

I. PURPOSE AND PHILOSOPHY

Weber School District Board of Education recognizes that it is a public body as defined in Utah law. As such, the Board has a responsibility to conduct its official business in an open and transparent manner. All meetings of the Board will be open to the public and will comply with Utah's Open and Public Meetings Act ("OPMA"), unless properly closed in accordance with Utah law and this policy. The Board values public input and adopts this policy to encourage students, parents, and community members to share that input in an orderly fashion.

II. POLICY

It is the policy of the Board that members of the public shall be informed of business the Board conducts each month and shall be provided an opportunity to provide input that is germane to the authority of the Board in accordance with the procedures outlined in this Policy.

III. DEFINITIONS AND REQUIREMENTS UNDER OPMA

- A. **Meeting or Board Meeting:** 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 communications, for the purpose of discussing or acting upon a matter over which the board has jurisdiction or advisory power.

Meeting does not mean: a chance meeting; a social meeting; or the convening of the board where no public funds are appropriated for expenditure during the time the board is convened and (a) the board is convened solely for the discussion or implementation of administrative or operational matters for which no formal action by the board is required; or (b) the board is convened solely for the discussion or implementation of administrative or operational matters that would not come before the board for discussion or action.

- B. **Quorum:** a majority-four or more members of the Board. A Meeting of the Board may not begin until a quorum is present.
- C. **Closed Meeting:** a portion of a Meeting that is closed to the public.
1. A closed meeting may be held if a quorum is present and two-thirds of the members present vote to approve closing the meeting.
 2. The reason(s) for holding the meeting, the location of the meeting, and the vote by each member shall be publicly announced in the open meeting.
 3. A closed meeting may only be held for:
 - a. a discussion of the character, professional competence, or physical or mental health of an individual;
 - b. strategy sessions to discuss collective bargaining;
 - c. strategy sessions to discuss pending or reasonably imminent

- litigation;
- d. strategy sessions to discuss the purchase, sale, exchange, or lease of real property;
- e. discussion regarding deployment of security personnel, devices, or systems; or
- f. investigative proceedings regarding allegations of criminal misconduct; ~~or-~~
- g. considering a loan application, if public discussion of the loan application would disclose (i) nonpublic personal financial information; or (ii) a nonpublic trade secret, or nonpublic business financial information the disclosure of which would reasonably be expected to result in unfair competitive injury to the person submitting the information

D. ~~Open Meetings~~ Recordings and Minutes: minutes and a recording that shall be kept of Meetings, as follows:

1. Recordings and minutes shall be kept of all Open Meetings except site visits or traveling tours where no vote or action is taken by the Board.
 - a. Such recording and minutes shall include:
 1. The date, time and place of the meeting;
 2. The names of members present and absent;
 3. The substance of all matters proposed, discussed, or decided, and a record, by individual member, of votes taken (no vote shall be taken by secret ballot); and
 4. The names of all citizens who appeared and a brief summary of their testimony.
 - b. The recording shall be unedited.
2. Recordings shall be kept of Closed Meetings and written minutes may be kept.
 - a. Such recordings 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.
 - b. Where the Meeting is closed for discussion of character, professional competence, or physical or mental health of an individual or security issues, the Closed Meeting shall not be recorded and no minutes shall be kept.
 - c. All recordings and minutes of Closed Meetings are designated as "Protected Records" under the Government Records Access Management Act.

E. Public Meeting Notice: notice that is given to the public regarding Meetings.

1. At least once each year, the Board shall give public notice of its annual

Meeting schedule. In addition, the Board shall provide public notice of each Meeting at least 24 hours in advance of the meeting, including the agenda, date, time, and place of its Meeting.

- a. The agenda shall be sufficiently specific to notify the public of the topics to be considered at the Board meeting.
 - b. The Board may not take action on any topic that was not listed under an agenda item.
2. Public notice shall be given by
- a. Posting written notice at the Board office;
 - b. Providing notice to a newspaper of general circulation within Weber County, or to a local media correspondent and
 - c. Posting notice on the Utah Public Notice Website.-
3. Notice for certain Meetings, including Meetings to discuss tax increases will follow Utah Code Ann. § 59-2-919.

F. Emergency Meeting: a Board Meeting called because of unforeseen circumstances to consider matters of an emergency or urgent nature.

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

G. Electronic Meeting means a Board Meeting convened or conducted by means of a conference using electronic communications.

1. A board meeting may be held as an electronic meeting upon the request of a board member at least three days prior to the time that the board meeting is scheduled.
2. At least 24 hours before an Electronic Meeting is scheduled to begin, each Board Member will receive a description of how to electronically connect to the Meeting.
~~An electronic means may include communications by telephone, telecommunications, computer, or similar methods of remote communication.~~
3. ~~Unless the Board Chair determines that conducting a Meeting presents a substantial risk to the health or safety of those present, Sspace shall be provided at the primary location for members of the public to attend the Open Meeting when the Board convenes and conducts an Electronic Meeting. of an electronic meeting to permit members of the public to attend and monitor the Electronic Meeting. Monitor means to hear or see all statements made by each board member in the meeting (by speaker, computer screen, or other medium). 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.~~ Members of the public are not entitled to monitor or attend electronic meetings except through the

space and facilities provided at the primary location.

4. ~~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 so noted.~~

H. **Public Hearing:** an Open Meeting at which members of the public are given a reasonable opportunity to comment on the subject of the meeting.

1. A Public Hearing may differ from the regular public comment period in its specific focus and duration.
2. The Board will hold a public hearing when considering any of the following:
 - a. The closure of a school;
 - b. A change in school boundaries;
 - c. The adoption of a district budget
 - d. An increase in taxation; and
 - e. Change to the board member compensation schedule,

I. **Work Study Session:** a portion of a Board Meeting dedicated to more extensive review, study, and discussion of issues, policies, programs, and other matters concerning the operations of the District. Work Study Sessions are public and open Meetings.

~~Annual Budget~~ — In addition to the public notice requirements, the Board shall do

~~Meeting~~ — the following for the annual budget meeting: (1) Publish the required newspaper notice at least one week prior to the hearing; and (2) File a copy of the proposed budget with the Board's business administrator for public inspection at least ten days prior to the hearing. 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 59-2-919.

~~Utah Code 53A-19-102~~ **Electronic** — A board meeting may be held as an electronic meeting upon the

Meetings — request of a board member at least three days prior to the time that the board meeting is scheduled. ~~Utah Code 52-4-207~~

Public Appearance — The Board of Education welcomes all persons interested in agenda

at Board Meeting — items at Board meetings. During the meeting, individuals or groups may address the Board concerning any agenda item subject to the following rules:—

Any discussion may be limited in time at the discretion of the Board President.—

Board members may question speakers in order to clarify the discussion.—

No person shall discuss complaints against individual employees of Weber School District.

~~Individuals making presentations shall be courteous and proper. Any person who is abusive or who disrupts the meeting may be removed.~~

~~Persons wishing to have an item placed on the agenda should make a written request to the Superintendent at least one week in advance of the Board meeting.~~

IV. COMPLIANCE WITH OPMA

- A. Board members will receive training on OPMA annually.
- B. The Board shall comply with all aspects of OPMA not specifically listed in this Policy.

V. PUBLIC PARTICIPATION AT BOARD MEETINGS

- A. The Board shall allow time for public comment at the beginning of regularly scheduled Board business meetings (“Public Comment Period”) after recognition and awards of employees. The Board desires to conduct its meetings in an orderly and efficient manner. Consequently, the Board adopts the following rules pertaining to the Public Comment Period.

B. Procedures

1. Those wishing to address the Board must sign up prior to the start of the Board Meeting either online as directed on the District website or on the sign-up sheet provided at the District Office.
2. Sign-up is handled on a first-come basis, with preference for those who sign up online. If additional time is available after online sign ups close, the Board will have a sign-up sheet available at the entrance to the Board room, for patrons to sign up for public comment. The sign-up sheet will be available until five (5) minutes prior to the start of the Board meeting.
3. Patrons may sign up for only one Board Meeting at a time and may not sign up for a Board Meeting until the previous Board Meeting has concluded and the online sign-up process for the next Board Meeting has been enabled.
4. Patrons who sign up using the District website must do so no less than twenty-four (24) hours prior to the start of the Meeting. Patrons shall list:
 - a) their name,
 - b) the schools their children attend,
 - c) their city of residence,
 - d) the topic they wish to address,
 - e) and whether they are representing themselves or a group.
5. Speakers will be given up to three minutes to address the Board. The District may time speakers either publicly or privately to ensure compliance with this provision. The public should be aware that the Board is unable, by law, to take action on items not on the agenda.

6. A maximum of eight (8) speakers will be given an opportunity to present to the board.
7. Patron comment time is limited to residents of Weber School District, students, parents/guardians of current students, and current employees of the District. All others may address the Board with prior approval of the Board President.
8. The Board President will take public comment in the order patrons signed up, by topic, or according to some other order as determined by the President.

C. Public Comment Period Guidelines

1. Spontaneous comment or discussion from the audience is prohibited, and if such spontaneous comment or discussion creates a substantial disruption to the Board meeting, the individual may be asked to leave the Meeting.
2. In those situations where large groups of people desire to address the Board on the same subject, the President may request that those groups select only one or two speakers from the group to address the Board on behalf of the group and shall be allocated up to six minutes to speak.
3. Time may not be used by employees or their representatives to circumvent formal communication channels or established grievance or negotiation procedures.
4. The Board will not take public comment on personnel issues or statements regarding the character, professional competence, and physical or mental health of an individual during Board meetings. Communications regarding such comments or statements should be sent in writing to the attention of the Board of Education to the **President of the Board** or email individual Board members.
5. Persons who disrupt Board meetings or the business of the Board by applause, cheering, jeering, or personal outbursts may be removed from the meeting by appropriate legal means. Individuals should conduct themselves and present their comments in a respectful and courteous manner, giving due respect to the dignity and privacy of others who may be affected by their comments.
6. Individuals should refrain from making rude or slanderous remarks that may violate the rights of others under laws of defamation or invasion of privacy.
7. Speech that defames individuals or interrupts the public business of the Board will not be tolerated and may be cause for removal from the meeting. The Board may adjourn the meeting at any time.

8. Board meeting attendance cannot exceed the seating capacity of the room in which the meeting is scheduled to be held. Whenever possible, the Board will accommodate overflow seating and provide audio for the meeting.
 9. The Board may adjourn the meeting at any time.
 10. The Board President or other presiding officer may terminate the remarks of any individual who does not adhere to this policy. Such individuals may also be prohibited from addressing the board at future board meetings. Individuals addressing the Board who engage in inappropriate or disruptive conduct will be removed from the meeting.
- D. At each meeting, the Board President may read speaker guidelines prior to receiving public input.
- E. Study sessions shall be open to the public, but time shall not be provided for patron comments unless invited by the Board President.

Approved by the Board 10/04/2006