

LOCAL SCHOOL BOARD MEETINGS REQUIREMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Craig Hall

Senate Sponsor: Deidre M. Henderson

LONG TITLE

General Description:

This bill establishes meeting location requirements for local school boards.

Highlighted Provisions:

This bill:

- ▶ requires a local school board to hold the local school board's public meetings within the geographic boundary of the local school board's school district;
- ▶ provides an exception for:
 - a meeting held during a disaster or local emergency; or
 - a meeting held during a site visit; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-3-106, as enacted by Laws of Utah 2011, Chapter 107

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-3-106** is amended to read:

53A-3-106. Local school board meetings -- Rules of order and procedure --

Location requirements.

30 ~~[(1) As used in this section, "rules of order and procedure" means a set of rules that~~
31 ~~govern and prescribe in a public meeting:]~~

32 ~~[(a) parliamentary order and procedure;]~~

33 ~~[(b) ethical behavior; and]~~

34 ~~[(c) civil discourse.]~~

35 (1) As used in this section:

36 (a) "Disaster" means an event that:

37 (i) causes, or threatens to cause, loss of life, human suffering, public or private property
38 damage, or economic or social disruption resulting from attack, internal disturbance, natural
39 phenomenon, or technological hazard; and

40 (ii) requires resources that are beyond the scope of local agencies in routine responses
41 to emergencies and accidents and may be of a magnitude or involve unusual circumstances that
42 require a response by a governmental, not-for-profit, or private entity.

43 (b) "Local emergency" means a condition in any municipality or county of the state that
44 requires that emergency assistance be provided by the affected municipality or county or
45 another political subdivision to save lives and protect property within its jurisdiction in
46 response to a disaster or to avoid or reduce the threat of a disaster.

47 (c) "Rules of order and procedure" means a set of rules that governs and prescribes in a
48 public meeting:

49 (i) parliamentary order and procedure;

50 (ii) ethical behavior; and

51 (iii) civil discourse.

52 (2) Subject to Subsection (3), a local school board or charter school governing board
53 shall:

54 (a) adopt rules of order and procedure to govern a public meeting of the local school
55 board;

56 (b) conduct a public meeting in accordance with the rules of order and procedure
57 described in Subsection (2)(a); and

58 (c) make the rules of order and procedure described in Subsection (2)(a) available to
59 the public:

60 (i) at each public meeting of the local school board; and

61 (ii) on the local school board's public website, if available.

62 (3) (a) Except as provided in Subsections (3)(b) and (c), a local school board may not
63 hold a public meeting outside of the geographic boundary of the local school board's school
64 district.

65 (b) A local school board may hold a public meeting outside of the geographic boundary
66 of the local school board's school district if it is necessary for the local school board to hold a
67 meeting during a disaster or local emergency.

68 (c) A local school board may hold a public meeting outside of the geographic boundary
69 of the local school board's school district to conduct a site visit if:

70 (i) the location of the site visit provides the local school board members the
71 opportunity to see or experience an activity that:

72 (A) relates to the local school board's responsibilities; and

73 (B) does not exist within the geographic boundaries of the local school board's school
74 district; and

75 (ii) the local school board does not vote or take other action during the public meeting
76 held at the site visit location.

77 (d) This Subsection (3) does not apply to a charter school governing board.

78 ~~[(3) Subjection (2)(a) does]~~ (4) The requirements of this section do not affect a local
79 school [board's] board or charter school governing board's duty to comply with Title 52,
80 Chapter 4, Open and Public Meetings Act.