

Cache County School District

Policy Series 1000: Board of Education

Policy No. 1200

Meetings of the Board of Education

Definition

“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.

A “meeting” does not include a chance meeting; 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.

The president, the vice president, or a majority of the Board are empowered to call a meeting.

Open to the Public

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

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:

1. Considering whether to close a school or change the boundaries of a school.
2. Considering the adoption of the District budget, and
3. Considering changes to the Board member compensation schedules, as required by statute.

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.

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Quorum

A majority of the members of the Board shall constitute a quorum for meetings of the Board. All actions in order to be carried must have the majority vote of the Board except in cases where state law or policy requires a higher percentage of votes.

USBA Training Session for Board Members

In the event the Board or any of its members meet with representatives of the (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 law.

If more than three 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 law, UCA § 52-4-1 et seq., prior to discussing or acting upon such matters.

Rules of Order

Robert's Rules of Order shall govern Board proceedings except when in conflict with written policies or as they may be amended or suspended by a majority vote of the Board.

Meeting Location

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.

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:

1. 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
2. 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
3. The workshop or executive session is an electronic meeting and the requirements for holding such a meeting have been satisfied; or

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4. Because of emergency or extraordinary circumstances, it is not practical to hold the workshop or executive session at the regular location where Board meetings are held.

Open Meeting Recording and Minutes

Written minutes and a recording shall be kept by the business administrator of all open board meetings except site visits or traveling tours where no vote or action is taken by the Board. Written minutes shall include:

1. The date, time, and place of the meeting;
2. The names of the members present and absent;
3. The substance of all matters proposed, discussed, or decided by the Board, which may include a summary of comments by Board members;
4. A record, by individual member, of each vote taken;
5. Any other information that any member requests be entered in the recording and minutes.

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.

The minutes of the preceding meeting(s) shall be approved by the Board and signed by the president. The official minutes of the Board shall be bound and kept in the district office, which shall be made available to the public upon request.

Closed Meeting Recording and Minutes

A recording shall be kept, and written minutes may be kept, of all closed meetings unless the reason for closing the meeting is the discussion of:

1. Personal information (the character, professional competence, or health of an individual) or
2. Security issues

Recordings and written minutes shall include:

1. The date, time, and place of the meeting;
2. The names of members present and absent; and
3. 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.

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. Where a meeting is closed for the purpose of discussing

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either security issues or the character, professional competence, or health of an individual, the meeting shall not be recorded and no minutes shall be kept.

Secret Ballot

No vote shall be taken by secret ballot.

Closed Meeting Recordings and Minutes are Protected

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

Public Notice of Annual Meeting Schedule

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

Notice of Specific Meetings

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.

Public Comment

The Board will receive verbal and written public comments at all open meetings, except for work sessions or emergency meetings. Public comment must relate to matters within the Board’s statutory authority.

Written Public Comment

Written comments may be submitted:

- By email to the Superintendent before the meeting; or
- By hand delivery to District staff at the meeting.

Written comments will be provided to all Board members and included in the meeting minutes. Written comments will not be read aloud during the meeting.

Verbal Public Comment

Individuals wishing to provide verbal comments must sign up before the beginning of the public comment period. Speakers will be recognized in the order they signed up.

Each speaker will be allotted up to three (3) minutes, unless the Board President adjusts the time to ensure equitable participation.

The Board agenda will specify the length of the public comment period, generally between 30



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minutes and one hour, subject to adjustment by the Board President based on meeting needs.

Legal Notice

The Board does not adopt or endorse public comments. Individuals providing public comment are solely responsible for the content of their remarks and any resulting legal consequences under applicable law. Examples of potentially unlawful comments include, but are not limited to:

- Defamatory statements about identifiable individuals; and
- Threats or expressions of intent to commit violence.

Purpose of Public Comment

The public comment period provides an opportunity for members of the public to offer input to the Board in its governance and policymaking role.

It is not a forum for dialogue, debate, or question-and-answer with the Board. Board members do not engage in real-time discussion during public comment, but may follow up or direct the Superintendent or the Superintendent's designee to do so after the meeting, as appropriate.

Action Limited to Meeting Agenda

When a meeting agenda must be included in the required public notice of a Board meeting (as stated in the preceding paragraph), the agenda shall be sufficiently specific to notify the public of the topics to be considered at the Board meeting.

1. To be sufficiently specific, the agenda shall at least list each anticipated topic under an agenda item in a manner that identifies the subject of discussion, and if known, the nature of the Board action being considered on the subject.
2. The Board may not consider a topic in any open meeting, which was not listed under an agenda item and included with the advance public notice of the meeting.
3. 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.

Giving Notice of Meeting

Public notice of each open Board meeting shall be given by:

1. Posting written notice at the local Board of Education office; and,
2. Posting notice on the Utah Public Notice Website of meetings on and after April 1, 2008; and
3. Providing notice to at least one newspaper of general circulation within the geographic jurisdiction of the public body, or to a local media correspondent.

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(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.)

The District shall also endeavor to post notice of Board meetings on the District's website at least 24 hours in advance of the meeting.

Notice of each open Board meeting shall also be given to the mayor (or mayor's designee) of each municipality that is partly or entirely within the boundaries of the District.

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 practical shall be given of the time and place of the meeting and 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 the majority or the members vote in the affirmative to hold the meeting.

Annual Budget Meeting Notice

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

1. Publish the required newspaper notice at least ten days prior to the hearing; and
2. File a copy of the proposed budget with the board's business administrator for public
3. If the proposed budget includes a tax rate in excess of the certified tax rate, or if the Board is meeting 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 Ann. §§ 59-2-918 and 59-2-919. Utah Code Ann §§ 53G-7-303, 53F-8-201

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 of such meeting at least one week prior to the hearing.

School Closure or Boundary Change Meeting 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 prior to the meeting, shall be

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1. Published in a newspaper of general circulation in the area; and
2. Posted either in at least three public locations within the municipality or municipalities affected or on the District's official website.

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:

1. Publishing the notice at least once in a newspaper published where the District is situated and which is generally circulated in the District;
2. Posting the notice at each school and at least three other public places within the District; and
3. Posting the notice on the Internet in a manner that is easily accessible to citizens that use the Internet.

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 Ann. 52-1-202, providing a quorum is present.

No resolution, rule, regulation, contract, or appointment shall be approved at the closed meeting, nor may the Board interview an applicant to fill an elected position at such a meeting.

The recording and minutes of the 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.

Closed meetings may only be held for the following purposes:

1. Discussion of the character, professional competence, or physical or mental health of an individual;
2. Strategy session with respect to collective bargaining or pending or imminent litigation; or
3. Strategy sessions with respect to the purchase, exchange, or lease of real property 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
4. Strategy session with respect to the sale of real property 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

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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

5. Discussion regarding deployment of security personnel, devices, or systems; or
6. Investigative proceedings regarding allegations of criminal misconduct.

If the meeting is closed for any reason stated in Paragraph A or E 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.

Electronic Meetings

Definitions – The following terms are used in this policy:

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

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 or 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.

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.

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.

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.

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

Public notice:

1. 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:

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- a. A newspaper of general circulation within the county; and
 - b. A local media correspondent.
2. 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.

When the board convenes an electronic meeting, a member of the board is considered present for all purposes, including determining a quorum for voting, only if the member is:

- a. present in person at the anchor location; or
- b. participating in the meeting by electronic means.

In accordance with Utah Code Section 52-4-207, when the board convenes and conducts an electronic meeting it may provide a means by which members of the public who are not physically present at the anchor location may attend the meeting by electronic means.

Notwithstanding the other provisions of this rule:

- a. any member of the board may attend an emergency electronic meeting by electronic means; and
- b. the presiding board member may conduct an emergency electronic meeting of the board remotely by electronic means.

Except for a unanimous vote, the board while conducting an electronic meeting, shall take all votes by roll call.

Public Access to Electronic Meetings

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).

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.

Definitions:

- “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). (b)
“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.

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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.

Legal References:

Utah Code Ann. §§ 52-4-204, 52-4-205, and 52-4- 206.

Utah Code Ann. § 52-4-1 et seq.

Utah Code Ann. §§ 59-2-918 and 59-2-919.

Utah Code Ann. §§ 53G-7-303 and 53F-8-201

Utah Code Section 52-4-207

Utah Code § 52-4-201.3 (2025)

Synopsis:

Approved by the Board of Education: July 1, 1989. Revisions: June 16, 2022; 12/18/25