

## **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. Anchor location: A designated physical location from which the electronic meeting originates or to which participants are connected.
2. Electronic notice: email, text, fax, or other means of electronic communication.

### **Member request required for an electronic meeting—**

A Board meeting may be held as an electronic meeting upon request of a member of the Board. This request must be made sufficiently in advance of the time that the Board meeting is scheduled so that the necessary arrangements can be made for the electronic meeting, including giving the required notice to other Board members. Therefore, the request should be made not less than 25 hours before the meeting. If a member of the Board wishes to participate electronically because of unforeseen or exigent circumstances arising less than 25 hours before the meeting, such participation may be allowed if the Board President determines that the necessary arrangements may be made for such participation and if a majority of the members of the Board agree to waive the 25-hour requirement.

[Utah Code § 52-4-207\(2\)\(c\)\(iii\) \(2022\)](#)

### **Notice to board members of an electronic meeting—**

After an electronic meeting has been scheduled, and at least 24 hours before the meeting is to begin, the members of the Board shall be provided with a description of how to electronically connect to the meeting, except as otherwise may be provided in a rule of the Legislature applicable to the Board.

[Utah Code § 52-4-207\(3\)\(c\) \(2022\)](#)

### **Anchor location—**

Unless the requirements have been met for holding an electronic meeting without an anchor location, the Board will provide space and facilities at an anchor location for members of the public to attend the open portions of the meeting. The Board may also provide means by which members of the public who are not

physically present at the anchor location may attend the meeting remotely by electronic means.

[Utah Code § 52-4-207\(4\) \(2022\)](#)

## **Electronic meetings without an anchor location—**

The Board may convene and conduct an electronic meeting without an anchor location if the president of the Board makes a determination that either (1) conducting the meeting with an anchor location presents a substantial risk to the health or safety of those present or who would otherwise be present at the anchor location or (2) the location where the Board would normally meet has been ordered closed to the public for health or safety reasons. The public notice for the meeting must include a description of the Board president's determination and a summary of the facts upon which it is based, along with information on how a member of the public may attend the meeting remotely by electronic means. A determination of substantial risk to health or safety expires 30 days after the day on which the president makes it.

[Utah Code § 52-4-207\(5\)\(a\), \(6\) \(2022\)](#)

During the course of an electronic meeting with an anchor location where the Board has provided means by which members of the public who are not physically present at the anchor location may attend the meeting remotely by electronic means, the anchor location may be closed and the meeting continued without an anchor location if the Board president determines that continuing to conduct the meeting with an anchor location presents a substantial risk to the health or safety of those present at the anchor location, announces that determination during the meeting, and states a summary of the facts upon which the determination is made.

[Utah Code § 52-4-207\(5\)\(b\) \(2022\)](#)

## **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.

## **Determining quorum in an electronic meeting—**

In determining whether a quorum of the Board is present during an electronic meeting, all members are counted who are either present at the anchor location (if the meeting has an anchor location) or who are connected to the meeting by the method provided for remote participation in the meeting.

[Utah Code § 52-4-207\(2\)\(b\) \(2022\)](#)

## **Taking votes during an electronic meeting—**

Except when the vote is unanimous, all votes during an electronic meeting shall be taken by roll call of the members.

[Utah Code § 52-4-207\(9\) \(2022\)](#)

## **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
2. A local media correspondent.

Unless the requirements have been met for holding a meeting without an anchor location, the Board shall also post written notice of the electronic meeting at the anchor location at least 24 hours prior to the electronic meeting. The notices of the electronic meeting shall specify the anchor location of the meeting or, if there is no anchor location, shall specify how a member of the public may hear (or view and hear) the meeting and if public comment will be accepted how a member of the public may provide comments by electronic means.

[Utah Code § 52-4-207\(3\) \(2022\)](#)

## **Public access to electronic meetings—**

Space and facilities shall be provided at the anchor 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. For an electronic meeting which is being held without an anchor location, the Board shall provide access to the meeting as provided for above regarding meetings without an anchor location

Members of the public are not entitled to monitor or attend electronic meetings except through the space and facilities provided at the anchor location or through electronic access provided for a meeting without an anchor 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 policy.)

[Utah Code § 52-4-207\(4\) \(2022\)](#)