R277. Education, Administration.

R277-101. Public Participation in Utah State Board of Education Meetings.

R277-101-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board;

(b) Title 52, Chapter 4, Open and Public Meetings Act, which directs that the deliberations and actions of the Board be conducted openly;

(c) Section 52-4-207, which allows the Board to adopt a rule governing the use of electronic meetings; and

(d) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.

(2) The purpose of this rule is to describe procedures to be followed by the Board in its conduct of the public's business in order to:

(a) hear from those who desire to be heard on public education matters in the state;

(b) effectively and efficiently utilize the time of the Board;

(c) balance desire for public information with other demands on the Board's time; and

(d) allow the Board to conduct electronic meetings as needed.

R277-101-2. Definitions.

(1)(a) "Anchor location" means the physical location from which an electronic meeting originates.

(b) The anchor location for an electronic meeting of the Board, unless otherwise designated in the meeting notice, shall be the offices of the Utah State Board of Education, 250 East 500 South, Salt Lake City, Utah 84114.

(2) "Chair" means:

(a) the duly elected Chairperson of the Board;

(b) a Vice-chair when conducting a meeting of the Board; or

(c) the Chair of a Board standing committee.

(3) "Electronic meeting" has the same meaning as defined in Section 52-4-103.

R277-101-3. Public Participation.

(1) The general public may attend meetings of the Board, unless a meeting is closed in accordance with Section 52-4-204.

(2) The general public may speak to the Board regarding any issue when acknowledged and recognized by the Board Chair during scheduled public comment.

(a) The chair may give priority to an individual or group who submits a written request to address the Board prior to the meeting, including a brief description of the issue to be addressed.

(b) The Board may not take action during the public comment portion of a meeting.

(c) A Board member may request that an item raised during public comment be placed on a future agenda for possible action in accordance with Board bylaws.

(d)(i) The Chair may limit the time available for individual comments.

(ii) The Chair may request groups to designate a spokesperson.

(iii) The Board shall include in its meeting agenda the amount of time set aside for public comment and the restrictions on individual speakers or group spokespersons.

(3)(a) A member of the general public may speak to items on the agenda:

(i) during the time designated for public comment; or

(ii) at the discretion of and as invited by the Chair, when the item is properly before the Board or a committee.

(b) The Chair may request that public comment be provided in writing.

(4)(a) All presentations to the Board or one of its committees shall exemplify courteous behavior and appropriate language.

(b) Any policy-related comments or materials not permitted to be made or shown during the public comment portion of the meeting due to the Board's rules of decorum will be available in meeting minutes and labeled as explicit or potentially offensive.

(5) The Chair may invite additional comment to the Board or a committee in the Chair's discretion.

(6) In accordance with Subsection 52-4-202(6)(b), at the discretion of the Chair, the Board may discuss a topic raised by the public in an open meeting even if the item was not included in the public meeting notice.

(7) At the discretion of the Chair, a member of the public may request to comment in the committee meeting by raise of hand.

R277-101-4. Electronic Meetings.

(1) The Board may conduct electronic meetings in accordance with the requirements set forth in Subsection 52-4-207(3).

(2)(a) The Board may allow a member of the Board or member of the public to participate in a Board meeting electronically consistent with available equipment capability.

(b) The chair shall announce the participation of an individual participating in an electronic meeting and the Board secretary shall note the individual's participation in the meeting minutes.

(3) If the Board conducts an electronic meeting, any member may participate and vote electronically, so long as the Board meets quorum requirements.

KEY: school boards, open government, electronic meetings
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Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 52-4-1; 53E-3-401(4); 52-4-207