

**Kimberly School District
Financial Management 7402
Restrictions on Contracts**

Entities Boycotting Israel

For all contracts the District enters into after July 1, 2021 to acquire or dispose of services, supplies, information technology, or construction:

1. For greater than \$100,000; and
2. With a company that employs ten or more people

the District shall include the following written certification in such contract:

“Section 67-2346, Idaho Code, prohibits the Kimberly School District from contracting with any company (of more than ten employees) that engages in a boycott of Israel. Per Section 67-2346, such a boycott means ‘engaging in refusals to deal, terminating business activities, or other actions that are intended to discriminate against, inflict economic harm, or otherwise limit commercial relations specifically with the state of Israel or territories under its control, or persons or entities doing business in the state of Israel or territories under its control.’ By entering into this agreement, we acknowledge that we do not currently engage in – and will not engage in during the duration of this contract – a boycott against the State of Israel or its territories.”

Entities Owned or Operated by the Government of China

Any contract the District enters into after July 1, 2023, for any services, supplies, information technology, or construction, shall include the following written certification:

“Section 67-2359, Idaho Code, prohibits the Kimberly School District from contracting with any company unless it certifies that it is not currently owned or operated by the government of China – either in whole or in part – and will not be for the duration of the contract. By entering into this agreement, we affirm this company is not currently owned or operated by the government of China – either in whole or in part – and will not be for the duration of the contract.”

Contracts in Violation

If the District has entered or enters into a contract that does not include the required certifications subsequent to the applicable deadlines above, the District has a period of 90 days from discovery of this status to obtain the required certification. If the District fails to obtain such certification within the 90 day period, as a matter of law the contract is declared void.

For all contracts entered into by the District prior to the applicable deadlines above that do not contain the required certifications, the District shall not renew such contract without inclusion of the required certifications.

Legal Reference: IC § 67-2346
IC § 67-2359

Anti-Boycott Against Israel Act
Contract With a Company Owned by the
Government of China Prohibited

Policy History:

Adopted on:

Revised on:

Reviewed on: