MSD: Board Approval of Hiring Recommendations, Personnel Report Removal, and Time-Sensitive Conditional Offers

All hiring recommendations for District employment, including recommendations governed by BL-1 and BL-2, shall be submitted for approval by the local Board of Education at the next properly noticed calendared Board meeting for which the item can lawfully be placed on the agenda. Hiring recommendations may be approved individually or as part of a personnel report or consent agenda.

A Board member may request that any hiring recommendation be removed from a personnel report or consent agenda and considered separately. A Board member's vote on a motion to approve a personnel report or consent agenda constitutes that member's vote on the hiring recommendations included in that motion, except for any recommendation removed from the report before the vote.

The Board may discuss the character, professional competence, or physical or mental health of an individual applicant or employee in a lawful closed meeting when permitted by Utah law and Board meeting policy. However, no hiring recommendation, contract, appointment, employment offer, removal from a personnel report, denial, or other final Board action shall be approved or decided in closed session. No vote, poll, or final decision shall be taken in closed session except as allowed by law to end the closed portion of the meeting and return to open session.

After a lawful closed-session discussion, the Board may return to open session and remove an individual hiring recommendation from the personnel report before approving the remaining recommendations as a group. The removal, amendment, approval, rejection, or request for additional information regarding any hiring recommendation shall occur only by official Board action in open session and shall be recorded in the minutes as required by law and Board meeting policy.

No hiring, contract, appointment, or employment offer is final or binding on the District until approved by the Board in a properly noticed open Board meeting. A written conditional offer may be issued before final Board approval only when authorized by this policy and only if the offer clearly states that employment is expressly contingent upon final Board approval and does not create a contract, property interest, or right to employment unless and until approved by the Board.

When extenuating or time-sensitive circumstances make it impracticable to wait for the next calendared Board meeting, the Superintendent may request that the Board President coordinate an expedited process consistent with Board meeting policies and applicable law. The Board President may contact Board members by telephone, text message, or other effective means to notify them of the urgent hiring matter, determine availability, and coordinate a special, emergency, or electronic

Board meeting when appropriate. Such communications shall not be used to take final Board action outside a properly noticed Board meeting.

Source: USBA Model Policy BL; MSD Policy 4010, approved 2024; MSD Policy 1040, approved 2024.