

TITLE 33
EDUCATION

CHAPTER 7
FISCAL AFFAIRS OF SCHOOL DISTRICTS

33-701. FISCAL YEAR -- PAYMENT AND ACCOUNTING OF FUNDS. The fiscal year of each school district shall be a period of twelve (12) months commencing on the first day of July in each year.

The board of trustees of each school district shall have the following powers and duties:

1. To determine and order paid all lawful expenses for salaries, wages and purchases, whether or not there be money in the treasury for payment of warrants drawn against any fund of the district. Warrants shall be signed by the treasurer of the district and countersigned by the chairman or vice-chairman of the board of trustees.

Whenever any school district has sufficient funds on deposit to do so, it may pay any allowed claim for salaries, wages or purchases by regular bank check signed by the treasurer or assistant treasurer of the district and countersigned by the chairman, or vice-chairman, of the board of trustees.

The total amount of warrants or orders for warrants drawn on any fund, together with disbursements from such fund in any other manner made, shall not exceed ninety-five percent (95%) of the estimated income and revenue accrued or accruing to such fund for the same school year, until such income and revenue shall have been paid into the treasury to the credit of the district;

2. To invest all or part of any plant facilities reserve fund, or any fund accumulated for the payment of interest on, and the redemption of, outstanding bonds, or other obligations of the district in bonds or certificates of indebtedness of the United States of America, or in bonds or investments permitted by sections [67-1210](#) and [67-1210A](#), Idaho Code, or warrants of the state of Idaho, or in warrants or tax anticipation notes of any county or school district of the state of Idaho, when such investments shall be due and payable on or before the date any plant facilities reserve fund shall be required to be expended or any bonds or other obligations, or interest thereon, of the investing district shall become payable.

Whenever in the judgment of the board of trustees, the proceeds of any bond issue should be temporarily invested pending the expenditure of such proceeds for the purposes for which such bonds were issued, the proceeds may be invested in the manner and form hereinabove prescribed. Any interest, or profits accruing from such investments shall be used for the purposes for which the bonds were issued. Unless otherwise provided by law, any interest or profits accruing from the investment of any funds shall be credited to the general fund of the district;

3. To insure any schoolhouse and other property, and the district, against any loss by fire, casualty, or liability, and the board, its officers and employees, and to preserve its property for the benefit of the district. In case of loss of any insured property, any proceeds from insurance:

(a) May be expended in constructing a temporary or permanent structure, but no sum greater than the insurance proceeds shall be so expended except upon approval of a majority of the school district electors voting in an election called for that purpose; or

(b) May be placed in and made a part of the school plant facilities reserve fund of the district, if the district has such a fund; or

(c) May be placed in a separate account in the bond interest and redemption fund of the district to repay any kind of obligation incurred by the district in replacing or restoring the property for which the insurance proceeds were received, and shall not be included in the computations of bond and bond interest levies as provided in section [33-802A](#), Idaho Code.

If the proceeds of any insurance received by a school district by reason of loss on real property shall be less than five thousand dollars (\$5,000), such proceeds may be credited to the general fund of the district;

4. To pay from the general fund of the district the expense of any member of the board incurred while traveling on the business of the board, or attending any meeting called by the state board of education or by the state superintendent of public instruction, or attending any annual or special meetings of the state school trustees association, and to pay the membership fee of the board of trustees in said association. Whenever any member of the board of trustees resides at such distance from the meeting place of the board as to require, in the judgment of the board, such member to incur extraordinary expense in traveling from his home to and from said meeting place, the board may approve payment to such member of the extraordinary expense incurred in attending any meeting of the board.

For the purpose of this paragraph, the term "expense" or "extraordinary expense" shall include allowance for mileage or actual travel expense incurred;

5. To prepare, or cause to be prepared and published, in the manner hereinafter prescribed, within one hundred twenty (120) days from the last day of each fiscal year, an annual statement of financial condition and report of the school district as of the end of such fiscal year in a form prescribed by the state superintendent of public instruction. Such annual statement shall include, but not be limited to, the amounts of money budgeted and received and from what sources, and the amounts budgeted and expended for salaries and other expenses by category. Salaries may be reported in gross amount. Each school district shall have available at the administrative office, upon request, a full and complete list of vendors and the amount paid to each and a list of the number of teachers paid at each of the several stated gross salary levels in effect in the district.

Nothing herein provided shall be construed as limiting any school district as to any additional or supplementary statements and reports it may elect to make for the purpose of informing the public of its financial operations, either as to form, content, method, or frequency; and if all the information required herein to be published shall have been published as provided herein at regular intervals during the fiscal year covering successive portions of the fiscal year, then such information may be omitted from the annual statement of financial condition and report for such portions of the fiscal year as already have been reported.

The annual statement of financial condition and report shall be published within the time above prescribed in one (1) issue of a newspaper printed and published within the district, or, if there be none, then in a newspaper as provided in section [60-106](#), Idaho Code, published within the district, or, if there be none, then in a newspaper as provided in section [60-106](#), Idaho Code, in the county in which the school district is located, or, if more than one (1) newspaper is published in said district or county, then in the newspaper most likely to give best general notice of the contents of such annual statement of financial condition and report to the residents

of said district; provided, that if no newspaper is published in the district or county, then such statement of financial condition and report shall be published in a newspaper as provided in section [60-106](#), Idaho Code, most likely to give best general notice of the contents to the residents of said district.

The chairman, clerk and treasurer of each school district shall certify the annual statement of financial condition and report to be true and correct, and the certification shall be included in each published statement.

In the event the board of trustees of any school district shall fail to prepare or cause to be prepared or to publish the annual statement of financial condition and report as herein required, the state superintendent of public instruction shall cause the same to be prepared and published, and the cost thereof shall be an obligation of the school district. One (1) copy of the annual statement of financial condition and report shall be retained in the office of the clerk of the board of school trustees, where the same shall be open at all times to examination and inspection by any person;

6. To cause to be made a full and complete audit of the financial statements of the district as required in section [67-450B](#), Idaho Code.

The auditor shall be employed on written contract.

One (1) copy of the audit report shall be filed with the state department of education, after its acceptance by the board of trustees, but not later than November 10. If the audit report is not received by the state department of education by November 10, the department may withhold all or a portion of the district's November 15 distribution made pursuant to section [33-1009](#), Idaho Code, for noncompliance with the audit report deadline. Provided however, a district may appeal to the state board of education for reconsideration, in which case the state board of education may reinstate or adjust the funds withheld.

In the event the state department of education requests further explanation or additional information regarding a school district's audit report, such school district shall provide a full and complete response to the state department of education within thirty (30) days of receipt of the state department's request. If a school district fails to respond within the thirty (30) day time limit, the state department of education may withhold all or a portion of the district's next scheduled distribution to be made pursuant to section [33-1009](#), Idaho Code. Provided however, a district may appeal to the state board of education for reconsideration, in which case the state board of education may reinstate or adjust the funds withheld;

7. To file annually with the state department of education such financial and statistical reports as said state superintendent of public instruction may require;

8. To order and have destroyed any canceled check or warrant, or any form of claim or voucher which has been paid, at any time after five (5) years from the date the same was canceled and paid;

9. To review the school district budget periodically and make appropriate budget adjustments to reflect the availability of funds and the requirements of the school district. Any person or persons proposing a budget adjustment under this section shall notify in writing each member of the board of trustees one (1) week prior to the meeting at which such proposal will be made. Prior to the final vote on such a proposal, notice shall be posted and published once, as prescribed in section [33-402](#), Idaho Code. A budget adjustment shall not be approved unless voted affirmatively by sixty percent

(60%) of the members of the board of trustees. Such amended budgets shall be submitted to the state superintendent of public instruction;

10. To invest any money coming into the hands of the school district in investments permitted by section [67-1210](#), Idaho Code. Unless otherwise provided by law, any interest or profits accruing from the investment of any funds shall be credited to the general fund of the district.

[33-701, added 1963, ch. 13, sec. 66, p. 27; am. 1963, ch. 211, sec. 1, p. 601; am. 1967, ch. 8, sec. 1, p. 10; am. 1972, ch. 124, sec. 1, p. 245; am. 1973, ch. 17, sec. 1, p. 34; am. 1976, ch. 83, sec. 1, p. 283; am. 1977, ch. 71, sec. 3, p. 135; am. 1978, ch. 61, sec. 1, p. 123; am. 1978, ch. 103, sec. 3, p. 210; am. 1979, ch. 77, sec. 1, p. 189; am. 1980, ch. 30, sec. 1, p. 50; am. 1980, ch. 352, sec. 1, p. 911; am. 1981, ch. 22, sec. 1, p. 36; am. 1985, ch. 107, sec. 4, p. 195; am. 1985, ch. 234, sec. 1, p. 554; am. 1986, ch. 47, sec. 1, p. 137; am. 1988, ch. 77, sec. 3, p. 133; am. 1989, ch. 18, sec. 1, p. 20; am. 1990, ch. 198, sec. 2, p. 444; am. 1993, ch. 327, sec. 15, p. 1204; am. 1993, ch. 387, sec. 6, p. 1421; am. 2006, 1st Ex. Sess., ch. 1, sec. 2, p. 40; am. 2007, ch. 169, sec. 1, p. 498; am. 2008, ch. 160, sec. 1, p. 457.]

33-702. SCHOOL WARRANTS -- HOW DRAWN. Whenever the board of trustees has approved and ordered payment of salaries, wages, or other claims against the school district, and the same is not paid by regular bank check, the clerk of the board of trustees shall issue a school district warrant, or order for warrant drawn against the appropriate fund, and shall sign the same.

The clerk of the board of trustees of any elementary school district with less than six (6) teachers within the district shall execute an order for warrant or warrants in duplicate, and present the same to the county auditor of the county, or of the home county, in which the district lies. The county auditor shall thereupon issue his warrant drawn against the school district fund as shown by the order for warrant.

All warrants so issued shall be presented to the treasurer of the school district for payment by the persons holding the same. If there is insufficient money to the credit of the fund on which the warrant is drawn, the treasurer shall endorse on the back of said warrant, "Not paid for want of funds" and hand the same to the person presenting the warrant for payment. Warrants so endorsed by the treasurer shall bear interest at a rate to be specified by the board of trustees of the school district.

Warrants issued by, or in behalf of, any school district shall be paid in the order of their issuance from funds accruing for the year in which they are issued. After all outstanding indebtedness for general school purposes for any one (1) year has been paid, any balance in the general school fund for that year shall be transferred to a warrant redemption fund for payment of any registered warrants. Where there is no outstanding indebtedness for general school purposes, nor any registered warrants, any such balance may be used for the payment of current expenses for the next fiscal year.

[33-702, added 1963, ch. 13, sec. 67, p. 27; am. 1975, ch. 108, sec. 1, p. 220; am. 1978, ch. 103, sec. 4, p. 215; am. 1979, ch. 5, sec. 1, p. 7; am. 1980, ch. 61, sec. 4, p. 120.]

33-703. CALL OF WARRANTS FOR PAYMENT. The treasurer of each school district, on the first Monday of each month on which there is sufficient money in the treasury to pay any outstanding warrants, shall issue a call for the

warrants which such moneys will pay. In elementary school districts the call shall be made by posting a list of the warrants called, designating each warrant by number, amount, and person to whom issued, together with a notice that said warrants are called for payment, at the front door of the county courthouse. In all other districts the call shall be made by posting such notice on or near the main door of the administrative offices of the district. The treasurer shall execute a certificate of the posting of such notice showing the date and place of posting, and file it, together with a copy of the notice posted, in the permanent files of his office. All warrants so called shall cease to bear interest at the expiration of ten (10) days from the date of posting such notice of call.

[33-703, added 1963, ch. 13, sec. 68, p. 27.]

33-704. WARRANTS NOT PRESENTED WITHIN TWO YEARS VOID. All school district warrants not presented for payment within two (2) years after being called shall be void and shall constitute no claim against the school district by which they were issued, and the treasurers of all school districts are hereby authorized to transfer any moneys set aside for the payment of such warrants to the general school fund of their districts at the expiration of such period, and no treasurer of any school district shall pay any warrant not presented within such two (2) year period. When any such transfer is made by the treasurer of any elementary district, a certificate of such transfer shall be filed with the county auditor.

[33-704, added 1963, ch. 13, sec. 69, p. 27.]

33-705. ACTIVITY FUNDS. 1. The board of trustees of each school district, including specially chartered districts, shall create a fund or funds for the purpose of controlling and accounting for the receipts, deposits, expenditures, assets, liabilities and fund balances arising from the following transactions:

- (a) Admission charges for interscholastic activities.
- (b) The sale of yearbooks and annuals.
- (c) Student fee collections which are used to provide more than one (1) activity or benefit to all of the students of a school or school building.
- (d) Receipts from vending machines located on school property.

2. For each fund created the board of trustees shall promulgate policies:

- (a) Describing with reasonable certainty the nature and type of expenditures which may be made therefrom.
- (b) Setting forth the requirements for the expenditures and withdrawal of such moneys.

3. The treasurer of the district shall provide accounting procedures for the receipt, deposit, expenditure and withdrawal of such moneys and procedures for monthly reporting to the board of trustees of the transactions, assets, liabilities and fund balance for each such fund.

4. For other activity or student funds including, but not limited to, custodial funds, the board of trustees may create a separate fund or funds and promulgate policies to provide for accounting and control thereof.

5. Nothing in this section limits the power of the board of trustees of any school district from promulgating policies or imposing further controls, requirements, accounting and reporting procedures with respect to

any funds or moneys of the district or moneys which it holds as custodian for the students.

6. Disbursements from any of the funds created under this section shall be made by regular bank check signed by the treasurer or assistant treasurer of the district and countersigned by the chairman or vice chairman of the board of trustees or other employee of the district designated by the board of trustees.

[33-705, added 1990, ch. 198, sec. 3, p. 447; am. 1999, ch. 165, sec. 1, p. 452.]