet was the current Idaho General Fund Revenue Report with revenue information as of March. He said this was the end of the third quarter and the state's revenue was up \$11 million. He said it wasn't a big month but was a positive indicator. He said overall revenue was up eight tenths of a percent. He said April and June were the biggest tax collection months for the state and the revenue picture would be clearer after June. He said the revenue picture was shifting up but was moving slowly.

**b. Free and Reduced Lunch Report**

Mr. Reed said included in the packet was a current Free and Reduced Lunch report. He said the percentages were at 52.6% which had remained consistent throughout the school year but was up from the year before. He said the Food Service department had done a good job reaching parents who qualified for the program.

**c. Food Service Loss Control Report**

Mr. Reed said included in the packet was a loss control report from the Food Service Department with information as of April 1, 2014. He said the balance was \$13,264 which had grown from the last report. He said the growth was expected and he was hopeful the balances would remain under the \$15,000 that was budgeted in the general fund.

**d. Permission to Operate Summer Lunch Program**

Mr. Reed said included in the packet was a memorandum requesting permission to operate the Summer Lunch Program which was approved annually. He said this was the food service department's 13<sup>th</sup> consecutive year of operating the summer lunch program. He said the program provided free meals to children and their families throughout the summer and was an outstanding program. He said the average number of meals served per year was approximately 310,000. He said the program was well attended throughout the community and the District was grateful to be able to operate the program. He said the District's program was so successful that the state had asked the food service department what it did to make the program so effective which was a great compliment to the food service staff. Mr. Mattson asked what parks were used for serving lunch. Mr. Reed said Ross Park, Alameda Park, OK Ward Park, Raymond Park the New Horizon Center and Pocatello High School. He said he would send a complete list to the Board. Ms. Cranor asked if the program would be impacted by the new nutrition guidelines. Mr. Reed said the program would be required to meet the new guidelines but would not have too much of an impact since the meals served over the summer consisted of sandwiches and fruit. He said the Board would be asked to grant permission to Operate the Summer Lunch Program under New Business.

**e. Bid Awards**

Mr. Reed said included in the packet were memorandums recommending various bid awards. He said the first bid was for asphalt removal and replacement at various schools. He said the bid was sent to 21 vendors and six participated. He said the administration recommended awarding the bid to six different vendors for various projects. He said the vendors included DePatco Inc., Klinger Asphalt, Imperial Asphalt, Mickelson Construction, Jack B. Parson Co. and Superior Asphalt. He said overall the projects came in under budget. He said the bids were very competitive. He said the next bid was for the Ellis Elementary Heat Plant replacement. He said four vendors participated and the recommendation was to award the bid to Upstream Plumbing who was the lowest responsible bidder. He said the project came in \$43,000 over budget due to the change in specifications. He said the original budget was for one large boiler, but after reviewing the project the maintenance department determined that two smaller boilers would be more effective and would provide a backup if one of the boilers stopped working. He said it would also result in an energy savings throughout the year. He said due to various other projects coming in under budget, even with the increase the total projects overall were still under the original estimated budget. Mr. Mattson asked if the company was bonded. Mr. Reed said absolutely. He said it was a basic requirement that vendors had to meet in order to participate in the bidding process. Ms. Cranor said it would be nice to know which vendors were local and asked if that information could be included on the memorandum. Mr. Reed said he would include that information in the future. He said the next bid was for computer components and accessories. He said 25 vendors were invited to participate and nine participated. He said one was disqualified for not meeting the District's specifications. He said the lowest responsible bidder was ACE computers. He said it was \$110,000 under the original bid estimate. He said the next bid was for entry doors at various schools. He said the recommendation was to award the bid to two bidders for various projects. He said Quality Overhead Doors was awarded a majority of the projects and CR Clark Construction was given one major project. He said the project came in almost \$20,000 under budget. He said the next bid was for the Hawthorne Middle School Entry Vestibule Remodel. He said three bidders participated and Rivers West Construction was the lowest responsible bid. He said the project was about 15% over budget. He said there was carryover in the budget to fund the project. He said the next bid was for musical equipment and supply. He said the bid included a list of various musical equipment and supplies and items were awarded to the lowest responsible bidders. He said the list of vendors and amounts were included in the memorandum. He said the next bid was for network switches. He said one of the vendors was the lowest bidder but did not meet the District's specifications. He said the administration

recommended awarding the bid to the second lowest bidder. He said the second lowest bid was still \$61,300 under budget. He said the next bid was for resurfacing the tennis courts at Century and Highland High Schools. He said one of the vendors did not have a public works certification and was disqualified. He said the administration recommended awarding the bid to Koch's Tennis Courts which was just \$5,000 over budget. He said resurfacing the tennis courts would preserve the current tennis courts which were nearing 15 years old and if nothing was done it would ruin the whole court which would have to be completely replaced. He said once the courts were resurfaced they would look brand new. He said the next was for Uninterruptable Power Supply (UPS) system and accessories. He said one of the vendors did not meet the District's specifications and the administration recommended awarding the bid to the second lowest bidder which was \$22,000 under budget. He said the next two bids were for District vehicles, one for the maintenance department which was a service van, and the other for the warehouse, a one-ton diesel cargo van. He said several vendors were invited to participate and only one vendor responded. He said the administration recommended awarding the bid to Hirning GMC. He said the service van came in over \$8,000 under budget and the one-ton was about \$800 over budget. He said in the end the project was still well under the original estimate. He said the service van was used but was in really good shape and was reliable. He said the next bid was for the second phase of window replacement at the Lincoln Center. He said ten vendors were invited to bid and only one participated. He said the administration recommended awarding the bid to CR Clark Construction which was the same company that completed the first phase of the window project. He said the project was \$3,300 under budget. He said a summary of the estimated costs compared to the actual costs for all of the projects was included in the addendum. He said overall the District was \$7,000 under budget for all of the projects. He thanked Ms. Giles and Ms. Talbot who both did a remarkable job advertising bids and getting accurate information to each of the vendors. He said the Board would be asked to award the bids under Old Business.

**f. K-12 Enrollment and Capacity Report**

Mr. Reed said a revised K-12 Enrollment and Capacity Report was included in the addendum. He said it was a snapshot of the overall school capacity from September 2013 to February 2014. He said at the high school level Century High School was becoming crowded. He said Pocatello and Highland High Schools were sitting closer to 80% capacity. He said there was a mistake in the first column that affected the capacity percentage for Alameda Middle School. He said the percentage should read 75%. He said Franklin Middle School was at 92%, Hawthorne Middle School was at 82% and Irving Middle School was at 64%. He said overall capacity numbers were looking good at the elementary level. He said the boundary adjustments a couple of years ago allowed schools to operate within the recommended capacity. He said there were still capacity issues to address from year to year due to fluctuations in class size from school to school and was addressed on a case by case basis. He said overall the District had the space to provide for future growth. Ms. Cranor asked if the capacity goal had remained at 85%. Mr. Reed said yes. Ms. Cranor said there were a few elementary schools that were over that mark. Ms. Gebhardt said Syringa Elementary was not on the radar before but now numbers were high. Mr. Reed said the administration was aware that new growth was occurring in that area. He said the subdivisions to the east were growing and would cause the District to have to look at addressing overcrowding in the coming years. He said all of the other elementary schools were in good shape. He said apartments were recently built near the Home Depot and were starting to fill up which could impact Wilcox and Chubbuck Elementary Schools. He said the administration continued to monitor new growth.

**g. Refinance Bond Debt**

Mr. Reed said a revised Resolution along with the Resolution Exhibits were included in the addendum. He said the Resolution authorized the administration to proceed with refinancing the District's bond. He said he anticipated the refinance to save taxpayers approximately \$180,000. He said he had continued to monitor market rates which were currently very low which was why this option had become available. He said one option for refinancing was to go out for a public sale which was opened up across the nation and the second option was to look at a private sale which did not have the high cost of issuance. He said Zion's Bank was providing the Board with the option to approve the refinance with a public sale or a private sale. He said the Resolution left the option open for the Board to decide. He said holding a private sale would amount to a \$229,000 savings to taxpayers compared to a competitive sale at \$180,000 savings. He said the cost savings was in the amount of the cost issuance. He said the administration recommended the Board approve both options and leave the decisions at the discretion of the administration. Mr. Mattson asked if there were buyers for a private sale. Mr. Reed said there were and the short time frame would make it more advantageous to

refinance at the lower rate rather than waiting for rates to fluctuate which could happen in the timeline for a public sale. He said he believed that whichever option saved taxpayers the most money was the route the District should take. The Board agreed. He said the Board would be asked to adopt the Resolution as amended under Old Business.

**h. Medicaid Reimbursement Update**

Mr. Reed said included in the packet was a Medicaid Reimbursement history with information going back to 2002. He said Medicaid reimbursement started on an upward trend and then reached a high point in 2009. He said there were some rule changes to how Medicaid could be reimbursed after 2009 which had decreased Medicaid revenue since that time. He said that affected Districts across the state. He said this year Medicaid reimbursement should be close to about \$600,000 and the administration would continue to monitor. He said Ms. Lloyd informed him of any outstanding balances on a regular basis. Ms. Cranor asked if the District had a firm that handled the Medicaid reimbursement paperwork. Mr. Reed said yes the District had used the firm's services for the last two or three years. He said they were the experts and had done a good job. He said one of the challenges that led to the Districts using the firm's services was how overwhelming the rule changes were and the massive amounts of paperwork involved was for one person to handle. Ms. Cranor asked if the District was still saving money after paying for their services. Mr. Reed said yes. Ms. Vagner said the rule changes affected what services the District could and could not be reimbursed for and had drastically affected the District's Medicaid reimbursement revenue.

**i. Proposed Building and Subdivisions (New Construction)**

Mr. Reed had no report on proposed building and subdivisions (new construction) at the time of the meeting.

**j. Any Other Business Operations/Operational Support Update**

Mr. Reed had no further Business Operations updates at the time of the meeting

**EMPLOYEE SERVICES – Information – Mr. Smart**

**a. Campus/ISEE Upload/Technology Update**

Mr. Smart said the department was in the process of submitting its ISEE Upload and was down to 77 errors. He said he hoped to upload an error free report the following day. He said the technology department was still in the process of wrapping up the wireless infrastructure project. He said the elementary schools were anticipated to be completed by the end of the summer. He said the administration was hopeful that state resources would be available to allow the District to continue expanding the wireless infrastructure in the high schools.

**b. Student Enrollment Information Update**

Mr. Smart said included in the packet was current student enrollment data. He said compared to previous years the District's enrollment was looking very good from October to April. He said he had not seen any negative impact on enrollment following the closing of the Heinz Plant. He said he would continue to monitor enrollment but would use the current numbers in his enrollment projections for the coming school year.

**c. Loss of Tax Revenue**

Mr. Smart said included in the packet was a notice from Bannock County informing the District of two settlements that affected property valuations and impacted the District's tax revenue by \$25,377 and \$9,818. He said the administration received a phone call from the County Assessor who wanted to meet to discuss the fact that the District would receive \$35,000 less in tax revenue. He said it was a manageable loss and could have been a lot worse. He said tax revenue never came in exactly as predicted. He said it affected the School Plant Facility Levy, the Bond Levy and the General Fund.

**d. 2014-15 Budget Development**

Mr. Smart said included in the packet were materials relative to the preparation of the 2014-15 budget. He said the budget was reviewed in depth at the April Work Session. He said Budget Committee met and received feedback that would be shared later that week. He said kindergarten enrollment was projected to be around 1,025 students for the 2014-15 school year. He said after reviewing enrollment projections he did not anticipate units to change drastically. He said the administration was currently in the process of finalizing general fund budget requests and would have a better idea of actual costs versus estimated budgets in the near future. He said the District anticipated receiving \$1.4 million in operational money from the state this year. He said another \$1 million would be allocated for specific programs like the restoration of the lottery funds for building maintenance. Ms. Gebhardt said there was a line item called ISEE Phase 2 and asked if the District would get funding from the state for ISEE. Mr. Smart said no and that he was unsure why they used

that name for the line item. He said the funding was actually to fund an IIS System like Schoolnet or Mileposts as long as the program could upload directly into ISEE. He said Mileposts did not upload directly to ISEE, however the District could use the funding to offset technology employee costs to the classroom and the District would use those savings to pay for Mileposts. Ms. Vagner said Mileposts managed RtI plans which was the program's main function. She said the company was expanding the program to do other things but was not an SIS system that could upload into ISEE. She said Schoolnet could not do what Mileposts did and was just a data repository. She said the law was written to provide Mileposts as an option but the law included language that the program had to be able to upload directly into ISEE which negated the original intent language. She said the legislature might have gotten confused when setting the rules. Ms. Gebhardt said she heard that the biggest complaint from Districts across the state was regarding the amount of time and effort that was spent on ISEE with no compensation. She said she had hoped the legislature was responding to the complaints and was disappointed to learn that was not the case. Mr. Smart said in addition to all of the time and effort was the fact that once Districts reported through ISEE the data ended up uploading incorrectly on the state's end. He said the state was calculating the District's free and reduced lunch data at a much lower number than it actually was. He said the state had the District upload its data again even though nothing had changed. He said it seemed like there were constantly issues with the state's data. Ms. Vagner said The Office of Performance Evaluation had been directed to investigate what has been going on with Schoolnet.

**e. EAP Report**

Mr. Smart said included in the packet was the Employee Assistance Program (EAP) Report from January, 2013 to December, 2013. He said the number of cases open was 109. He said 100 employees and 9 dependents were taking advantage of the program. He said it amounted to a 9.2% usage rate. He said the average number of cases per client was 2.5. He said a majority of the cases had to do with psychological and emotional concerns. He said it went to show the amount of stress that people were dealing with. He said the District started using the program one year ago and the cost of the program was money well spent.

**f. Wellness Dashboard Report**

Mr. Smart said included in the packet was the Wellness Dashboard Report for February. He said My Regence participation was at 97.3%. He said the participation levels more than met the requirements to get the 4% reduction on renewal rates. He said employees still had through July 31, 2014 to complete the program requirements. He said he anticipated the District would end up very close to the 4% renewal discount. He said the loss ratio for February was 75% which was very good. He said Lockton had been working with MyRegence on the District's renewal rate and anticipated a 2% increase overall. He said that was about half to two-thirds lower than other Districts across the state.

**g. Any Other Employee Services/Operational Support Update**

Mr. Smart had no further Employee Services updates at the time of the meeting.

**HUMAN RESOURCES – Information – Dr. Howell**

**a. Monthly Human Resources Report**

Dr. Howell said included in the addendum was an amended monthly Human Resources report. He said there were a couple of administrators retiring. He said Dr. Stevens and Mr. Cotant were retiring. He said the school was planning a 50 Year Celebration retirement party for Mr. Cotant on May 13<sup>th</sup>. He said he believed a majority of Mr. Cotant's time in education was in the Pocatello/Chubbuck School District #25. He said Principal Alessi and Mr. Devine were resigning. He said that left two big shoes to fill with an elementary principal and a secondary director. He said the Human Resources Department advertised across the nation using the IASA and Applitrack programs. He said the superintendent was in the process of reviewing applications. He said there were currently eleven retiring teachers for the month and eight resignations. He said also included on the report was a recommendation to pay stipends for the afterschool program STEM teachers. He said the after school teachers received one half of the stipend earlier in the year and the second half of the stipend was on the current report. He said so far there had been 27 retirements throughout the District. He said typically there were about 40 to 45 retirements in one year. He said the administration informed staff that the Board would hold a Special Meeting on May 13, 2014 to issue contracts and set pay. He said there were fifteen employees that were planning to resign. He said so far the numbers were on target based on previous years. He said the Board would be asked to approve the Human Resources Activity under the Consent Agenda.

**b. Any Other Human Resources/Operational Support Update**

Dr. Howell had no further Human Resources updates at the time of the meeting.

**SUPERINTENDENT REPORT – Information – Mrs. Vagner**

**a. Change in Posting Locations**

Ms. Vagner said the Board annually designated posting locations for Board Meeting agendas and notices. She said recently the Chubbuck City Offices changed its Friday business hours from closing at 5:00 p.m. to closing at 11:30 a.m. She said the change in office hours did not allow adequate time for posting to the Chubbuck City Offices on Friday. She said the Board would be asked to remove the Chubbuck City Offices from its designated posting locations until such a time that the Chubbuck City Offices restored its hours of operation under New Business.

**b. Athletic Training Services Agreement 2014-15**

Ms. Vagner said included in the packet was the Athletic Training Services Agreement for the 2014-15 school year. She said Dr. Joseph and Dr. Wathne had agreed to provide athletic training services again for the coming school year and planned to increase the number of professionals that would help to provide services. She said the District was extremely grateful for the services provided by the doctors and their staff. She said the Board would be asked to approve the agreement under New Business.

**c. Portneuf Medical Center (PMC) Donation Agreement 2014-15**

Ms. Vagner said included in the addendum was the Donation Agreement between Portneuf Medical Center and the Pocatello/Chubbuck School District No. 25 for the 2014-15 school year. She said the agreement continued PMC's support for the athletic training program and continued the contributions to the Education Foundation and increased the supply budget from \$10,000 to \$15,000. She said the hospital also agreed to monitor the budget should the supplies begin to exceed the set amount. She said the Education Foundation was in the process of submitting a grant to the Portneuf Health Care Foundation for athletic training equipment. She said the hospital would continue to offset the cost of the Holt Arena at \$20,000 and would also continue its Festival of Trees sponsorship at \$10,000. She said doctors from the hospital also donated their time to provide free physicals and to attend a majority of the sporting events. She said the District was very grateful for the continued relationship with the hospital. She said the Board would be asked to approve the Agreement under New Business.

**d. Proposed Fee Increases/Elimination of Fees for 2014-15**

Ms. Vagner said included in the packet was a memorandum regarding the school breakfast and lunch fee increases which were mandated by the federal government. She said also included was a memorandum regarding the proposal to eliminate the yearbook fee from the Board's adopted fee schedule at the recommendation of the high school principals. She said the yearbook fee was a purchase agreement between the student and the yearbook company. She said yearbook fees could vary depending on the number of pages in the book and how many were in color compared to black and white. She said not all of the high schools used the same year book company which affected pricing. Ms. Gebhardt asked if the New Horizon Center had a yearbook. Ms. Vagner said yes but it was fairly recent. She said the Board would be asked to consider adopting the proposed fee increases and elimination of fees following the Public Hearing on fees in June.

**e. Policy 8149 – Relationship Abuse and Sexual Assault Prevention and Response – 1<sup>st</sup> Reading**

Ms. Vagner said included in the packet was Policy 8149 – Relationship Abuse and Sexual Assault Prevention and Response. She said the policy was reviewed at the April 8, 2014 Work Session. She said the District was required to have a policy regarding this topic per state requirements. She said a Procedure was not drafted because the process was covered in other Policies. She said the Board would be asked to hear the policy on first reading under New Business.

**f. Jefferson Garden Club Tour**

Ms. Vagner said the Board and Superintendent had been invited to tour the Jefferson Elementary Gardens on May 6, 2014 at 11:45 a.m. She said invitations from the Garden Club students were at Board Places. She said Kathy Vitale would host the group on the tour and said she hoped the weather cooperated.

**g. Calendar**

Ms. Vagner said included in the packet was the calendar of the Board's Meeting Schedule inclusive of various Committees from April 14, 2014 through June 6, 2014. She said the graduation schedule was included and the senior breakfast, luncheon and dinner information would be provided to the Board.

#### **h. Any Other Superintendent's Update**

Ms. Vagner had no further Superintendent's update at the time of the meeting.

#### **PUBLIC COMMENT – Self Explanatory**

##### **a. Public Comment Pertinent to Agenda Action items**

Board Protocols for Public Comment will be followed at all Board Meetings. Patrons wishing to address the Board will fill out Form AD 2 – Request to Appear before the Board and present it to the Board Chair or Board Secretary prior to the meeting. Because of the diversity of issues, members of the Board may not respond to delegations. Instead, issues are recorded and referred to the proper staff member for follow-up. The Board is informed of these efforts by the staff member responding to concerns.

##### **Board Operating Principles #22 & 23:**

**22)** The Board will follow the chain of command referring others to present their issues, problems, or proposals to the person who can properly and expeditiously address the issues; **23)** Board members will refrain from communications which create conditions of bias should a problem or complaint become the subject matter of a hearing before the Board.

There was no public comment pertinent to agenda action items at the time of the meeting.

#### **CONSENT AGENDA – Self Explanatory – Action – Ms. Vagner**

##### **a. Topic: Approve Human Resource Activity**

**Policy Issue:** Board approves Human Resource Activity

**Background Information:** Included in the packet was documentation of the Human Resource Activity regarding certified employees since the March 18, 2014 Regular Board Meeting.

**Administrative Recommendation:** Administration recommended Board approve Human Resource Activity as presented.

##### **b. Topic: Authorize Payment of Claims**

**Policy Issue:** Board approves all Claims.

**Background Information:** Included in the packet were bills and invoices as of April 4, 2014 in the amount of \$940,838.70.

**Administrative Recommendation:** Administration recommended Board approve the bills and invoices as of April 4, 2014 in the amount of \$940,838.70.

##### **c. Topic: Approve Supplemental Financial Information from March 1, 2014 through March 31, 2014**

**Policy Issue:** Board acts on Financial Information.

**Background Information:** Included in the packet was supplemental financial information for the period of March 1, 2014 through March 31, 2014.

**Administrative Recommendation:** Administration recommended Board approve supplemental financial information from March 1, 2014 through March 31, 2014 as presented.

##### **d. Topic: Approve ISU Administrative Intern Request**

**Policy Issue:** Board approves placement of interns in various District schools.

**Background Information:** Included in the packet was a request from ISU to place an administrative intern at Jefferson Elementary, Irving Middle School and Pocatello High School for the spring trimester of the 2013-14 school year.

**Administrative Recommendation:** Administration recommended Board approve the ISU administrative intern request as presented.

**Board Direction/Action on Consent Agenda:** A motion was made by Mr. Vitale and seconded by Mr. Mattson to approve the Consent Agenda as presented. The voting was unanimous in the affirmative.

#### **OLD BUSINESS – Information – Action – Ms. Vagner**

##### **a. Topic: Approve Alternate Routes to Graduation**

**Policy Issue:** Board approves alternate routes to graduation.

**Background Information:** This item was previously discussed on the agenda.

**Administrative Recommendation:** Administration recommended Board approve the Alternate Route to Graduation requests as presented.

**Board Direction/Action:** A motion was made by Ms. Cranor and seconded by Mr. Mattson to approve the Alternate Routes to Graduation requests as presented. The voting was unanimous in the affirmative.

**b. Topic: *Hear on Second Reading for Adoption:***

Policy 8125 – Release Time

**Policy Issue:** Board adopts policy.

**Background Information:** This item was previously discussed on the agenda.

**Administrative Recommendation:** Administration recommended Board hear on second reading for adoption the above listed Policy as presented.

**Board Direction/Action:** A motion was made by Mr. Mattson and seconded by Ms. Cranor to hear on second reading for adoption the above listed Policy as presented. The voting was unanimous in the affirmative.

**c. Topic: *Approve Summer Camp Requests***

**Policy Issue:** Board approves summer camp requests.

**Background Information:** This item was previously discussed on the agenda.

**Administrative Recommendation:** Administration recommended Board approve the summer camp requests as presented.

**Board Direction/Action:** A motion was made by Mr. Vitale and seconded by Ms. Cranor to approve the summer camp requests as presented. The voting was unanimous in the affirmative.

**d. Topic: *Approve Out of District/Overnight Field Trip Requests***

**Policy Issue:** Board approves out of District/overnight field trip requests.

**Background Information:** This item was previously discussed on the agenda.

**Administrative Recommendation:** Administration recommended Board approve the Out of District/Overnight Field Trip requests as presented.

**Board Direction/Action:** A motion was made by Mr. Mattson and seconded by Mr. Vitale to approve the Out of District/Overnight Field Trip requests with the provision that the administration ensured there was an adequate number of chaperones provided for the choir trip. The voting was unanimous in the affirmative.

**e. Topic: *Award Bids:***

Asphalt

Boilers

Computers

Entry Doors

Hawthorne Middle School Remodel

Music Equipment

Network Switches and Accessories

Tennis Courts

UPS Equipment and Accessories

Vehicles – M&O

Vehicles – Warehouse

Window Infill and Replacement – Lincoln Center

**Policy Issue:** Board awards bids.

**Background Information:** This item was previously discussed on the agenda.

**Administrative Recommendation:** Administration recommended Board award the above listed bids as presented.

**Board Direction/Action:** A motion was made by Mr. Mattson and seconded by Mr. Vitale to award the above listed bids as presented. The voting was unanimous in the affirmative.

**f. Topic: *Adopt Resolution to Refinance the District's Bond***

**Policy Issue:** Board adopts Resolutions approving refinancing of District bonds.

**Background Information:** This item was previously discussed on the agenda.

**Administrative Recommendation:** Administration recommended Board adopt the Resolution to refinance the District's Bond as if read into the minutes.

**Board Direction/Action:** A motion was made by Ms. Cranor and seconded by Mr. Vitale to adopt:

A RESOLUTION OF THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 25, BANNOCK COUNTY, IDAHO, AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,275,000 FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING GENERAL OBLIGATION SCHOOL BONDS OF THE DISTRICT; MAKING FINDINGS AND COVENANTS; DESCRIBING THE REFUNDING BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE PRINCIPAL OF AND INTEREST ON THE REFUNDING BONDS; PROVIDING FOR THE DATE, TIME, AND PLACE OF SALE OF THE

REFUNDING BONDS; PROVIDING FOR THE USE OF THE PROCEEDS OF THE REFUNDING BONDS; ESTABLISHING COVENANTS CONCERNING MAINTENANCE OF THE TAX-EXEMPT STATUS OF THE INTEREST THEREON; ESTABLISHING AN ESCROW FUND AND PROVIDING FOR THE CALL AND REDEMPTION OF THE BONDS TO BE REFUNDED; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE

**WHEREAS**, School District No. 25, Bannock County, Idaho (the “District”), is a public school district created and operating under the laws of the State of Idaho; and

**WHEREAS**, the District now has outstanding its General Obligation School Bonds, Series 2004, in the initial aggregate principal amount of \$16,490,000 (the “Series 2004 Bonds”); and

**WHEREAS**, the District is authorized by Chapter 11, Title 33, and Section 57-504, Idaho Code, to issue its refunding bonds to refund outstanding bonds whenever its Board of Trustees (the “Board”) determines that a saving or other beneficial public objective can be achieved thereby, and to sell its refunding bonds at a public competitive sale; and

**WHEREAS**, the Board has determined that a portion of the Series 2004 Bonds (the “Refunded Bonds”) can be refunded with profit and advantage and with a present value debt service saving to the District and its taxpayers and has determined to issue the refunding bonds of the District for the purpose of refunding its outstanding Refunded Bonds; and

**WHEREAS**, the Board now desires to provide for the issuance and sale of the refunding general obligation bonds of the District in a principal amount not to exceed \$4,275,000 for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 25, Bannock County, Idaho, as follows:

Section 1: DEFINITIONS

As used in this Bond Resolution, unless the context shall otherwise require, the following terms shall have the following meanings:

Act means, collectively, Chapter 11 of Title 33 and Chapters 2, 5, and 9 of Title 57, Idaho Code, as amended.

Board means the Board of Trustees of the District.

Bond Fund means the Bond Fund established in Section 12 hereof.

Bond Counsel means Moore Smith Buxton & Turcke, Chartered, Boise, Idaho, or another attorney at law or a firm of attorneys of nationally recognized standing in matters pertaining to the tax-exempt status of interest on obligations issued by states and their political subdivisions.

Bond Registrar means Wells Fargo Bank National Association, as bond registrar, transfer agent, authenticating and paying agent for the Bonds, appointed and designated in Section 6 of this Bond Resolution.

Bond Resolution means this Resolution, adopted on April 15, 2014, authorizing the issuance and sale of the Bonds.

Bonds means the “School District No. 25 General Obligation Refunding Bonds, Series 2014,” herein authorized to be issued, sold, and delivered in a principal amount not to exceed \$4,275,000.

Book-Entry-Only System means the system of recordation of ownership of the Bonds on the books of DTC pursuant to Section 4 of this Bond Resolution.

Business Day means any day other than (i) a Saturday, Sunday, or legal holiday, or (ii) a day on which the Bond Registrar is authorized by law to close.

Cede means Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds pursuant to Section 4 hereof.

Certificated Bond(s) means a Bond or Bonds evidenced by a printed certificate in the event that the Book-Entry-Only System is discontinued.

Chairperson or Chairman means the chairperson of the Board of the District.

Code means the Internal Revenue Code of 1986, as amended.

Cost of Issuance Fund means the fund created by Section 12(A)(2) of this Bond Resolution for the payment of the costs of issuance of the Bonds as provided in Section 12(E) of this Bond Resolution.

District means School District No. 25, Bannock County, Idaho, a public school district of the State of Idaho.

DTC means The Depository Trust Company, New York, New York, and its successors and assigns.

Escrow Agent means Wells Fargo Bank, National Association, or such other agent as may be appointed by the District, under the Escrow Agreement.

Escrow Agreement means the Escrow Deposit Agreement between the District and the Escrow Agent, as authorized in Section 12(C) hereof.

Escrow Fund means the Escrow Fund established in the Escrow Agreement.

Exchange Bond means any Exchange Bond as defined in Section 7 hereof.

Financial Advisor means Zions Bank Public Finance, Salt Lake City, Utah, as financial advisor to the District.

Fiscal Year means the fiscal year of the District, commencing on July 1 of each year.

Interest Payment Date(s) means the payment date(s) set forth in Section 3(B) of this Bond Resolution.

Official Notice of Sale means the notice of sale of the Bonds.

Participants mean those broker-dealers, banks, and other financial institutions from time to time for which DTC holds Bonds as securities depository.

Principal Corporate Trust Office means the office of the Bond Registrar as may be specified by the Bond Registrar.

Record Date means in the case of each interest payment date, the Bond Registrar's close of business on the fifteenth day next preceding such interest payment date.

Refunded Bonds means the Series 2004 Bonds maturing on May 15, 2015 through May 15, 2016, inclusive, outstanding in the principal amount of \$4,275,000.

Registered Owner or Owner means the registered owner of any Bond as shown in the registration books of the District kept by the Bond Registrar for such purpose.

Regulations means the Treasury Regulations issued or proposed under Section 103, Section 148, Section 149, or Section 150 of the Code (26 CFR Part 2) or other sections of the Code relating to "arbitrage bonds" or rebate, including without limitation Sections 1.148-0 through 1.148-11 and 1.150-1 of the Treasury Regulations, to the extent applicable, and includes amendments thereto or successor provisions.

Representation Letter means the representation letter from the District to DTC, as authorized in Section 4 hereof.

Secretary means the secretary of the District.

Series 2004 Bonds means the General Obligation Refunding Bonds, Series 2004, of the District, dated August 5, 2004, issued in the initial aggregate principal amount of \$16,490,000.

Treasurer means the treasurer of the District.

Written Certificate means an instrument in writing on behalf of the District executed by an authorized officer of the District.

## Section 2: FINDINGS

The Board hereby finds, determines, and declares:

- A. That the District's Refunded Bonds can be refunded at a substantial present-value saving to the District and its taxpayers.
- B. That it is desirable and necessary for the benefit of the District and its taxpayers to refund the District's Refunded Bonds for the purpose of achieving a saving and other beneficial public objectives, by the issuance of the Bonds.

## Section 3: THE BONDS

- A. Authorization. Fully registered general obligation bonds of the District, designated "School District No. 25 General Obligation Refunding Bonds, Series 2014" (the "Bonds"), in the aggregate principal amount not to exceed \$4,275,000 are hereby authorized to be issued, sold, and delivered pursuant to the Act. The Bonds shall be issued in fully registered form only, without coupons.
- B. Description of the Bonds. The Bonds shall be issued in accordance with the Book-Entry-Only System described in this Section 4, shall be dated as of their date of delivery, shall be substantially in the form of Exhibit "A" which is annexed hereto, shall be issued in fully registered form in denominations of \$5,000 each or integral multiples thereof, not exceeding the total amount of Bonds maturing in a single maturity (provided that no Bond shall represent more than one maturity), shall be payable semiannually until their respective dates of maturity or prior redemption.

Interest shall be computed on the basis of a twelve-month, 360-day year.

The Bonds shall be numbered separately from One (1) upwards in order of issuance with the prefix "R" preceding each number.

After execution, as hereinafter provided, the Bonds shall be authenticated by the Bond Registrar in the manner hereinafter provided.

- C. INTEREST ON BONDS. The Bonds shall bear interest from their date at a net effective rate of not to exceed 5.00% per annum or at any lower net effective rate as shall be stated in the successful bid proposal for the Bonds, which interest shall be payable semiannually until their respective dates of maturity. Bidders must specify the rate, or rates, of interest which Bonds herein offered for sale shall bear. Bidders must comply with the requirements set forth in the Official Notice of Sale which is annexed hereto.
- D. PAYMENT OF BONDS. Both the principal of and interest on the Bonds shall be payable in lawful money of the United States of America to the registered owners thereof whose names and addresses shall appear on the registration records of the District (the "Bond Register"), maintained by the Bond Registrar.

Principal of each Bond shall be paid to the registered owner thereof, upon presentation and surrender of such Bond by the registered owner at the principal corporate trust office of the Bond Registrar, on or after the date of maturity or prior redemption.

Payment of each installment of interest shall be made to the registered owner whose name appears on the Bond Register on the Record Date next preceding the interest payment date, and shall be paid by check or

draft of the Bond Registrar mailed to such registered owner on the due date at the address appearing on the Bond Register, or at such other address as may be furnished in writing by such registered owner to the Bond Registrar.

#### Section 4: THE BOOK-ENTRY-ONLY SYSTEM

- A. Book-Entry-Only System; Limited Obligation of District. The Bonds shall be initially issued in the form of a separate single fully registered Bond substantially in the form of Exhibit "A" which is annexed hereto and incorporated herein by reference for each of the maturities set forth in Section 3 hereof. Each such Bond shall be manually executed by the Chairperson and manually countersigned by the Secretary, and the corporate seal of the District shall be impressed thereon. Each Bond shall also be manually authenticated by the Bond Registrar. Upon initial issuance, the ownership of each Bond shall be registered in the registration books kept by the Bond Registrar in the name of Cede, as nominee of DTC. Except as provided in Paragraph 4(C) hereof, all of the outstanding Bonds shall be registered in the registration books kept by the Bond Registrar in the name of Cede, as nominee of DTC.

With respect to Bonds registered in the registration books kept by the Bond Registrar in the name of Cede, as nominee of DTC, the District and the Bond Registrar shall have no responsibility or obligation to any Participant or to any person on behalf of which a Participant holds an interest in the Bonds with respect to (i) the accuracy of the records of DTC, Cede or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person, other than a Registered Owner, as shown in the registration books kept by the Bond Registrar, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a Registered Owner, as shown in the registration books kept by the Bond Registrar, of any amount with respect to principal of or interest on the Bonds. The District and the Bond Registrar may treat and consider the person in whose name each Bond is registered in the registration books kept by the Bond Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, and for all other purposes whatsoever. The Bond Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the respective Registered Owners, as shown in the registration books kept by the Bond Registrar, or their respective attorneys duly authorized in writing, as provided in Section 6 hereof, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to payment of principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than a Registered Owner, as shown in the registration books kept by the Bond Registrar, shall receive a Bond certificate evidencing the obligation of the District to make payments of principal and interest pursuant to this Bond Resolution. Upon delivery by DTC to the District of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede, and subject to the provisions herein with respect to Record Dates, the word "Cede" in this Bond Resolution shall refer to such new nominee of DTC; and upon receipt of such a notice the District shall promptly deliver a copy of the same to the Bond Registrar.

- B. Representation Letter. The Representation Letter in substantially the form annexed hereto as Exhibit "B" and by reference incorporated herein is hereby approved for use in connection with the Bonds. The District's execution and delivery of the Representation Letter shall not in any way limit the provisions of Paragraph A of this Section 4 or in any other way impose upon the District any obligation whatsoever with respect to persons having interests in the Bonds other than the Registered Owners, as shown on the registration books kept by the Bond Registrar. In the written acceptance of each Bond Registrar referred to in Section 6 hereof, such Bond Registrar shall agree to take all action necessary for all representations of the District in the Representation Letter with respect to the Bond Registrar to at all times be complied with.
- C. Transfers Outside Book-Entry-Only System. In the event that (a) the District determines that DTC is incapable of discharging or is unwilling to discharge its responsibilities described herein and in the Representation Letter, (b) DTC determines to discontinue providing its service as securities depository with respect to the Bonds at any time as provided in the Representation Letter, or (c) the District determines that it is in the best interests of the beneficial owners of the Bonds that they be able to obtain Certificated Bonds or in certificated form, and an alternative book-entry system is not available or is not selected as provided in the succeeding sentence, the District shall notify DTC and direct DTC to notify the Participants of the availability through DTC of Bond certificates, and the Bonds shall no longer be restricted to being registered in the registration books kept by the Bond Registrar in the name of Cede, as

nominee of DTC. At that time, the District may determine that the Bonds and shall be registered in the name of and deposited with such other depository operating a universal book-entry system, as may be acceptable to the District, or such depository's agent or designee, and if the District does not select such alternate universal book-entry system, then the Bonds and shall no longer be restricted to being registered in the registration books kept by the Bond Registrar in the name of Cede, as nominee of DTC, but may be registered in whatever name or names Registered Owners transferring or exchanging Bonds and shall designate, in accordance with the provisions of Section 7 hereof.

- D. Payments to Cede. Notwithstanding any other provision of this Bond Resolution to the contrary, so long as any Bond is registered in the name of Cede, as nominee of DTC, all payments with respect to principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the Representation Letter.

#### Section 5: EXECUTION OF CERTIFICATED BONDS

In the event that the Book-Entry-Only System is discontinued with respect to the Bonds, the District shall cause Certificated Bonds in certificated form to be prepared, executed, authenticated, and delivered. The Certificated Bonds shall be substantially in the form set forth as Exhibit "C" annexed hereto and by reference made a part hereof. The Certificated Bonds shall be numbered separately in the manner and with such additional designation as the Bond Registrar shall deem necessary for purposes of identification.

Certificated Bonds shall be executed on behalf of the District by the Chairperson and countersigned by the Secretary (the signatures of said Chairperson and Secretary being either manual or by facsimile) and the corporate seal of the District shall be impressed thereon or the facsimile of the corporate seal of the District shall be printed thereon. The said officials and each of them are hereby authorized and instructed to execute the Certificated Bonds in certificated form accordingly, and the use of such facsimile signatures of said Chairperson and Secretary and such facsimile of the seal of the District on the Certificated Bonds are hereby authorized, approved, and adopted as the authorized and authentic execution, countersigning, and sealing of the Certificated Bonds by said officials. The Certificated Bonds shall then be delivered to the Bond Registrar for manual authentication. Only such of the Certificated Bonds shall bear thereon a certificate of authentication, manually executed by the Bond Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this Bond Resolution, and such certificate of the Bond Registrar shall be conclusive evidence that the Certificated Bonds so authenticated have been duly authenticated and delivered under, and are entitled to the benefits of, this Bond Resolution and that the Registered Owner thereof is entitled to the benefits of this Bond Resolution. The certificate of authentication of the Bond Registrar on any Certificated Bond shall be deemed to have been executed by it if (a) such Certificated Bond is signed by an authorized officer of the Bond Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Certificated Bonds issued hereunder or that all of the Certificated Bonds hereunder be authenticated by the same Bond Registrar, and (b) the date of registration and authentication of the Certificated Bond is inserted in the place provided therefor on the certificate of authentication.

The Chairperson and Secretary are authorized to execute, countersign, and seal from time to time, in the manner described above, Certificated Bonds (the "Exchange Bonds") to be issued and delivered for the purpose of effecting transfers and exchanges of Bonds pursuant to Section 7 hereof. At the time of the execution, countersigning, and sealing of the Exchange Bonds by the District, the payee, maturity, or due date, as applicable, and interest rate, if applicable, shall be in blank. All Exchange Bonds shall be in the denomination of \$5,000 or integral multiples thereof. Upon any transfer or exchange of Bonds pursuant to Section 7 hereof, the Bond Registrar shall cause to be inserted in appropriate Exchange Bonds the appropriate payee, maturity, or due date, as applicable, and interest rate. The Bond Registrar is hereby authorized and directed to hold the Exchange Bonds, and to complete, authenticate, and deliver the Exchange Bonds, for the purpose of effecting transfers and exchanges of Certificated Bonds; provided that any Exchange Bonds authenticated and delivered by the Bond Registrar shall bear the same series, maturity, or due date, as applicable, and interest rate as Bonds delivered to the Bond Registrar for exchange or transfer, and shall bear the name of such payee as the Registered Owner requesting an exchange or transfer shall designate; and provided further that upon the delivery of any Exchange Bonds by the Bond Registrar a like principal amount, if applicable, of Certificated Bonds submitted for transfer or exchange, and of like series and having like maturities and interest rates, if applicable, shall be canceled. The execution, countersigning, and sealing by the District and delivery to the Bond Registrar of any Exchange Bond shall constitute full and due

authorization of such Certificated Bond containing such payee, maturity, or due date, as applicable, and interest rate, if applicable, as the Bond Registrar shall cause to be inserted, and the Bond Registrar shall thereby be authorized to authenticate and deliver such Exchange Bond in accordance with the provisions hereof.

In case any officer whose signature or a facsimile of whose signature shall appear on any Bond (including any Exchange Bond) shall cease to be such officer before the issuance or deliver of such Bond, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until such issuance of delivery, respectively.

#### Section 6: BOND REGISTRAR

Wells Fargo Bank National Association is hereby appointed the Bond Registrar for the Bonds. The District may remove the Bond Registrar, and any successor thereto, and appoint a successor or successors thereto. Each Bond Registrar shall signify its acceptance of the duties and obligations imposed upon it by the Bond Resolution by executing and delivering to the District a written acceptance thereof. The principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which, at the respective dates of payment thereof, is legal tender for the payment of public and private debts. Principal of the Bonds shall be payable when due to the Registered Owner of each Bond at the principal corporate trust office of the Bond Registrar. Payment of interest on each Bond shall be made to the person who, as of the Record Date, is the Registered Owner of the Bond and shall be made by check or draft mailed to the Registered Owner, at the address of such Registered Owner as it appears on the registration books of the District kept by the Bond Registrar, or at such other address as is furnished to the Bond Registrar in writing by such Registered Owner on or prior to the Record Date.

#### Section 7: TRANSFER AND EXCHANGE OF BONDS

##### A. Transfer of Bonds.

- (1) Any Bond may, in accordance with its terms, be transferred, upon the registration books kept by the Bond Registrar pursuant to Paragraph C of this Section 7, by the Registered Owner, in person or by his duly authorized attorney, upon surrender of such Bond for cancellation, accompanied by delivery of a written instrument of transfer in a form approved by the Bond Registrar, duly executed. No transfer shall be effective until entered on the registration books kept by the Bond Registrar. The District and the Bond Registrar may treat and consider the Registered Owner as the absolute owner thereof for the purpose of receiving payment of, or on account of, the principal, if any, or redemption price thereof and interest due thereon and for all other purposes whatsoever.
- (2) Whenever any Bond shall be surrendered for transfer, the Bond Registrar shall authenticate and deliver a new fully registered Bond (which may be an Exchange Bond pursuant to Paragraph B of this Section 7) of the same series, designation, maturity, or due date, as applicable, and interest rate and of authorized denominations duly executed by the District, for a like aggregate principal amount or interest amount, as applicable. The Bond Registrar shall require the payment by the Registered Owner requesting such transfer of any tax or other governmental charge required to be paid with respect to such transfer. With respect to each Bond, no such transfer shall be required to be made after the Record Date with respect to any Interest Payment Date to and including such Interest Payment Date. If Exchange Bonds are prepared in connection with transfers outside the book-entry registration system as provided in Section 4(C), the foregoing provisions of this Section 7 shall apply to such transfers or exchanges.

##### B. Exchange of Bonds. Bonds may be exchanged at the principal corporate trust office of the Bond Registrar for a like aggregate principal amount of fully registered Bonds (which may be an Exchange Bond) of the same series, designation, maturity, or due date, as applicable, and interest rate of other authorized denominations or amounts, as applicable. The Bond Registrar shall require the payment by the Registered Owner requesting such exchange of any tax or other governmental charge required to be paid with respect to such exchange. With respect to each Bond, no such exchange shall be required to be made after the Record Date with respect to any Interest Payment Date to and including such interest payment date.

##### C. Bond Registration Books. This Bond Resolution shall constitute a system of registration within the meaning and for all purposes of the Registered Public Obligations Act of Idaho, Chapter 9 of Title 57,

Idaho Code. The Bond Registrar shall keep or cause to be kept, at its principal corporate trust office, sufficient books for the registration and transfer of the Bonds, which shall at all times be open to inspection by the District; and, upon presentation for such purpose, the Bond Registrar shall, under such reasonable regulations as it may prescribe, register or transfer or cause to be registered or transferred, on said books, Bonds as herein provided.

- D. List of Registered Owners. The Bond Registrar shall maintain a list of the names and addresses of the Registered Owners of all Bonds and upon any transfer shall add the name and address of the new Registered Owners and eliminate the name and address of the transferor Registered Owner.
- E. Duties of Bond Registrar. If requested by the Bond Registrar, the Chairperson and Secretary are authorized to execute the Bond Registrar's standard form of agreement between the District and the Bond Registrar with respect to the compensation, obligations, and duties of the Bond Registrar hereunder which may include the following:
- (1) to act as bond registrar, authenticating agent, paying agent, and transfer agent as provided herein;
  - (2) to maintain a list of Registered Owners as set forth herein and to furnish such list to the District upon request, but otherwise to keep such list confidential;
  - (3) to give notice of redemption of Bonds as provided herein;
  - (4) to cancel and/or destroy Bonds which have been paid at maturity or upon earlier redemption or submitted for exchange or transfer;
  - (5) to furnish the District at least annually, if requested, an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds; and
  - (6) to comply with all applicable provisions of the Representation Letter, as called for in Section 4(B) hereof.

#### Section 8: NO REDEMPTION PRIOR TO MATURITY

The Bonds are not subject to redemption prior to their stated dates of maturity.

#### Section 9: DEFEASANCE OF THE BONDS

In the event that money and/or government obligations, maturing or having guaranteed redemption prices at the option of the owner at such time or times and bearing interest to be earned thereon in such amounts as are sufficient (together with any resulting cash balances) to redeem and retire part or all of the Bonds in accordance with its terms, are hereafter irrevocably set aside in a special account and pledged to effect such redemption and retirement, then no further payments need be made into the Bond Fund for the payment of the principal of and interest on the Bonds so provided for, and the Bonds and interest accrued thereon shall then cease to be entitled to any lien, benefit, or security of this Bond Resolution, except the right to receive the funds so set aside and pledged, and the Bonds and interest accrued thereon shall no longer be deemed to be outstanding hereunder.

#### Section 10: DATE OF SALE

None of the Bonds shall be sold at less than par and accrued interest, if any, to their date of delivery. The Bonds shall be sold at public sale on May 13, 2014 or such other date as the Board may determine. The District shall meet at 6:00 o'clock P.M. or as determined by the Board, on said date, at the regular meeting place of the District, in Dubois, Idaho, for the purpose of receiving electronic bids for the purchase of the Bonds. The bids will be publicly examined and declared at such time and place, and considered at the meeting of the District on said date. At said meeting, or no later than 24 hours after the expiration of the time specified in the Official Notice of Sale for the receipt of bids, unless such time of award is waived by the successful bidder, the Board shall accept the bid providing the lowest true interest cost to the District. Said sale shall be held, and notice thereof given, in accordance with Title 33, Chapter 11, Idaho Code. The successful bidder for the Bonds shall deliver a good faith deposit by federal funds wire transfer to the District as set forth in the Official Notice of Sale.

#### Section 11: NOTICE OF SALE AND SALE OF THE BONDS

The Secretary is hereby directed to execute a Notice of Sale on behalf of the District, and to call for bids for the sale of the Bonds, such bids to be received on May 13, 2014, or such other date as the Board may

determine, all in the manner more particularly set forth in the Notice of Sale. The District's Financial Advisor is authorized and directed to cause the Official Notice of Sale and a Preliminary Official Statement pertaining to the sale of the Bonds, upon prior approval of the District, to be distributed to such municipal bond broker-dealers, such banking institutions, and to such other persons as may be interested in purchasing the Bonds herein offered for sale.

The use of the Preliminary Official Statement by the Financial Advisor, and the actions of the District, including the certification by the Chairperson as to the "deemed finality" of the Preliminary Official Statement pursuant to SEC Rule 15c2-12 in connection with the offering of the Bonds, are hereby acknowledged, approved, and ratified.

The final Official Statement of the District for the sale of the Bonds, in substantially the form presented at this meeting, with such changes, omissions, insertions, and revisions as the Chairperson shall approve, is hereby authorized, and the Chairperson shall sign such final Official Statement and deliver such final Official Statement to the Financial Advisor for distribution to purchasers of the Bonds and other interested persons, which signature shall evidence such approval.

The Official Notice of Sale substantially in the form attached hereto as Exhibit "F" is hereby approved for use in conjunction with the Preliminary Official Statement and the Final Official Statement.

## Section 12: FUNDS AND ACCOUNTS

A. Establishment of Accounts and Funds. The following accounts and funds on the accounting records of the District are hereby created with respect to the Bonds:

- (1) Bond Fund, to be held by the District.
- (2) Cost of Issuance Fund, to be held by the Escrow Agent.
- (3) Escrow Fund, to be held by the Escrow Agent.

B. Delivery of Bonds; Application of Proceeds. The Treasurer is hereby instructed to make delivery of the Bonds to the purchaser and to receive payment therefor in accordance with the terms of this Bond Resolution and deposit the proceeds of sale as follows:

- (1) A portion of the proceeds of sale of the Bonds shall be deposited in the Cost of Issuance Fund to be used as described in Section 12(E).
- (2) Accrued interest on the Bonds from their date to their date of delivery, if any, shall be deposited into the Bond Fund.
- (3) The remaining proceeds of sale of the Bonds shall be deposited into the Escrow Fund to be used as described in Sections 12(C) and 12(D).

C. Approval of Escrow Agreement; Deposits into Escrow Fund.

- (1) The Escrow Agreement, in substantially the form set forth in Exhibit "D" which is annexed hereto and by reference incorporated herein, with such changes, omissions, insertions, and revisions as the Chairperson shall approve, is hereby authorized, and the Chairperson and Secretary shall sign such Escrow Agreement, which signature shall evidence such approval. The Chairperson and the Secretary are, and each of them is, hereby authorized to do or perform all such acts as may be necessary or advisable to comply with the Escrow Agreement and to carry the same into effect.
- (2) The portion of the proceeds of the sale of the Bonds specified in Section 12(B)(3) hereof, together with other funds of the District as shall be specified in a Written Certificate to be filed with the Escrow Agent at the time of the delivery of the Bonds, shall, simultaneously with the delivery of the Bonds be invested or reinvested as contemplated in the Act (except for any amount to be retained as cash) and the obligations in which such moneys are so invested and any remaining cash shall be deposited in trust with the Escrow Agent in accordance with the provisions of the Escrow Agreement.

D. Redemption of Refunded Bonds; Pledge, Etc. of Escrow Fund.

- (1) The Refunded Bonds maturing after May 15, 2014, are hereby irrevocably called for redemption on August 15, 2014. Notice of such redemption shall be given as provided in the resolution authorizing the Series 2004 Bonds and in accordance with the Act. The Refunded Bonds are being redeemed at a redemption price of par plus accrued interest to the date of redemption.
- (2) Moneys in the Escrow Fund shall be utilized exclusively for the purposes of (i) paying the interest on the Refunded Bonds on each interest payment date of the Refunded Bonds through and including

- August 15, 2014; and (ii) on August 15, 2014, paying and redeeming the principal of the Refunded Bonds; and the Escrow Fund is hereby irrevocably pledged to such purposes.
- (3) Moneys in the Escrow Fund shall be invested, until needed for the purposes of the Escrow Fund, in cash and Government Obligations, as permitted in the Escrow Agreement. It is hereby found and determined by the District, pursuant to Section 57-504, Idaho Code, that moneys in the Escrow Fund, together with other funds of the District pledged to the payment of the Refunded Bonds, will be sufficient to pay, when due, pursuant to stated maturity or call for redemption, the principal of and interest due and to become due on the Refunded Bonds, and provision has been made in the Escrow Fund for the refunding of the Refunded Bonds.
  - (4) Any moneys remaining in the Escrow Fund and not needed for refunding of the Refunded Bonds shall be applied to pay any costs of issuance of the Bonds that remain unpaid, if any, and any moneys remaining thereafter may be used by the District for any lawful purpose.
  - (5) It is hereby found and determined that, upon compliance by the District and the Escrow Agent with the foregoing provisions of this Section 12(D), adequate provision shall have been made for the payment of the principal amount of the Refunded Bonds.
- E. Cost of Issuance Fund. There is hereby established in the hands of the Escrow Agent a separate account designated as the "Cost of Issuance Fund." At the time of the delivery of the Bonds the Escrow Agent shall deposit into the Cost of Issuance Fund such amount as shall be required to pay the reasonable and necessary costs of issuance of the Bonds as directed by the Written Certificate of the District. Moneys in the Cost of Issuance Fund shall be used for the payment of costs of issuance of the Bonds. Any moneys remaining in the Cost of Issuance Fund on the date of the full and final payment of all costs of issuance of the Bonds shall be transferred into the Bond Fund.
- F. Bond Fund. The proceeds of taxes levied without limitation as to rate or amount to pay the principal of and interest on the Bonds, as set forth in Section 13 of this Resolution, shall be kept by the Treasurer of the District in a special fund, which is hereby created, separate and apart from all other funds of the District which is hereby designated the "General Obligation Refunding Bonds, Series 2014, Bond Fund" (the "Bond Fund") or such other designation as shall conform to banking requirements and good accounting practices, which Bond Fund shall be used for no other purpose than the payment of the principal of and interest on the Bonds as the same fall due. Monies sufficient to make each payment of interest, or principal and interest, as the same falls due, commencing with the payment due on August 15, 2014, shall be transferred by the Treasurer to the Bond Registrar not less than fifteen days prior to each Interest Payment Date. Monies in the Bond Fund may be invested in lawful investments until needed for the purposes of the Bond Fund, and all investment earnings shall accrue to and be used solely for the purposes of the Bond Fund. The Bond Fund shall be maintained by the Treasurer until the principal of and interest on the Bonds has been paid in full.

### Section 13: COVENANTS AND UNDERTAKINGS

- A. Levy of Taxes. In accordance with the provisions of Sections 33-802 and 57-222, Idaho Code, as amended, there shall be levied on all taxable property in the District, in addition to all other taxes, a direct annual ad valorem tax in an amount sufficient to pay the principal of and interest on the Series 2014 Bonds maturing through August 15\_\_\_\_, 2014, and (2) to meet the payment of the principal of and interest on the Bonds as the same mature, and to constitute a sinking fund for the payment of the principal thereof.

Said taxes in each of said years shall be levied, assessed, certified, extended, and collected by the proper officers and at the times, all as fixed by law, and as other taxes are levied, assessed, certified, extended, and collected in, for and by the District and by the same officers thereof and are hereby appropriated for the purpose of paying any of the Bonds until the Bonds shall be fully paid.

Principal of or interest on the Bonds falling due at any time when the proceeds of said tax levy may not be available shall be paid from other funds of the District and shall be reimbursed from the proceeds of said taxes when said taxes shall have been collected. Said taxes in each of the several years shall be and are hereby certified to the Boards of County Commissioners of Bannock County as being taxes necessary to be levied on all of the taxable property in the District for the purpose of paying the principal of and the interest on the Bonds as the same become due. Said taxes when collected shall be placed in the Bond Fund and shall be used for no other purpose than for the payment of the principal of and the interest on

the Bonds as the same become due, so long as any of the Bonds remain outstanding and unpaid, but nothing herein contained shall be construed to prevent the District from paying the interest on or the principal of the Bonds from any other funds in its hands and available for that purpose, or to prevent the District from levying any further or additional taxes which may be necessary to fully pay the interest on or the principal of the Bonds.

The full faith and credit and all taxable property in the District are hereby pledged for the prompt payment of the principal of and the interest on the Bonds as the same become due and the tax levies to that end herein provided shall be in full force and effect, and forever remain so until the indebtedness hereby incurred, principal and interest, shall have been fully paid, satisfied and discharged, except as hereinbefore provided, and any collection fees or charges made in connection with the payment of the Bonds and interest thereon are to be paid by the District.

B. Arbitrage Covenant; Covenant to Maintain Tax Exemption.

- (1) The Treasurer of the District and other appropriate officials of the District are each hereby authorized and directed to execute from time to time such Tax Certificates as shall be necessary to establish that the Bonds are not “arbitrage bonds” within the meaning of Section 148 of the Code and the Regulations and to establish that interest on the Bonds is not and will not become subject to taxation under the Code and applicable regulations. The District covenants and certifies to and for the benefit of the Registered Owners that no use will be made of the proceeds of the issue and sale of the Bonds, or any funds or accounts of the District which may be deemed to be proceeds of the Bonds, pursuant to Section 148 of the Code and the Regulations which use, if it had been reasonably expected on the date of issuance of the Bonds, would have caused the Bonds to be classified as “arbitrage bonds” within the meaning of Section 148 of the Code. Pursuant to this covenant, the District obligates itself to comply throughout the term of the Bonds with the requirements of Section 148 of the Code and the regulations proposed or promulgated thereunder.
- (2) The District further covenants and agrees to and for the benefit of the Registered Owners that the District (i) will not take any action that would cause interest on the bonds to be or to become ineligible for the exclusion from gross income of the Registered Owners as provided in Section 103 of the Code, (ii) will not omit to take or cause to be taken, in timely manner, any action, which omission would cause interest on the Bonds to be or to become ineligible for the exclusion from gross income of the Registered Owners as provided in Section 103 of the Code and (iii) without limiting the generality of the foregoing, (a) will not take any action which would cause the Bonds, or any Bond, to be a “private activity bond” within the meaning of Section 141 of the Code or to fail to meet any applicable requirement of Section 149 of the Code and (b) will not omit to take or cause to be taken, in timely manner, any action, which omission would cause the Bonds, or any Bond, to be a “private activity bond” or to fail to meet any applicable requirement of Section 149 of the Code. The Chairperson, Secretary, and Treasurer of the District and other appropriate officials of the District are each hereby authorized and directed to execute from time to time such Tax Certificates as shall be necessary to establish that the Bonds are not and will not become “private activity bonds,” that all applicable requirements of Section 149 of the Code are and will be met, and that the covenants of the District contained in this Section 11 will be complied with.
- (3) The District covenants and certifies to and for the benefit of the Registered Owners that: (i) the District will at all times comply with the provisions of any Tax Certificate and (ii) no bonds or other evidences of indebtedness of the District have been or will be sold within a period beginning 31 days prior to the sale of the Bonds and ending 31 days following the date of sale of the Bonds and (iii) that no bonds or other evidences of indebtedness of the District have been or will be issued or delivered within a period beginning 31 days prior to the issuance and delivery of the Bonds and ending 31 days following the date of delivery of and payment for the Bonds.
- (4) A Tax Certificate, in the form acceptable to Bond Counsel is hereby authorized and approved to be delivered in connection with the initial delivery of the Bonds. The Chairperson, Secretary, or Treasurer of the District, or their duly authorized deputies, are hereby authorized to execute such Tax Certificate. Approval of said Tax Certificate by said Chairperson, Secretary, or Treasurer shall be conclusively established by their execution of the Tax Certificate in its final form.

The District hereby covenants to adopt, make, execute, and enter into (and to take such actions, if any, as may be necessary to enable it to do so) any resolution or Tax Certificate necessary to comply

with any changes in Regulations in order to preserve the exclusion of interest on the Bonds from gross income of the Registered Owners thereof for purposes of the federal income tax to the extent that it may lawfully do so. The District further covenants to (a) impose such limitations on the investment or use of moneys or investment related to the Bonds, (b) make such payments to the United States Treasury, (c) maintain such records, (d) perform such calculations and (e) perform such other acts as may be necessary to preserve the exclusion of interest on the Bonds from gross income of the Registered Owners thereof for purposes of the federal income tax and which it may lawfully do.

The District hereby covenants that it will take all steps to comply with the requirements of the Code to the extent necessary to maintain the exclusion of interest on the Bonds from gross income and alternative minimum taxable income (except to the extent of certain adjustments applicable to corporations) under present federal income tax laws.

Pursuant to these covenants, the District obligates itself to comply throughout the term of the issue of the Bonds with the requirements of Section 103 of the Code and the Regulations.

- C. Bonds in Registered Form. The District recognizes that Section 149(a) of the Code requires the Bonds to be issued and to remain in fully registered form in order that interest thereon is exempt from federal income taxation under laws in force at the time the Bonds are delivered. In this connection, the District agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer form.
- D. Continuing Disclosure. The District will comply with the requirements of Rule 15c2-12(a)(5) of the U.S. Securities and Exchange Commission with respect to the continuing disclosure of financial information and operating data and of certain material events with respect to the Bonds, as more fully set forth in the Information Reporting Agreement which is annexed hereto as Exhibit "E." The Corporate Trust Department of Zion's First National Bank is hereby designated as agent of the District for purposes of Rule 15c2-12(a)(5).
- E. Bond Levy Subsidy. The District covenants to apply for and take all reasonable and necessary actions to become eligible, and to continue to be eligible, to receive payments from the State of Idaho under Sections 33-906 and 33-906A, Idaho Code, or any successor provision, to the extent, if any, that the District is eligible for such subsidy for the Bonds.
- F. Idaho State Bond Guaranty. Payment of the principal of and interest on the Bonds, including Mandatory Redemption Amounts, if any, is guaranteed by the State of Idaho pursuant to the provisions of the Idaho School Bond Guaranty Act, Title 33, Chapter 53, Idaho Code (the "Guaranty Program"), and the Credit Enhancement Program established pursuant to Section 57-728, Idaho Code (the "Credit Enhancement Program"). The District covenants to comply with all applicable provisions of the Guaranty Program and the Credit Enhancement Program.

#### Section 14: FURTHER AUTHORITY

The Chairperson or the Vice Chairperson, the Secretary and Treasurer, and other officers of the District are, and each of them is, hereby authorized to do or perform all such acts and to execute all such certificates, documents, and other instruments as may be necessary or advisable to provide for the issuance, sale, and delivery of the Bonds and the fulfillment of the covenants and obligations of the District contained herein and therein.

#### Section 15: MISCELLANEOUS

- A. Ratification. All proceedings, resolutions, and actions of the Board, the District, and their officers, agents, and employees taken in connection with the authorization, sale, and issuance of the Bonds are hereby in all respects ratified, confirmed, and approved.
- B. Severability. It is hereby declared that all parts of this Bond Resolution are severable, and if any section, paragraph, clause, or provision of this Bond Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause, or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Bond Resolution.

- C. Conflict. All resolutions, orders, and regulations or parts thereof heretofore adopted or passed which are in conflict with any of the provisions of this Bond Resolution are, to the extent of such conflict, hereby repealed.
- D. Captions. The table of contents and captions or headings herein are for convenience of reference only and in no way define, limit, or describe the scope or intent of any provisions or sections of this Bond Resolution.
- E. Effective Date. This Bond Resolution shall take effect immediately upon its passage and approval.

The voting was unanimous in the affirmative.

**NEW BUSINESS – Information – Action – Ms. Vagner**

- a. **Topic: *Grant Permission to Operate the Summer Lunch Program***  
**Policy Issue:** Board grants permission to operate the summer lunch program.  
**Background Information:** This item was previously discussed on the agenda.  
**Administrative Recommendation:** Administration recommended Board grant permission to operate the Summer Lunch Program as presented.  
**Board Direction/Action:** A motion was made by Ms. Cranor and seconded by Mr. Mattson to grant permission to operate the Summer Lunch Program as presented. The voting was unanimous in the affirmative.
- b. **Topic: *Remove Chubbuck City Offices from the Designated Posting Locations Until Such Time as the Chubbuck City Offices Restores its Office Hours***  
**Policy Issue:** Board authorizes changes to designated posting locations.  
**Background Information:** This item was previously discussed on the agenda.  
**Administrative Recommendation:** Administration recommended Board remove the Chubbuck City Offices from the designated posting locations until such time as the Chubbuck City Offices restores its office hours as presented.  
**Board Direction/Action:** A motion was made by Mr. Vitale and seconded by Ms. Cranor to remove the Chubbuck City Offices from the designated posting locations until such time as the Chubbuck City Offices restores its office hours as presented. The voting was unanimous in the affirmative.
- c. **Topic: *Approve the Athletic Training Services Agreement for 2014-15***  
**Policy Issue:** Board approves agreements.  
**Background Information:** This item was previously discussed on the agenda.  
**Administrative Recommendation:** Administration recommended Board approve the Athletic Training Services Agreement for 2014-15 as presented.  
**Board Direction/Action:** A motion was made by Mr. Mattson and seconded by Mr. Vitale to approve the Athletic Training Services Agreement for 2014-15 as presented. Ms. Cranor expressed her appreciation for the doctor’s commitment to students and the District. The voting was unanimous in the affirmative.
- d. **Topic: *Approve the PMC Donation Agreement for 2014-15***  
**Policy Issue:** Board approves agreements.  
**Background Information:** This item was previously discussed on the agenda.  
**Administrative Recommendation:** Administration recommended Board approve the PMC Donation Agreement for 2014-15 as presented.  
**Board Direction/Action:** A motion was made by Ms. Cranor and seconded by Mr. Vitale to approve the PMC Donation Agreement for 2014-15 as presented. The voting was unanimous in the affirmative.
- e. **Topic: *Hear on First Reading:***  
 Policy 8149 – Relationship Abuse and Sexual Assault Prevention and Response  
**Policy Issue:** Board adopts policy.  
**Background Information:** This item was previously discussed on the agenda.  
**Administrative Recommendation:** Administration recommended Board hear on first reading the above listed Policy as presented.  
**Board Direction/Action:** A motion was made by Mr. Vitale and seconded by Mr. Mattson to hear on first reading the above listed Policy as presented. The voting was unanimous in the affirmative.

**ANNOUNCEMENTS**

There were no announcements at the time of the meeting.

**ADJOURN**

A motion was made by Ms. Cranor and seconded by Mr. Mattson to adjourn. The voting was unanimous in the affirmative. The Board adjourned its Regular Meeting at 7:41 p.m.

**APPROVED ON:**

May 20, 2014

**BY:**

Janie Gehhardt  
Chair

**ATTESTED BY:**

Laurel N. Fitch  
Clerk

**MINUTES PREPARED BY:**

[Signature]  
Secretary, Board of Trustees