

Prior to a decision to impose a new fee or to approve a fee increase that exceeds five percent (5%) of the amount of the fee last collected, the board of Trustees will a hearing at a regular or special public meeting on the proposed new fee or fee increase.

DEFINITIONS

“Fee” means all fees and charges of the district for a direct public service, including fees for voluntary activities and extra costs such as extracurricular activities, driver’s education, towel or locker use, adult education courses, school meals, parking, and similar services or activities. All fees shall be reasonably related to, but shall not exceed, the actual cost of the service being provided.

“Newspaper” shall have the meaning set forth in Idaho Code §60-106.

PUBLIC NOTICE

Public notice will be given of the board’s intent to make a decision on a proposed new fee or fee increase, as set forth above, by either,

1. Advertising in at least one (1) newspaper once each week during the two (2) weeks preceding the week during which the hearing will be held. The advertisement will state that the board will meet on a certain day, time, and place listed in the advertisement for the purpose of hearing public comments regarding the proposed new fee or fee increase beyond five percent (5%), and to explain the reasons for such proposed action; or
2. Holding three (3) public meetings in three different locations in the district. Notice of the public meetings will be posted at the district office and at least two (2) or more public buildings within the school district not less than twenty-four (24) hours before such meeting is to be convened and provided the hearing is held not less than five (5) days after the public meetings; or
3. A single mailing notice to all district residents, provided that the same information is given and provided the meeting is held not less than seven (7) days after the mailing of the notice.

Failure to provide public notice and a hearing on the increase in fees will result in possible voiding of the validity of all or a portion of the fee increase.



LEGAL REFERENCE:

Idaho Code Sections:

33-510 – Annual Meetings – Regular Meetings – Boards of Trustees

60-106 – Qualifications of Newspapers Printing Legal Notices

63-1311 – Fees for Services

63-1311A – Advertisement of and Hearing on Fee Increases

Attorney General Opinion No. 94-4

ADOPTED: January 1999

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