

Board Legal Status

Body corporate—

As provided by Utah law, the Board of Education of Garfield County School District is a body corporate, and has an official seal conformable to its name. A “body corporate” is a public corporation and legal subdivision of the state, vested with the powers and duties of a government entity.

Utah Code § 53G-4-401 (2019) **Political subdivision of the State of Utah—**

The Board of Education of Garfield County School District is a political subdivision of the State of Utah.

Utah Constitution, Article XI, Section 8

Number of school board members—

The Board of Education of Garfield County School District consists of five members. If the student population of the District hereafter increases to 10,000 or more students, as reported to the State Board of Education in the October 1 student count, the number of members on the Board shall increase to seven members and shall remain at seven members despite subsequent changes in student population.

Utah Code § 20A-14-202(1) (2019)

Utah Code § 20A-14-202(1) (2019)

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Board Legal Status: ***Powers and Duties***

Promote education—

The Board has the legal power and duty to do all things necessary for the maintenance, prosperity and success of the schools and for the promotion of education and to exercise all powers given by statute. The Board's legal powers and duties include the actions set forth in this policy, but are not necessarily limited to the listed powers and duties.

[Utah Code § 53G-4-402\(20\) \(2019\)](#) **Govern—** The Board of Education

recognizes that under Utah law “it is the province of the Board of Education to determine what things are detrimental to the successful management, good order, and discipline of the schools and the rules required to produce” successful management, good order, and discipline in the schools.

Beard v. Board of Education, 16 P.2d 900 (Utah 1932)

Adopt rules—

Adopt such policies, regulations, and bylaws as the Board deems proper for the operation of the Board and for the control and management of the District’s schools.

Utah Code § 53G-4-402(14), (15) (2019)

Levy taxes—

Establish tax rates each year and submit the proposed rate to the county legislative body in which the District is located according to statutory procedures:

*Utah Code § 53F-8-201 (2019) Utah Code
§ 53F-8-401 (2018) Utah Code §
53F-8-202 (2018) Utah Code § 53F-8-402
(2019) Annual budget—*

Prepare, adopt, and file a budget for the next succeeding fiscal year with the county legislative body in which the District is located as required by statute.

Utah Code § 53F-8-201 (2019)

Bequests—

Receive bequests and donations or other monies or funds which are made for educational purposes.

Utah Code § 53G-4-402(12) (2019)

Acquisition and ownership of

property—

Acquire and hold real and personal property in the name of the District, inclusive of all rights and titles, and lease and lease with an option to purchase property. The Board of Education has the direction and control of all school property in the district.

Utah Code § 53G-4-401(4) (2019)

Eminent domain—

Exercise the right of eminent domain to acquire property.

Board of Education of South Sanpete School District v. Barton, 617 P.2d 347 (Utah 1980). Olsen v.

*Board of Education of the Granite School District, 571 P.2d 1336 (Utah 1977). **Employ***

personnel—

Employ by contract a Superintendent, Business Administrator, Principal(s), teacher(s), or other executive officer(s) and set salary schedules therefor.

Utah Code § 53G-11-202 (2018) Utah Code § 53G-4-301

*(2018) Utah Code § 53G-4-302 (2012) **Close schools***

and change school boundaries—

Close schools or suspend operation of schools or change school attendance area boundaries as determined to be appropriate by the Board of Education after appropriate public notice and hearing as required by statute.

Allen v. Board of Education Weber County School District 236 P.2d 756 (Utah 1951) Save Our Schools v. Board of Education of Salt Lake City, 2005 UT 55 Utah Code § 53G-4-402(21) (2019)

Sue and be sued—

Sue and be sued in the name of the District.

*Utah Code § 53G-4-401(4) (2019) **Fulfill other statutory duties and***

exercise other statutory powers—

The Board also has the duty to comply with such other duties as are set forth in the laws and regulations of Utah and the United States, and also may exercise the powers and authorities established by such laws and regulations.

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Board Members: *Eligibility and Qualifications*

General qualifications—

Each board member
must

1) Be and remain a registered voter in the District; 2) Maintain his or her primary residence within the local school board district from which the member is elected or appointed; and 3)

Take the constitutional oath of office:

- a) “I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of Utah, and that I will discharge the duties of my office with fidelity.”

*Utah Constitution Art. IV, Sec. X Utah Code §
53G-4-201 (2019) Utah Code § 20A-14-202(3)
(2019) **Conflict of interest—***

A member of the Board of Education may not, during the member’s term of office, also serve as an employee of the Board.

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Board

Members:

Student Members

Appointment of student member of board upon student petition—

Upon receipt of a qualifying student petition, the Board of Education may appoint a nonvoting student member to the Board in addition to the regular members authorized by law.

Requirements for petition—

To qualify, the petition shall have the signatures of:

- 1) At least 500 students regularly enrolled in high school in the District; or 2) At least 10% of the number of students regularly enrolled in high school in the District, whichever is less.

Utah Code § 20A-14-206(2) (2018)

Term of office—

A student member's term is for one year, beginning on July 1 and ending the following June 30.

Utah Code § 20A-14-206(3)(b) (2018)

Student member qualifications—

To be qualified, a student board member shall be enrolled in a high school in the District and may be under 18 years of age.

Utah Code § 20A-14-206(4) (2018)

Student member participation—

A student member has the right to participate in all open board meetings.

Utah Code § 20A-14-206(5) (2018)

Entitlement to expense allowances—

A student board member is entitled to expense allowances granted other board members under [Section 53G-4-204](#).

Utah Code § 20A-14-206(6)(a) (2018)

Immunity for acts of board—

A student member is not liable for any acts of the governing board.

Utah Code § 20A-14-206(6)(b) (2018)

Board Members: *Elections and Reapportionment*

Term— The term of office for an elected member shall be four years, except as required because of reapportionment as set forth below, and begins on the first Monday in January following the election.

Utah Code § 20A-14-203(2) (2016)

Candidacy—

An individual may become a candidate for election to the Board as follows:
By paying the fee described in [Utah Code § 20A-9-202](#), and In a general election held after 2016, by filing a declaration of candidacy with the county clerk on or after the second Friday in March, and before the third Thursday in March, before the next regular general election.

Utah Code § 20A-14-203(1) (2016)

Elections—

[Option for 5 member boards] No more than three (3) members may be elected to the board in any election year, unless otherwise required as a consequence of reapportionment, as set forth below, or to fill a vacancy by election under Policy BBC.

Utah Code § 20A-14-202(1)(g) (2019) [Option for 7 member boards] No more than five (5) members may be elected to the board in any election, unless otherwise required as a consequence of reapportionment, as set forth below, or to fill a vacancy by election under Policy BBC.

***Utah Code § 20A-14-202(1)(g) (2019)* Reapportionment does not cut short board member terms—**

Reapportionment does not affect the right of any school board member to complete the term for which the member was elected.

Utah Code § 20A-14-201(3)(a) (2011) **Representation of school board districts after reapportionment—**

1) If after reapportionment only one board member whose term extends beyond reapportionment lives within a reapportioned school board district, that board member shall represent that school board district.

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2) If after reapportionment two or more members whose terms extend beyond reapportionment live within a reapportioned school board district, the members involved shall select one member by lot to represent that school board district.

a) The other members shall serve at-large for the remainder of their terms.

b) Notwithstanding the number of board members otherwise established by law, the at-large board members shall serve in addition to the designated number of board members for the board in question for the remainder of their terms.

3) If after reapportionment there is no board member living within a school board district whose term extends beyond reapportionment, the seat for that school board district shall be treated as vacant and filled as provided in policy BBC.

Utah Code § 20A-14-201(3)(b) (2011) **Adjustment of term lengths because of reapportionment—**

If, before an election affected by reapportionment, the county or municipal legislative body that conducted the reapportionment determines that one or more members must be elected to terms of two years to meet this part's requirements for staggered terms, the legislative body shall determine by lot which of the reapportioned local school board districts will elect members to two-year terms and which will elect members to four-year terms. All subsequent elections are for four-year terms. *Utah Code § 20A-14-201(4) (2011)*

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Board Members:

Vacancies on the Board

Appointment—

A local school board shall fill vacancies on the Board by appointment, except where an election to a two-year term is required as set forth below. The Board must fill the vacancy within 30 days after it occurs, or the county legislative body or municipal legislative body shall fill the vacancy by appointment.

[Utah Code § 20A-1-511\(1\) \(2019\)](#) **Interim appointment followed by**

election for two-year term—

In the event a vacancy on the Board occurs, or a letter of resignation is received by the Board, at least 14 days before the deadline for filing a declaration of candidacy for the Board, and at least two years of the vacated term will remain after the first Monday of January following the next school board election, then the vacancy on the Board shall be filled by an interim appointment for the remaining unexpired term, which term shall be followed by an election to fill a new two-year term for that Board position.

Utah Code § 20A-1-511(2) (2019) **School board to provide notice of pending appointment and interview candidates—**

Before appointing an individual to fill a vacancy, the Board shall give public notice of the vacancy and the pending appointment. This public notice shall:

1) Be given at least two weeks before the Board meeting where the vacancy will be filled
;

2) Inform the public of:

a) The date, time, and place of the Board meeting at which the vacancy will be filled; and b) The person to whom and date and time before which an interested individual

may submit his or her name for consideration for appointment to fill the vacancy.

In an open meeting, the Board shall interview each individual whose name is submitted for consideration and who meets the qualifications for office, regarding the person's qualifications.

Utah Code § 20A-1-511(3) (2019) **Appointment pending effective resignation of Board member—**

Where a Board vacancy will occur because a member has submitted a letter of resignation to the Board, the Board may make an appointment to fill that vacancy

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before the vacancy occurs (before the effective date of the resignation). However, the individual so appointed may not take office until on or after the day on which the vacancy occurs. After the Board has made the appointment to fill the pending vacancy, the member may not rescind the letter of resignation which led to the appointment.

Utah Code § 20A-1-511(4) (2019)

Board Members:

Board Internal Operation

Elections of board president and vice-president—

The Board of Education shall elect a president and a vice-president whose terms of office are for two (2) years and until their successors are elected.

The elections shall be held during the first board meeting in January following a regular Board election held in the District.

Removal from office—

An officer appointed or elected by the Board may be removed from office for cause by a vote of two-thirds of the Board.

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Board Members: Compensation and Expenses [Note: H.B. 234, enacted in the 2007 legislative session, amended the law to remove the previous specific limitations on Board member compensation, but did not invalidate existing Board compensation schedules. If a Board of Education enacts a new

compensation schedule or amends an existing schedule after July 1, 2007, the hearing procedure set forth below must be followed. Because the new law removes the prior restrictions, the specific provisions of this model policy are permitted, but not required by the law (except for the hearing procedures, which are mandatory).]

Compensation

—

Each member of the Board of Education, except any student member, shall receive an amount not to exceed \$ 3000.00 per year, payable monthly, as compensation for services.

Health insurance benefit—

Each member of the Board of Education, except any student member, shall be eligible to participate in the district's health insurance programs during the term of service as a Board member. Board members, except any student member, may receive the same health insurance benefit as a full-time certificated employee.

Member expenses—

Reimbursement to board members for travel expenses for attendance at regional, state, or national conventions, conferences, and workshops shall be made by the District when attendance is authorized and deemed by the Board to be necessary or desirable in carrying out the educational functions of the District; each member shall submit an itemized account of necessary travel expenses for Board approval. Such activities may not exceed 12 per year. Such travel expenses shall be reimbursed at the rates established by the State Division of Finance for members of the State Board of Education.

Board members shall also be compensated for necessary expenses incurred by them on behalf of the School District in the discharge of their duties as board members.

Utah Code § 53G-4-204(5) (2019) Utah Code § 53E-3-202(3) (2019) **Public hearing for adoption or revising compensation schedules—**

Beginning on July 1, 2007, before adopting a new Board member compensation schedule or amending an existing schedule, the Board shall first hold a public hearing on the proposed compensation schedule or schedules at which all interested persons shall be given an opportunity to be heard.

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In addition to satisfying the notice requirements for an open Board meeting, the Board shall also meet the specific notice requirements for a public hearing on Board member compensation (see Policy BEA).

Utah Code § 53G-4-204(2), (3) (2019)

Non-member expenses—

The Board may not pay the travel expenses of spouses and other persons who have no responsibilities or duties to perform for the Board when they accompany Board members to Board-related activities. **Student member expenses—**

Any student board member is not compensated for services but is entitled to expense allowances granted other Board members under this Policy.

Utah Code § 20A-14-206(6)(a) (2018)

**Foundations and Basic
Commitments: *District Mission
Statement***

**Mission
Statement—**

The mission of the District is to provide comprehensive, success-oriented learning activities for young people in our schools.

These opportunities must be designed to develop the person's potential in the areas of academic ability and vocational awareness, cultural appreciation, physical well-being, social development, and community contribution.

Foundations and Basic

Commitments: *District Belief Statements*

Students

We believe:

- Every student will be educated academically and socially so as to be a productive citizen.
- All students will have equal educational opportunities to achieve their individual potential.
- We have something to offer every student.
- Each student is unique.
- Successful education depends on parental commitment to education.

Teachers

We believe:

- Teachers are the foundation of a strong educational system.
- Teachers will maintain high expectations for themselves and their students.
- Teachers should serve as positive role models for students.
- Teachers will actively seek parent support and involvement.

Principals—

We believe:

- A principal is the instructional leader of the school.
- A principal is the facilitator for a positive learning environment.
- A principal actively seeks parent support and involvement.
- A principal serves as a liaison between school and community.
- A principal maintains high expectations for students and staff

members.

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Superintendent

We believe:

- The Superintendent is the leader, implementer, and facilitator of a successful School District.
- The Superintendent promotes and upholds the positive educational climate of the School District.

Management Principals—

We believe:

- In human beings as the single most important element in all transactions.
- In behaving with uncompromising honesty and integrity.
- In challenging people to experience their full potential so each individual contributes to educational excellence.
- In reaching quality decisions through the involvement of people.
- In establishing priorities that respond to the needs of our students, staff members, and community, and serve as the driving force behind all of our

actions.

- In focusing on excellence in everything we do.

Board of Education—

We believe:

- Students are the number-one priority.
- The Board conveys the educational needs and desires of the community to the District and establishes policies accordingly.
- The Board maintains high expectations for the District and themselves in working toward excellence.

Foundations and Basic Commitments *District Educational Philosophy*

Philosophy

—

The District was established by the state legislature, under the authority contained in the Utah State Constitution, for the sole purpose of providing an education to the students of the District. While the establishment of the District also provides other services, such as caring for students during the school day, providing employment to the school staff, and providing facilities for the use of the community, all of these services are necessarily subordinate to the District's prime function of providing an education to students. The Board of Education is elected by the citizens of the community to ensure that this responsibility is accomplished. However, the Board recognizes that it cannot accomplish this objective unless all of the sectors of the school community also accept and perform their responsibilities. The Board considers the responsibilities of these elements of the school community to be essential:

- Students
 - Education is an opportunity provided to the children of the District by their community. The Board expects that all students will learn to recognize the value of this opportunity, and will therefore work diligently to help ensure that their maximum potentials are realized. The Board further expects that all students will recognize that their fellow students have the right to be educated, and will avoid any action that may interfere with their ability to exercise that right.
 - The Board believes that education should develop habits, attitudes, understanding, and skills necessary for a productive, satisfying life in society. Students should be taught to understand the duties and privileges of responsible citizenship as such duties and privileges relate to themselves as individuals and to the whole community. The vast changes brought about by increasing technology, population, and urbanization must also be taught. The input and support of the citizens of the community, and especially the professional staff, are solicited as the school community endeavors to develop the attitudes and abilities demanded in this age of rapid change.
- Staff
 - The Board fulfills its responsibility for the education of students by employing first a competent Superintendent, on whose recommendation it also employs a competent staff. As a condition of this employment, the Board expects each staff member's best

efforts to be exerted toward the accomplishment of the educational

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objectives of the District. Because education is imparted primarily by teachers, the Board specifically places responsibility for maintaining and expanding educational ability on each teacher, to the end that each student may reach maximum potential and develop a sense of dignity and self-worth.

- Parents ○ The Board recognizes that the ultimate responsibility for the well-

being of all children rest with their parents. All parents are expected to participate in the District's educational effort by ensuring maximum attendance of their children, by assuring that their children cooperate in the educational endeavor of the District, and by fostering an attitude in their children that recognizes the importance of education and life-long learning.

- Community ○ The resources necessary to provide education for students are

provided by members of the community through their taxes and other supporting services. The Board's goal is that all members of the community, both individually and through their governmental, civic, and social organizations, will continue to support the educational activities of the District. In consideration of the accomplishment of these responsibilities by each sector of the school community listed above, the Board of Education, with the concurrence of each individual board member, pledges its best efforts to ensure that the District is governed effectively and efficiently so that the goal of an appropriate and outstanding educational experience is available for all students of the District.

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Board Internal Operation

Elections of board president and vice president—

The Board of Education shall elect a president and a vice president whose terms of office are for two (2) years and until their successors are elected.

The elections shall be held during the first board meeting in January following a regular Board election held in the District.

Utah Code § 53G-4-203(1), (2) (2019)

Removal from office—

An officer appointed or elected by the Board may be removed from office for cause by a vote of two-thirds of the Board.

Utah Code § 53G-4-203(3) (2019) **Vacancy**— When a vacancy occurs in the office of president or vice president of the Board for any reason, the Board shall elect a replacement for the unexpired term.

Utah Code § 53G-4-203(4) (2019)

Board Internal

Organization: *Other Officers*

Other officers—

The Board of Education may appoint other necessary officers who serve at the pleasure of the Board. **Qualify by taking oath of office—**

These officers shall qualify by taking the constitutional oath of office before assuming office.

“I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of Utah, and that I will discharge the duties of my office with fidelity.”

Utah Code § 53G-4-304 (2019)

President of the Board:

Duties

Duties generally—

The president of the Board of Education shall preside at all meetings of the Board, appoint all committees, and sign all warrants ordered by the Board to be drawn upon the business administrator for school moneys.

Utah Code § 53G-4-205(1) (2019)

Presiding officer—

Duties as presiding officer:

1. Call the Board into session.
2. Conduct Board meetings.
 - a. Declare the opening of meetings
 - b. Determine order of business according to Board policy.
 - c. Recognize claimants to the floor.
 - d. Rule on admissibility of business.
 - i. Declare motions in or out of order.
 - ii. Declare, subject to overriding, the propriety of the Board's considering specific items of business.
 - iii. Declare, subject to overriding, specific items of business in or out of the Board's province of action.
 - e. Within limits of Board policy, control extent of discussion.
 - i. Declare, subject to overriding, discussion closed whenever comment becomes repetitious, dilatory, or no longer pertinent to the point at issue.
 - ii. Declare discussion closed whenever time limits previously determined

by Board action have been reached.

- f. Maintain the dignity of the Board in session.
 - i. Apply the rules of parliamentary procedures.
 - ii. Restrain debate within bounds of good taste and courtesy. iii. Provide equal opportunity for expression of opposing points of view.
 - iv. Within limits of Board policy, secure the rapid handling of Board business.

- v. Rule out of order all action and comment unbecoming a legislative body in session.
- g. Declare the results of Board voting.
 - i. Declare the passage or non-passage of motions.
 - ii. Declare for the record the identities of members (including the president) voting aye and nay and of those not voting.
- h. Ensure the legal recording of Board business.
 - i. Declare Board decisions to the secretary of the Board of Education
 - ii. Make inquiry of the secretary or make investigation of the record as to the rate of progress of note-taking with respect to the Board's dispatch of business. i. Increase efficiency in Board meeting procedures.
- j. Declare the meeting adjourned. 3. Ensure proper keeping of Board records and supplies.
- 4. Sign as president of the Board official copies of minutes and other Board documents.

5. Secure the legality of Board action, procedures, meetings, and membership.
6. Receive for the Board all delegations and petitions.
7. Issue, subject to Board approval, official statements of Board action and policy

Duties regarding other Board members—

Duties in relation to other Board members:

1. Lead discussion in Board meetings.
 - a. Cause topics for discussion to be listed and given to all members prior to meetings.
 - b. Stimulate participation of all members in discussion.
 - c. Keep discussion to the point.
 - d. Ensure discussion of all important phases of each problem considered.
 - e. Ensure the full employment of special abilities of individual Board members in the carrying on of Board business.
 - f. Draw discussion toward an authorization or directive of action or toward a statement of policy.
2. Guard the rights of expression and freedom of action of all Board members.
 - a. Maintain democratic procedures in all Board sessions.

b. Protect minority opinion. c. Ensure fair hearing for all points of view.

d. Secure Board respect for expression of dissenting opinion. e. Prevent, within Board policy, termination of discussion of any problem until each member has expressed an opinion or has indicated willingness to have

discussion ended.

- f. Rule impartially on arguments turning on judgments of the presiding officer
- g. Prevent decision-shaping influences upon Board members other than those in free, thorough, and democratic discussion in Board meetings.
- h. Refrain from discussing elements of Board deliberations outside of Board meetings except when the public interest requires an official statement.
- i. Hold that all decisions and actions of the Board are of all members until such decisions and actions are disavowed by a majority vote in legal session of the board.
- j. Ensure the authorizing, conducting, and reporting of all Board business in legal sessions of the Board.
- k. As presiding officer, ensure the good order of meetings with courtesy, tolerance, sincerity, and mutual respect evidenced in members' relations with one another.

3. Induct new members.

- a. Determine the legality of the membership claimed.
- b. Declare the seating of the new member.
- c. Express the official welcome of the Board.
- d. Introduce the new member to other Board members, the superintendent of schools, and other school personnel.
- e. Provide informative materials concerning the school system, school district organization, Board practices and policies, duties of Board members, legal authorizations and compulsions, educational programs of the schools, current problems of the Board, and sources of information aiding in decision making in school board deliberations.
- f. Make accessible all records of Board business.
- g. Provide, according to Board policy, equipment such as binder covers for official copies of Board documents, Board membership list, school directory and calendar, school district map, population charts, statements of Board policy, state school code, books and magazines, notebooks, and file folders.

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h. Arrange tours of observation through the school system for new members. 4. Promote good relations with other school boards.

a. Secure the exchange of information. b. Encourage reciprocal visiting of board meetings and school plants.

c. Assist in developing area meetings of members of school boards. d. Ensure the representation of the Board of Education by Board members at county, state, and other meetings. e. Participate in planning for the general improvement of educational

opportunity. 5. Maintain the preeminence of worthy educational objectives in all school board

activities. a. Ensure long-range planning of activities toward the accomplishment of

educational objectives. b. Secure the continual informing of the Board by the staff on programs and

problems in education. c. Draw upon the staff for assistance in Board deliberations.

d. Evaluate all proposals in the light of their relation to the accomplishment of worthy educational objectives.

e. Bring about the expression of community needs in education. 6. Cause the development and execution of a long-range plan of school improvement and Board action. 7. Secure the adoption of codes of ethics governing the Board of Education.

8. In the public interest, expose and eliminate any instances of unethical conduct of any Board members.

Duties regarding

staff—

Duties in relation to the certified and classified staff of the District:

1. Represent the Board in official relations of the Board with the certified and classified staff.
2. Make official representations of the Board to the staff through the executive officers of the school system.
3. Accept representations of the staff through the executive officers of the school system
4. Require the filing of school reports to the Board according to Board policy.
5. Make, as a Board member, tours of observation of the school system.

6. Make as the Board president, with the full Board or an authorized committee, tours of inspection annually.
7. Respect professional codes of ethics and demand their observance. 8. Observe codes of ethics for Board members in all relations with the certified and classified staff. 9. Secure the academic freedom and personal liberties of individuals of the school staff. 10. Require the observance of contractual provisions.
11. Secure Board adoption of equitable policies of employment, retention, promotion, and release of personnel.
12. Maintain the preeminence of pupil and student welfare over Board and

staff

welfare, comfort, and
convenience.

13. Require, through Board cognizance of school operation, high standards
of

service of school personnel.

14. Draw fully on the ability of the staff for assistance to the Board in
improving

the entire school
organization.

**Duties regarding the local
community—** Duties in relation to the
community:

1. Represent as Board member the entire school district in Board deliberation.
2. Seek expression of community opinion as guide to the Board of Education.
3. Interpret expressions of community pressure groups in relation to the public interests.
4. Defend, under democratic concepts of rights and liberties, community minority groups in relation to the school system.
5. Refer to the certified staff, subject to review by the Board if necessary, problems of professional relations with the community.
6. Interpret the community to the certified and classified staff. 7. Protect professional and other school personnel from improper pressures of community groups or individuals. 8. Interpret the educational program and plans to the community.
9. Promote community understanding and interest in school activities and develop community concern for worthy educational accomplishments.
10. Promote school activity in community improvement programs.
11. Attend as Board member school-centered community activities.
12. Represent the Board in official statements to the public.

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Duties regarding state government—

Duties in relation to the state government:

1. Represent the state educational authority in the school district.
2. Secure observance in the school system of applicable sections of the state school law.
3. Ensure legality of all school and school board actions.
4. Require, through Board authority, the prompt filing of accurate reports by the school system to the state government.
5. Conduct, as presiding officer of the Board, public hearings as required by law.
6. Secure all possible advantages for the school system under permissive legislation.
7. Lead the Board to an understanding of state school organization and state school law.
8. Act with the state government and other governmental units including school districts in promoting educational opportunity for all persons in the state.
9. As a state school officer, act in the public interest of the state as a whole when that interest and local public interest appear to be at variance.

President's duties to be performed by vice president—

If the president is absent or acquires a disability, these duties are performed by the vice president.

Utah Code § 53G-4-205(2) (2019)

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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) (2019)

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 policies 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 § 53G-4-202(1)(c), (2) (2019) 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 policies 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 § 53G-4-202(5) (2019)

Every meeting of the Board shall be open to the public unless closed pursuant to [Utah Code §§ 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 § 53G-4-402(21)
(2019) Utah Code § 53G-7-303(3) (2019) Utah Code §
53G-4-204(2) (2019) Utah Code § 59-1-1605 (2016)*

Interference with conduct of Board meetings—

Those in attendance at Board meetings are prohibited from interfering with the conduct of the meeting by demonstrations, whether audible or visual or by conduct. Those who do not abide by Board procedures for orderly presentation of comments when permitted may be asked to leave or the Board may request law enforcement to remove those disrupting the meeting.

Distribution of handbills, flyers, or other printed materials by members of the public is prohibited during Board meetings. Similarly, members of the public may not circulate petitions or similar requests for participation during a Board meeting.

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) (2018) **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

Created: 28 March 2019 Modified: 28 May 2019 **BE**

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 § 53G-7-208(3)(a) (2019)

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) (2019) Utah Code § 53G-4-203(5) (2019) **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.

Board Meetings: *Notice Requirements*

Public notice of annual meeting schedule—

At least once each year, the Board shall give public notice of its annual meeting schedule. The notice shall specify date, time and place of such meetings.

Utah Code § 52-4-202(2) (2016)

Notice of specific meetings—

In addition, the Board shall provide public notice of each meeting at least 24 hours in advance of each meeting; such notice shall include the agenda, date, time and place of the meeting.

Utah Code § 52-4-202(1) (2016)

Action limited to meeting agenda—

Where a meeting agenda must be included in the required public notice of a Board meeting (as stated in the paragraph above), that 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. 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. This limitation may not apply to an emergency meeting where the requirements for holding and giving the best practicable notice of such a meeting have been met. (See “Emergency Meeting” below.)

Utah Code § 52-4-202(6) (2016) When the Board is meeting to conduct a public hearing with respect to adopting the budget or levying a tax rate which exceeds the certified tax rate, the Board’s agenda must be limited to the hearing(s) and discussion and action on those items. (If the Board holds another meeting on the same date to address general business items, the other meeting must conclude before the meeting on the budget and/or tax rate levy.)

Utah Code § 59-2-919(8)(b)(i)(B), (e) (2019)

Giving notice of meeting—

Public notice of each Board meeting and of the Board’s annual meeting schedule shall be given by:

1. Posting written notice at the local Board of Education office;

2. Posting notice on the Utah Public Notice Website; and, 3. Providing notice to at least one newspaper of general circulation within

the geographic jurisdiction of the public body or to a local media correspondent. (Notice to such a newspaper or local media correspondent sent pursuant to a subscription made through the Utah Public Notice Website satisfies this requirement if the notice has been timely sent. 4. The District shall also endeavor to post notice of Board meetings on

the District's web site at least 24 hours in advance of the meeting. *[The statute does not require districts to provide this type of notice and requires districts to post notice on the State notice website. Therefore, in enacting its own policy, a district may decide whether or not to include this optional provision.]*

5. Notice of each Board meeting shall also be given to each interested mayor or interested county executive (or their designee). An "interested mayor" is the mayor of a municipality that 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 boundaries of the school district. This notice shall be provided by mail, email, or other effective means agreed to by the person to receive notice.

Utah Code § 52-4-202(3), (4) (2016) Utah Code § 63F-1-701(4)(d) (2016) Utah Code § 53G-7-208(3)(e) (2019) **Emergency meeting—**

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

Utah Code § 52-4-202(5) (2016) **Annual budget meeting notice—**

In addition to complying with the aforementioned public notice requirements, in regards to the budget hearing, the Board shall do the following:

1. Publish the required newspaper advertisement and/or electronic newspaper advertisement (see [Utah Code § 45-1-101 \(2019\)](#)) and the required Utah Public Notice Website advertisement at least ten

days before the day on which the hearing is held

- a. The public hearing notice will include information on how the public may access the proposed budget.

Created: Modified: 4 May 2019 **BEA**

2. File a copy of the proposed budget with the Board's business administrator for public inspection; and
3. Post a copy of the proposed budget on the District's Internet website.
4. In addition, if the proposed budget includes a tax rate in excess of the certified tax rate, or if the Board meeting is required 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 § 53G-7-303\(3\) \(2019\)](#) [Utah Code § 53F-8-201\(3\) \(2019\)](#) [Utah Code § 59-2-919 \(2019\)](#) **Bond or tax increase election hearing notice—**

In addition to complying with the aforementioned public notice requirements, if the Board is meeting under the Transparency of Ballot Propositions Act to hear arguments for or against a ballot proposition to authorize issuance of bonds or to increase taxes, the District's election officer must post notice of the time, date, and place of the meeting (along with the arguments for and against the proposition):

1. On the Statewide Electronic Voter Information Website for 30 consecutive days before the election on the proposition;
2. On the District's website in a prominent place for 30 consecutive days before the election on the proposition;
3. If the District publishes a newsletter or other periodical, in the next scheduled edition before the election on the proposition.

[Utah Code § 59-1-1604\(6\) \(2016\)](#) [Utah Code § 59-1-1605 \(2016\)](#) The meeting must begin at or

after 6:00 p.m.

[Utah Code § 59-1-1605\(3\)\(b\) \(2016\)](#)

Bond issuance hearing notice—

In addition to complying with the aforementioned public notice requirements, if the Board is meeting to consider authorizing issuance of bonds under the Local Government Bonding Act, it shall publish notice of the intent to issue bonds in the newspaper and on the Utah Public Notice Website at least 14 days in advance of the public hearing on the bond issuance as required by Utah Code Ann. § 11-14-318. The notice shall give notice that the hearing will be held to receive input from the public respecting the issuance of the bonds and the potential economic impact that the proposed improvement, facility, or property that the bonds will fund will have on the private sector.

[Utah Code § 11-14-318 \(2009\)](#)

Budget appropriation increase meeting notice—

In addition to complying with the aforementioned public notice requirements, if the Board is meeting to consider a request to increase a budget appropriation, it shall publish the required newspaper notice and notice under [Utah Code § 45-1-101](#) of such meeting at least one week before the hearing.

[Utah Code § 53G-7-305\(7\)\(b\) \(2019\)](#) **School closure or boundary change hearing notice—**

In addition to complying with the aforementioned public notice requirements, if the Board meeting is either to hold a public hearing regarding closing one or more schools or changing the attendance area boundaries for one or more schools, or to take such action, the additional notice requirements set out in Policy BFA must also be met.

[Utah Code § 53G-4-402\(21\) \(2019\)](#) **Board member**

compensation hearing notice—

Beginning July 1, 2007, in addition to meeting the aforementioned public notice requirements, if the Board is meeting to consider adopting a new Board member compensation schedule or schedules, or to consider amending an existing compensation schedule or schedules, the notice of the meeting with public hearing shall be given at least seven days prior to the meeting by:

1. Publishing the notice at least once in a newspaper published in the county where the District is situated and which is also generally circulated within the District, and publishing notice on the Utah Public Notice Website;
2. Posting the notice:
 - a. At each school in the District
 - b. In at least three other public places within the District; and c. On the Internet in a manner that is easily accessible to citizens who use the Internet.

Utah Code § 53G-4-204(3) (2019)

Recordings and Minutes

Open Meeting Recording and Minutes—

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 only written minutes shall be kept.

Written minutes shall include:

1. The date, time and place of the meeting;
2. The names of the members present and absent; 3. The substance of all matters proposed, discussed, or decided by the Board, which may include a summary of comments by Board members;
4. A record, by individual member, of each vote taken; 5. The name of each person who is not a Board member who, after being recognized by the presiding Board member, presented testimony or comments to the Board and a brief summary of their testimony or comments; 6. Any other information that is a record of the proceedings of the meeting that any member requests be entered in the recording and minutes.

The requirement that the written minutes include the substance of Board discussion and of public comments may be satisfied by maintaining a publicly available online version of the minutes which includes a link to that portion of the meeting recording which relates to the discussion or comments.

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. If the meeting is a public hearing under the Transparency of Ballot Propositions Act, the recording must be digital.

Utah Code § 52-4-203(1), (2), (3) (2018) Utah Code § 59-1-1605(4) (2016) Approval of and Availability of Minutes and Recordings of Board meetings—

The recording of an open board meeting is a public record and shall be available to the public for listening within three business days after the end of the

meeting. If the meeting is a public hearing under the Transparency of Ballot Propositions Act, the digital recording must also be made available on the District's website within this time period.

Created: 18 April 2018 Modified: 18 April 2018 **BEB**

The written minutes of an open board meeting are public records. The Board shall establish and implement procedures for correction of and formal approval of meeting minutes. Prior to approval, the minutes are considered "pending minutes." Pending minutes shall be made available to the public within a reasonable time after the meeting. Upon formal approval by the Board, the written minutes of the meeting shall be the official record of the actions taken at the meeting. Approved minutes shall be made available to the public within three business days after they are approved by the Board.

Pending minutes of a board meeting shall include the following notice in prominent, easily visible type: "These minutes have not yet been formally approved by the Board of Education and until such formal approval are subject to change."

*Utah Code §52-4-203(4)(f) (2018) Utah Code §
59-1-1605(4)(b)(i) (2016)* **Closed Meeting**

Recording and Minutes—

Except when the reason for closing the meeting is the discussion of personal information (the character, professional competence, or health of an individual) or security issues, as specified in Policy BEC, a recording shall be kept of all closed meetings and written minutes may be kept of closed meetings. Such recordings, and any minutes 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. When kept, recordings of closed meetings shall be complete and unedited recordings of all portions of the closed

meeting, and shall be labeled or identified with the date, time, and place of the closed meeting.

Where a meeting is closed for the purpose of discussing either security issues or the character, professional competence, or health of an individual, as specified in Policy BEC, the meeting shall not be recorded and no minutes shall be kept.

Utah Code § 52-4-206 (2018)

No Secret Ballot—

No vote shall be taken by secret ballot.

Utah Code § 52-4-203(2)(a)(iv) (2018) **Closed Meeting Recordings and Minutes are Protected—**

All recordings, minutes, and reports of closed meetings are hereby designated as “Protected Records” under the Government Records Access Management Act.

Utah Code § 52-4-206(5) (2018)

Utah Code § 63G-2-101 et seq.

Board Meetings: *Closed Meetings*

Closed Meetings—

A closed meeting may be held upon a two-thirds affirmative vote of the board members present at a meeting for which public notice was given pursuant to [Utah Code § 52-4-202](#), providing a quorum is present. No resolution, rule, regulation, contract or appointment shall be approved at a closed meeting, nor may the Board

interview an applicant to fill an elected position at such a meeting. The recording and minutes of open meeting at which the vote is taken to hold a closed meeting shall contain the reason or reasons for holding a closed meeting and the votes, by name, of the members present, either for or against the proposition to hold such a meeting.

Utah Code § 52-4-204 (2018)

Purposes of Closed Meetings—

Closed meetings may only be held for the following purposes:

1. Discussion of the character, professional competence, or physical or mental health of an individual;
 - a. However, the Board may not interview a person applying to fill an elected position, midterm vacancy or temporary absence in a closed meeting regardless of whether the interview may include a discussion of the character, professional competence, or physical or mental health of the applicant.
2. Strategy sessions with respect to collective bargaining or pending or imminent litigation; or
3. Strategy sessions with respect to the purchase, exchange, or lease of real property (including any form of water right or water shares) if public discussion may disclose the appraised or estimated value of the property or tend to prevent the Board from obtaining the best possible terms; or
4. Strategy sessions with respect to the sale of real property (including any form of water right or water shares) if public discussion may disclose the appraised or estimated value of the property or tend to prevent the Board from obtaining the best possible terms, but only if the Board previously gave public notice that the property would be offered for sale, and the terms of the sale are publicly disclosed before the Board approves the sale; or
5. Discussion regarding deployment of security personnel, devices, or systems
;

6. Investigative proceedings regarding allegations of criminal misconduct;
 - o
 - r
7. The Board is fulfilling one of the following procurement functions:
 - a. Deliberations as an evaluation committee regarding a solicitation or as protest officer regarding a protest; or b. Consideration of information designated as a trade secret if the consideration is necessary to properly conduct a procurement; or
 - c. Discussion of information provided to the Board during a procurement if (at the time the Board meets) the information may not be disclosed to the public or procurement participants and the Board needs to review or discuss the information to properly fulfill its role and responsibilities in the procurement process.

If the meeting is closed for any reason stated in paragraph 1 or 5 of this Section, then the person presiding must sign a sworn statement affirming that the sole purpose of closing the meeting was to discuss those specific topics, and neither a recording nor minutes shall be kept of that portion of the closed meeting.

Utah Code § 20A-1-511(3)(c) (2019)

Utah Code § 52-4-205 (2019) Utah

Code § 52-4-206(6) (2018)

Created: Modified: 29 January 2018 **BED**

Board

Meetings:

Meeting Location

Meeting location—

The Board shall hold its regularly scheduled meetings at the location specified in its annual notice of meetings, and shall hold other meetings at the location specified in the public notice of such meetings.

Utah Code § 52-4-202(1)(b), (2)(b) (2016) The Board shall hold its meetings within the geographic boundaries of the school district. However, a Board meeting may be held outside of the district in certain circumstances of disaster or local emergency or for certain site visits.

The Board may hold a meeting outside of the district if that is necessary to hold a meeting during a local emergency or disaster. A “local emergency” means a condition in any municipality or county of the state that requires that emergency assistance be provided by the affected municipality or county or another political subdivision to save lives and protect property within its jurisdiction in response to a disaster or to avoid or reduce the threat of a disaster. A “disaster” is an event that

1. causes, or threatens to cause, loss of life, human suffering, property damage, or economic or social disruption resulting from attack, internal disturbance, natural phenomenon, or technological hazard and
2. requires resources beyond the scope of local agencies in routine

responses to emergencies and accidents and may be of a magnitude or involve unusual circumstances that require response by a governmental, not-for-profit, or private entity. The Board may hold a meeting outside of the district for a site visit if no vote or other action is taken and the location of the site visit provides the Board the opportunity to see or experience an activity that relates to the Board’s responsibilities and does not exist within the geographic boundaries of the district.

Utah Code § 53G-4-202(1)(a), (b), (3) (2018) **Location of workshops or executive sessions—**

Where 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:

1. The regularly scheduled meeting is not being held where those meetings are usually held, and the workshop or executive session is held in the usual meeting location; or
2. Any of the meetings being held on the same day is a site visit or traveling tour for which appropriate public notice has been given; or

Created: Modified: 29 January 2018 **BED**

3. The workshop or executive session is an electronic meeting and the requirements for holding such a meeting have been satisfied; or
4. Because of emergency or extraordinary circumstances, it is not practicable to hold the workshop or executive session at the regular location where Board meetings are held.

Utah Code § 52-4-201(2) (2006)

Board Meetings: *No Electronic Meetings*

Electronic meetings prohibited—

An electronic meeting is a meeting of the Board conducted or convened by means of a telephonic, telecommunication, or computer conference. The Board finds that the potential benefits of holding electronic meetings or of permitting individual members to participate in Board meetings by electronic means are outweighed by the costs, additional procedural and notice requirements of holding such meetings. The Board therefore hereby determines that none of its meetings shall be held by electronic means, and individual members are not permitted to participate in Board meetings by electronic meetings.

Utah Code § 52-4-207 (2011)

Created: Modified: **BEE2**

Board Meetings:
Electronic Meetings
Electronic meetings
authorized—

The Board authorizes its meetings to be held through electronic means as set forth in this policy. Such electronic means may include communications by telephone, telecommunications, computer, or similar methods of remote communication. Unless specifically stated by this policy, the other policies governing Board meetings (relating to notice, meetings being open to the public, and other matters) also apply to Board meetings held through electronic means.

Definitions—

The following terms are used in this policy:

- 1) Primary location: A designated physical location from which the electronic meeting originates or to which participants are connected.
- 2) Electronic notice: electronic mail (email) or fax.

Member request required for an electronic meeting—

A Board meeting may be held as an electronic meeting only upon request of a member of the Board. This request must be made at least 3 days prior to the time that the Board meeting is scheduled, so that the necessary arrangements can be made for the electronic meeting.

Utah Code § 52-4-207 (2011) Notice to board members of an electronic meeting—

After an electronic meeting has been scheduled, and at least 24 hours before the meeting, the members of the Board shall be notified of the electronic meeting and informed how members of the Board will be connected to the meeting. ***Primary location at regular meeting location—***

The primary location for the electronic meeting shall be in the building where the Board meeting would have been held if it were not held electronically.

Electronic meeting not available for site visit or traveling tour—

When the scheduled meeting is a site visit or traveling tour, the meeting may not be conducted or convened electronically. ***Public notice of an electronic meeting—***

In addition to providing and posting the notices required for other Board meetings, the Board shall provide at least 24 hours' advance written or electronic notice of the electronic meeting to 1. A newspaper of general circulation within

the state; and

Created: Modified: **BEE2**

2. A local media correspondent.

The Board shall also post written notice of the electronic meeting at the primary location at least 24 hours prior to the electronic meeting. The notices of the electronic meeting shall specify the primary location of the meeting.

Public access to electronic meetings—

Space and facilities shall be provided at the primary location of an electronic meeting of the Board to permit members of the public to attend and monitor the electronic meeting (except those portions of such a meeting which have been properly closed to the public by the Board). If the Board meeting is one at which comments from the public will be accepted, then the space and facilities shall also permit members of the public to participate in the electronic meeting. In this section, 1) "Monitor" means to hear and/or see, live, all statements made by each Board member in the meeting (by speaker, computer screen, or other medium). 2) "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. (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 set forth in this section.)

Created: 1/17/2008 Modified: 9/26/2019 **BEF**

Garfield County School District

Adopted: 17 January 2008 BEF Public
Participation at School Board Meetings

Compliance and Intent It is the policy of the Board to conduct all business in
compliance with the open

meeting law set forth in Utah Cod Ann. 52-4. Further it is the intent of the Board to
facilitate communication with District patrons and others by establishing orderly

processes for receiving public comment.

Guidelines

1. School Board meetings, other than executive sessions, shall be open to the public.
2. Meetings shall be advertised by posting meeting agendas at the District Office, in local schools, and at other appropriate places.
3. When controversial issues or items of high public interest are pending, opportunities for public comment shall be provided at one or more public forums prior to the meeting where official Board action is taken.
4. The Board may receive public comment upon certain Action items after a motion is made but prior to taking a vote.
5. The Board may receive public comment on Information and Discussion items after the item has been presented and the Board has had opportunity for comment and discussion.
6. The Board may receive patron comments on non-agenda items during the Public Comment periods on the regular agenda.
7. The Board may determine not to receive public comment on certain agenda items when public comment was received on the item during one or more previous School Board Meetings or public forums and additional opportunity for comment is not considered necessary.
8. Patrons must indicate they wish to address the Board on the sign-up sheet provided. Patrons must list their names, the agenda item or topic they wish to address, and note whether they are representing themselves or a group.

9. If several individuals are concerned with the same issue and share the same opinion, they are required to select a spokesperson to represent the group, indicate

if they hold or are seeking an elected or appointed position and whether they are a patron of the District. 10. Individuals shall be allotted a maximum of three (3) minutes to address the Board. Group representatives shall be allotted a maximum of six (6) minutes.

11. Patrons presenting highly detailed or complex information are asked to provide a written outline of their comments for the Board.

12. The Board will not take public comment on personnel issues during Board meetings. Communications regarding personnel issues should be sent in writing to the Garfield County School Board, PO Box 398, Panguitch, Utah, 84759. 13. Representatives from PTA, School Community Councils, governmental agencies, and legislators who wish to address the Board should contact the Superintendent's Office and ask to be assigned time on the agenda. Whenever possible, such requests should be submitted one week prior to the meeting.

14. Minutes and recordings shall be kept of all regular School Board meetings and maintained pursuant to statute. After the minutes are officially approved by the Board, which is generally at the next meeting, the minutes are open for public inspection in the District Office during regular business hours. Fees may be charged for duplicating minutes. 15. School Board Work Sessions shall be scheduled to review and discuss pending

issues. 16. The Work Sessions shall be posted in the District Office, in local schools, and at

other appropriate places. 17. No official board action shall be taken during a Work Session.

18. Work Sessions shall be open to the public. 19. Recordings shall be kept of all Work Sessions.

20. Executive or closed Sessions shall be held pursuant to Utah Code Ann. 52-4-4. 21. A notice of executive session shall be posted in the District Office, in local

schools, and at other appropriate places.

22. Records of an executive session shall be consistent with Utah statute. 23. At its discretion, the Board may schedule public hearings or forums for the purpose of receiving public comment on topics of high public interest or concern.

24. Public hearing notices shall be posted in the District Office, the local schools, and at other appropriate places.

25. Prior to the hearing, the Board shall announce the procedures for receiving public

comment. With the aim of giving equitable treatment to all interested parties, the Board shall allot time per speaker based on the number of speaking requests and

the amount of time available. 26. Groups shall be asked to select one spokesperson to address the board on their

behalf. A group representative shall be allotted twice as much time as an individual speaker.

Created: 15 July 2008 Modified: 15 July 2008 **BF**

Community Involvement in Education

Community Resources—

The Board recognizes that the public has substantial resources of training and experience that could be useful to schools. The strength of the local District is in large measure determined by the manner and degree to which these resources are utilized in an advisory capacity and to the degree that these resources are involved in supporting the improvement of the local educational program.

The advice of the public will be given careful consideration. In the evaluation of such contributions, the first concern will be for the educational program as it affects the students. The final decision may depart from this advice when in the judgment of the staff and the Board such advice is not consistent with goals adopted by the Board, consistent with current educational practice, or within the reach of the financial resources available.

**Notice of Possible Closure or Boundary
Change—**

School Closures and Boundary Changes

At least 120 days before approving the closure of a school or a change to school attendance area boundaries, the Board shall provide notice that it is considering closure or a boundary change to parents of students enrolled in the school, to parents of students enrolled in other schools in the District which may be affected by the closure or boundary change, and to the governing council and mayor of the municipality where the school is located. The notices to parents shall be provided using the same form of communication that the Board regularly uses to communicate with parents.

Utah Code § 53G-4-402(21)(a)(i) (2019) **Hearings on
Closure or Boundary Change—**

Before taking action to close a school or change a school attendance area boundary, the Board shall hold at least two Board meetings which include public hearings to receive comment on the proposed closure or boundary change.

Utah Code § 53G-4-402(21)(a)(ii) (2019) Utah Code § 10-9a-103(50)
(2019) **Notice of Hearings on Closure or Boundary
Change—**

In addition to meeting the other requirements for notice of a public meeting as set out in Policy BEA, and in addition to the 120-day notice described above, the Board shall give notice of each public hearing on a proposed school closure or boundary change. The notice shall indicate the school or schools under consideration for closure or boundary change and state the date, time, and location of the public hearing. This notice shall be provided at least 30 days before the date of the hearing to the parents and public officials who were required to receive the 120-day notice described above. At least 10 days before the hearing, this notice shall also be published in a newspaper of general circulation in the area, posted on the Utah Public Notice Website, posted in at least three public locations within the municipality in which the school is located, posted on the District's official website, and posted prominently at the school or schools affected.

Utah Code § 53G-4-402(21)(b) (2019)

Created: Modified: 18 April 2018 **BJA**

Superintendent: Appointment, Term of Office, and Interim Appointment

Appointment—

The Board shall appoint a District Superintendent of Schools who serves as the Board's chief executive officer.

Utah Code § 53G-4-301(1) (2018) The Superintendent's appointment shall occur at the Board's first meeting in June.

Compensation and benefits—

The Board shall set the Superintendent's compensation for services.

Term of office—

The Superintendent's term of office begins July 1 and is for two years and until a successor is appointed and qualified.

Utah Code § 53G-4-301(3)(a) (2018)

Automatic contract renewal prohibited—

The Board may not enter into an employment contract with the superintendent which contains an automatic renewal provision.

Utah Code § 53G-4-301(3)(b) (2018)

Interim appointment—

If it becomes necessary to appoint an interim superintendent due to a vacancy in the office of superintendent, then the Board shall make an appointment during a public meeting for an indefinite term not to exceed one year, which term shall end upon the appointment and qualification of a new superintendent.

However, an interim appointment shall be limited if it takes place during the time period between an election day where any new board member is elected and the date when the new board member or members takes office. (If all Board members who stood for election are re-elected, this limitation does not apply.) Under this limitation, the Board may only make an interim appointment, and that appointment shall expire as soon as the new board member takes office and a new superintendent is appointed by the newly constituted board.

Utah Code § 53G-4-301(4), (7) (2018)

Superintendent: *Qualifications and Responsibilities*

Qualifications—

The Board shall appoint the Superintendent on the basis of outstanding professional qualifications.

Utah Code § 53G-4-301(2) (2018)

Oath of office—

The Superintendent shall take the constitutional oath of office.

Utah Code § 53G-4-301(6) (2018) “I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of Utah, and that I will discharge the duties of my office with fidelity.”

Article IV, Section X, Utah State Constitution

Responsibilities—

The Superintendent shall be the educational leader and administrative manager of the District. The Superintendent shall implement the policies established by the Board, including:

1. Serving as the Board’s chief executive officer.

Utah Code § 53G-4-301(1) (2018) 2. Hearing employee, student, parent and community concerns in accordance with Board policies;

3. Setting an exemplary standard to promote educational excellence and work harmoniously with the Board to set educational goals and objectives reflecting the philosophy of the Board. 4. Reviewing and evaluating all aspects of the District’s educational program, including facilities, and reporting any areas of concern or potential problems.

Budget officer—

The Superintendent shall serve as budget officer for the District.

Utah Code § 53G-7-302(1)(a)(i) (2019)

Created: Modified: **BJC**

Superintendent: *Evaluation*

Written evaluation—

The Board may annually make a written evaluation of the Superintendent. In its sole discretion, the Board may make written evaluations of the Superintendent on a more frequent basis. Such evaluations may be prepared in Board meetings which have been closed to the public pursuant to Policy BEC.

The Board shall furnish the Superintendent with a copy of the contemplated evaluation and may, in its sole discretion, discuss its conclusions with the Superintendent in a closed meeting if the meeting has been properly closed pursuant to Policy BEC.

Created: Modified: 18 April 2018 BJD

Superintendent: *Dismissal, Relief of Duties, and Suspension*

Termination—

The Superintendent may be terminated during the term of his or her appointment upon a vote of two-thirds of the Board. **No adverse actions based on unlawful grounds—**

The Board's decision to terminate, dismiss, or take any other adverse employment action against the Superintendent shall not be based on the Superintendent's exercise of rights guaranteed by the Constitution, or based unlawfully on race, color, religion, sex, national origin, handicap, or age.

Enumerated causes—

Causes for the termination of the Superintendent may include but are not limited to:

1. Deficiencies pointed out in evaluations, supplemental memoranda, or other communications;
2. Neglect of duties or responsibilities, or the conduct of personal business during school hours;
3. Incompetence or inefficiency in the performance of required or assigned duties;
4. Insubordination or failure to comply with Board directives, policies or administrative regulations;
5. Drunkenness or excessive use of alcoholic beverages; illegal use of drugs, hallucinogens, or other controlled substances, or the possession, use, or being under the influence of alcohol, alcoholic beverages, drugs or controlled substances while on school property, acting within the scope of the Superintendent's duties, or attending any school- or District-sponsored activity;
6. Conviction of a felony or any crime involving moral turpitude;
7. Failure to meet the District's standards of professional conduct;
8. Disability, not otherwise protected by law, that impairs performance of required duties;
9. Immorality, which is conduct the Board determines is not in conformity with the accepted moral standards of the community encompassed by the District;
10. Any activity, school-connected or otherwise, that, because of publicity given it or knowledge of it among student, faculty, or community, impairs or diminishes the Superintendent's effectiveness in the District;

Created: Modified: 18 April 2018 **BJD**

11. Reasons specified in the individual employment contract reflecting special conditions of employment, or failure to maintain a valid supervisory certificate;
12. Failure to maintain an effective working relationship, or maintain good rapport with parents, the community, staff, or the Board;
13. Assault on an employee or student; 14. Falsification of records or other documents related to the District's activities;
15. Misrepresentation of facts to the Board or other District officials in the conduct of District business;
16. Mismanagement of District property; 17. Mismanagement of District financial resources; or
18. Failure to adequately provide for the safety of students.

Leave with pay or relief of duties—

The Board may, by majority vote, for any cause enumerated or for no cause, place the Superintendent on leave with pay or place him or her in another position with equivalent pay and employment-related benefits and such action shall not constitute termination. However, if these actions are taken for cause, the Superintendent is entitled to the notice set out in the following section and may request a hearing to contest the action as provided in the hearing section below.

Notice— Before the Superintendent is terminated or other employment action is taken based on cause, the Superintendent shall be given reasonable notice of the proposed action and the grounds set out in sufficient detail to fairly enable him or her to show any error that may exist. The Superintendent shall be advised of the names

of adverse witnesses and the nature of their testimony.

Hearing—

If, upon written notification, the Superintendent desires to be heard and contest the proposed action of the Board, the Superintendent shall make a written request for a hearing before the Board within 15 days of receiving the notification. The hearing shall be set on a date that affords the Superintendent reasonable time to prepare an adequate defense but not more than 30 days from the Board's receipt of the written request, unless postponed by mutual consent.

The Board may conduct the hearing in open session or in closed session if the meeting is properly closed under Policy BEC, unless the Superintendent requests a public hearing, in which case the hearing shall be open to the public.

At the hearing before the Board, the Superintendent may employ counsel. The Superintendent also has the right to hear the evidence upon which the charges are based, to cross-examine all adverse witnesses, and to present evidence of innocence or extenuating circumstances. Prior to termination or adverse action for

cause, the Board shall determine the existence of good cause for the termination or action. Such determination shall be based solely on the evidence presented in the hearing. Termination may only be by a vote of two-thirds of the Board.

The Board shall notify the Superintendent of its decision within 15 days after the hearing. **Suspension—**

At the discretion of the Board by majority vote, the Superintendent may be placed on leave with pay pending the outcome of the termination hearing.

Notice to the State Board of Education—

The President of the Board shall notify the Utah State Board of Education whenever the Board terminates or takes other employment action against the Superintendent and the termination or action is due to a final judicial or

administrative determination or determination by the Board of immorality, or of unprofessional conduct, or professional incompetence which results in termination or suspension for more than one week, or which requires mandatory licensing discipline under [R277-515](#), or which otherwise warrants review by the Utah Professional Practices Advisory Commission.

Utah Admin. Rules R277-516-8(2) (September 21, 2017)

Business Administrator: Appointment, Term of Office, and Interim Appointment

Appointment—

The Board shall appoint a Business Administrator.

Utah Code § 53G-4-302(1) (2018)

Term of office—

The Business Administrator's term of office is for two years and until a successor is appointed and qualified. On or after May 8, 2012, the Board may not enter into an employment contract that contains an automatic renewal provision with the Business Administrator.

***Utah Code § 53G-4-302(2) (2018)* No Business Administrator Appointments During Interim Vacancy Period—**

As used in this policy, "interim vacancy period" means the period of time that:

1. begins on the day on which a general election is held to elect a member of the Board; and
2. ends on the day on which the member-elect begins. The Board may not appoint a business administrator during an interim vacancy period. However, the Board may appoint an interim business administrator during an interim vacancy period; and the interim business administrator's term shall expire once a new business administrator is appointed by the new Board after the interim vacancy period has ended.

The interim business administrator requirement does not apply if all the Board members who held office on the day of the general election whose term of office was vacant for the election are reelected to the Board for the following term.

Utah Code § 53G-4-302(3), (5) (2018)

Interim appointment—

If it becomes necessary to appoint an interim business administrator due to a vacancy in the office of business administrator, then the Board shall make an appointment during a public meeting for an indefinite term not to exceed one year, which term shall end upon the appointment and qualification of a new Business Administrator.

Utah Code § 53G-4-302(3) (2018)

Created: Modified: 28 March 2019 **BKB**

Business Administrator: Qualifications and Responsibilities

Oath of office—

The Business Administrator qualifies for office by taking the constitutional oath of office:

Utah Code § 53G-4-302(4) (2018) “I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of Utah, and that I will discharge the duties of my office with fidelity.”

Article IV, Section X, Utah State Constitution

General responsibilities—

Subject to the direction of the District’s Superintendent of Schools, the Business Administrator shall:

1. Have custody of the Board’s seal and use the seal to authenticate all matters requiring authentication.
2. Attend all meetings of the Board, keep accurate records of its proceedings as required by law, subject to requirements that certain closed meetings not be recorded, as set forth in Policy BEB, and have custody of the records of the Board;
3. Be custodian of all District funds, be responsible and accountable for all

- money received and disbursed, keep accurate records for all revenues received and their sources; 4. Countersign with the President of the Board all warrants and claims against the District as well as other legal documents approved by the Board; 5. Prepare and submit to the Board each month a written report of the District's receipts and expenditures; 6. Use uniform budgeting, accounting, and auditing procedures in forms approved by the State Board of Education, which shall be in accordance with the generally accepted accounting principles or auditing standards and with [Title 63J, Chapter 1](#), Utah Budgetary Procedures Act; 7. Prepare and submit to the Board a detailed annual statement for the period ending June 30, of the revenue and expenditures, including beginning and ending fund balances;
8. Assist the Superintendent in the preparation and submission of budget documents and statistical and fiscal reports required by the law or the State Board of Education;

9. Insure that adequate internal controls are in place to safeguard the District's funds; and
10. Perform other duties as the Superintendent may require.

[Utah Code § 53G-4-401\(3\) \(2019\)](#)

[Utah Code § 53G-4-303 \(2019\)](#)

Created: Modified: **BKC**

Business Administrator: *Evaluation*

Written evaluation—

The Board, or its designee, may annually make a written evaluation of the Business Administrator. In its sole discretion, the Board, or its designee, may make written evaluations of the business administrator on a more frequent basis. Such evaluations by the Board may be prepared in Board meetings which have been closed to the public pursuant to Policy BEC

The Board shall furnish the Business Administrator with a copy of the contemplated evaluation and may in its sole discretion discuss its conclusions with the Business Administrator in a closed meeting if the meeting has been properly closed pursuant to Policy BEC.

Created: Modified: 18 April 2018 **BL**

Administrative Personnel

Administrative appointment—

All administrators of the District will be appointed by the Board only upon the recommendation of the Superintendent. Should a person nominated by the Superintendent be rejected by the Board, it shall be the Superintendent's duty to make another nomination.

In determining which individual to recommend for an administrative position, the Superintendent will consider the advice of an Administrative Recommendation Committee appointed by the Board, which will consist of two board members, one Principal, two teachers and two patrons. Where the administrator will be assigned to work at a specific building, the Superintendent will also consider the advice of the building Principal.

Criteria— Selection shall be based on written criteria which relate to the position requirements. The selection process shall be uniform, with all applicants undergoing the same process. All applicants shall be fully informed of the criteria and procedures associated with the selection process prior to an interview or at the beginning of the interview.

Certification

All personnel selected must be appropriately licensed by the State Board of Education to serve in an administrative position requiring licensure before they can receive any salary from the District.

Utah Admin. Rules R277-505 (May 23, 2016)

Created: Modified: **BLA**

Administrative Personnel:

Duties of Principals

Duties of principals—

School Principals shall:

- 1) Provide primary educational leadership in the school to which they are assigned. As chief administrative officer of the school and supervisor of its instructional program, the Principal shall provide the leadership in creating an environment conducive to skillful creative teaching and optimum learning. In recognition of the value of the team approach, supervision should be identified through encouragement and support of the instructional program allowing opportunity for teacher growth and development.
- 2) Be the administrative authority in the school within the limits of the law, Board regulations and instructions from the Superintendent.
- 3) Inform the staff of school regulations as they are enacted by the Board of

Education. 4) Keep the Superintendent, appropriate assistant administrators and other administrative officers fully advised as to the conditions and needs of the school. 5) Make regular and thorough inspections accounting for school properties, and be responsible to the Superintendent for these properties. 6) Assist curriculum personnel in appraising, developing and evaluating the school curriculum and in planning, adapting and scheduling the courses of study for the students.

7) Take all reasonable precautions to safeguard the staff and the students in the school during school hours. Provide for the safety and care of children in case of fire, storm, or other sudden danger to the school plant and see that the students and teachers are adequately trained to carry out such plans during these occurrences.

8) In the best interests of the students and staff, organize the resources of the school to provide supervision of playground activities 30 minutes prior to school, during school, and after the last bus leaves after school, and supervise the lunch room program and the noon hour. 9) Oversee discipline procedures used and report to the Superintendent or the

delegated authority any irregular types of punishment prohibited by Board policy.

10) Make recommendations for teacher dismissal within the school.

11) As required, evaluate and report the efficiency of each member of the

instructional staff in the school in accordance with an established plan of teacher evaluation.

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12) Assist in the development of the school budget and keep such business records

and execute such business forms as may be required.

13) Order approved supplies, textbooks, equipment, and all materials necessary

to

the operation of the
school.

14) Administer a system of accounting of all monies from student activities,

cafeterias, student fees or fines, entertainments, gifts and from any student group within the school. This accounting shall be in accord with a central plan of accounts and carried out under the supervision of the Superintendent or the delegated authority. 15) Report immediately, in full and in writing, to the administrative offices any

infringement of district property rights within the school or any injury to any pupil or member of the staff that may occur at a time or place wherein the rights or responsibilities of the schools may be involved. 16) Process complaints concerning the school, investigate these complaints and

refer to the area assistant administrator cases which the Principal cannot adjust satisfactorily.

17) Direct and supervise the professional, classified and hourly staff working within

the school building and provide annual evaluations for each member.

18) Be responsible for good public relations with community groups, including the parent-teacher organization and other organizations and for using community and professional resources to enrich the learning program. 19) Report to the appropriate assistant administrator any need for extended absence

from school and the name of the person appointed to act in the absence of the Principal.

20) Perform other duties as may be assigned by the Superintendent of Schools. 21) In accordance with policies, rules and regulations adopted by the Board, be

responsible for the detailed organization of the program of the school, for the assignment of duties to staff members and for the administration of the instructional program for the regular school year and during the extended summer program.

22) Be responsible for the maintenance and repair of the school building.

a) Report all emergencies to the Superintendent or the assistant administrator

for operations. b) Be responsible for the safety of the physical facilities.

c) Conduct, in the presence of the custodian, a monthly building inspection. The inspection report, detailing all needed repairs, shall be submitted to the assistant administrator of operations in a timely manner. 23) Provide all new employees with sufficient information for them to complete their jobs.

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Administrative Personnel: *Evaluation*

Written evaluation—

The Superintendent or his or her designee may annually make a written evaluation of administrative personnel. In the Superintendent's sole discretion, evaluations may be made on a more frequent basis. A copy of the evaluation instrument shall be provided to the Administrator.

Charter Schools: *Charter School Sponsorships*

Sponsorship of Charter Schools—

The Utah Legislature has authorized school districts to contract with individuals and entities to sponsor charter schools within the district's boundaries, whether the charter school is converted from an existing district school or is a new school. This policy establishes the Board's procedures for approval and amendment of charter agreements, expansion of charter schools, and establishment of replication or satellite charter schools. The application approval process must be submitted to and approved by the State Board of Education before new charter schools may be approved for or after the 2021-2022 school year. It also establishes procedures for oversight of charter schools authorized by the Board. The remediation policy established herein shall be submitted to the State Board of Education by January 1, 2020.

Utah Code § 53G-5-305(1) (2019) Utah Admin. Rules R277-552-2(2), (5) (January 9, 2019) Utah Admin. Rules R277-553-3(1) (January 9, 2019)

Acceptance of Applications for Charter School Authorization—

The Board hereby elects to receive applications from individuals and organizations for the Board to authorize charter schools within the boundaries of the District. The requirements and process for obtaining Board authorization are set forth in this policy.

Utah Code § 53G-5-305(8) (2019) Application to Convert an Existing Public School to a Charter School—

With the necessary authorization, the principal, teachers, or parents of students at an existing District school may submit an application to the Board to convert all or part of the school to a charter school. Before an application to convert the entire school may be submitted, a petition approving that application must be signed by at least two-thirds of the licensed educators employed at the school and by at least two-thirds of the parents of students enrolled at the school. A petition approving an application to convert a portion of the school must be approved by a majority of the licensed educators employed at the school and a majority of the parents or

guardians of students enrolled at the school.

Before the Board may approve a conversion application, it must determine that the students opting not to attend the proposed converted school would have access to a comparable public education alternative and that current teachers who choose not to teach at the converted school would receive a first preference for transfer to open teaching positions for which they qualify within the District or that applicable policy or agreements regarding staff reduction would apply.

Utah Code § 53G-5-305(1)(b) (2019)

Created: Modified: 27 May 2019 **BM**

Contents of Application—

An application requesting the Board to authorize a charter school shall include the following with regard to the proposed school:

1. The purpose and mission of the school;
2. A description of the governance structure of the school, including:
 - a. A list of the charter school governing board members describing the qualifications of each member and
 - b. An assurance that the applicant shall, within 30 days of authorization, complete a background check for each governing board member consistent with [Utah Code § 53G-5-408](#);
3. A description of the target population of the school that includes:
 - a. The projected maximum number of students the school proposes to enroll;
 - b. The projected school enrollment for each of the first three years of school operation;
and
- c. The ages or grade levels the school proposes to serve; 4. Academic goals;

5. Qualifications and policies for school employees, including policies that:
 - a. Comply with the criminal background check requirements described in [Utah Code § 53G-5-408](#); b. Require employee evaluations;
 - c. Address employment of relatives within the charter school; and
 - d. Address human resource management and ensure that:
 - i. At least one of the school’s employees or another person is assigned human resource management duties, as defined in [Utah Code § 17B-1-805](#); and ii. That this assigned person receives human resource management training, as defined in [Utah Code § 17B-1-805](#);
6. A description of how the charter school will provide special education and related services (as required by federal law);
7. If the proposed charter school is a public school converting to a charter status, arrangements for:
 - a. Students who choose not to continue attending the charter school; and
 - b. Teachers who choose not to continue teaching at the charter school;
8. A statement that describes the plan for establishing the charter school’s facilities, including:

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- a. Whether the school intends to lease or purchase the school’s facilities; and
- b. Financing arrangements;
9. A market analysis of the community the school plans to serve;
10. A business plan;
11. A description of the school’s proposed curriculum, instructional program, and

instructional delivery methods; 12. The proposed methods for assessing whether students are reaching academic goals (which at a minimum shall include administering the statewide assessments described in [Utah Code § 53E-4-301](#));

13. A proposed calendar; 14. Sample policies;

15. A description of opportunities for parental involvement; 16. A description of any administrative, supervisory, or other proposed services that may be obtained through service providers; 17. Other information that demonstrates an applicant's ability to establish and operate a charter school; 18. The proposed pre-operational plan, including proposed implementation of required policies, student data systems, reporting, and financial management; 19. Other identified major issues involving the establishment and operation of the school; 20. A proposed charter agreement; and

21. The signatures of the charter school governing board members.

[Utah Code § 53G-5-302\(2\), \(3\) \(2019\)](#)

Contents of Charter Agreement—

An approved charter agreement is a contract between the charter school applicant and the Board of Education which describes the rights and responsibilities of the applicant and the Board of Education and when approved allows for the operation of the proposed charter school. To be approved by the Board, a proposed charter agreement must include each of the following components and do so in a manner satisfactory to the Board:

1. The name of the charter school and the name of the charter school applicant;
2. The mission statement and purpose of the charter school;
3. The charter school's opening date; 4. The grade levels the charter school will serve;

5. The maximum number of students to be served by the school or by all satellite schools (subject to [Utah Code § 53G-6-504](#));
6. A description of the structure of the charter school's governing board, including the number of board members, how members of the board are appointed, and the terms of office of board members;
7. Assurances that:
 - a. The charter school's governing board shall comply with the charter school's bylaws and articles of incorporation and applicable federal and state law and State Board of Education rules;
 - b. The charter school's governing board will meet all reporting requirements described in [Utah Code § 53G-5-404](#); and
 - c. That except as provided for under the Charter School Credit Enhancement Program ([Title 53G, Chapter 5, Part 6](#)), neither the Board of Education nor the State or any agency of the State is liable for the debts or financial obligations of the charter school or a person who operates the charter school;
8. Which administrative rules the State Board of Education will waive for the charter school;
9. The minimum financial standards for operating the charter school;
10. The minimum standards for student achievement; and
11. The signatures of the charter school's governing board members and (upon approval by the Board) the signature of the president of the Board of Education.

[Utah Code § 53G-5-303 \(2019\)](#) Upon approval of the charter agreement and execution by both the charter school's governing board and by the Board, the Board shall maintain the original and official copy of the charter agreement.

[Utah Admin. Rules R277-552-2\(7\) \(January 9, 2019\)](#)

Application Review—

Upon receipt of an application for authorization of a new charter school, the

Board, or a committee established by the Board, shall review the application and evaluate:

1. The proposed governing board, including:
 - a. Reviewing the resumes of and background information of proposed governing board members; and
 - b. Conducting a capacity interview of the proposed governing board;
2. The school's financial viability, including:

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- a. Reviewing and assessing the submitted market analysis;
 - b. Anticipated enrollment; and
 - c. Anticipated and break-even budgets;
3. The school's academic program and academic standards by which the Board will hold the school accountable;
4. The school's proposed pre-operational plan, including implementation of:
 - a. required policies;
 - b. student data systems;
 - c. reporting; and
 - d. financial management; and
5. The school's plan for pre-operational and other trainings.

The Board or committee evaluating the application shall also solicit and consider feedback from existing schools and parent groups within the District and in particular in the area where the proposed charter school will be located.

Utah Admin. Rules R277-552-2(8), (9) (January 9, 2019)

Acceptance or Rejection of Application—

The Board shall act to accept or reject the application for charter school status within forty-five (45) days after initial submission.

If the Board rejects the application, it shall state in writing the specific reasons for rejection.

A rejected applicant may modify its application and resubmit for reconsideration by the Board or may appeal the denial under the procedure set out below.

Utah Code § 53G-5-305(3) (2019)

Funding Requirements—

After an application has been approved, in order to receive state start-up funds, the charter school shall sign the approved charter agreement (including academic goals) with the Board and shall demonstrate to the Board's satisfaction that it has completed all financial identifying documents and completed background checks for each governing board member. The Board shall then certify the completion of these requirements to the State Board of Education.

Utah Admin. Rules R277-552-3(2) (January 9, 2019) In addition, in order to receive state funds for operation, the charter school shall, no later than June 1 prior to the school's first operational year, demonstrate to the Board's satisfaction that:

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1. The school's governing board has adopted all policies required by statute or State Board of Education rule, including a draft special education policies and procedures manual; 2. The school's governing board has adopted an annual calendar in an open meeting and has submitted the calendar to the State Superintendent; 3. The Board has received the school's facility contract as required by [Utah](#)

[Code § 53G-5-404\(9\)](#); 4. The school's building is on track to be completed prior to occupancy and that

- a. If the facility is a new facility or an existing facility requiring major renovation, the construction was commenced no later than January 1 of the

year the school is scheduled to open; or b. If the facility is one which requires only minimal renovation, the school has

entered into an agreement for such renovation no later than May 1 of the year the school is scheduled to open;

5. Either:

a. The school has hired an executive director and a business administrator; or b. The school governing board has both designated an executive director or business administrator employed by a third party and has also established policies regarding the school's supervision of third-party contractors;

6. The school's enrollment is on track to be sufficient to meet its financial obligations and implement the charter school agreement;

7. The school has an approved student data system that has successfully communicated with UTREx, including meeting the compatibility requirements of [Utah Admin. Rules R277-484-5\(3\)](#); and 8. The school has a functional accounting system.

Upon determining that the charter school has met each of these requirements, the Board shall certify that completion to the State Board of Education so that the school can receive state funding. The District shall maintain documentation of the review and evaluation of these requirements.

Utah Admin. Rules R277-552-3(3), (4) (January 9, 2019)

Charter School Website Requirements—

Each charter school shall establish and maintain an operative and readily accessible website which contains the following information:

1. The school's governance structure, including the name, qualifications, and contact information of all governing board members; 2. The number of new students that will be admitted into the school;

3. The school calendar, which shall include:
 - a. the first and last days of school;
 - b. scheduled holidays; c. scheduled professional development days; and
 - d. scheduled non-school days;
4. timelines for acceptance of new students consistent with [Utah Code § 53G-6-503](#);
5. the requirement and availability of a charter school student application;
6. the application timeline to be considered for enrollment in the school;
7. procedures for transferring to or from a charter school;
8. timelines for a transfer; 9. provisions for payment, if required, of a one-time fee per secondary school enrollment, not to exceed \$5.00, consistent with [Utah Code § 53G-6-503\(9\)](#);
10. the policies of the governing board; and
11. other items required by the Board, statute, and State Board rule.

Utah Admin. Rules R277-551-5(1) (January 9, 2019) The school's website shall be operative at least 180 days before the proposed opening date of the school and shall continue to be maintained by the school.

Utah Admin. Rules R277-551-5(3) (January 9, 2019)

Charter Amendment Process—

An "amendment" is a change or addition to a charter agreement. A charter school authorized by the Board may request that the Board agree to an amendment. Such request shall be in writing and shall clearly identify each provision of the agreement sought to be changed, setting forth the existing provision and showing all changes to be made. It shall also clearly identify each addition to be made in the amendment. The request shall also explain the need or reason for the proposed amendment and the benefits to be obtained through the amendment.

Upon receipt of the request for amendment, the Board shall evaluate the proposed changes and determine whether the agreement as amended would continue to satisfy all requirements for a charter agreement. The Board shall also determine whether allowing the amendment is appropriate, considering the

interests of the students served by the school and the other students and schools of the District. The Board shall act to accept or reject the proposed amendment within forty- five (45) days after submission. If the Board rejects the request, it shall state in writing the specific reasons for rejection.

Utah Admin. Rules R277-550-2(1) (January 9, 2019)

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Utah Admin. Rules R277-552-4 (January 9, 2019)

Charter School Expansion Requests—

An “expansion” is an increase in the number of grade levels offered by a charter school or an increase in the number of students for which the school is authorized to receive funding. A charter school authorized by the Board may request approval to expand if the school is fully compliant with federal and state law and regulations and with the school’s charter agreement and if the charter agreement provides for expansion consistent with the request or if as part of the expansion request the school also formally requests and obtains Board approval to amend the charter agreement to allow the expansion. (The amendment request and expansion request may be submitted and considered at the same time.) The request shall be made in writing and shall address each of the factors (set forth in the following section) that the Board will consider in reviewing the request.

Utah Admin. Rules R277-550-2(7) (January 9, 2019) Utah Admin. Rules R277-552-5(1), (6) (January 9, 2019) In deciding whether to permit the requested expansion, the Board shall consider:

1. The amount of time the school has operated successfully meeting the terms of its charter agreement;
2. Two years of academic performance data of students at the school, including
 - a. The academic goals established in the charter agreement; and
 - b. The average academic performance of other District and charter schools in

the area, or (for schools targeting specific populations) schools with similar demographics; 3. The financial position of the school, as evidenced by the school's financial

- records, including the school's: a.
Most recent annual financial report;
- b. Annual program report; and
- c. Audited financial statement;

4. Whether the school has a waiting list for enrollment; 5. Adequacy of the school's facility;

6. Any student safety issues; and 7. The school's ability to meet state and federal reporting requirements, including whether the school has regularly met State Board reporting deadlines.

Utah Admin. Rules R277-552-5(4) (January 9, 2019)

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Upon receipt of the request for expansion, the Board shall evaluate the proposed expansion and determine whether all requirements for expansion are met and whether, in view of the factors set forth above, the expansion should be granted.

The Board shall act to approve or reject the proposed expansion within forty-five (45) days after submission. If the Board rejects the request, it shall state in writing the specific reasons for rejection.

If the Board approves the request, it shall by October 1 of the state fiscal year prior to the intended expansion date provide to the State Superintendent the total number of students by grade that the charter school is authorized to enroll.

Utah Admin. Rules R277-552-5(3) (January 9, 2019)

Request for Replication or Satellite School—

A "replication school" is a charter school affiliated with an existing charter school authorized by the Board which has the same governing board as the existing

school, has a similar program of instruction as the existing school, but is located at a different site or in a different geographical location than the existing school. A “satellite school” is the same as a “replication school” except that it has a different program of instruction or serves different grades than the existing school.

Utah Admin. Rules R277-550-2(11), (14) (January 9, 2019) A charter school authorized by the Board may request approval of a replication school or a satellite school if:

1. The school is fully compliant with federal and state law and regulations and with the school’s charter agreement;
2. The school has operated successfully for at least three years meeting the terms of its charter agreement;
3. The students at the school are performing on standardized assessments at or above the academic goals in the charter agreement, or, if there are no such goals in the charter agreement, are performing at or above surrounding schools;
4. The school has adequate qualified administrators and staff to meet the needs of the proposed student population at the replication or satellite charter school;
5. The school provides any additional information or documentation requested by the Board; and
6. The school is in good standing with the Board.

Utah Admin. Rules R277-552-6(2) (January 9, 2019) The request shall be made in writing and shall demonstrate satisfaction of each of the requirements for making the request (set forth above). In determining whether to grant the request, the Board will review and consider the existing school’s:

1. Educational services, assessment, and curriculum;
2. Governing board’s capacity to manage multiple campuses; and
3. Financial viability.

Utah Admin. Rules R277-552-6(3) (January 9, 2019) The Board shall act to approve or reject the proposed additional school within forty-five (45) days after submission. If the Board rejects the request, it shall state in writing the specific reasons for rejection.

If the Board approves the request, it shall by October 1 of the state fiscal year prior to the intended expansion date provide to the State Superintendent the total number of students by grade that the charter school is authorized to enroll.

Utah Admin. Rules R277-552-6(7)

Accountability and Review—

The Board shall annually review and evaluate the performance of each of its authorized charter schools, including requiring each school to comply with its charter agreement and comply with statute and State Board rule. The annual review shall include and shall document matters specific to effective charter school operation, including financial performance, academic performance, enrollment, and governing board performance. With respect to the first year of a charter school's operation, the review shall include at least one visit to the school to ensure adherence to implementation of the charter agreement and to establish a review process for the school. Subsequent reviews shall include visits as determined in the review process. Following review visits, the Board shall provide the school a written report which sets forth the school's strengths, deficiencies, any proposed corrective actions, and the time for completing those corrective actions.

Utah Admin. Rules R277-553-2(1), (2), (3) (January 9, 2019) For each of its authorized charter schools, the Board shall, at least once every five years, conduct and document a comprehensive review of the school's governing board's performance and of the charter agreement.

Utah Admin. Rules R277-553-2(4) (January 9, 2019) Upon becoming aware of any claim of fraud or misuse of public assets by one of its authorized charter schools, the Board shall notify the State Superintendent of the claim and shall coordinate the investigation of the claim with the State Superintendent.

Utah Admin. Rules R277-553-2(2)(d), (e) (January 9, 2019) The Board shall coordinate with the State Superintendent in its regular review and monitoring of its charter schools.

Utah Admin. Rules R277-553-2(5) (January 9, 2019)

Utah Code § 53G-5-205(2) (2019)

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Remediation of Deficiencies—

The Board's notice to a charter school of deficiencies, required corrective action, and the time for completing corrective action shall also inform the charter school that it has a reasonable time to remedy the deficiency. (This does not apply in cases where immediate termination of the school's charter agreement is appropriate.)

If the charter school fails to remedy the deficiency or deficiencies within the established timeline, then the Board shall place the school on probation for an appropriate time which may be up to one year. Upon placing a school on probation, the Board shall establish a written plan which:

1. Outlines those provisions in the charter agreement, applicable laws, or rules and regulations with which the school is not in compliance;
2. Sets forth the terms, conditions, and timeline that the school shall follow in order to be removed from probation and;
3. Includes a plan for further remedial action if the school fails to comply with the terms of the.

Utah Admin. Rules R277-553-3(3), (4) (January 9, 2019) The Board shall give written notice of probationary terms imposed on a charter school to the State Superintendent within 30 days.

Utah Admin. Rules R277-553-3(10) January 9, 2019 If the school complies with the terms of the written probation plan within the established timeline, the Board shall remove the school from probation. The school request a single extension of no more than 6 months to comply with the plan. The Board may in its discretion grant or deny an extension request. While on probation, a school may seek technical assistance from

the Board or District in remedying deficiencies. If the school fails to satisfy the probation requirements within the time allowed, the Board shall propose to terminate the school's charter agreement.

Utah Admin. Rules R277-553-3(5), (6), (7) (January 9, 2019) At any time during probation, for good cause, or if the health, safety, or welfare of the students at the school is threatened, the Board may immediately terminate the school's charter agreement.

Utah Admin. Rules R277-553-3(9) (January 9, 2019)

Remediation of Financial or Safety Deficiencies—

Upon receiving credible information of charter school financial mismanagement or fraud, or a threat to the health, safety, or welfare of students, the Board shall direct an independent review or monitoring, as appropriate, in coordination with the State Superintendent. The Board may also direct a charter school governing board or the charter school administration to take reasonable

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action to protect students or state or federal funds consistent with [Utah Code § 53G-5-503](#).

Utah Admin. Rules R277-553-6(1), (2) (January 9, 2019) Upon receipt of findings documenting a threat to the health, welfare, or safety of a school, the Board may:

1. Recommend that the State Superintendent impose corrective action against the school in accordance with [Utah Admin. Rules R277-114](#);
2. Take immediate or subsequent corrective action with charter school governing board members or employees who are responsible for deficiencies consistent with [Utah Code § 53G-5-501](#); 3. Identify a remediation team to work with the school; or
4. Immediately terminate the school's charter agreement in accordance with [Utah Code § 53G-5-503\(5\)](#).

Utah Admin. Rules R277-553-6(3) (January 9, 2019) Upon receipt of findings documenting financial mismanagement or fraud by a charter school, the Board shall coordinate appropriate corrective action with the State Superintendent.

Utah Admin. Rules R277-553-6(4) (January 9, 2019) The Board may exercise flexibility for good cause in making a recommendation regarding an identified deficiency.

Utah Admin. Rules R277-553-6(5) (January 9, 2019)

Termination of Charter School Status—

The Board may terminate its agreement with a charter school that it sponsors for the following reasons:

1. Failure to meet the requirements stated in its charter;
2. Failure to meet generally accepted standards of fiscal management;
3. Failure to provide adequate liability and other appropriate insurance;
4. Designation of the school as a low performing school under the School Turnaround and Leadership Development Act and failure to improve the school's grade under the conditions described in the School Turnaround and Leadership Development Act;
5. Violation of law, including but not limited to violation of the requirements to
 - a. Submit an annual progress report to the Board of Education stating:
 - i. The school's progress toward achieving its goals set forth in its charter;
 - and

- ii. Financial records of the school, including revenues, expenditures, and employee salary and benefit levels.
 - b. Be non-sectarian in its programs, admission policies, employment

practices and operations;

- c. Not charge tuition or fees except those normally charged by public schools;
- d. Not employ an educator whose license has been suspended or revoked by the State Board of Education;
- e. Meet all applicable health, safety, and civil rights requirements; f. Submit all annual reports required of public schools, including an annual audited financial report; g. Meet the data and reporting standards of Utah Code § 53E-3-501;
- h. Not advocate unlawful conduct; or, 6. Other good cause shown.

Utah Code § 53G-5-503(1) (2019) Utah Code § 53G-5-404(1), (4), (6), (8), (10) (2019) Procedure for Termination of Charter Agreement—

If the Board determines that the charter agreement of a school it sponsors should be terminated, then the following procedure shall apply:

1. The Board shall notify the charter's school governing board in writing of the proposed termination and the grounds for termination. This notice shall also inform the school governing board that it may in writing request an informal hearing before the Board regarding the proposed termination.
2. If the school governing board requests a hearing, the Board shall conduct that hearing within 30 days of receiving the request. The hearing shall be conducted under the informal hearing procedures of the Utah Administrative Procedures Act.
3. If following the hearing the Board by majority vote determines to terminate the charter agreement, the school governing body may appeal that decision to the State Board of Education. 4. Notice of the vote to terminate the charter agreement shall be provided to the State Superintendent.

Utah Code § 53G-5-503(2) (2019) Utah Admin. Rules R277-553-3(9), (11) (January 9, 2019) Notwithstanding the above, the Board may terminate a charter agreement immediately if good cause therefore is shown or if the health, safety, or welfare of the students at the charter school is threatened, except as provided below for schools with qualifying outstanding bonds.

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Utah Code § 53G-5-503(5) (2019) **Procedures Applicable to Charter Schools With Outstanding Bonds—**

The procedures for remedying deficiencies and for terminating a charter school's charter agreement are modified where the school has outstanding bonds issued under the Charter School Credit Enhancement Program, as follows.

The notice of deficiencies shall also be given to the Utah Charter School Finance Authority. The Board must also give notice to that agency before it may take one of the actions other than termination. Where the Board seeks to terminate the school's charter agreement, the notice of proposed termination and grounds for termination is also provided to the Utah Charter School Finance Authority. The hearing on termination is held at least 120 days after the notice is given to the Authority and the charter school governing board (rather than 30 days). Before the hearing is held, the Authority will meet with the Board to determine whether the deficiency may be remedied in lieu of termination of the charter agreement. If after the hearing the Board votes to terminate the charter agreement, termination nevertheless may not be effected without the agreement of the Authority. Similarly, where immediate termination of a charter agreement might be appropriate, such termination cannot be effected without the agreement of the Authority.

Utah Code § 53G-5-501(1)(b), (4) (2019) Utah Code § 53G-5-503(2)(a)(ii), (2)(e), (3) (2019) **Appeals from Board Actions—**

Subject to and pursuant to the rules and procedures established by the State Board of Education, the following actions may be appealed to the State Board:

1. Termination of a charter agreement;
2. Denial of proposed amendments to a charter agreement; 3. Denial or withholding of funds from the charter school governing board; and
4. Denial of a charter application.

In taking any of these actions, the Board shall provide written notice to the charter school governing board chair or authorized agent of the action and of appeal rights and timelines. (An appeal must be submitted to the State Superintendent within 14 calendar days of the challenged action.) The Board shall also post information about the appeals process on its website and shall provide training to charter school governing board members and authorized agents regarding the appeals process.

Utah Admin. Rules R277-553-7(1), (2), (3) (January 9, 2019)

School Operation Following Termination—

If a charter agreement is terminated, then the District may either assume management and operation of the charter school or may upon application permit the

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governing board of another charter school or a private management company to operate the school.

Utah Code § 53G-5-503(6) (2019)

**GARFIELD COUNTY SCHOOL DISTRICT
Personnel Procedures**

Records 1. The official personnel record of each employee shall be kept in the District office in a confidential file (hard copy or computerized) and shall contain, as appropriate:

a) Record of application for employment and employment eligibility certification. b) Transcripts of academic/skill preparation. c) Performance evaluations. d) References or document concerning any formal reprimand, corrective action, or commendation. e) Records of actions affecting employee salary, status, or standing. f) Any other information that the supervisor or employee deems pertinent.

2. The District will, upon receipt of an appropriate written request, supply the employee with a copy of any document it places in the employee's file. 3. An employee has the right to review the contents of his/her personnel record as governed by law and to submit a rebuttal to any document contained in that employee's file, as governed by law.

Personnel Policy Handbook

The Garfield County School District's Personnel Policy Handbook shall be used to guide/regulate all personnel matters for both classified and certified employees. The Board shall be the sole authorizer of content in the Garfield County School District's Personnel Policy handbook. The handbook shall be regularly maintained and updated by the Superintendent and/or his/her designee. Personnel policies and procedures may be subject to negotiated agreements, as stipulated by the Board.

**Reimbursement for Expense
Travel Expenses**

Travel expenses associated with authorized trips on District business, for attendance at conventions, conferences, or meetings will be paid by the District. Generally, such expenses will be paid in advance through registrations, reservations, or other formal procedures.

**Mileage Reimbursement
Rate**

Created: Modified: 30 April 2015 **BP**

Reimbursement rate for a personal vehicle used for approved travel shall be at a rate established by the Board. Travel distances will be computed from a standard mileage chart when available. Vehicle odometer readings will be reimbursed for distances not already charted, with approve of the District. Reimbursement for public transportation, when necessary, will equal actual cost of fares. First class accommodations will be utilized only when a lesser rate is not available. Per Diem

a) The approved food allowance for a twenty-four (24) hour period shall be at the discretion of the b) District and shall be established from year to year. c) Advance Payments d) Advancements and special rates for unique circumstances will be

considered on a case-by-case basis by the District. e) Documentation Revised August 2011 GCSD Approved: 6/14/2013 Each employee receiving reimbursement from the District is required to maintain receipts showing actual expenses incurred. Failure to provide documentation of expenses may require the employee to pay back to the District reimbursement amounts not documented.

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**GARFIELD COUNTY SCHOOL DISTRICT
Social Media Policy**

Garfield School District managed social media accounts are provided for the benefit of the district's community and are updated to share achievements of students and staff as well as school-related news and other helpful information.

All comments posted on district-monitored social media are at the discretion of the page administrators who are assigned by the Superintendent or his/her designees.

The intent of the maintenance of the district monitored social media is not to keep any negative or critical information from being posted, but to protect the privacy and other rights of staff and students. Page Administrators will review all posts to check that users follow district technology usage policies and procedures.

The district welcomes thoughts and comments. However, when participating in the district-managed social media sites, users are not permitted to:

- Break the law or encourage others to do so. This includes intellectual property and other protections that prohibit posting material that infringes on the rights of the corporation or an individual or entity.
- Use abusive or inappropriate language or statements. This includes postings that are threatening, harassing, illegal, obscene, lewd, vulgar, defamatory, libelous or hostile.
- Post the phone numbers, email addresses or other confidential information of students, faculty, staff or any person other than the user. If the user posts his/her own contact information, he/she should be aware it will be available to the public and be subject to possible misuse.
- Post material that promotes or advertises services or products except those when pre-approval by the district.
- Post spam, chain-letter like communications or the same comment multiple times.
- Allow others to use your identity for posting or viewing comments.
- Post links to other social networking sites that do not adhere to these guidelines.
- Act as a spokesperson or impersonate a representative of the district.
- Alter, modify or otherwise change or use any post, comment, or message made by the district that results in a misrepresentation or change in the meaning of the original message.

Page administrators reserve the right to:

- Remove or refuse to post any comments that violate these guidelines at any time.

- Ban future posts or input from people who repeatedly violate these guidelines including refusing posts from specific email addresses or IP addresses.
- Edit comments at any time to comply with these guidelines. By participating in district-managed social media, the user agrees to indemnify and hold harmless Garfield Schools District, its affiliates, directors, employees, and successors against any damages, losses, liabilities, judgments, causes of action, costs or expenses (including reasonable attorneys' fees and costs) arising out of any claim by a third party relating to any material user has posted on the GCSD Schools- sponsored sites.

If you would like to report an inappropriate comment for the district to review, please call the district at 435-676-8821.

Users may set their personal social media accounts to receive updates that GCSD Schools posts on its site.

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District Annual Reports

Fiscal year—

The District's fiscal year begins on July 1 and ends on June 30.

Utah Code § 53G-4-403(1) (2019)

Annual fiscal audit and report—

The District's accounts shall be audited annually at District expense by an

independent auditor who is a competent certified public accountant. The audit shall be conducted in conformance with the requirements of [Utah Code § 51-2a-102\(2\)](#), and an audit report will be prepared according to the requirements of [Utah Code § 51-2a-102\(3\)](#). Copies of the audit report shall be submitted as follows:

1. A copy of the audit report shall be submitted to the State Superintendent of Public Education by October 1.
2. After any necessary audit adjustments are made to the audit report and verified by the auditor or auditors, the completed audit report shall be delivered to the State Superintendent of Public Education by November 30.
3. A copy of the completed audit report shall be filed with the State Auditor no later than December 31.

*Utah Code § 51-2a-102 (2017) Utah Code § 51-2a-201(1)
(2017) Utah Code § 51-2a-202 (2019) Utah Code § 53G-4-404
(2019) Utah Admin. Rules R277-113-5(4) (June 22, 2018)*

Other statistical and financial reports—

The District shall forward statistical and financial reports for the preceding school year, containing items required by law or by the State Board of Education, to the State Superintendent at the times and in the forms and containing the information required by the State Board of Education.

*Utah Code § 53G-4-403 (2019) Utah Code § 53G-4-404
(2019) Utah Admin. Rules R277-484-1 (August 7, 2017)
Utah Admin. Rules R277-484-3 (August 7, 2017)*

Annual letter of assurances—

Unless authorization for later submission has been obtained from the State Board of Education, by July 1 of each year, the Board shall send the State Superintendent of Public Education the Board's responses to the assurance document and other compliance forms. The Board's assurance document shall contain a signed attestation by the appropriate authority attesting to the accuracy and validity of all responses and assurances provided by the District.