



POLICIES AND PROCEDURES

Policy: 1B-101 SCHOOL BOARD MEETINGS

Index: Board of Directors

Monitoring: As Needed

1. PURPOSE

- 1.1. The Board of Directors at Spectrum Academy (Board) has adopted this policy to ensure Spectrum Academy (School) recognizes its responsibility to conduct its official business in an orderly and open manner as required by law. It is the Board's purpose to outline the types of meetings it may hold, and to establish procedures by which its meetings will be conducted.

2. OPEN MEETINGS

- 2.1 Because it is a "public body" as defined in Utah law, the Board will conduct all its meetings as open meetings, unless specifically exempt, according to the Utah Open and Public Meetings Law.
- 2.2 All such meetings, unless specifically exempt from the Utah Open and Public Meetings Law, are required to have proper notification, public access, open Board discussion and voting, and a public record of the proceeding in the form of written minutes and a complete and unedited recording.
- 2.3 Chance meetings, social meetings, or other informal gatherings of Board members are not considered meetings subject to the open meeting provisions of the law if Board members do not appropriate funds or discuss or take action on matters that require formal action by the Board.
- 2.4 Site visits or traveling tours where a quorum of the Board is present but where no vote or action is taken by the Board requires either written minutes or a recording being kept.

3. RECORDS OF OPEN MEETINGS

- 3.1 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 either a recording or written minutes shall be kept.
- 3.2 Written minutes shall include:
 - 3.2.1 the date, time, and place of the meeting;
 - 3.2.2 the names of the Board members present and absent;
 - 3.2.3 the substance of all matters proposed, discussed, or decided by the Board, which may include a summary of comments by Board members;
 - 3.2.4 a record, by individual member, of each vote taken;
 - 3.2.5 the name of each person who is not a Board member who was recognized by the presiding Board member and presented testimony or comments to the Board and a brief summary of their testimony or comments; and
 - 3.2.6 any other information that is a record of the proceedings of the meeting that any



Board member requests be entered in the recording and minutes.

- 3.3 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.
- 3.4 The written minutes and recording of an open meeting are public records as follows:
 - 3.4.1 Written minutes that have been prepared in a form awaiting only formal approval by the Board are a public record.
 - 3.4.2 Written minutes shall be available to the public within a reasonable time after the end of the meeting.
 - 3.4.3 Written minutes that are made available to the public before approval by the Board shall be clearly identified as "awaiting formal approval" or "unapproved" or with some other appropriate notice that the written minutes are subject to change until formally approved.
 - 3.4.4 A recording of an open meeting shall be available to the public for listening within three business days after the end of the meeting.
 - 3.4.5 A recording is not required for a site visit or a traveling tour if no vote or action is taken by the Board.

4. REGULAR MEETINGS

- 4.1 Regular meetings are held once per month, unless otherwise indicated, and are held for the purpose of conducting official Board business, including but not limited to action relating to policy, business, planning, instructional matters, and issues of community interest.
- 4.2 Public Notice of Meetings
 - 4.2.1 The Board shall give public notice at least once each year of its annual regular meeting schedule. The public notice shall specify the date, time, and place of such meetings. In addition to the annual notice above, the Board shall also give not less than twenty-four (24) hours public notice of the agenda, date, time, and place of each of the meetings.
 - 4.2.2 Public notice shall be satisfied by:
 - 4.2.1.1 posting written notice at each school campus building and/or at the building where the Board meeting is to be held;
 - 4.2.1.2 posting notice on the Utah Public Notice Website
 - 4.2.3 When, because of unforeseen circumstances, it is necessary for the Board to hold a special or emergency meeting to consider matters of an emergency or urgent nature, the notice requirements above may be disregarded and the best notice practicable given of the time and place of the meeting and of the topics to be considered at the meeting. No such special or emergency meeting shall be held unless an attempt has been made to notify all of the Board members and a majority votes in the affirmative to hold the special or emergency meeting.
 - 4.2.4 The Board shall follow additional public notice requirements established in state law when holding a Public Hearing at which the public is given a reasonable opportunity to comment on the subject of the hearing.
- 4.3 Meeting Location
 - 4.3.3 Public meetings held by the Board will be at one of the School's buildings



unless:

- 4.3.3.1 an alternative location is necessitated during a disaster or local emergency;
- 4.3.3.2 a site visit would allow Board members to see or experience an activity which does not exist on school property but is related to Board responsibilities. The Board may not vote or take other action

during such meetings.

- 4.3.4 Unless otherwise specified by the Board, all regular meetings will be held in a designated classroom or auditorium of the North Salt Lake High School, 552 N. Cutler Drive, North Salt Lake, UT 84054, or a designated classroom or auditorium of the Pleasant Grove main building at 867 S. 800 W., Pleasant Grove, UT 84062.
 - 4.3.5 When 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 an exception under Utah Code Ann. §52-4-201(2) is applicable.
 - 4.3.6 Any regular meeting scheduled at other locations must be held in locations and facilities readily accessible to individuals with disabilities.
 - 4.3.7 Any regular meeting may be adjourned or changed to a different location due to weather conditions, building conflict, etc. at the recommendation of the president of the Board, or in his/her absence, the vice-president, the executive directors, or in their absence by any two (2) members of the Board.
- 4.4 Electronic Meetings
- 4.4.1 Electronic meetings are expressly permitted pursuant to Utah Code Ann. §52-4-207.
 - 4.4.2 In order to facilitate Board member participation in Board meetings when physical presence of the Board member is not possible:
 - 4.4.2.1 A quorum of the Board shall be physically present at an anchor location for all meetings for members of the public to attend the open portions of the meeting.
 - 4.4.2.2 Board members who wish to participate in a meeting by electronic means shall make reasonable efforts to notify the Board president or vice-president no fewer than three (3) days prior to the meeting in order for arrangements to be made for the electronic meeting.
 - 4.4.2.3 The Board president or vice-president shall make reasonable efforts to give notice of the electronic meeting to all other Board members at least twenty-four (24) hours prior to the meeting, including a description of the electronic connection.
 - 4.4.2.4 The Board member's electronic presence at a meeting shall be announced at the meeting and noted in the minutes.
 - 4.4.3 If the Board president determines conducting a Board meeting presents a substantial risk to the health or safety of those who could otherwise be present at the anchor location, or the anchor location has been ordered closed to the public for health or safety reasons, the Board shall:
 - 4.4.3.1 give public notice for the meeting;
 - 4.4.3.2 including a summary of the facts upon which the Board President's determination is based; and
 - 4.4.3.3 information on how a member of the public may attend the meeting



remotely by electronic means.

4.5 Local Governmental Involvement

- 4.5.1 The Board shall allow an interested mayor and interested county executive to attend and participate in the Board discussions at an open Board meeting.
- 4.5.2 An interested county executive and interested mayor may attend and participate in Board discussions at a closed Board meeting if:
 - 4.5.2.1 the Board invites the interested county executive or interested mayor to attend and participate; and
 - 4.5.2.2 the closed meeting is held for the purpose of discussing the Board's disposition or acquisition of real property and the interested county executive or interested mayor does not have a conflict of interest with respect to the real estate disputation or acquisition.

4.6 Public Hearing

- 4.6.1 A public hearing is an open meeting at which the public is 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.
- 4.6.2 However, the Board shall hold a public hearing as required by statute:
 - 4.6.2.1 when considering whether to close a school or change the boundaries of a school; and
 - 4.6.2.2 when considering the adoption of the School's budget

5. BOARD AGENDA

- 5.1 The 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.
- 5.2 The agenda for all regular meetings of the Board will be prepared according to the following procedure:
 - 5.2.1 Regular items of business for the regular meeting (principals' and directors' reports) will be included on the agenda. Any items suggested by any Board member, employee, student, or parent of the School will also be added upon request.
 - 5.2.2 Items for the agenda must be submitted to the Board president, vice-president, secretary, or executive directors no later than 5:00 p.m. on Monday one week in advance of the next regularly scheduled Board meeting.
 - 5.2.3 The Board secretary shall 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 Board president, vice-president, and executive directors. Individuals who have requested to have items placed on the agenda shall be informed of approval or disapproval.
 - 5.2.4 If the Board president, vice-president, and executive directors, denies a Board member's request to place an item on the agenda the member may make a written request to the Board president, vice-president, or executive directors, for consideration by the full Board. The item shall be placed on the next Board agenda, clearly identifying the subject and that the item will be placed on a future



agenda for Board action if a majority of Board members vote in favor.

6. PUBLICATION AND NOTICE OF AGENDA

- 6.1 The regular meeting agenda, together with supporting materials, will be distributed to Board members, the executive directors, and designated administrative staff by the executive directors' offices in advance of the Board meeting, to permit careful review and consideration of agenda items.

7. ORDER OF BUSINESS

- 7.1 The order of business on the printed agenda may be changed temporarily by the presiding officer unless objection is made by any member of the Board or by majority vote of the Board.
- 7.2 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.

8. RULES OF ORDER

- 8.1 Except as otherwise provided by law, by regulation of the state board, or by special policies of this Board, meetings of the Board will generally be conducted in accordance with Robert's Rules of Order, Revised.

- 8.2 In addition, the Board will conduct its business according to the following general principles:

- 8.2.1 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 president *pro-tem* to preside and conduct.
- 8.2.2 The Board must act as a body.
- 8.2.3 Board members will address the agenda issues and conduct themselves with civility, decorum, and respect.
- 8.2.4 The Board must act by a majority (quorum) of its members.
- 8.2.5 All Board members should have equal opportunity to participate in decision-making.
- 8.2.6 The Board's actions should result from a decision on the merits rather than a manipulation of procedural rules.
- 8.2.7 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.

- 8.3 The Board may not expel a member of the Board from an open public meeting or prohibit the member from attending an open public meeting except, following a two-thirds vote of



the members of the Board, the Board may expel a member of the Board for:

- 8.3.1 disorderly conduct at the open public meeting;
- 8.3.2 a member's direct or indirect financial conflict of interest regarding an issue discussed at or action proposed to be taken at the open public meeting; or
- 8.3.3 a commission of a crime during the open public meeting.

9. SUSPENSION OF RULES OF ORDER

- 9.1 In accordance with Robert's Rules of Order, Revised, the Board may suspend the Rules by a majority vote of members at the meeting.
- 9.2 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.

10. PARLIAMENTARIAN

- 10.1 The business administrator will serve as parliamentarian. In the absence of the business administrator, the presiding officer will appoint a temporary parliamentarian.
- 10.2 The parliamentarian will rule on all questions pertaining to procedural questions that may arise during a public meeting.

11. VOTING PROCEDURES

- 11.1 Quorum
 - 11.1.1 Five (5) 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 *sine die* or to any date prior to the next regularly scheduled meeting, in which later 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.
 - 11.1.2 If a quorum of the Board is present, the votes of a majority of the members in attendance will be controlling.
 - 11.1.3 In the case of a meeting at which just a majority (i.e., five (5)-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.

12. Voting

- 12.1 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.
- 12.2 A Board member may 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.
- 12.3 Board members will seek formal recognition from the presiding officer before speaking.
- 12.4 The executive directors may participate in the discussion of a motion but may not vote.



- 12.5 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.
- 12.6 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.
- 12.7 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.
- 12.8 When a tie vote exists on a motion, the motion will be declared to have failed.
- 12.9 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.
 - 12.9.1 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.

13. PUBLIC COMMENT PERIOD

- 13.1 The Board shall allow time for public comment at the end of regularly scheduled Board business meetings. The Board desires to conduct its meetings in an orderly and efficient manner. Consequently, spontaneous comment or discussion from the audience is inappropriate. The public comment period shall not exceed thirty (30) minutes, with individual presentations limited to two (2) minutes.
- 13.2 Public Comment Period is reserved for speakers who are employees, parents, students, or community citizens, unless otherwise noted by the presiding Board member.
- 13.3 Employees, parents, students, or citizens desiring to address the Board shall sign-up, prior to the beginning of the meeting with the designated staff member.
- 13.4 Speakers shall provide their name, city, and the topic they wish to address prior to speaking.
- 13.5 Groups or organizations desiring to address the Board shall designate a single spokesperson to address the Board.
- 13.6 Speakers shall be recognized and invited to provide comment by the presiding Board member. The presiding Board member may hear public comments in any order or sequence and is not limited by arrangement shown on the sign-up sheets.
- 13.7 If no individuals have signed up to provide comment or the thirty (30) minute time period has not expired, the presiding Board member may ask if anyone in attendance desires to make comment who has not already been heard. At the discretion of the presiding Board member, additional speakers will be recognized, shall identify themselves, and provide comments. Additional comments may not exceed the two (2) minutes per person and thirty (30) minutes total.
- 13.8 The Public Comment Period shall not be used to air complaints concerning bidding, contracts, or employment or personnel issues, to criticize or defame School employees or Board members, or to make complaints for which other avenues for appeal exist.
- 13.9 The Board will not take public comments regarding individual student education issues



such as disciplinary action, special education programming, extra-curricular eligibility, and selection, etc.

- 13.10 Time may not be used by employees or their representatives to circumvent formal communication channels or established grievance or negotiation procedures.
- 13.11 Persons speaking to the Board at Board meeting shall address remarks to the presiding Board member.
- 13.12 Members of the Board and the executive directors may ask questions of any person who addresses the Board only upon approval of the presiding Board member.
- 13.13 The Board is unable, by law, to deliberate or take action on items raised during the Public Comment Period that is not otherwise on the Board's Agenda.
- 13.14 Speakers presenting highly detailed or complex information are asked to provide a written outline of their comments for the Board.

14. SUGGESTIONS BY EMPLOYEES, PARENTS, STUDENTS, AND CITIZENS

- 14.1 Any employee, parent, student, or citizen may make an anonymous suggestion to the Board to improve and promote education within the School by submitting his or her suggestion at a regularly scheduled Board meeting. Forms and a "Drop Box" will be available in the room where the Board meeting or workshop is held.

15. NEWS MEDIA AT BOARD MEETINGS AND SCHOOLS

- 15.1 Representatives of the news media may receive a summary of important Board actions, or official Board minutes, upon request through emailing the Board secretary.
- 15.2 All reports approved by the Board, including committee reports, will be public records, and will be made available, upon request, through the Board secretary. 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.
- 15.3 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:
 - 15.3.1 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.
 - 15.3.2 The view between Board members and the audience must not be obstructed.
 - 15.3.3 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.
- 15.4 Media representatives may not photograph, video, or interview students and faculty at schools unless they have received prior permission from the Board, the executive directors, or the academic directors.
- 15.5 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.

16. CLOSED MEETINGS

- 16.1 The Board may hold closed meetings for any of the following purposes:
 - 16.1.1 except as provided in Utah Code Ann. §52-4-205(3), discussion of the character, professional competence or physical or mental health of an individual;
 - 16.1.2 strategy sessions to discuss collective bargaining;
 - 16.1.3 strategy sessions to discuss pending or reasonably imminent litigation; or
 - 16.1.4 strategy sessions to discuss the purchase, exchange or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms;
 - 16.1.5 strategy sessions to discuss the sale of real property when:
 - 16.1.5.1 public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms;
 - 16.1.5.2 the public body had previously given public notice that the property would be offered for sale; and
 - 16.1.5.3 the terms of the sale are publicly disclosed before the public body approves the sale;
 - 16.1.6 discussion regarding deployment of security personnel, devices, or systems; and
 - 16.1.7 investigative proceedings regarding allegations of criminal misconduct.
- 16.2 The Board may not take a vote in a closed meeting, except for a vote on a motion to end the closed meeting. A motion to end the closed portion of a meeting may be approved by a majority of Board members present at the meeting.
- 16.3 Procedure for Holding Closed Meeting
 - 16.3.1 A closed meeting may be held upon the affirmative vote of two-thirds (2/3) of the members of the Board present at an open meeting for which proper public notice was given, provided a quorum is present.
 - 16.3.2 The following information shall be publicly announced and entered on the minutes of the open meeting:
 - 16.3.2.1 the reason or reasons for holding a closed meeting;
 - 16.3.2.2 the location of the closed meeting; and
 - 16.3.2.3 the vote of each member, by name, to hold a closed meeting.
- 16.4 Records of Closed Meetings
 - 16.4.1 If the Board closes a meeting to discuss the character, professional competence, or physical or mental health of an individual or to discuss the deployment of security personnel, devices, or systems, the person presiding shall sign a sworn statement affirming that the sole purpose for closing the meeting was to discuss:
 - 16.4.1.1 the character, professional competence, or physical or mental health of an individual; or
 - 16.4.1.2 the deployment of security personnel, devices, or systems.



- 16.4.2 If the Board closes a meeting for any allowable purpose other than to discuss the character, professional competence, or physical or mental health of an individual or to discuss the deployment of security personnel, devices or systems, the Board shall record the closed portion of the meeting and may keep detailed written minutes that disclose the content of the closed portion of the meeting. The complete and unedited recording shall include:
- 16.4.2.1 the date, time, and place of the meeting;
 - 16.4.2.2 the names of Board members present and absent; and
 - 16.4.2.3 the names of all others present except where such disclosure would infringe on the confidence necessary to fulfill the original purpose of closing the meeting.
- 16.4.3 Both recordings and written minutes of closed meetings are protected records under the Government Records Access and Management Act (GRAMA).
- 16.4.4 Notwithstanding the provisions of GRAMA, both recordings and written minutes of closed meetings, as protected records, may be disclosed pursuant to a court order only as provided by Utah Code Ann. §52-4-304.
- 16.4.5 Due to the confidential nature of information discussed in closed meetings, Board members and others present at the closed meeting shall not discuss such information outside the closed meeting.

DEFINITIONS

“Anchor location” means the physical location from which the electronic meeting originates or from which the participants are connected.

“Electronic meeting” means a meeting convened or conducted by means of a telephonic, telecommunications or computer conference.

“Interested county executive” means the county executive or county manager of a county with unincorporated area within the boundary of a school district, or the designee of the county executive or county manager.

“Interested mayor” means the mayor of a municipality that is partly or entirely within the boundary of a school district, or the mayor’s designee.

“Meeting” for purposes of this policy, means the convening of the Board, with a quorum present, including a workshop or an executive session, whether the meeting is held in person or by means of electronic equipment, for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the Board has jurisdiction or advisory power.

“Public body” means an administrative, advisory, executive, or legislative body of the state or its political subdivisions that: 1) is created by the Utah Constitution, statute, rule, ordinance, or resolution; 2) consists of two or more persons; 3) expends, disburses, or is supported in whole or in part by tax revenue; and 4) is vested with the authority to make decisions regarding the public’s business.

“Quorum” for purposes of this policy, means a simple majority (i.e. five) of the members of the Board. Quorum does not include a meeting of two elected officials by themselves, when no action, either formal or informal, is taken.

“Recording,” means an audio or an audio and video record of the proceedings of a meeting that can be used to review the proceedings of the meeting.

“State board,” means the Utah State Board of Education.

“Workshop meeting” for purposes of this policy, means an open meeting called by the Board to informally discuss proposed policies, program changes, or other items of information requiring in- depth consideration



REFERENCES

[Utah Code Ann. Title 52, Chapter 4.](#) – Open and Public Meetings Act.

[Utah Code Ann. §53G-4-402\(21\)](#) – Public hearing before closing a school or changing boundaries

[Utah Code Ann. §53G-7-208](#) – Local governmental entities and school districts.

[Utah Code Ann. §53G-7-303\(2\)](#) – Local school board budget procedures.

[Utah Code Ann. §63A-16-601](#) – Utah Public Notice Website.

DOCUMENT HISTORY:

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