

**DESCRIPTOR TERM:****School District Organization and Governance****Millard District Policy****File Code: 1040****Approved: 07-11-19****SCHOOL BOARD MEETINGS****A. SCHOOL BOARD MEETINGS**

Meeting defined—

“Meeting” means the convening of the Board with a quorum present, whether in person or by means of electronic equipment, for the purpose of discussing, receiving public comments about, or acting upon a matter over which the Board has jurisdiction, including a workshop or executive session. However, a “meeting” does not include a chance or social gathering; or meetings where no funds are appropriated for expenditure and board members are convened solely to discuss administrative or operational matters which do not require formal action or would not come before the Board for discussion or action.

[Utah Code § 52-4-103\(6\) \(2019\)](#)

**B. BOARD AGENDA**

The agenda for all regular meetings of the Board will be prepared according to the following procedures:

1. Items of business for the regular meeting agenda may be suggested by any Board member, employee, student, parent, or citizen of the district.
2. Items for the agenda should be submitted no later than 5:00 p.m. on Monday of the week prior to the next regular scheduled Board Meeting.
3. All agenda items submitted by employee, parents, students, or citizens must be in writing and must be accompanied by a clear statement regarding the subject to be considered, an explanation of the item’s importance, and supporting data which would be informative to the Board and the general public. The statement must also include an explanation of previous efforts to resolve the issue administratively. A form for the purpose of public requests for items on the agenda will be provided by the District and made available through the Superintendent’s office.
4. The Superintendent and Board president shall meet to prepare the agenda. Agenda items submitted by individuals other than Board members will be included on the agenda at the discretion and recommendation of the Superintendent and Board President. Individuals who have requested to have items placed on the agenda shall be informed of approval or disapproval.

**C. RULES OF ORDER AND PROCEDURES**

1. Except as otherwise provided by law, by regulation of the State Board of Education, or by special policies of this Board, meetings of the Board will generally be conducted in accordance with Robert's Rules of Order, Revised.
2. In addition, the Board will conduct its business according to the following general principles:
  - a. The President of the Board will preside at and conduct regular Board Meetings. In the absence of the president, the vice-president will preside and conduct. In the absence of both the president and vice-president, the Board shall choose a resident pro-tempore to preside and conduct;
  - b. The Board must act as a body;
  - c. Board members will address the agenda issues and conduct themselves with civility, decorum and respect;
  - d. The Board must act by a majority (quorum) of its members;
  - e. All board members should have equal opportunity to participate in decision-making;
  - f. The Board's actions should result from a decision on the merits rather than a manipulation of procedural rules;
  - g. Board members shall refrain from public discussion of items of a confidential nature, especially those items discussed in closed meetings, until such items are placed on a regular Board meeting agenda.
3. In accordance with Robert's Rules of Order, the Board may suspend the Rules by a majority vote of members at the meeting.
4. The Board may make amendments, alterations, corrections, or repeal of other Board procedural rules at any regular or special Board meeting, by a vote of a majority of the members present.
5. The business administrator will serve as parliamentarian. In the absence of the business administrator, the presiding officer will appoint a temporary parliamentarian.
6. The parliamentarian will rule on all questions pertaining to procedural questions that may arise during a public meeting.

## **D. VOTING PROCEDURES**

### **Quorum**

1. Three (3) members of the Board will constitute a quorum at any meeting of the Board. If a quorum is not present within thirty (30) minutes after the time set for a meeting, the members then in attendance may adjourn, either without setting a date or to any date prior to the next regularly scheduled meeting, in which latter event notice will promptly be given to all members of the Board, and public notice given, of the time and place of the adjourned meetings.
2. If a quorum of the Board is present, the votes of a majority of the members in attendance will be controlling.
3. In the case of a meeting at which just a majority (i.e., three (3) members) of the Board is present, final action will only be taken as a result of the vote of all members present; action may not be taken if any member abstains.

### **Voting**

1. All actions of the Board will proceed by a motion and second to the motion. Motions must be made one at a time and must be concluded prior to the introduction of additional motions.
2. It is recommended that a board member speak on a motion for a reasonable time, but not more than once on the same motion until all other members have had an opportunity to speak to the motion.
3. Board members will seek formal recognition from the presiding officer before speaking.
4. The Superintendent may participate in the discussion of a motion but may not vote.
5. It is expected that all Board members will vote on all motions. However, special circumstances may require a Board member to abstain from voting. If any member abstains from voting for any reason, the member will be deemed to have not voted and the abstention will not count for or against the Board's vote.
6. A member who has a personal or private interest in any proposed or pending matter which presents a conflict of interest will disclose such interest and will not vote unless the member's participation is necessary to obtain a quorum or otherwise enable the Board to act.

7. Voting will be by voice vote unless the voting is not unanimous and the presiding officer or any member of the Board requests a roll call vote.
8. When a tie vote exists on a motion, the motion will be declared to have failed.
9. Individual votes of Board members will be recorded in the minutes when either the vote is not unanimous or when there is a roll call vote taken or upon request of the Board member.
10. Notwithstanding Robert's Rules of Order, the president of the Board or other presiding officer will vote on all motions, unless he or she properly abstains or has a conflict of interest.
  - c. Upon a two-thirds vote, the Board of Education may expel a member of the Board from an open public meeting of the Board for:
    - i. Disorderly conduct at the meeting;
    - ii. The member's direct or indirect financial conflict of interest regarding an issue discussed at or action proposed to be taken at the meeting; or
    - iii. Commission of a crime during the meeting.
  - d. The Board of Education may also adopt rules that expand the reasons for expelling a Board member from an open public meeting or which establish more restrictive procedures for such expulsion.  
[Utah Code § 53G-4-202\(5\) \(2019\)](#)

**E. OPEN TO THE PUBLIC**

Every meeting of the Board shall be open to the public unless closed pursuant to [Utah Code §§ 52-4-204, 52-4-205, and 52-4-206.](#)

[Utah Code § 52-4-201\(1\) \(2006\)](#)

1. Public hearing—

A public hearing is an open meeting at which members of the public are given a reasonable opportunity to comment on a subject of the meeting. Generally, the Board will determine whether a Board meeting will include a public hearing. However, the Board shall hold a public hearing when considering whether to close a school or change the boundaries of a school, when submitting a ballot issue regarding bond authorization or a tax increase, when considering the adoption of the District budget, before authorizing issuance of bonds, and when considering changes to the Board member compensation schedules, as required by statute.

[Utah Code § 11-14-318 \(2008\)](#)

[Utah Code § 53G-4-402\(21\) \(2019\)](#)

[Utah Code § 53G-7-303\(3\) \(2019\)](#)

[Utah Code § 53G-4-204\(2\) \(2019\)](#)

[Utah Code § 59-1-1605 \(2016\)](#)

2. Public recording—

All or any part of the proceedings in any open board meeting may be recorded by any person in attendance provided that the recording does not interfere with the conduct of the meeting.

[Utah Code § 52-4-203\(5\) \(2018\)](#)

3. Attendance by local government representatives—

An interested mayor or interested county executive (or their designees) may attend and participate in the board's discussions in the open portions of the Board's meetings. An "interested mayor" is the mayor of a municipality which is partly or entirely within the boundaries of the school district. An "interested county executive" is the county executive or county manager of a county with unincorporated area within the boundary of the school district. These local government officials may not vote on any issue before the Board and their participation is subject to the Board President's authority to regulate the conduct of the meeting.

An interested mayor or interested county official may attend a closed meeting of the Board if invited by the Board. Where the closed meeting is held to discuss disposition or acquisition of real property, an interested mayor or interested county official may attend if invited by the Board and if the mayor or county executive does not have a conflict of interest with respect to the disposition or acquisition.

[Utah Code § 53G-7-208\(3\)\(a\) \(2019\)](#)

4. Quorum—

A majority of the members of the Board shall constitute a quorum for meetings of the Board.

[Utah Code § 52-4-103\(11\)\(a\) \(2019\)](#)

[Utah Code § 53G-4-203\(5\) \(2019\)](#)

5. USBA training session for board members—

In the event the Board or any of its members meet with representatives of the Utah School Boards Association (USBA) for the purpose of receiving or participating in instruction regarding Board functions or activities, and not for the purpose of discussing or acting upon a subject over which the Board has jurisdiction, the Board is not required to comply with the Utah Open and Public Meetings Act, [Utah Code § 52-4-101 et seq.](#)

If more than two Board members are present in such meetings, the Board members shall not discuss or act upon any specific matter over which it

has jurisdiction. Board members will discuss only matters relative to the instruction they receive from USBA representatives.

If Board members determine in an instructional meeting with representatives of USBA that there is a need to discuss or act upon a subject over which the Board has jurisdiction, then the Board and its members must comply with the Open and Public Meetings Act, Utah Code § 52-4-101 et seq., prior to discussing or acting upon such matters.

## **F. COMMENT ON AGENDA ITEMS AT BOARD MEETING**

1. The Board desires to conduct its meetings in an orderly and efficient manner. Consequently, spontaneous comment or discussion from the audience is inappropriate, and all scheduled comment must be limited to items on the agenda. The following procedures are designed to facilitate a civil and professional dialogue with respect to public comment at Board meetings.
  - a. Citizens and employees are encouraged to comment on Board agenda items via e-mail, phone calls, faxes, letters, etc.
  - b. Citizens or employees desiring to address the Board in Board meeting regarding an item included on the Board's agenda shall notify the Superintendent's Office at least twenty-four (24) hours prior to the scheduled starting time of the meeting. The request must be made in writing and could be delivered personally or through fax or E-mail. The request must include the name of the speaker, address, telephone number, name of organization or group represented (if any), and the specific item to be addressed. Final decision on the scheduling of comments at Board meetings will be made by the Board officers. The Superintendent will notify the requesting party of the officer's decision prior to Board meeting.
  - c. Groups or organizations desiring to address the Board shall designate a single spokesperson to address the Board.
  - d. If the Board officers have approved citizen input on an agenda item, scheduled speakers will be recognized by the presiding Board member when the applicable agenda item is considered on the agenda and will be invited to comment on the agenda item. Initial comments by speakers shall be limited to time constraints determined by the Board. Persons speaking to the Board at Board meeting shall address remarks to the presiding Board member, and may direct questions or comments to the Superintendent or other Board members only upon approval of the presiding Board member.

- e. Members of the Board and the Superintendent may ask questions of any person who addresses the Board after being recognized by the presiding board member.

2. Suggestions by School Employees and Citizens—

By state law, the Board must have a program that provides district employees an opportunity to make anonymous suggestions to the Board to improve and promote education within the district. Citizens are also encouraged to make suggestions.

- a. Any school employee or citizen may make an anonymous suggestion to the Board by submitting his or her suggestion to the superintendent's office on a form available at each school.
- b. The superintendent's office will keep a log of all suggestions submitted, together with a recommended response and the name of the person making the recommendation.
- c. Log entries are classified as public records under the Government Records Access and Management Act (GRAMA).
- d. Log entries alleging inappropriate behavior by individuals may not include personally identifiable information.
- e. As part of each regularly scheduled Board meeting, the Board shall receive a copy of the current log and take action as appropriate.

3. News Media at Board Meetings and Schools—

- a. A copy of the agenda for every official open Board meeting will be sent in advance to members of the press who request it.
- b. Representatives of the news media may receive a summary of important Board actions, or official Board minutes, upon request through the Superintendent's office.
- c. All reports approved by the Board, including committee reports, will be public records, and will be made available, upon request, through the Superintendent's office. Reports-in-progress or tentative policies, including all reports and policies that have not received final approval from the Board, may be released to the media at the discretion of the Board. Members of the news media are expected to conduct themselves with civility, decorum and respect.

- d. Photographic and electronic audio and video broadcasting and recording devices may be used at all open and public Board meetings according to the following guidelines:
  - i. Persons operating cameras, video cameras, tape recorders, or other broadcasting and/or recording devices must do so with a minimum of disruption to those present at the meeting.
  - ii. The view between Board members and the audience must not be obstructed.
  - iii. Interviews are prohibited during the Board meeting, and no media commentary may be given in a manner that distracts Board members or disrupts the order of the proceedings.
  - iv. Media representatives may not photograph, video, or interview students and faculty at schools unless they have received prior permission from the office of the superintendent, or the principal of the school.
  - v. When individual Board members receive requests from media representatives for information or comment about Board meetings, individual Board members may speak only for themselves and not as spokesperson for the Board unless authorized to do so by the Board.

## **G. NOTICE REQUIREMENTS**

1. Public notice of annual meeting schedule—

At least once each year, the Board shall give public notice of its annual meeting schedule. The notice shall specify date, time and place of such meetings.

[Utah Code § 52-4-202\(2\) \(2016\)](#)
2. Notice of specific meetings—

In addition, the Board shall provide public notice of each meeting at least 24 hours in advance of each meeting; such notice shall include the agenda, date, time and place of the meeting.

[Utah Code § 52-4-202\(1\) \(2016\)](#)
3. Action limited to meeting agenda—

Where a meeting agenda must be included in the required public notice of a Board meeting (as stated in the paragraph above), that agenda shall be



sufficiently specific to notify the public of the topics to be considered at the Board meeting. To be sufficiently specific, the agenda shall at least list each anticipated topic under an agenda item in a manner which identifies the subject of discussion and if known the nature of the Board action being considered on the subject. The Board may not consider a topic in an open meeting which was not listed under an agenda item and included with the advance public notice of the meeting, except that if an unlisted topic is raised by the public during an open meeting, the Board may at the discretion of the presiding Board member discuss the topic but may not take any final action on that topic during the meeting. This limitation may not apply to an emergency meeting where the requirements for holding and giving the best practicable notice of such a meeting have been met. (See "Emergency Meeting" below.)

[Utah Code § 52-4-202\(6\) \(2016\)](#)

4. Giving notice of meeting—

Public notice of each Board meeting and of the Board's annual meeting schedule shall be given by:

- a. Posting written notice at the local Board of Education office;
- b. Posting notice on the Utah Public Notice Website; and,
- c. Providing notice to at least one newspaper of general circulation within the geographic jurisdiction of the public body or to a local media correspondent. (Notice to such a newspaper or local media correspondent sent pursuant to a subscription made through the Utah Public Notice Website satisfies this requirement if the notice has been timely sent.
- d. The District shall also endeavor to post notice of Board meetings on the District's web site at least 24 hours in advance of the meeting.
- e. Notice of each Board meeting shall also be given to each interested mayor or interested county executive (or their designee). An "interested mayor" is the mayor of a municipality that is partly or entirely within the boundaries of the school district. An "interested county executive" is the county executive or county manager of a county with unincorporated area within the boundaries of the school district. This notice shall be provided by mail, email, or other effective means agreed to by the person to receive notice.

[Utah Code § 52-4-202\(3\), \(4\) \(2016\)](#)

[Utah Code § 63F-1-701\(4\)\(d\) \(2016\)](#)

[Utah Code § 53G-7-208\(3\)\(e\) \(2019\)](#)

5. Emergency meeting—

In case of emergency or urgent public necessity which renders it impractical to give the notice identified in the paragraphs above, the best notice practicable shall be given of the time and place of the meeting and of the topics to be considered at the meeting. No such emergency meeting of the Board shall be held unless an attempt has been made to notify all of its members and a majority of the members vote in the affirmative to hold the meeting.

[Utah Code § 52-4-202\(5\) \(2016\)](#)

6. Annual budget meeting notice—

In addition to complying with the aforementioned public notice requirements, in regards to the budget hearing, the Board shall do the following:

- a. Publish the required newspaper advertisement and/or electronic newspaper advertisement (see Utah Code § 45-1-101 (2019) and the required Utah Public Notice Website advertisement at least ten days before the day on which the hearing is held
- b. The public hearing notice will include information on how the public may access the proposed budget.
- c. File a copy of the proposed budget with the Board's business administrator for public inspection; and
- d. Post a copy of the proposed budget on the District's Internet website.
- e. In addition, if the proposed budget includes a tax rate in excess of the certified tax rate, or if the Board meeting is required to consider whether to adopt a tax rate in excess of the certified tax rate, the Board shall provide the notices and schedule the meeting as required by [Utah Code § 59-2-919](#).

[Utah Code § 53G-7-303\(3\) \(2019\)](#)

[Utah Code § 53F-8-201\(3\) \(2019\)](#)

[Utah Code § 59-2-919 \(2019\)](#)

7. Bond or tax increase election hearing notice—

In addition to complying with the aforementioned public notice requirements, if the Board is meeting under the Transparency of Ballot Propositions Act to hear arguments for or against a ballot proposition to authorize issuance of bonds or to increase taxes, the District's election officer must post notice of the time, date, and place of the meeting (along with the arguments for and against the proposition):

- a. On the Statewide Electronic Voter Information Website for 30 consecutive days before the election on the proposition;
  - b. On the District's website in a prominent place for 30 consecutive days before the election on the proposition;
  - c. If the District publishes a newsletter or other periodical, in the next scheduled edition before the election on the proposition.  
[Utah Code § 59-1-1604\(6\) \(2016\)](#)  
[Utah Code § 59-1-1605 \(2016\)](#)
  - d. The meeting must begin at or after 6:00 p.m.  
[Utah Code § 59-1-1605\(3\)\(b\) \(2016\)](#)
8. Bond issuance hearing notice—
- In addition to complying with the aforementioned public notice requirements, if the Board is meeting to consider authorizing issuance of bonds under the Local Government Bonding Act, it shall publish notice of the intent to issue bonds in the newspaper and on the Utah Public Notice Website at least 14 days in advance of the public hearing on the bond issuance as required by Utah Code Ann. § 11-14-318. The notice shall give notice that the hearing will be held to receive input from the public respecting the issuance of the bonds and the potential economic impact that the proposed improvement, facility, or property that the bonds will fund will have on the private sector.  
[Utah Code § 11-14-318 \(2009\)](#)
9. Budget appropriation increase meeting notice—
- In addition to complying with the aforementioned public notice requirements, if the Board is meeting to consider a request to increase a budget appropriation, it shall publish the required newspaper notice and notice under [Utah Code § 45-1-101](#) of such meeting at least one week before the hearing.  
[Utah Code § 53G-7-305\(7\)\(b\) \(2019\)](#)
10. School closure or boundary change hearing notice—
- In addition to complying with the aforementioned public notice requirements, if the Board meeting is a public hearing regarding closing one or more schools or changing the attendance area boundaries for one or more schools, the notice of the meeting shall indicate the school or schools under consideration for closure or boundary change and, at least ten days before the meeting shall be:

- a. Published in a newspaper of general circulation in the area and on the Utah Public Notice Website; and
- b. Posted either in at least three public locations within the municipality or municipalities affected or on the District's official website.

[Utah Code § 53G-4-402\(21\) \(2019\)](#)

11. Board member compensation hearing notice—

Beginning July 1, 2007, in addition to meeting the aforementioned public notice requirements, if the Board is meeting to consider adopting a new Board member compensation schedule or schedules, or to consider amending an existing compensation schedule or schedules, the notice of the meeting with public hearing shall be given at least seven days prior to the meeting by:

- a. Publishing the notice at least once in a newspaper published in the county where the District is situated and which is also generally circulated within the District, and publishing notice on the Utah Public Notice Website;
- b. Posting the notice:
  - i. At each school in the District
  - ii. In at least three other public places within the District; and
  - iii. On the Internet in a manner that is easily accessible to citizens who use the Internet.

[Utah Code § 53G-4-204\(3\) \(2019\)](#)

## H. **CLOSED MEETINGS**

A closed meeting may be held upon a two-thirds affirmative vote of the board members present at a meeting for which public notice was given pursuant to [Utah Code § 52-4-202](#), providing a quorum is present. No resolution, rule, regulation, contract or appointment shall be approved at a closed meeting, nor may the Board interview an applicant to fill an elected position at such a meeting. The recording and minutes of open meeting at which the vote is taken to hold a closed meeting shall contain the reason or reasons for holding a closed meeting and the votes, by name, of the members present, either for or against the proposition to hold such a meeting.

[Utah Code § 52-4-204 \(2018\)](#)

1. Purposes of Closed Meetings—

Closed meetings may only be held for the following purposes:

- a. Discussion of the character, professional competence, or physical or mental health of an individual;
  - i. However, the Board may not interview a person applying to fill an elected position, midterm vacancy or temporary absence in a closed meeting regardless of whether the interview may include a discussion of the character, professional competence, or physical or mental health of the applicant.
- b. Strategy sessions with respect to collective bargaining or pending or imminent litigation; or
- c. Strategy sessions with respect to the purchase, exchange, or lease of real property (including any form of water right or water shares) if public discussion may disclose the appraised or estimated value of the property or tend to prevent the Board from obtaining the best possible terms; or
- d. Strategy sessions with respect to the sale of real property (including any form of water right or water shares) if public discussion may disclose the appraised or estimated value of the property or tend to prevent the Board from obtaining the best possible terms, but only if the Board previously gave public notice that the property would be offered for sale, and the terms of the sale are publicly disclosed before the Board approves the sale; or
- e. Discussion regarding deployment of security personnel, devices, or systems;
- f. Investigative proceedings regarding allegations of criminal misconduct; or
- g. The Board is fulfilling one of the following procurement functions:
  - i. Deliberations as an evaluation committee regarding a solicitation or as protest officer regarding a protest; or
  - ii. Consideration of information designated as a trade secret if the consideration is necessary to properly conduct a procurement; or
  - iii. Discussion of information provided to the Board during a procurement if (at the time the Board meets) the information may not be disclosed to the public or procurement participants and the Board needs to review or discuss the information to properly fulfill its role and responsibilities in the procurement process.

- h. If the meeting is closed for any reason stated in paragraph 1 or 5 of this Section, then the person presiding must sign a sworn statement affirming that the sole purpose of closing the meeting was to discuss those specific topics, and neither a recording nor minutes shall be kept of that portion of the closed meeting.

[Utah Code § 20A-1-511\(3\)\(c\) \(2019\)](#)

[Utah Code § 52-4-205 \(2019\)](#)

[Utah Code § 52-4-206\(6\) \(2018\)](#)

## **I. RECORDINGS AND MINUTES**

- 1. Open Meeting Recording and Minutes—
  - a. Written minutes and a recording shall be kept of all open board meetings except site visits or traveling tours where no vote or action is taken by the Board, for which only written minutes shall be kept.
  - b. Written minutes shall include:
    - i. The date, time and place of the meeting;
    - ii. The names of the members present and absent;
    - iii. The substance of all matters proposed, discussed, or decided by the Board, which may include a summary of comments by Board members;
    - iv. A record, by individual member, of each vote taken;
    - v. The name of each person who is not a Board member who, after being recognized by the presiding Board member, presented testimony or comments to the Board and a brief summary of their testimony or comments;
    - vi. Any other information that is a record of the proceedings of the meeting that any member requests be entered in the recording and minutes.
  - c. The requirement that the written minutes include the substance of Board discussion and of public comments may be satisfied by maintaining a publicly available online version of the minutes which includes a link to that portion of the meeting recording which relates to the discussion or comments.
  - d. The recording shall be a complete and unedited recording of all open portions of the meeting from the commencement of the

meeting until the meeting's adjournment, and shall be labeled or identified with the date, time, and place of the meeting. If the meeting is a public hearing under the Transparency of Ballot Propositions Act, the recording must be digital.

[Utah Code § 52-4-203\(1\), \(2\), \(3\) \(2018\)](#)

[Utah Code § 59-1-1605\(4\) \(2016\)](#)

2. Approval of and Availability of Minutes and Recordings of Board meetings—
  - a. The recording of an open board meeting is a public record and shall be available to the public for listening within three business days after the end of the meeting. If the meeting is a public hearing under the Transparency of Ballot Propositions Act, the digital recording must also be made available on the District's website within this time period.
  - b. The written minutes of an open board meeting are public records. The Board shall establish and implement procedures for correction of and formal approval of meeting minutes. Prior to approval, the minutes are considered "pending minutes." Pending minutes shall be made available to the public within a reasonable time after the meeting. Upon formal approval by the Board, the written minutes of the meeting shall be the official record of the actions taken at the meeting. Approved minutes shall be made available to the public within three business days after they are approved by the Board.
  - c. Pending minutes of a board meeting shall include the following notice in prominent, easily visible type: "These minutes have not yet been formally approved by the Board of Education and until such formal approval are subject to change."

[Utah Code §52-4-203\(4\)\(f\) \(2018\)](#)

[Utah Code § 59-1-1605\(4\)\(b\)\(i\) \(2016\)](#)

3. Closed Meeting Recording and Minutes—
  - a. Except when the reason for closing the meeting is the discussion of personal information (the character, professional competence, or health of an individual) or security issues, as specified in Policy BEC, a recording shall be kept of all closed meetings and written minutes may be kept of closed meetings. Such recordings, and any minutes shall include:
    - i. The date, time and place of the meeting;
    - ii. The names of members present and absent; and
    - iii. The names of all others present except where such disclosure would compromise the confidential nature of the

issues being discussed or otherwise infringe the privacy rights of the others present.

- b. When kept, recordings of closed meetings shall be complete and unedited recordings of all portions of the closed meeting, and shall be labeled or identified with the date, time, and place of the closed meeting.
- c. Where a meeting is closed for the purpose of discussing either security issues or the character, professional competence, or health of an individual, as specified in Section C of this policy, the meeting shall not be recorded and no minutes shall be kept.

[Utah Code § 52-4-206 \(2018\)](#)

4. No Secret Ballot—

No vote shall be taken by secret ballot.

[Utah Code § 52-4-203\(2\)\(a\)\(iv\) \(2018\)](#)

5. Closed Meeting Recordings and Minutes are Protected—

All recordings, minutes, and reports of closed meetings are hereby designated as “Protected Records” under the Government Records Access Management Act.

[Utah Code § 52-4-206\(5\) \(2018\)](#)

[Utah Code § 63G-2-101 et seq.](#)

**J. MEETING LOCATION**

- 1. The Board shall hold its regularly scheduled meetings at the location specified in its annual notice of meetings, and shall hold other meetings at the location specified in the public notice of such meetings.

[Utah Code § 52-4-202\(1\)\(b\), \(2\)\(b\) \(2016\)](#)

- 2. The Board shall hold its meetings within the geographic boundaries of the school district. However, a Board meeting may be held outside of the district in certain circumstances of disaster or local emergency or for certain site visits.

- 3. The Board may hold a meeting outside of the district if that is necessary to hold a meeting during a local emergency or disaster. A “local emergency” means a condition in any municipality or county of the state that requires that emergency assistance be provided by the affected municipality or county or another political subdivision to save lives and protect property



within its jurisdiction in response to a disaster or to avoid or reduce the threat of a disaster. A “disaster” is an event that

- a. causes, or threatens to cause, loss of life, human suffering, property damage, or economic or social disruption resulting from attack, internal disturbance, natural phenomenon, or technological hazard and
  - b. requires resources beyond the scope of local agencies in routine responses to emergencies and accidents and may be of a magnitude or involve unusual circumstances that require response by a governmental, not-for-profit, or private entity.
4. The Board may hold a meeting outside of the district for a site visit if no vote or other action is taken and the location of the site visit provides the Board the opportunity to see or experience an activity that relates to the Board’s responsibilities and does not exist within the geographic boundaries of the district.

[Utah Code § 53G-4-202\(1\)\(a\), \(b\), \(3\) \(2018\)](#)

5. Location of workshops or executive sessions—

Where the Board holds a workshop or executive session on the same day as a regularly scheduled Board meeting, the workshop or executive session must be held at the same location as the regularly scheduled meeting, unless:

- a. The regularly scheduled meeting is not being held where those meetings are usually held, and the workshop or executive session is held in the usual meeting location; or
- b. Any of the meetings being held on the same day is a site visit or traveling tour for which appropriate public notice has been given; or
- c. The workshop or executive session is an electronic meeting and the requirements for holding such a meeting have been satisfied; or
- d. Because of emergency or extraordinary circumstances, it is not practicable to hold the workshop or executive session at the regular location where Board meetings are held.

[Utah Code § 52-4-201\(2\) \(2006\)](#)

## **K. ELECTRONIC MEETINGS**

1. Electronic meetings authorized—

The Board authorizes its meetings to be held through electronic means as set forth in this policy. Such electronic means may include communications by telephone, telecommunications, computer, or similar methods of remote communication. Unless specifically stated by this

policy, the other policies governing Board meetings (relating to notice, meetings being open to the public, and other matters) also apply to Board meetings held through electronic means.

2. Definitions—

The following terms are used in this policy:

- a. Primary location: A designated physical location from which the electronic meeting originates or to which participants are connected.
- b. Electronic notice: electronic mail (email) or fax.

3. Member request required for an electronic meeting—

A Board meeting may be held as an electronic meeting only upon request of a member of the Board. This request must be made at least 3 days prior to the time that the Board meeting is scheduled, so that the necessary arrangements can be made for the electronic meeting.

[Utah Code § 52-4-207 \(2011\)](#)

4. Notice to board members of an electronic meeting—

After an electronic meeting has been scheduled, and at least 24 hours before the meeting, the members of the Board shall be notified of the electronic meeting and informed how members of the Board will be connected to the meeting.

5. Primary location at regular meeting location—

The primary location for the electronic meeting shall be in the building where the Board meeting would have been held if it were not held electronically.

6. Electronic meeting not available for site visit or traveling tour—

When the scheduled meeting is a site visit or traveling tour, the meeting may not be conducted or convened electronically.

7. Public notice of an electronic meeting—

- a. In addition to providing and posting the notices required for other Board meetings, the Board shall provide at least 24 hours' advance written or electronic notice of the electronic meeting to
  - i. A newspaper of general circulation within the state; and
  - ii. A local media correspondent.
- b. The Board shall also post written notice of the electronic meeting at the primary location at least 24 hours prior to the electronic meeting. The notices of the electronic meeting shall specify the primary location of the meeting.

8. Public access to electronic meetings—
- a. Space and facilities shall be provided at the primary location of an electronic meeting of the Board to permit members of the public to attend and monitor the electronic meeting (except those portions of such a meeting which have been properly closed to the public by the Board). If the Board meeting is one at which comments from the public will be accepted, then the space and facilities shall also permit members of the public to participate in the electronic meeting. In this section,
    - i. “Monitor” means to hear and/or see, live, all statements made by each Board member in the meeting (by speaker, computer screen, or other medium).
    - ii. “Participate” means to be able to communicate with all Board members in the meeting, such that each Board member can hear or see the communication.
  - i. Members of the public are not entitled to monitor or attend electronic meetings except through the space and facilities provided at the primary location. (Members of the public cannot request an electronic meeting and do not have the right to be remotely connected to a Board meeting except as set forth in this section.)

[Utah Code § 52-4-207 \(2011\)](#)

## Millard School District

### Superintendent of Schools

285 East 450 North, Delta, Utah 84624  
Telephone (435) 864-1000 - Fax (435) 864-5684

### CITIZEN AND EMPLOYEE REQUEST TO BE ON THE SCHOOL BOARD'S AGENDA

Name \_\_\_\_\_

Phone Numbers \_\_\_\_\_ (w) \_\_\_\_\_ (h)

Address \_\_\_\_\_

Organization or group represented (if any) \_\_\_\_\_

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Statement regarding subject to be considered: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Explanation of the item's importance: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Supporting data which would be informative to the Board: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(additional pages may be attached to this form as necessary)

Requests must be submitted to the office of the Superintendent no later than 5:00 p.m. on Monday one week in advance of the next regularly scheduled board meeting.

**Millard School District**

**Superintendent of Schools**

285 East 450 North, Delta, Utah 84624

Telephone (435) 864-1000 - Fax (435) 864-5684

**CITIZEN AND EMPLOYEE REQUEST  
TO COMMENT ON AGENDA ITEM AT BOARD MEETING**

**Name** \_\_\_\_\_

**Phone Numbers** \_\_\_\_\_ **(w)** \_\_\_\_\_ **(h)**

**Address** \_\_\_\_\_

**Organization or group represented (if any)** \_\_\_\_\_

**Specific item to be addressed:** \_\_\_\_\_

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*Requests must be submitted to the office of the superintendent no later than twenty-four (24) hours prior to the scheduled starting time of the board meeting.*

**Speakers will be recognized by the board president when the applicable agenda item is considered on the agenda and will be invited to comment on the agenda item. Initial comments by speakers shall be limited to time constraints determined by the board.**

**Millard School District**

**Superintendent of Schools**

285 East 450 North, Delta, Utah 84624

Telephone (435) 864-1000 - Fax (435) 864-5684

**SUGGESTION**

**BY SCHOOL EMPLOYEE OR CITIZEN**

**Any school employee or citizen may make an anonymous suggestion to the board by submitting this form to the superintendent's office. The superintendent's office will keep a log of all suggestions submitted, together with a recommended response and the name of the person making the recommendation. As part of each regularly scheduled board meeting, the board shall receive a copy of the current log and take action as appropriate.**

**Suggestion:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_