

BE Morgan School District: 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\(6\) \(2016\)](#)

Rules of Order and Procedure—

The Board of Education shall adopt Rules of Order and Procedure to govern a public meeting of the Board of Education. The Rules of Order and Procedure shall include a set of rules that govern and prescribe in a public meeting:

1. Parliamentary order and procedure;
2. Ethical behavior; and
3. Civil discourse.

After adopting the Rules of Order and Procedure, the Board of Education shall:

1. Conduct its public meeting in accordance with the Rules of Order and Procedure adopted by the Board of Education; and
2. Make the Rules of Order and Procedure available to the public at each meeting of the Board of Education, and on the District’s public website.

[Utah Code § 53A-3-106\(1\)\(c\), \(2\) \(2015\)](#)

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:

1. Disorderly conduct at the meeting;
2. 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
3. Commission of a crime during the meeting.

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 § 53A-3-106\(5\)\)\(2015\)](#)

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](#).

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

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 § 53A-3-402\(21\) \(2016\)*](#)

[*Utah Code § 53A-19-102\(3\) \(2016\)*](#)

[*Utah Code § 53A-3-202\(2\) \(2010\)*](#)

[*Utah Code § 59-1-1605 \(2016\)*](#)

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\(5\) \(2014\)*](#)

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 § 53A-3-409\(3\)\(a\) \(2015\)*](#)

Quorum—

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

[Utah Code § 52-4-103\(11\)\(a\) \(2016\)](#)

[Utah Code § 53A-3-201\(5\) \(2005\)](#)

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.