

Grand County School District

1 **Board Legal Status**

2 **Body corporate—**

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

7 [Utah Code § 53A-3-401 \(2014\)](#)

8 **Political subdivision of the State of Utah—**

9 The Board of Education of Grand County School District is a political
10 subdivision of the State of Utah.

11 [Utah Constitution, Article XI, Section 8](#)

12 **Number of school board members—**

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

18 [Utah Code § 20A-14-202\(1\) \(2016\)](#)

19

Grand County School District

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

3 **Promote education—**

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

9 [Utah Code § 53A-3-402\(20\) \(2017\)](#)

10 **Govern—**

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

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

16 **Adopt rules—**

17 Adopt such rules, regulations, and bylaws as the Board deems proper for the
18 operation of the Board and for the control and management of the District's schools.

19 [Utah Code § 53A-3-402\(14\), \(15\) \(2017\)](#)

20 **Levy taxes—**

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

23 [Utah Code § 53A-16-106 \(2016\)](#)

24 [Utah Code § 53A-16-107 \(2014\)](#)

25 [Utah Code § 53A-16-108 \(1993\)](#)

26 [Utah Code § 53A-16-110 \(2011\)](#)

27 **Annual budget—**

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

30 [Utah Code § 53A-16-106 \(2016\)](#)

31 **Bequests—**

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

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34 [Utah Code § 53A-3-402\(12\) \(2017\)](#)

35 Acquisition and ownership of property—

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

40 [Utah Code § 53A-3-401\(4\) \(2014\)](#)

41 Eminent domain—

42 Exercise the right of eminent domain to acquire property.

43 *Board of Education of South Sanpete School District v. Barton, 617 P.2d 347 (Utah 1980).*
44 *Olsen v. Board of Education of the Granite School District, 571 P.2d 1336 (Utah 1977).*

45 Employ personnel—

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

48 [Utah Code § 53A-3-411 \(2005\)](#)

49 [Utah Code § 53A-3-301 \(2011\)](#)

50 [Utah Code § 53A-3-302 \(2012\)](#)

51 Close schools and change school boundaries—

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

55 *Allen v. Board of Education Weber County School District 236 P.2d 756 (Utah 1951)*

56 *Save Our Schools v. Board of Education of Salt Lake City, 2005 UT 55*

57 [Utah Code § 53A-3-402\(21\) \(2017\)](#)

58 Sue and be sued—

59 Sue and be sued in the name of the District.

60 [Utah Code § 53A-3-401\(4\) \(2014\)](#)

61 Fulfill other statutory duties and exercise other statutory powers—

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

Grand County School District

1 **Board Members:**
2 ***Eligibility and Qualifications***

3 **General qualifications—**

4 Each board member must

- 5 1) Be and remain a registered voter in the District;
- 6 2) Maintain his or her primary residence within the local school board district from
7 which the member is elected or appointed; and
- 8 3) Take the constitutional oath of office:
- 9 a) “I do solemnly swear (or affirm) that I will support, obey and defend the
10 Constitution of the United States and the Constitution of Utah, and that I will
11 discharge the duties of my office with fidelity.”

12 [Utah Constitution Art. IV, Sec. X](#)

13 [Utah Code § 53A-3-101 \(1995\)](#)

14 [Utah Code § 20A-14-202\(2\) \(2016\)](#)

15 **Conflict of interest—**

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

18 [Utah Code § 20A-14-202\(3\) \(2016\)](#)

Grand County School District

1 **Board Members:**
2 ***Student Members***

3 **Appointment of student member of board upon student petition—**

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

7 [Utah Code § 20A-14-206\(1\), \(3\)\(a\) \(1995\)](#)

8 **Requirements for petition—**

9 To qualify, the petition shall have the signatures of:

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

13 [Utah Code § 20A-14-206\(2\) \(1995\)](#)

14 **Term of office—**

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

17 [Utah Code § 20A-14-206\(3\)\(b\) \(1995\)](#)

18 ***Student member qualifications—***

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

21 [Utah Code § 20A-14-206\(4\) \(1995\)](#)

22 **Student member participation—**

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

24 [Utah Code § 20A-14-206\(5\) \(1995\)](#)

25 **Entitlement to expense allowances—**

26 A student board member is entitled to expense allowances granted other
27 board members under [Section 53A-3-202](#).

28 [Utah Code § 20A-14-206\(6\)\(a\) \(1995\)](#)

29 **Immunity for acts of board—**

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

31 [Utah Code § 20A-14-206\(6\)\(b\) \(1995\)](#)

Grand County School District

1 **Board Members:**
2 ***Elections and Reapportionment***

3 **Term—**

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

7 [Utah Code § 20A-14-203\(2\) \(2016\)](#)

8 **Candidacy—**

9 An individual may become a candidate for election to the Board as follows:

10 By paying the fee described in [Utah Code § 20A-9-202](#), and

11 In a general election held after 2016, by filing a declaration of candidacy with
12 the county clerk on or after the second Friday in March, and before the third
13 Thursday in March, before the next regular general election.

14 [Utah Code § 20A-14-203\(1\) \(2016\)](#)

15 **Elections—**

16 No more than three (3) members may be elected to the board in any election year,
17 unless otherwise required as a consequence of reapportionment, as set forth below,
18 or to fill a vacancy by election under Policy BBC.

19 [Utah Code § 20A-14-202\(1\)\(g\) \(2016\)](#)

20 **Reapportionment does not cut short board member terms—**

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

23 [Utah Code § 20A-14-201\(3\)\(a\) \(2011\)](#)

24 **Representation of school board districts after reapportionment—**

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

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

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

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

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

38 [Utah Code § 20A-14-201\(3\)\(b\) \(2011\)](#)

39 **Adjustment of term lengths because of reapportionment—**

40 If, before an election affected by reapportionment, the county or municipal
41 legislative body that conducted the reapportionment determines that one or more
42 members must be elected to terms of two years to meet this part's requirements for
43 staggered terms, the legislative body shall determine by lot which of the
44 reapportioned local school board districts will elect members to two-year terms and
45 which will elect members to four-year terms. All subsequent elections are for four-
46 year terms.

47 [Utah Code § 20A-14-201\(4\) \(2011\)](#)

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1 **Board Members:**
2 ***Vacancies on the Board***

3 **Appointment—**

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

8 [Utah Code § 20A-1-511\(1\) \(2017\)](#)

9 **Interim appointment followed by election for two-year term—**

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

17 [Utah Code § 20A-1-511\(2\) \(2012\)](#)

18 **School board to provide notice of pending appointment and interview**
19 **candidates—**

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

- 22 1) Be given at least two weeks before the Board meeting where the vacancy will be
23 filled;
- 24 2) Inform the public of:
- 25 a) The date, time, and place of the Board meeting at which the vacancy will be
26 filled; and
- 27 b) The date by which and person to whom an interested individual may submit
28 his or her name for consideration for appointment to fill the vacancy.

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

32 [Utah Code § 20A-1-511\(3\) \(2017\)](#)

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33 **Appointment pending effective resignation of Board member—**

34 Where a Board vacancy will occur because a member has submitted a letter of
35 resignation to the Board, the Board may make an appointment to fill that vacancy
36 before the vacancy occurs (before the effective date of the resignation). However,
37 the individual so appointed may not take office until on or after the day on which the
38 vacancy occurs. After the Board has made the appointment to fill the pending
39 vacancy, the member may not rescind the letter of resignation which led to the
40 appointment.

41 [Utah Code § 20A-1-511\(4\) \(2017\)](#)

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1 **Board Members:**
2 ***Code of Ethics***

3 **Resolution—**

4 WHEREAS, Public education is deemed of primary importance to the
5 strengths, freedom and well-being of our community, state, and nation; and,

6 WHEREAS, School board members are entrusted with the responsibility of providing
7 a quality public education for all students within their respective communities; and,

8 WHEREAS, Public involvement, confidence and support of the School Board is
9 deemed essential to enable the Board to achieve its purpose and goals; therefore be
10 it

11 RESOLVED, In order to encourage all boards of education to act in
12 accordance with high professional and legal standards, the Board of Education of
13 the Grand County School District establishes a Code of Ethics for School Board
14 Members acting as members of the Board or in unison with other boards of
15 education in the policy-making functions of the public schools in the State of Utah.

16 **Obligations—**

17 As an individual board member, I will do my best:

- 18 • To fulfill my personal and legal responsibilities to my community, my state and
19 my fellow board members;
- 20 • To strive for public schools which can meet the individual needs of all
21 children;
- 22 • To seek the true facts in each situation and to vote my honest conviction in
23 every case, unswayed by any personal or partisan bias;
- 24 • To abide by the final decision of the board;
- 25 • To remember that as an individual I have no legal authority outside the
26 authorized legal meetings of the board, and to conduct my personal
27 relationships with the school staff, community, and news media on the basis
28 of this fact;
- 29 • To avoid any conflict of interest or use of board membership for personal gain
30 or publicity; and,
- 31 • To strive to be an effective, informed school board member dedicated to
32 public education.

33 **Grand County School District Competency—**

34 Personal Improvement:

- 35 • School board members shall continually seek to improve their mental skills,
36 including study, preparation and planning to enable themselves to better
37 serve their communities.

38 Involvement:

- 39 • The Board and all its members shall be involved and knowledgeable about
40 not only local community education concerns, but also state and national
41 concerns and shall know and be aware that involvement beyond the local
42 community is essential to a strong and productive public educational
43 commitment.

44 **Basic principles and procedures—**

45 Policies:

- 46 • Shall be in written form and reviewed regularly by the Board.

47 Administrative functions:

- 48 • Shall be delegated by the Board to the Superintendent or other appropriate
49 administrative staff.

50 Goals:

- 51 • Shall be adopted, evaluated and reviewed on a regular basis by the Board
52 with advice of the Superintendent.

53 Evaluation of staff:

- 54 • A procedure should be established for the evaluation of performance of all
55 staff; the Board's primary concern should involve the Superintendent; and the
56 Superintendent's primary concern should be his or her subordinates.

57 Communications:

- 58 • Shall be encouraged with all parts of the community.

59 Complaints:

- 60 • Shall be acknowledged and received by the Board with procedures devised to
61 resolve them.

62 Professional growth:

- 63 • Shall be encouraged by the Board for all its staff; including in-service training.

64 Fiscal responsibility:

- 65 • Shall be adhered to and any budget to be adopted shall not result in a deficit,
66 unless permitted by the law.

67 Civil rights

- 68 • Shall be upheld, and the concept of affirmative action shall be encouraged.

Created:
Modified:

BBF

BOARD MEMBERS:
CODE OF ETHICS

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69 Student rights

- 70 • Shall be recognized without discrimination and in accordance with due
71 process of law.

Grand County School District

1 **Board Members:**
2 ***Compensation and Expenses***

3 **Compensation—**

4 Each member of the Board of Education, except any student member, shall
5 receive an amount not to exceed \$3,000 per year, payable monthly, as
6 compensation for services.

7 **Health insurance benefit—**

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

12 **Member expenses—**

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

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

24 [Utah Code § 53A-3-202\(5\) \(2010\)](#)
25 [Utah Code § 53A-1-202\(3\) \(2016\)](#)

26 **Public hearing for adoption or revising compensation schedules—**

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

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

34 [Utah Code § 53A-3-202\(2\), \(3\) \(2010\)](#)

35 ***Non-member expenses—***

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

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Student member expenses—

39
40
41
42

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\(6\)\(a\) \(1995\)](#)

Grand County School District

1 **Foundations and Basic Commitments:**

2 ***District Mission Statement***

3 **Mission Statement—**

4 Our mission is to put each student first every day.

Grand County School District

1 Foundations and Basic Commitments:

2 *District Belief Statements*

- 3 • We believe every student has the right of equal access to a quality
4 education.
- 5 • We value our tight knit community.
- 6 • We value collaboration within the community.
- 7 • We believe community resources are a key to student success.
- 8 • We value community involvement, input and support.
- 9 • We value strong relationships within the school and community.
- 10 • We believe leadership is a key component for a better community.
- 11 • We value the cultural intelligence in making our students and
12 community better.
- 13 • We value the diversity among our students, staff and community.
- 14 • We are committed to student's personal, academic, social and
15 emotional growth.
- 16 • We believe safety, happiness and health are key components for
17 student growth
- 18 • We value accountability as a means of growth for students and staff
- 19 • We value high quality, challenging and diverse opportunities.
- 20 • We value high quality staff
- 21

Grand County School District

1 **Foundations and Basic Commitments**

2 ***District Educational Philosophy***

3 **Vision Statements**

4 Whole child, whole school, whole community.

5

6 We challenge students to become healthy, compassionate, and resourceful
7 individuals.

8

9 We provide a safe and engaging environment that promotes lifelong learning.

10 Every student will attain a purposeful future.

Grand County School District

1 **Board Internal Operation**

2 **Elections of board president and vice-president—**

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

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

7 **Removal from office—**

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

10 **Vacancy—**

11 When a vacancy occurs in the office of president or vice president of the
12 Board for any reason, the Board shall elect a replacement for the unexpired term.

13 [Utah Code § 53A-3-201 \(2005\)](#)

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1 **Board Internal Organization:**
2 ***Other Officers***

3 **Other officers—**

4 The Board of Education may appoint other necessary officers who serve at
5 the pleasure of the Board.

6 **Qualify by taking oath of office—**

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

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

12 [Utah Code § 53A-3-304 \(2011\)](#)

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1 **President of the Board:**
2 ***Duties***

3 **Duties generally—**

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

7 [Utah Code § 53A-3-204\(1\) \(2011\)](#)

8 **Presiding officer—**

9 Duties as presiding officer:

- 10 1. Call the Board into session.
- 11 2. Conduct Board meetings.
- 12 a. Declare the opening of meetings
- 13 b. Determine order of business according to Board policy.
- 14 c. Recognize claimants to the floor.
- 15 d. Rule on admissibility of business.
- 16 i. Declare motions in or out of order.
- 17 ii. Declare, subject to overriding, the propriety of the Board's considering
- 18 specific items of business.
- 19 iii. Declare, subject to overriding, specific items of business in or out of
- 20 the Board's province of action.
- 21 e. Within limits of Board policy, control extent of discussion.
- 22 i. Declare, subject to overriding, discussion closed whenever comment
- 23 becomes repetitious, dilatory, or no longer pertinent to the point at
- 24 issue.
- 25 ii. Declare discussion closed whenever time limits previously determined
- 26 by Board action have been reached.
- 27 f. Maintain the dignity of the Board in session.
- 28 i. Apply the rules of parliamentary procedures.
- 29 ii. Restrain debate within bounds of good taste and courtesy.
- 30 iii. Provide equal opportunity for expression of opposing points of view.

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- 31 iv. Within limits of Board policy, secure the rapid handling of Board
32 business.
- 33 v. Rule out of order all action and comment unbecoming a legislative
34 body in session.
- 35 g. Declare the results of Board voting.
- 36 i. Declare the passage or non-passage of motions.
- 37 ii. Declare for the record the identities of members (including the
38 president) voting aye and nay and of those not voting.
- 39 h. Ensure the legal recording of Board business.
- 40 i. Declare Board decisions to the secretary of the Board of Education
- 41 ii. Make inquiry of the secretary or make investigation of the record as to
42 the rate of progress of note-taking with respect to the Board's dispatch
43 of business.
- 44 i. Increase efficiency in Board meeting procedures.
- 45 j. Declare the meeting adjourned.
- 46 3. Ensure proper keeping of Board records and supplies.
- 47 4. Sign as president of the Board official copies of minutes and other Board
48 documents.
- 49 5. Secure the legality of Board action, procedures, meetings, and membership.
- 50 6. Receive for the Board all delegations and petitions.
- 51 7. Issue, subject to Board approval, official statements of Board action and
52 policy.

53 Duties regarding other Board members—

54 Duties in relation to other Board members:

- 55 1. Lead discussion in Board meetings.
- 56 a. Cause topics for discussion to be listed and given to all members prior to
57 meetings.
- 58 b. Stimulate participation of all members in discussion.
- 59 c. Keep discussion to the point.
- 60 d. Ensure discussion of all important phases of each problem considered.
- 61 e. Ensure the full employment of special abilities of individual Board
62 members in the carrying on of Board business.

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- 63 f. Draw discussion toward an authorization or directive of action or toward a
64 statement of policy.
- 65 2. Guard the rights of expression and freedom of action of all Board members.
- 66 a. Maintain democratic procedures in all Board sessions.
- 67 b. Protect minority opinion.
- 68 c. Ensure fair hearing for all points of view.
- 69 d. Secure Board respect for expression of dissenting opinion.
- 70 e. Prevent, within Board policy, termination of discussion of any problem until
71 each member has expressed an opinion or has indicated willingness to
72 have discussion ended.
- 73 f. Rule impartially on arguments turning on judgments of the presiding
74 officer.
- 75 g. Prevent decision-shaping influences upon Board members other than
76 those in free, thorough, and democratic discussion in Board meetings.
- 77 h. Refrain from discussing elements of Board deliberations outside of Board
78 meetings except when the public interest requires an official statement.
- 79 i. Hold that all decisions and actions of the Board are of all members until
80 such decisions and actions are disavowed by a majority vote in legal
81 session of the board.
- 82 j. Ensure the authorizing, conducting, and reporting of all Board business in
83 legal sessions of the Board.
- 84 k. As presiding officer, ensure the good order of meetings with courtesy,
85 tolerance, sincerity, and mutual respect evidenced in members' relations
86 with one another.
- 87 3. Induct new members.
- 88 a. Determine the legality of the membership claimed.
- 89 b. Declare the seating of the new member.
- 90 c. Express the official welcome of the Board.
- 91 d. Introduce the new member to other Board members, the superintendent of
92 schools, and other school personnel.
- 93 e. Provide informative materials concerning the school system, school district
94 organization, Board practices and policies, duties of Board members, legal
95 authorizations and compulsions, educational programs of the schools,
96 current problems of the Board, and sources of information aiding in
97 decision making in school board deliberations.

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- 98 f. Make accessible all records of Board business.
- 99 g. Provide, according to Board policy, equipment such as binder covers for
100 official copies of Board documents, Board membership list, school
101 directory and calendar, school district map, population charts, statements
102 of Board policy, state school code, books and magazines, notebooks, and
103 file folders.
- 104 h. Arrange tours of observation through the school system for new members.
- 105 4. Promote good relations with other school boards.
- 106 a. Secure the exchange of information.
- 107 b. Encourage reciprocal visiting of board meetings and school plants.
- 108 c. Assist in developing area meetings of members of school boards.
- 109 d. Ensure the representation of the Board of Education by Board members at
110 county, state, and other meetings.
- 111 e. Participate in planning for the general improvement of educational
112 opportunity.
- 113 5. Maintain the preeminence of worthy educational objectives in all school board
114 activities.
- 115 a. Ensure long-range planning of activities toward the accomplishment of
116 educational objectives.
- 117 b. Secure the continual informing of the Board by the staff on programs and
118 problems in education.
- 119 c. Draw upon the staff for assistance in Board deliberations.
- 120 d. Evaluate all proposals in the light of their relation to the accomplishment of
121 worthy educational objectives.
- 122 e. Bring about the expression of community needs in education.
- 123 6. Cause the development and execution of a long-range plan of school
124 improvement and Board action.
- 125 7. Secure the adoption of codes of ethics governing the Board of Education.
- 126 8. In the public interest, expose and eliminate any instances of unethical
127 conduct of any Board members.

Duties regarding staff—

- 128 Duties in relation to the certified and classified staff of the District:
- 129

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- 130 1. Represent the Board in official relations of the Board with the certified and
131 classified staff.
- 132 2. Make official representations of the Board to the staff through the executive
133 officers of the school system.
- 134 3. Accept representations of the staff through the executive officers of the school
135 system.
- 136 4. Require the filing of school reports to the Board according to Board policy.
- 137 5. Make, as a Board member, tours of observation of the school system.
- 138 6. Make as the Board president, with the full Board or an authorized committee,
139 tours of inspection annually.
- 140 7. Respect professional codes of ethics and demand their observance.
- 141 8. Observe codes of ethics for Board members in all relations with the certified
142 and classified staff.
- 143 9. Secure the academic freedom and personal liberties of individuals of the
144 school staff.
- 145 10. Require the observance of contractual provisions.
- 146 11. Secure Board adoption of equitable policies of employment, retention,
147 promotion, and release of personnel.
- 148 12. Maintain the preeminence of pupil and student welfare over Board and staff
149 welfare, comfort, and convenience.
- 150 13. Require, through Board cognizance of school operation, high standards of
151 service of school personnel.
- 152 14. Draw fully on the ability of the staff for assistance to the Board in improving
153 the entire school organization.

154 Duties regarding the local community—

155 Duties in relation to the community:

- 156 1. Represent as Board member the entire school district in Board deliberation.
- 157 2. Seek expression of community opinion as guide to the Board of Education.
- 158 3. Interpret expressions of community pressure groups in relation to the public
159 interests.
- 160 4. Defend, under democratic concepts of rights and liberties, community minority
161 groups in relation to the school system.

Grand County School District

- 162 5. Refer to the certified staff, subject to review by the Board if necessary,
163 problems of professional relations with the community.
- 164 6. Interpret the community to the certified and classified staff.
- 165 7. Protect professional and other school personnel from improper pressures of
166 community groups or individuals.
- 167 8. Interpret the educational program and plans to the community.
- 168 9. Promote community understanding and interest in school activities and
169 develop community concern for worthy educational accomplishments.
- 170 10. Promote school activity in community improvement programs.
- 171 11. Attend as Board member school-centered community activities.
- 172 12. Represent the Board in official statements to the public.

Duties regarding state government—

174 Duties in relation to the state government:

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

President's duties to be performed by vice-president—

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

193 [Utah Code § 53A-3-204\(2\) \(2011\)](#)

Created:
Modified: 23 May 2011

BDAB

PRESIDENT OF THE BOARD:

DUTIES

Grand County School District

194

BOARD MEETINGS

Grand County School District

1 **Board Meetings**

2 **Meeting defined—**

3 “Meeting” means the convening of the Board with a quorum present, whether
4 in person or by means of electronic equipment, for the purpose of discussing,
5 receiving public comments about, or acting upon a matter over which the Board has
6 jurisdiction, including a workshop or executive session. However, a “meeting” does
7 not include a chance or social gathering; or meetings where no funds are
8 appropriated for expenditure and board members are convened solely to discuss
9 administrative or operational matters which do not require formal action or would not
10 come before the Board for discussion or action.

11 [Utah Code § 52-4-103\(6\) \(2019\)](#)

12 **Rules of Order and Procedure—**

13 The Board of Education shall adopt Rules of Order and Procedure to govern
14 a public meeting of the Board of Education. The Rules of Order and Procedure shall
15 include a set of policies that govern and prescribe in a public meeting:

- 16 1. Parliamentary order and procedure;
- 17 2. Ethical behavior; and
- 18 3. Civil discourse.

19 After adopting the Rules of Order and Procedure, the Board of Education
20 shall:

- 21 1. Conduct its public meeting in accordance with the Rules of Order and
22 Procedure adopted by the Board of Education; and
- 23 2. Make the Rules of Order and Procedure available to the public at each
24 meeting of the Board of Education, and on the District’s public website.

25 [Utah Code § 53G-4-202\(1\)\(c\), \(2\) \(2019\)](#)

26 Upon a two-thirds vote, the Board of Education may expel a member of the
27 Board from an open public meeting of the Board for:

- 28 1. Disorderly conduct at the meeting;
- 29 2. The member’s direct or indirect financial conflict of interest regarding an issue
30 discussed at or action proposed to be taken at the meeting; or
- 31 3. Commission of a crime during the meeting.

32 The Board of Education may also adopt policies that expand the reasons for
33 expelling a Board member from an open public meeting or which establish more
34 restrictive procedures for such expulsion.

BOARD MEETINGS

Grand County School District

[Utah Code § 53G-4-202\(5\) \(2019\)](#)

Open to the public—

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"

BOARD MEETINGS

Grand County School District

73 is the county executive or county manager of a county with unincorporated area
74 within the boundary of the school district. These local government officials may not
75 vote on any issue before the Board and their participation is subject to the Board
76 President's authority to regulate the conduct of the meeting.

77 An interested mayor or interested county official may attend a closed meeting
78 of the Board if invited by the Board. Where the closed meeting is held to discuss
79 disposition or acquisition of real property, an interested mayor or interested county
80 official may attend if invited by the Board and if the mayor or county executive does
81 not have a conflict of interest with respect to the disposition or acquisition.

82 [Utah Code § 53G-7-208\(3\)\(a\) \(2019\)](#)

83 Quorum—

84 A majority of the members of the Board shall constitute a quorum for
85 meetings of the Board.

86 [Utah Code § 52-4-103\(11\)\(a\) \(2019\)](#)

87 [Utah Code § 53G-4-203\(5\) \(2019\)](#)

88 USBA training session for board members—

89 In the event the Board or any of its members meet with representatives of the
90 Utah School Boards Association (USBA) for the purpose of receiving or participating
91 in instruction regarding Board functions or activities, and not for the purpose of
92 discussing or acting upon a subject over which the Board has jurisdiction, the Board
93 is not required to comply with the Utah Open and Public Meetings Act, [Utah Code §](#)
94 [52-4-101 et seq.](#)

95 If more than two Board members are present in such meetings, the Board
96 members shall not discuss or act upon any specific matter over which it has
97 jurisdiction. Board members will discuss only matters relative to the instruction they
98 receive from USBA representatives.

99 If Board members determine in an instructional meeting with representatives
100 of USBA that there is a need to discuss or act upon a subject over which the Board
101 has jurisdiction, then the Board and its members must comply with the Open and
102 Public Meetings Act, Utah Code § 52-4-101 et seq., prior to discussing or acting
103 upon such matters.

NOTICE REQUIREMENTS

Grand County School District

1 **Board Meetings:**
2 **Notice Requirements**

3 **Public notice of annual meeting schedule—**

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

6 [Utah Code § 52-4-202\(2\) \(2016\)](#)

7 **Notice of specific meetings—**

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

11 [Utah Code § 52-4-202\(1\) \(2016\)](#)

12 **Action limited to meeting agenda—**

13 Where a meeting agenda must be included in the required public notice of a
14 Board meeting (as stated in the paragraph above), that agenda shall be sufficiently
15 specific to notify the public of the topics to be considered at the Board meeting. To
16 be sufficiently specific, the agenda shall at least list each anticipated topic under an
17 agenda item in a manner which identifies the subject of discussion and if known the
18 nature of the Board action being considered on the subject. The Board may not
19 consider a topic in an open meeting which was not listed under an agenda item and
20 included with the advance public notice of the meeting, except that if an unlisted
21 topic is raised by the public during an open meeting, the Board may at the discretion
22 of the presiding Board member discuss the topic but may not take any final action on
23 that topic during the meeting. This limitation may not apply to an emergency
24 meeting where the requirements for holding and giving the best practicable notice of
25 such a meeting have been met. (See “Emergency Meeting” below.)

26 [Utah Code § 52-4-202\(6\) \(2016\)](#)

27 When the Board is meeting to conduct a public hearing with respect to
28 adopting the budget or levying a tax rate which exceeds the certified tax rate, the
29 Board’s agenda must be limited to the hearing(s) and discussion and action on those
30 items. (If the Board holds another meeting on the same date to address general
31 business items, the other meeting must conclude before the meeting on the budget
32 and/or tax rate levy.)

33 [Utah Code § 59-2-919\(8\)\(b\)\(i\)\(B\), \(e\) \(2019\)](#)

34 **Giving notice of meeting—**

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

NOTICE REQUIREMENTS

Grand County School District

- 37 1. Posting written notice at the local Board of Education office;
- 38 2. Posting notice on the Utah Public Notice Website; and,
- 39 3. Providing notice to at least one newspaper of general circulation within
- 40 the geographic jurisdiction of the public body or to a local media
- 41 correspondent. (Notice to such a newspaper or local media
- 42 correspondent sent pursuant to a subscription made through the Utah
- 43 Public Notice Website satisfies this requirement if the notice has been
- 44 timely sent.
- 45 4. The District shall also endeavor to post notice of Board meetings on
- 46 the District's web site at least 24 hours in advance of the meeting.
- 47 *[The statute does not require districts to provide this type of notice and*
- 48 *requires districts to post notice on the State notice website. Therefore,*
- 49 *in enacting its own policy, a district may decide whether or not to*
- 50 *include this optional provision.]*
- 51 5. Notice of each Board meeting shall also be given to each interested
- 52 mayor or interested county executive (or their designee). An
- 53 "interested mayor" is the mayor of a municipality that is partly or
- 54 entirely within the boundaries of the school district. An "interested
- 55 county executive" is the county executive or county manager of a
- 56 county with unincorporated area within the boundaries of the school
- 57 district. This notice shall be provided by mail, email, or other effective
- 58 means agreed to by the person to receive notice.

- 59 [Utah Code § 52-4-202\(3\), \(4\) \(2016\)](#)
- 60 [Utah Code § 63F-1-701\(4\)\(d\) \(2016\)](#)
- 61 [Utah Code § 53G-7-208\(3\)\(e\) \(2019\)](#)

62 **Emergency meeting—**

63 In case of emergency or urgent public necessity which renders it impractical

64 to give the notice identified in the paragraphs above, the best notice practicable shall

65 be given of the time and place of the meeting and of the topics to be considered at

66 the meeting. No such emergency meeting of the Board shall be held unless an

67 attempt has been made to notify all of its members and a majority of the members

68 vote in the affirmative to hold the meeting.

69 [Utah Code § 52-4-202\(5\) \(2016\)](#)

70 **Annual budget meeting notice—**

71 In addition to complying with the aforementioned public notice requirements,

72 in regards to the budget hearing, the Board shall do the following:

- 73 1. Publish the required newspaper advertisement and/or electronic
- 74 newspaper advertisement (see [Utah Code § 45-1-101 \(2019\)](#)) and the

NOTICE REQUIREMENTS

Grand County School District

- 75 required Utah Public Notice Website advertisement at least ten days
76 before the day on which the hearing is held
- 77 a. The public hearing notice will include information on how the
78 public may access the proposed budget.
- 79 2. File a copy of the proposed budget with the Board’s business
80 administrator for public inspection; and
- 81 3. Post a copy of the proposed budget on the District’s Internet website.
- 82 4. In addition, if the proposed budget includes a tax rate in excess of the
83 certified tax rate, or if the Board meeting is required to consider
84 whether to adopt a tax rate in excess of the certified tax rate, the Board
85 shall provide the notices and schedule the meeting as required by [Utah](#)
86 [Code § 59-2-919](#).
- 87 [Utah Code § 53G-7-303\(3\) \(2019\)](#)
88 [Utah Code § 53F-8-201\(3\) \(2019\)](#)
89 [Utah Code § 59-2-919 \(2019\)](#)

Bond or tax increase election hearing notice—

- 91 In addition to complying with the aforementioned public notice requirements, if
92 the Board is meeting under the Transparency of Ballot Propositions Act to hear
93 arguments for or against a ballot proposition to authorize issuance of bonds or to
94 increase taxes, the District’s election officer must post notice of the time, date, and
95 place of the meeting (along with the arguments for and against the proposition):
- 96 1. On the Statewide Electronic Voter Information Website for 30
97 consecutive days before the election on the proposition;
- 98 2. On the District’s website in a prominent place for 30 consecutive days
99 before the election on the proposition;
- 100 3. If the District publishes a newsletter or other periodical, in the next
101 scheduled edition before the election on the proposition.
- 102 [Utah Code § 59-1-1604\(6\) \(2016\)](#)
103 [Utah Code § 59-1-1605 \(2016\)](#)
- 104 The meeting must begin at or after 6:00 p.m.
105 [Utah Code § 59-1-1605\(3\)\(b\) \(2016\)](#)

Bond issuance hearing notice—

107 In addition to complying with the aforementioned public notice requirements, if
108 the Board is meeting to consider authorizing issuance of bonds under the Local
109 Government Bonding Act, it shall publish notice of the intent to issue bonds in the
110 newspaper and on the Utah Public Notice Website at least 14 days in advance of the
111 public hearing on the bond issuance as required by Utah Code Ann. § 11-14-318.
112 The notice shall give notice that the hearing will be held to receive input from the

NOTICE REQUIREMENTS

Grand County School District

113 public respecting the issuance of the bonds and the potential economic impact that
114 the proposed improvement, facility, or property that the bonds will fund will have on
115 the private sector.

116 [Utah Code § 11-14-318 \(2009\)](#)

117 Budget appropriation increase meeting notice—

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

122 [Utah Code § 53G-7-305\(7\)\(b\) \(2019\)](#)

123 School closure or boundary change hearing notice—

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

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

130 Board member compensation hearing notice—

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

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

145 [Utah Code § 53G-4-204\(3\) \(2019\)](#)

Grand County School District

1 **Board Meetings**
2 ***Recordings and Minutes***

3 **Open Meeting Recording and Minutes—**

4 Written minutes and a recording shall be kept of all open board meetings
5 except site visits or traveling tours where no vote or action is taken by the Board, for
6 which only written minutes shall be kept.

7 Written minutes shall include:

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

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

25 The recording shall be a complete and unedited recording of all open portions
26 of the meeting from the commencement of the meeting until the meeting's
27 adjournment, and shall be labeled or identified with the date, time, and place of the
28 meeting. If the meeting is a public hearing under the Transparency of Ballot
29 Propositions Act, the recording must be digital.

30 [Utah Code § 52-4-203\(1\), \(2\), \(3\) \(2017\)](#)

31 [Utah Code § 59-1-1605\(4\) \(2016\)](#)

32 **Approval of and Availability of Minutes and Recordings of Board meetings—**

33 The recording of an open board meeting is a public record and shall be
34 available to the public for listening within three business days after the end of the
35 meeting. If the meeting is a public hearing under the Transparency of Ballot

Grand County School District

36 Propositions Act, the digital recording must also be made available on the District's
37 website within this time period.

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

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

49 [Utah Code §52-4-203\(4\)\(f\) \(2017\)](#)
50 [Utah Code § 59-1-1605\(4\)\(b\)\(i\) \(2016\)](#)

51 **Closed Meeting Recording and Minutes—**

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

- 57 1. The date, time and place of the meeting;
58 2. The names of members present and absent; and
59 3. The names of all others present except where such disclosure would
60 compromise the confidential nature of the issues being discussed or
61 otherwise infringe the privacy rights of the others present.

62 When kept, recordings of closed meetings shall be complete and unedited
63 recordings of all portions of the closed meeting, and shall be labeled or identified
64 with the date, time, and place of the closed meeting.

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

68 [Utah Code § 52-4-206 \(2010\)](#)

69 **No Secret Ballot—**

70 No vote shall be taken by secret ballot.

71 [Utah Code § 52-4-203\(2\)\(a\)\(iv\) \(2017\)](#)

72 **Closed Meeting Recordings and Minutes are Protected—**

Grand County School District

73 All recordings and minutes of closed meetings are hereby designated as
74 "Protected Records" under the Government Records Access Management Act.

75 [Utah Code § 52-4-206\(5\) \(2010\)](#)
76 [Utah Code § 63G-2-101 et seq. \(2008\)](#)

Grand County School District

1 **Board Meetings:**
2 ***Closed Meetings***

3 **Closed Meetings—**

4 A closed meeting may be held upon a two-thirds affirmative vote of the board
5 members present at a meeting for which public notice was given pursuant to [Utah](#)
6 [Code § 52-4-202](#), providing a quorum is present. No resolution, rule, regulation,
7 contract or appointment shall be approved at a closed meeting, nor may the Board
8 interview an applicant to fill an elected position at such a meeting. The recording
9 and minutes of open meeting at which the vote is taken to hold a closed meeting
10 shall contain the reason or reasons for holding a closed meeting and the votes, by
11 name, of the members present, either for or against the proposition to hold such a
12 meeting.

13 [Utah Code § 52-4-204 \(2013\)](#)

14 **Purposes of Closed Meetings—**

15 Closed meetings may only be held for the following purposes:

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

Grand County School District

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

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

- 57 [Utah Code § 20A-1-511\(3\)\(c\) \(2017\)](#)
58 [Utah Code § 52-4-205 \(2014\)](#)
59 [Utah Code § 52-4-206\(6\) \(2010\)](#)
60

Grand County School District

1 **Board Meetings:**
2 ***Meeting Location***

3 **Meeting location—**

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

7 [Utah Code § 52-4-202\(1\)\(b\), \(2\)\(b\) \(2016\)](#)

8 The Board shall hold its meetings within the geographic boundaries of the
9 school district. However, a Board meeting may be held outside of the district in
10 certain circumstances of disaster or local emergency or for certain site visits.

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

- 17 1. causes, or threatens to cause, loss of life, human suffering, property
18 damage, or economic or social disruption resulting from attack, internal
19 disturbance, natural phenomenon, or technological hazard and
- 20 2. requires resources beyond the scope of local agencies in routine
21 responses to emergencies and accidents and may be of a magnitude or
22 involve unusual circumstances that require response by a governmental,
23 not-for-profit, or private entity.

24 The Board may hold a meeting outside of the district for a site visit if no vote
25 or other action is taken and the location of the site visit provides the Board the
26 opportunity to see or experience an activity that relates to the Board’s
27 responsibilities and does not exist within the geographic boundaries of the district.

28 [Utah Code § 53A-3-106\(1\)\(a\), \(b\), \(3\) \(2015\)](#)

29 **Location of workshops or executive sessions—**

30 Where the Board holds a workshop or executive session on the same day as a
31 regularly scheduled Board meeting, the workshop or executive session must be held
32 at the same location as the regularly scheduled meeting, unless:

- 33 1. The regularly scheduled meeting is not being held where those meetings
34 are usually held, and the workshop or executive session is held in the
35 usual meeting location; or

Grand County School District

- 36 2. Any of the meetings being held on the same day is a site visit or traveling
37 tour for which appropriate public notice has been given; or
- 38 3. The workshop or executive session is an electronic meeting and the
39 requirements for holding such a meeting have been satisfied; or
- 40 4. Because of emergency or extraordinary circumstances, it is not
41 practicable to hold the workshop or executive session at the regular
42 location where Board meetings are held.

43 [Utah Code § 52-4-201\(2\) \(2006\)](#)

Grand County School District

1 **Board Meetings:**
2 ***Electronic Meetings***

3 **Electronic meetings authorized—**

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

10 ***Definitions—***

11 The following terms are used in this policy:

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

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

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

20 [Utah Code § 52-4-207 \(2011\)](#)

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

22 After an electronic meeting has been scheduled, and at least 24 hours before
23 the meeting, the members of the Board shall be notified of the electronic meeting
24 and informed how members of the Board will be connected to the meeting.

25 ***Primary location at regular meeting location—***

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

28 ***Electronic meeting not available for site visit or traveling tour—***

29 When the scheduled meeting is a site visit or traveling tour, the meeting may
30 not be conducted or convened electronically.

31 ***Public notice of an electronic meeting—***

32 In addition to providing and posting the notices required for other Board
33 meetings, the Board shall provide at least 24 hours' advance written or electronic
34 notice of the electronic meeting to

- 35 1. A newspaper of general circulation within the state; and

Grand County School District

36 2. A local media correspondent.

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

40 ***Public access to electronic meetings—***

41 Space and facilities shall be provided at the primary location of an electronic
42 meeting of the Board to permit members of the public to attend and monitor the
43 electronic meeting (except those portions of such a meeting which have been
44 properly closed to the public by the Board). If the Board meeting is one at which
45 comments from the public will be accepted, then the space and facilities shall also
46 permit members of the public to participate in the electronic meeting. In this section,

- 47 1) "Monitor" means to hear and/or see, live, all statements made by each Board
48 member in the meeting (by speaker, computer screen, or other medium).
- 49 2) "Participate" means to be able to communicate with all Board members in the
50 meeting, such that each Board member can hear or see the communication.

51 Members of the public are not entitled to monitor or attend electronic
52 meetings except through the space and facilities provided at the primary location.
53 (Members of the public cannot request an electronic meeting and do not have the
54 right to be remotely connected to a Board meeting except as set forth in this
55 section.)

56 [Utah Code § 52-4-207 \(2011\)](#)

57

58

Grand County School District

1 **Community Involvement in Education**

2 **Community Resources—**

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

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

Grand County School District

1 **Superintendent:**
2 ***Appointment, Term of Office, and Interim Appointment***

3 **Appointment—**

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

6 [Utah Code § 53A-3-301\(1\) \(2011\)](#)

7 The Superintendent's appointment shall occur at the Board's first meeting in
8 June.

9 **Compensation and benefits—**

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

11 **Term of office—**

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

14 [Utah Code § 53A-3-301\(2\)\(b\) \(2011\)](#)

15 **Automatic contract renewal prohibited—**

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

18 [Utah Code § 53A-3-301\(2\)\(b\)\(ii\) \(2011\)](#)

19 **Interim appointment—**

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

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

31 [Utah Code § 53A-3-301\(3\), \(7\) \(2011\)](#)

Grand County School District

1 **Superintendent:**
2 ***Qualifications and Responsibilities***

3 **Qualifications—**

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

6 [Utah Code § 53G-4-301\(2\) \(2018\)](#)

7 **Oath of office—**

8 The Superintendent shall take the constitutional oath of office.

9 [Utah Code § 53G-4-301\(67\) \(2018\)](#)

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

13 [Article IV, Section X, Utah State Constitution](#)

14 **Responsibilities—**

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

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

19 [Utah Code § 53G-4-301\(1\) \(2018\)](#)

- 20 2. Hearing employee, student, parent and community concerns in accordance
21 with Board policies;

- 22 3. Setting an exemplary standard to promote educational excellence and work
23 harmoniously with the Board to set educational goals and objectives reflecting
24 the philosophy of the Board.

- 25 4. Reviewing and evaluating all aspects of the District’s educational program,
26 including facilities, and reporting any areas of concern or potential problems.

27 **Budget officer—**

28 The Superintendent shall serve as budget officer for the District.

29 [Utah Code § 53G-7-302\(1\)\(a\)\(i\) \(2018\)](#)

Grand County School District

1 **Superintendent:**
2 ***Evaluation***

3 **Written evaluation—**

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

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

Grand County School District

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

3 **Termination—**

4 The Superintendent may be terminated during the term of his or her
5 appointment upon a vote of two-thirds of the Board.

6 **No adverse actions based on unlawful grounds—**

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

11 **Enumerated causes—**

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

- 14 1. Deficiencies pointed out in evaluations, supplemental memoranda, or other
15 communications;
- 16 2. Neglect of duties or responsibilities, or the conduct of personal business
17 during school hours;
- 18 3. Incompetence or inefficiency in the performance of required or assigned
19 duties;
- 20 4. Insubordination or failure to comply with Board directives, policies or
21 administrative regulations;
- 22 5. Drunkenness or excessive use of alcoholic beverages; illegal use of drugs,
23 hallucinogens, or other controlled substances, or the possession, use, or
24 being under the influence of alcohol, alcoholic beverages, drugs or controlled
25 substances while on school property, acting within the scope of the
26 Superintendent's duties, or attending any school- or District-sponsored
27 activity;
- 28 6. Conviction of a felony or any crime involving moral turpitude;
- 29 7. Failure to meet the District's standards of professional conduct;
- 30 8. Disability, not otherwise protected by law, that impairs performance of
31 required duties;
- 32 9. Immorality, which is conduct the Board determines is not in conformity with
33 the accepted moral standards of the community encompassed by the District;

Grand County School District

- 34 10. Any activity, school-connected or otherwise, that, because of publicity given it
35 or knowledge of it among student, faculty, or community, impairs or
36 diminishes the Superintendent's effectiveness in the District;
- 37 11. Reasons specified in the individual employment contract reflecting special
38 conditions of employment, or failure to maintain a valid supervisory certificate;
- 39 12. Failure to maintain an effective working relationship, or maintain good rapport
40 with parents, the community, staff, or the Board;
- 41 13. Assault on an employee or student;
- 42 14. Falsification of records or other documents related to the District's
43 activities;
- 44 15. Misrepresentation of facts to the Board or other District officials in the conduct
45 of District business;
- 46 16. Mismanagement of District property;
- 47 17. Mismanagement of District financial resources; or
- 48 18. Failure to adequately provide for the safety of students.

49 **Leave with pay or relief of duties—**

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

56 **Notice—**

57 Before the Superintendent is terminated or other employment action is taken
58 based on cause, the Superintendent shall be given reasonable notice of the
59 proposed action and the grounds set out in sufficient detail to fairly enable him or her
60 to show any error that may exist. The Superintendent shall be advised of the names
61 of adverse witnesses and the nature of their testimony.

62 **Hearing—**

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

Grand County School District

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

72 At the hearing before the Board, the Superintendent may employ counsel.
73 The Superintendent also has the right to hear the evidence upon which the charges
74 are based, to cross-examine all adverse witnesses, and to present evidence of
75 innocence or extenuating circumstances. Prior to termination or adverse action for
76 cause, the Board shall determine the existence of good cause for the termination or
77 action. Such determination shall be based solely on the evidence presented in the
78 hearing. Termination may only be by a vote of two-thirds of the Board.

79 The Board shall notify the Superintendent of its decision within 15 days after
80 the hearing.

81 **Suspension—**

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

84 **Notice to the State Board of Education—**

85 The President of the Board shall notify the Utah State Board of Education
86 whenever the Board terminates or takes other employment action against the
87 Superintendent and the termination or action is due to a final judicial or
88 administrative determination or determination by the Board of immorality, or of
89 unprofessional conduct, or professional incompetence which results in termination or
90 suspension for more than one week, or which requires mandatory licensing
91 discipline under R277-515, or which otherwise warrants review by the Professional
92 Practices Advisory Commission.

93

Grand County School District

1 **Business Administrator:**
2 ***Appointment, Term of Office, and Interim Appointment***

3 **Appointment—**

4 The Board shall appoint a Business Administrator.

5 [Utah Code § 53A-3-302\(1\) \(2012\)](#)

6 **Term of office—**

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

11 [Utah Code § 53A-3-302\(2\) \(2012\)](#)

12 **No Business Administrator Appointments During Interim Vacancy Period—**

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

- 14 1. begins on the day on which a general election is held to elect a
15 member of the Board; and
16 2. ends on the day on which the member-elect begins.

17 The Board may not appoint a business administrator during an interim
18 vacancy period. However, the Board may appoint an interim business administrator
19 during an interim vacancy period; and the interim business administrator's term shall
20 expire once a new business administrator is appointed by the new Board after the
21 interim vacancy period has ended.

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

25 [Utah Code § 53A-3-302\(5\) \(2012\)](#)

26 **Interim appointment—**

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

32 [Utah Code § 53A-3-302\(3\) \(2012\)](#)

Grand County School District

1 **Business Administrator:**
2 ***Qualifications and Responsibilities***

3 **Oath of office—**

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

6 [Utah Code § 53A-3-302\(4\) \(2012\)](#)

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

10 [Article IV, Section X, Utah State Constitution](#)

11 **General responsibilities—**

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

- 14 1. Have custody of the Board’s seal and use the seal to authenticate all matters
15 requiring authentication.
- 16 2. Attend all meetings of the Board, keep accurate records of its proceedings as
17 required by law, subject to requirements that certain closed meetings not be
18 recorded, as set forth in Policy BEB, and have custody of the records of the
19 Board;
- 20 3. Be custodian of all District funds, be responsible and accountable for all
21 money received and disbursed, keep accurate records for all revenues
22 received and their sources;
- 23 4. Countersign with the President of the Board all warrants and claims against
24 the District as well as other legal documents approved by the Board;
- 25 5. Prepare and submit to the Board each month a written report of the District's
26 receipts and expenditures;
- 27 6. Use uniform budgeting, accounting, and auditing procedures in forms
28 approved by the State Board of Education, which shall be in accordance with
29 the generally accepted accounting principles or auditing standards and with
30 [Title 63J, Chapter 1](#), Utah Budgetary Procedures Act;
- 31 7. Prepare and submit to the Board a detailed annual statement for the period
32 ending June 30, of the revenue and expenditures, including beginning and
33 ending fund balances;

Grand County School District

34 8. Assist the Superintendent in the preparation and submission of budget
35 documents and statistical and fiscal reports required by the law or the State
36 Board of Education;

37 9. Insure that adequate internal controls are in place to safeguard the District's
38 funds; and

39 10. Perform other duties as the Superintendent may require.

40 [Utah Code § 53A-3-401\(3\) \(2014\)](#)

41 [Utah Code § 53A-3-303 \(2008\)](#)

Grand County School District

1 **Business Administrator:**
2 ***Evaluation***

3 **Written evaluation—**

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

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

Grand County School District

1 **Business Administrator:**
2 ***Dismissal, Relief of Duties, and Suspension***

3 **Termination—**

4 The Business Administrator may be terminated during the term of his or her
5 appointment upon a vote of two-thirds of the Board.

6 **No adverse actions based on unlawful grounds—**

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

11 **Enumerated causes—**

12 Causes for the termination of the Business Administrator may include but are not
13 limited to:

- 14 1. Deficiencies pointed out in evaluations, supplemental memoranda, or other
15 communications;
- 16 2. Neglect of duties or responsibilities, or the conduct of personal business
17 during school hours;
- 18 3. Incompetence or inefficiency in the performance of required or assigned
19 duties;
- 20 4. Insubordination or failure to comply with Board directives, policies or
21 administrative regulations;
- 22 5. Drunkenness or excessive use of alcoholic beverages; illegal use of drugs,
23 hallucinogens, or other controlled substances, or the possession, use, or
24 being under the influence of alcohol, alcoholic beverages, drugs or controlled
25 substances while on school property, acting within the scope of the Business
26 Administrator's duties, or attending any school- or District-sponsored activity;
- 27 6. Conviction of a felony or any crime involving moral turpitude;
- 28 7. Failure to meet the District's standards of professional conduct;
- 29 8. Disability, not otherwise protected by law, that impairs performance of
30 required duties;
- 31 9. Immorality, which is conduct the Board determines is not in conformity with
32 the accepted moral standards of the community encompassed by the District;

Grand County School District

- 33 10. Any activity, school-connected or otherwise, that, because of publicity given it
34 or knowledge of it among student, faculty, or community, impairs or
35 diminishes the Business Administrator's effectiveness in the District;
- 36 11. Reasons specified in the individual employment contract reflecting special
37 conditions of employment, or failure to maintain a valid supervisory certificate;
- 38 12. Failure to maintain an effective working relationship, or maintain good rapport
39 with parents, the community, staff, or the Board;
- 40 13. Assault on an employee or student;
- 41 14. Falsification of records or other documents related to the District's
42 activities;
- 43 15. Misrepresentation of facts to the Board or other District officials in the conduct
44 of District business;
- 45 16. Mismanagement of District property;
- 46 17. Mismanagement of District financial resources; or
- 47 18. Failure to adequately provide for the safety of students.

48 **Leave with pay or relief of duties—**

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

56 **Notice—**

57 Before the Business Administrator is terminated or other employment action
58 is taken based on cause, the Business Administrator shall be given reasonable
59 notice of the proposed action and the grounds set out in sufficient detail to fairly
60 enable him or her to show any error that may exist. The Business Administrator
61 shall be advised of the names of adverse witnesses and the nature of their
62 testimony.

63 **Hearing—**

64 If, upon written notification, the Business Administrator desires to be heard
65 and contest the proposed action of the Board, the Business Administrator shall make
66 a written request for a hearing before the Board within 15 days of receiving the
67 notification. The hearing shall be set on a date that affords the Business

Grand County School District

68 Administrator reasonable time to prepare an adequate defense but not more than 30
69 days from the Board's receipt of the written request, unless postponed by mutual
70 consent.

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

74 At the hearing before the Board, the Business Administrator may employ
75 counsel. The Business Administrator also has the right to hear the evidence upon
76 which the charges are based, to cross-examine all adverse witnesses, and to
77 present evidence of innocence or extenuating circumstances. Prior to termination or
78 adverse action for cause, the Board shall determine the existence of good cause for
79 the termination or action. Such determination shall be based solely on the evidence
80 presented in the hearing. Termination may only be by a vote of two-thirds of the
81 Board.

82 The Board shall notify the Business Administrator of its decision within 15
83 days after the hearing.

84 **Suspension—**

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

87 **Notice to the State Board of Education—**

88 The Superintendent shall notify the Utah State Board of Education whenever
89 the Board terminates or takes other employment action against the Business
90 Administrator and the termination or action is due to a final judicial or administrative
91 determination or determination by the Board of immorality, or of unprofessional
92 conduct, or professional incompetence which results in termination or suspension for
93 more than one week, or which requires mandatory licensing discipline under [R277-](#)
94 [515](#), or which otherwise warrants review by the Utah Professional Practices Advisory
95 Commission.

96 [Utah Admin. Rules R277-516-78\(2\) \(August 12, 2016 September 21, 2017\)](#)

Grand County School District

1 **Administrative Personnel**

2 **Administrative appointment—**

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

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

13 **Criteria—**

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

19 **Certification—**

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

23 [Utah Code § 53A-6-110 \(2016\)](#)
24 [Utah Admin. Rules R277-505 \(May 23, 2016\)](#)

25

Grand County School District

1 **Administrative Personnel:**
2 ***Duties of Principals***

3 **Duties of principals—**

4 School Principals shall:

- 5 1) Provide primary educational leadership in the school to which they are assigned.
6 As chief administrative officer of the school and supervisor of its instructional
7 program, the Principal shall provide the leadership in creating an environment
8 conducive to skillful creative teaching and optimum learning. In recognition of the
9 value of the team approach, supervision should be identified through
10 encouragement and support of the instructional program allowing opportunity for
11 teacher growth and development.
- 12 2) Be the administrative authority in the school within the limits of the law, Board
13 regulations and instructions from the Superintendent.
- 14 3) Inform the staff of school regulations as they are enacted by the Board of
15 Education.
- 16 4) Keep the Superintendent, appropriate assistant administrators and other
17 administrative officers fully advised as to the conditions and needs of the school.
- 18 5) Make regular and thorough inspections accounting for school properties, and be
19 responsible to the Superintendent for these properties.
- 20 6) Assist curriculum personnel in appraising, developing and evaluating the school
21 curriculum and in planning, adapting and scheduling the courses of study for the
22 students.
- 23 7) Take all reasonable precautions to safeguard the staff and the students in the
24 school during school hours. Provide for the safety and care of children in case of
25 fire, storm, or other sudden danger to the school plant and see that the students
26 and teachers are adequately trained to carry out such plans during these
27 occurrences.
- 28 8) In the best interests of the students and staff, organize the resources of the
29 school to provide supervision of playground activities 30 minutes prior to school,
30 during school, and after the last bus leaves after school, and supervise the lunch
31 room program and the noon hour.
- 32 9) Oversee discipline procedures used and report to the Superintendent or the
33 delegated authority any irregular types of punishment prohibited by Board policy.
- 34 10) Make recommendations for teacher dismissal within the school.

Grand County School District

- 35 11)As required, evaluate and report the efficiency of each member of the
36 instructional staff in the school in accordance with an established plan of teacher
37 evaluation.
- 38 12)Assist in the development of the school budget and keep such business records
39 and execute such business forms as may be required.
- 40 13)Order approved supplies, textbooks, equipment, and all materials necessary to
41 the operation of the school.
- 42 14)Administer a system of accounting of all monies from student activities,
43 cafeterias, student fees or fines, entertainments, gifts and from any student group
44 within the school. This accounting shall be in accord with a central plan of
45 accounts and carried out under the supervision of the Superintendent or the
46 delegated authority.
- 47 15)Report immediately, in full and in writing, to the administrative offices any
48 infringement of district property rights within the school or any injury to any pupil
49 or member of the staff that may occur at a time or place wherein the rights or
50 responsibilities of the schools may be involved.
- 51 16)Process complaints concerning the school, investigate these complaints and
52 refer to the area assistant administrator cases which the Principal cannot adjust
53 satisfactorily.
- 54 17)Direct and supervise the professional, classified and hourly staff working within
55 the school building and provide annual evaluations for each member.
- 56 18)Be responsible for good public relations with community groups, including the
57 parent-teacher organization and other organizations and for using community
58 and professional resources to enrich the learning program.
- 59 19)Report to the appropriate assistant administrator any need for extended absence
60 from school and the name of the person appointed to act in the absence of the
61 Principal.
- 62 20)Perform other duties as may be assigned by the Superintendent of Schools.
- 63 21)In accordance with policies, rules and regulations adopted by the Board, be
64 responsible for the detailed organization of the program of the school, for the
65 assignment of duties to staff members and for the administration of the
66 instructional program for the regular school year and during the extended
67 summer program.
- 68 22)Be responsible for the maintenance and repair of the school building.
- 69 a) Report all emergencies to the Superintendent or the assistant administrator
70 for operations.
- 71 b) Be responsible for the safety of the physical facilities.

Grand County School District

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

Grand County School District

1 **Administrative Personnel:**
2 ***Evaluation***

3 **Written evaluation—**

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

CHARTER SCHOOL SPONSORSHIPS

Grand County School District

1 **Charter Schools:**
2 **Charter School Sponsorships**

3 **Sponsorship of Charter Schools—**

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

15 [Utah Code § 53G-5-305\(1\) \(2019\)](#)
16 [Utah Admin. Rules R277-552-2\(2\), \(5\) \(January 9, 2019\)](#)
17 [Utah Admin. Rules R277-553-3\(1\) \(January 9, 2019\)](#)

18 **Acceptance of Applications for Charter School Authorization—**

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

23 [Utah Code § 53G-5-305\(8\) \(2019\)](#)

24 **Application to Convert an Existing Public School to a Charter School—**

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

34 Before the Board may approve a conversion application, it must determine
35 that the students opting not to attend the proposed converted school would have
36 access to a comparable public education alternative and that current teachers who
37 choose not to teach at the converted school would receive a first preference for

CHARTER SCHOOL SPONSORSHIPS

Grand County School District

38 transfer to open teaching positions for which they qualify within the District or that
39 applicable policy or agreements regarding staff reduction would apply.

40 [Utah Code § 53G-5-305\(1\)\(b\) \(2019\)](#)

41 **Contents of Application—**

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

- 44 1. The purpose and mission of the school;
- 45 2. A description of the governance structure of the school, including:
 - 46 a. A list of the charter school governing board members describing the
47 qualifications of each member and
 - 48 b. An assurance that the applicant shall, within 30 days of authorization,
49 complete a background check for each governing board member
50 consistent with [Utah Code § 53G-5-408](#);
- 51 3. A description of the target population of the school that includes:
 - 52 a. The projected maximum number of students the school proposes to enroll;
 - 53 b. The projected school enrollment for each of the first three years of school
54 operation; and
 - 55 c. The ages or grade levels the school proposes to serve;
- 56 4. Academic goals;
- 57 5. Qualifications and policies for school employees, including policies that:
 - 58 a. Comply with the criminal background check requirements described in
59 [Utah Code § 53G-5-408](#);
 - 60 b. Require employee evaluations;
 - 61 c. Address employment of relatives within the charter school; and
 - 62 d. Address human resource management and ensure that:
 - 63 i. At least one of the school's employees or another person is assigned
64 human resource management duties, as defined in [Utah Code § 17B-](#)
65 [1-805](#); and
 - 66 ii. That this assigned person receives human resource management
67 training, as defined in [Utah Code § 17B-1-805](#);
- 68 6. A description of how the charter school will provide special education and
69 related services (as required by federal law);
- 70 7. If the proposed charter school is a public school converting to a charter
71 status, arrangements for:

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- 72 a. Students who choose not to continue attending the charter school; and
- 73 b. Teachers who choose not to continue teaching at the charter school;
- 74 8. A statement that describes the plan for establishing the charter school's
- 75 facilities, including:
- 76 a. Whether the school intends to lease or purchase the school's facilities;
- 77 and
- 78 b. Financing arrangements;
- 79 9. A market analysis of the community the school plans to serve;
- 80 10. A business plan;
- 81 11. A description of the school's proposed curriculum, instructional program, and
- 82 instructional delivery methods;
- 83 12. The proposed methods for assessing whether students are reaching
- 84 academic goals (which at a minimum shall include administering the
- 85 statewide assessments described in [Utah Code § 53E-4-301](#));
- 86 13. A proposed calendar;
- 87 14. Sample policies;
- 88 15. A description of opportunities for parental involvement;
- 89 16. A description of any administrative, supervisory, or other proposed services
- 90 that may be obtained through service providers;
- 91 17. Other information that demonstrates an applicant's ability to establish and
- 92 operate a charter school;
- 93 18. The proposed pre-operational plan, including proposed implementation of
- 94 required policies, student data systems, reporting, and financial management;
- 95 19. Other identified major issues involving the establishment and operation of the
- 96 school;
- 97 20. A proposed charter agreement; and
- 98 21. The signatures of the charter school governing board members.
- 99 [Utah Code § 53G-5-302\(2\), \(3\) \(2019\)](#)

Contents of Charter Agreement—

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

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- 107 1. The name of the charter school and the name of the charter school applicant;
108 2. The mission statement and purpose of the charter school;
109 3. The charter school's opening date;
110 4. The grade levels the charter school will serve;
111 5. The maximum number of students to be served by the school or by all
112 satellite schools (subject to [Utah Code § 53G-6-504](#));
113 6. A description of the structure of the charter school's governing board,
114 including the number of board members, how members of the board are
115 appointed, and the terms of office of board members;
116 7. Assurances that:
117 a. The charter school's governing board shall comply with the charter
118 school's bylaws and articles of incorporation and applicable federal and
119 state law and State Board of Education rules;
120 b. The charter school's governing board will meet all reporting requirements
121 described in [Utah Code § 53G-5-404](#); and
122 c. That except as provided for under the Charter School Credit Enhancement
123 Program ([Title 53G, Chapter 5, Part 6](#)), neither the Board of Education nor
124 the State or any agency of the State is liable for the debts or financial
125 obligations of the charter school or a person who operates the charter
126 school;
127 8. Which administrative rules the State Board of Education will waive for the
128 charter school;
129 9. The minimum financial standards for operating the charter school;
130 10. The minimum standards for student achievement; and
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132 11. The signatures of the charter school's governing board members and (upon
133 approval by the Board) the signature of the president of the Board of
134 Education.

135 [Utah Code § 53G-5-303 \(2019\)](#)

136 Upon approval of the charter agreement and execution by both the charter
137 school's governing board and by the Board, the Board shall maintain the original and
138 official copy of the charter agreement.

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

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**Grand County School District
Application Review—**

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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:
 - 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\(3\) \(2019\)](#)

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**Grand County School District
Funding Requirements—**

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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:

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

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210 8. The school has a functional accounting system.

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

215 [Utah Admin. Rules R277-552-3\(3\), \(4\) \(January 9, 2019\)](#)

216 **Charter School Website Requirements—**

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

219 1. The school's governance structure, including the name, qualifications, and
220 contact information of all governing board members;

221 2. The number of new students that will be admitted into the school;

222 3. The school calendar, which shall include:

223 a. the first and last days of school;

224 b. scheduled holidays;

225 c. scheduled professional development days; and

226 d. scheduled non-school days;

227 4. timelines for acceptance of new students consistent with [Utah Code § 53G-6-](#)
228 [503](#);

229 5. the requirement and availability of a charter school student application;

230 6. the application timeline to be considered for enrollment in the school;

231 7. procedures for transferring to or from a charter school;

232 8. timelines for a transfer;

233 9. provisions for payment, if required, of a one-time fee per secondary school
234 enrollment, not to exceed \$5.00, consistent with [Utah Code § 53G-6-503\(9\)](#);

235 10. the policies of the governing board; and

236 11. other items required by the Board, statute, and State Board rule.

237 [Utah Admin. Rules R277-551-5\(1\) \(January 9, 2019\)](#)

238 The school's website shall be operative at least 180 days before the proposed
239 opening date of the school and shall continue to be maintained by the school.

240 [Utah Admin. Rules R277-551-5\(3\) \(January 9, 2019\)](#)

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**Grand County School District
Charter Amendment Process—**

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

249 Upon receipt of the request for amendment, the Board shall evaluate the
250 proposed changes and determine whether the agreement as amended would
251 continue to satisfy all requirements for a charter agreement. The Board shall also
252 determine whether allowing the amendment is appropriate, considering the interests
253 of the students served by the school and the other students and schools of the
254 District.

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

258 [Utah Admin. Rules R277-550-2\(1\) \(January 9, 2019\)](#)

259 [Utah Admin. Rules R277-552-4 \(January 9, 2019\)](#)

260 Charter School Expansion Requests—

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

272 [Utah Admin. Rules R277-550-2\(7\) \(January 9, 2019\)](#)

273 [Utah Admin. Rules R277-552-5\(1\), \(6\) \(January 9, 2019\)](#)

274 In deciding whether to permit the requested expansion, the Board shall
275 consider:

- 276 1. The amount of time the school has operated successfully meeting the terms
277 of its charter agreement;
- 278 2. Two years of academic performance data of students at the school, including
279 whether the school is performing at or above:

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- 280 a. The academic goals established in the charter agreement; and
281 b. The average academic performance of other District and charter
282 schools in the area, or (for schools targeting specific populations)
283 schools with similar demographics;
- 284 3. The financial position of the school, as evidenced by the school's financial
285 records, including the school's:
- 286 a. Most recent annual financial report;
287 b. Annual program report; and
288 c. Audited financial statement;
- 289 4. Whether the school has a waiting list for enrollment;
- 290 5. Adequacy of the school's facility;
- 291 6. Any student safety issues; and
- 292 7. The school's ability to meet state and federal reporting requirements,
293 including whether the school has regularly met State Board reporting
294 deadlines.

295 [Utah Admin. Rules R277-552-5\(4\) \(January 9, 2019\)](#)

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

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

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

305 [Utah Admin. Rules R277-552-5\(3\) \(January 9, 2019\)](#)

306 **Request for Replication or Satellite School—**

307 A "replication school" is a charter school affiliated with an existing charter
308 school authorized by the Board which has the same governing board as the existing
309 school, has a similar program of instruction as the existing school, but is located at a
310 different site or in a different geographical location than the existing school. A
311 "satellite school" is the same as a "replication school" except that it has a different
312 program of instruction or serves different grades than the existing school.

313 [Utah Admin. Rules R277-550-2\(11\), \(14\) \(January 9, 2019\)](#)

314 A charter school authorized by the Board may request approval of a
315 replication school or a satellite school if:

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

328 [Utah Admin. Rules R277-552-6\(2\) \(January 9, 2019\)](#)

329 The request shall be made in writing and shall demonstrate satisfaction of
330 each of the requirements for making the request (set forth above). In determining
331 whether to grant the request, the Board will review and consider the existing
332 school's:

- 333 1. Educational services, assessment, and curriculum;
- 334 2. Governing board's capacity to manage multiple campuses; and
- 335 3. Financial viability.

336 [Utah Admin. Rules R277-552-6\(3\) \(January 9, 2019\)](#)

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

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

343 [Utah Admin. Rules R277-552-6\(7\)](#)

344 **Accountability and Review—**

345 The Board shall annually review and evaluate the performance of each of its
346 authorized charter schools, including requiring each school to comply with its charter
347 agreement and comply with statute and State Board rule. The annual review shall
348 include and shall document matters specific to effective charter school operation,
349 including financial performance, academic performance, enrollment, and governing
350 board performance. With respect to the first year of a charter school's operation, the
351 review shall include at least one visit to the school to ensure adherence to
352 implementation of the charter agreement and to establish a review process for the

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353 school. Subsequent reviews shall include visits as determined in the review process.
354 Following review visits, the Board shall provide the school a written report which sets
355 forth the school's strengths, deficiencies, any proposed corrective actions, and the
356 time for completing those corrective actions.

357 [Utah Admin. Rules R277-553-2\(1\), \(2\), \(3\) \(January 9, 2019\)](#)

358 For each of its authorized charter schools, the Board shall, at least once
359 every five years, conduct and document a comprehensive review of the school's
360 governing board's performance and of the charter agreement.

361 [Utah Admin. Rules R277-553-2\(4\) \(January 9, 2019\)](#)

362 Upon becoming aware of any claim of fraud or misuse of public assets by one
363 of its authorized charter schools, the Board shall notify the State Superintendent of
364 the claim and shall coordinate the investigation of the claim with the State
365 Superintendent.

366 [Utah Admin. Rules R277-553-2\(2\)\(d\), \(e\) \(January 9, 2019\)](#)

367 The Board shall coordinate with the State Superintendent in its regular review
368 and monitoring of its charter schools.

369 [Utah Admin. Rules R277-553-2\(5\) \(January 9, 2019\)](#)

370 [Utah Code § 53G-5-205\(2\) \(2019\)](#)

371 **Remediation of Deficiencies—**

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

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

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

387 [Utah Admin. Rules R277-553-3\(3\), \(4\) \(January 9, 2019\)](#)

388 The Board shall give written notice of probationary terms imposed on a
389 charter school to the State Superintendent within 30 days.

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390 [Utah Admin. Rules R277-553-3\(10\) January 9, 2019](#)

391 If the school complies with the terms of the written probation plan within the
392 established timeline, the Board shall remove the school from probation. The school
393 request a single extension of no more than 6 months to comply with the plan. The
394 Board may in its discretion grant or deny an extension request. While on probation, a
395 school may seek technical assistance from the Board or District in remedying
396 deficiencies. If the school fails to satisfy the probation requirements within the time
397 allowed, the Board shall propose to terminate the school's charter agreement.

398 [Utah Admin. Rules R277-553-3\(5\), \(6\), \(7\) \(January 9, 2019\)](#)

399 At any time during probation, for good cause, or if the health, safety, or
400 welfare of the students at the school is threatened, the Board may immediately
401 terminate the school's charter agreement.

402 [Utah Admin. Rules R277-553-3\(9\) \(January 9, 2019\)](#)

403 **Remediation of Financial or Safety Deficiencies—**

404 Upon receiving credible information of charter school financial
405 mismanagement or fraud, or a threat to the health, safety, or welfare of students, the
406 Board shall direct an independent review or monitoring, as appropriate, in
407 coordination with the State Superintendent. The Board may also direct a charter
408 school governing board or the charter school administration to take reasonable
409 action to protect students or state or federal funds consistent with [Utah Code § 53G-](#)
410 [5-503](#).

411 [Utah Admin. Rules R277-553-6\(1\), \(2\) \(January 9, 2019\)](#)

412 Upon receipt of findings documenting a threat to the health, welfare, or safety
413 of a school, the Board may:

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

422 [Utah Admin. Rules R277-553-6\(3\) \(January 9, 2019\)](#)

423 Upon receipt of findings documenting financial mismanagement or fraud by a
424 charter school, the Board shall coordinate appropriate corrective action with the
425 State Superintendent.

426 [Utah Admin. Rules R277-553-6\(4\) \(January 9, 2019\)](#)

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427 The Board may exercise flexibility for good cause in making a
428 recommendation regarding an identified deficiency.

429 [Utah Admin. Rules R277-553-6\(5\) \(January 9, 2019\)](#)

430 Termination of Charter School Status—

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

- 433 1. Failure to meet the requirements stated in its charter;
- 434 2. Failure to meet generally accepted standards of fiscal management;
- 435 3. Failure to provide adequate liability and other appropriate insurance;
- 436 4. Designation of the school as a low performing school under the School
437 Turnaround and Leadership Development Act and failure to improve the
438 school's grade under the conditions described in the School Turnaround and
439 Leadership Development Act;
- 440 5. Violation of law, including but not limited to violation of the requirements to
441 a. Submit an annual progress report to the Board of Education stating:
 - 442 i. The school's progress toward achieving its goals set forth in its charter;
 - 443 and
 - 444 ii. Financial records of the school, including revenues, expenditures, and
445 employee salary and benefit levels.
- 446 b. Be non-sectarian in its programs, admission policies, employment
447 practices and operations;
- 448 c. Not charge tuition or fees except those normally charged by public
449 schools;
- 450 d. Not employ an educator whose license has been suspended or revoked
451 by the State Board of Education;
- 452 e. Meet all applicable health, safety, and civil rights requirements;
- 453 f. Submit all annual reports required of public schools, including an annual
454 audited financial report;
- 455 g. Meet the data and reporting standards of Utah Code § 53E-3-501;
- 456 h. Not advocate unlawful conduct; or,
- 457 6. Other good cause shown.

458 [Utah Code § 53G-5-503\(1\) \(2019\)](#)

459 [Utah Code § 53G-5-404\(1\), \(4\), \(6\), \(8\), \(10\) \(2019\)](#)

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460 **Procedure for Termination of Charter Agreement—**

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

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

477 [Utah Code § 53G-5-503\(2\) \(2019\)](#)
478 [Utah Admin. Rules R277-553-3\(9\), \(11\) \(January 9, 2019\)](#)

479 Notwithstanding the above, the Board may terminate a charter agreement
480 immediately if good cause therefore is shown or if the health, safety, or welfare of
481 the students at the charter school is threatened, except as provided below for
482 schools with qualifying outstanding bonds.

483 [Utah Code § 53G-5-503\(5\) \(2019\)](#)

484 **Procedures Applicable to Charter Schools With Outstanding Bonds—**

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

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

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499 where immediate termination of a charter agreement might be appropriate, such
500 termination cannot be effected without the agreement of the Authority.

501 [Utah Code § 53G-5-501\(1\)\(b\), \(4\) \(2019\)](#)

502 [Utah Code § 53G-5-503\(2\)\(a\)\(ii\), \(2\)\(e\), \(3\) \(2019\)](#)

503 Appeals from Board Actions—

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

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

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

517

518 [Utah Admin. Rules R277-553-7\(1\), \(2\), \(3\) \(January 9, 2019\)](#)

519 School Operation Following Termination—

520 If a charter agreement is terminated, then the District may either assume
521 management and operation of the charter school or may upon application permit the
522 governing board of another charter school or a private management company to
523 operate the school.

524 [Utah Code § 53G-5-503\(6\) \(2019\)](#)

525

District Annual Reports

Grand County School District

1 **District Annual Reports**

2 **Fiscal year—**

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

4 [Utah Code § 53G-4-403\(1\) \(2019\)](#)

5 **Annual fiscal audit and report—**

6 The District’s accounts shall be audited annually at District expense by an
7 independent auditor who is a competent certified public accountant. The audit shall
8 be conducted in conformance with the requirements of [Utah Code § 51-2a-102\(2\)](#),
9 and an audit report will be prepared according to the requirements of [Utah Code §](#)
10 [51-2a-102\(3\)](#). Copies of the audit report shall be submitted as follows:

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

18 [Utah Code § 51-2a-102 \(2017\)](#)
19 [Utah Code § 51-2a-201\(1\) \(2017\)](#)
20 [Utah Code § 51-2a-202 \(2019\)](#)
21 [Utah Code § 53G-4-404 \(2019\)](#)
22 [Utah Admin. Rules R277-113-5\(4\) \(June 22, 2018\)](#)

23 **Other statistical and financial reports—**

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

28 [Utah Code § 53G-4-403 \(2019\)](#)
29 [Utah Code § 53G-4-404 \(2019\)](#)
30 [Utah Admin. Rules R277-484-1 \(August 7, 2017\)](#)
31 [Utah Admin. Rules R277-484-3 \(August 7, 2017\)](#)

32 **Annual letter of assurances—**

33 Unless authorization for later submission has been obtained from the State
34 Board of Education, by July 1 of each year, the Board shall send the State
35 Superintendent of Public Education the Board’s responses to the assurance
36 document and other compliance forms. The Board’s assurance document shall

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37 contain a signed attestation by the appropriate authority attesting to the accuracy
38 and validity of all responses and assurances provided by the District.

39 [Utah Admin. Rules R277-108-3 \(November 29, 2018\)](#)

40 [Utah Admin. Rules R277-108-5 \(November 29, 2018\)](#)

41 [Utah Admin. Rules R277-108-6 \(November 29, 2018\)](#)

Administration

Equal Education Opportunities and Civil Rights Grievance Procedure

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1 Purpose:

- 1.1 To ensure equal opportunity in Grand County School District.

2 Policy:

- 2.1 **Nondiscrimination Statement:** It is the policy of the Grand County School District Board of Education to not discriminate on the basis of race, color, national origin, religion, age, sex, sexual orientation or disability, in its educational programs, activities, or employment practices as required by Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Age Discrimination in Employment Act of 1974, Age Discrimination Act of 1975 and the Americans with Disabilities Act of 1990. Equal opportunity is a priority of the Grand County Board of Education.

- 2.2 **Educational Program Discrimination Reporting:** Persons alleging educational program discrimination or other related violation of civil rights, including discrimination carried out by employees, students, or third parties, may file a complaint with the following District Civil Rights Coordinators for Educational Programs at the following address:

- 2.2.1 **Disability.** Complaints alleging general claims of discrimination, including harassment, toward or of a student based on the student's disability may be directed to the following Compliance Officer:

Melinda Snow, District 504, Compliance Officer
Grand County School District
264 South 400 East
Moab, UT 84532
(435) 719-4700
snowm@grandschools.org

- 2.2.2.1 **Board Policy 5020 Equal/Education Opportunities: Section 504 Procedures for Students with Disabilities.** The complaint procedures of this policy are not applicable to complaints alleging certain violations of Section 504 falling within the scope of Board Policy 5020, relating to the identification, evaluation, or educational placement and provision of a free appropriate public education to a child with a disability. These complaints must be submitted and processed according to the procedures outlined in that policy.

- 2.1.1.2 **Individuals with Disabilities Education Act (IDEA).** The complaint procedures of this policy are not applicable to complaints alleging violations of the IDEA. IDEA State Complaints and requests for Due Process Hearings must be submitted according to procedures set forth in the [Utah Special Education Rules](#). For more information contact:

Sherrie Buckingham
Special Education Director
Grand County School District
604 South 400 East
Moab, UT 84532
(435) 259-3847
buckingham@grandschools.org

- 2.1.2 **Gender in Athletic Programs.** Complaints alleging discriminatory conduct in athletic programs in violation of Title IX may be directed to the following Compliance Officer:

Grand County High School Assistant Principal
Grand County High School
608 South 400 East
Moab, UT 84532
(435) 719-4891

- 2.2.3 **Race, Color, National Origin, Religion, or Gender in other than Athletic Programs.** Complaints alleging discriminatory conduct against students, parents of students, and visitors relative to race, color, national origin, religion, or gender in other than athletic programs may be directed to the following Compliance Officer:

Sherrie Buckingham
Grand County School District
505 North MiVida Drive
Moab, UT 84532
buckinghams@grandschools.org
(435) 719-4828

- 2.2.4 **Employment.** Complaints alleging discriminatory conduct in employment practices on the basis of race, color, religion, national origin, sex, disability, age, or veteran status may be directed to the following Compliance Officer:

Sherrie Buckingham
Grand County School District
505 North MiVida Drive
Moab, UT 84532
buckinghams@grandschools.org
(435) 719-4828

- 2.2.5 **Prompt and Equitable Resolution:** Grand County School District is committed to provide prompt and equitable resolution of student and employee complaints alleging any action which would be prohibited by the above referenced federal and state laws.

3 Procedure:

3.2 Informal Procedure (optional):

- 3.1.1 Any person who alleges a civil rights discrimination may discuss the grievance informally and on a verbal basis with the appropriate District Civil Rights Coordinator identified in Section 2, above.
- 3.1.2 The District Civil Rights Coordinator and the complainant shall together document the following:
- 3.1.2.1 The names of the parties involved.
 - 3.1.2.2 The date the complainant first had knowledge of the alleged violation.
 - 3.1.2.3 If an alleged violation occurred on more than one date, the date(s) of other violations.
 - 3.1.2.4 The names of any witnesses to the alleged violation.
 - 3.1.2.5 A clear and complete description of the action or practice complained of.

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- 3.1.2.6 Any other information, documents, or evidence that may help resolve the complaint.
- 3.1.2.7 The complainant's requested remedy.

- 3.1.2.8 The complainant and District Civil Rights Coordinator must sign and date the statement.
- 3.1.3 The District Civil Rights Coordinator shall investigate the complaint and reply verbally with the findings and, if necessary, a proposed resolution to the complainant with ten (10) business days.
- 3.2 **Formal Procedure:** A person who is not satisfied with the outcome of the information procedure or who chooses not to attempt resolution through the informal procedure shall follow this formal procedure.
- 3.2.1 Step 1: A written statement of the grievance signed by the complainant shall be submitted to the District Civil Rights Coordinator.
- 3.2.1.1 If the optional informal procedure has been used the formal complaint shall be submitted within five (5) business days of receipt of the Coordinator's answer to the informal complaint.
- 3.2.1.2 The formal complaint shall contain all of the information specified in section 3.1.2 above.
- 3.2.1.3 The Coordinator shall investigate the grievance by doing one or more of the following: gathering information from all parties, interviewing witnesses, obtaining written statements from individuals, and reviewing documentary and physical evidence. The Coordinator shall issue a written decision which shall be delivered to the complainant within ten (10) business days unless the investigation cannot reasonably be concluded within 10 days in which case the Coordinator shall notify the complainant how much additional time is needed.
- 3.2.2 Step 2: A complainant wishing to appeal the formal decision of the District Civil Rights Coordinator shall submit a signed statement of appeal to the Grand County School District Superintendent within five (5) business days after receipt of the Coordinator's response. The Superintendent shall meet with all parties involved, provide complainant with the ability to identify witnesses and other information, formulate a conclusion, and respond in writing with findings, conclusions, and any proposed resolutions within ten (10) business days.
- 3.2.3 Step 3: If unsatisfied, the complainant may appeal by submitting a signed written statement to the Board of Education with five (5) business days of receiving the Superintendent's written response in Step 2. Representatives of the Board of Education shall meet with the concerned parties and their representatives within thirty (30) days of the receipt of such an appeal. A copy of the Board's disposition and findings shall be sent to each concerned party within ten (10) business days of the meeting.
- 3.3 **State and Federal Review:** A person may always seek review of any alleged discrimination through appropriate State and Federal agencies. This can occur whether or not the person has followed the above informal or formal procedures. This may be done through the federal Office for Civil Rights (OCR) for education related violations or UALD (Utah Antidiscrimination Labor Division) or EEOC (Equal Employment Opportunity Commission) for employment related violations.
- 3.3.1 Persons alleging educational program discrimination or other related violation of civil rights may file a complaint with the Office for Civil Rights (OCR) at the following address:

Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-1100
1-800-421-3481
FAX: (202) 245-6840; TDD: (877) 521-2172
Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr/>

- 3.3.2 Persons alleging employment practices discrimination or other labor related violation of civil rights may file a complaint with the Utah Antidiscrimination Labor Division (UALD). Individuals must file their charge of

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employment discrimination with UALD within 180 days of the alleged discriminatory act. If more than 180 days have passed since the last date of harm, but less than 300 days, the charge must be sent to the Equal Employment Opportunity Commission (EEOC) for its consideration.

Utah Antidiscrimination & Labor Division
Office hours: 8:00 a.m. – 5:00 p.m., Monday through Friday
Call toll free in state at 1-800-222-1238,
Or TDD 801-530-7685

Equal Employment Opportunity Commission Denver Office
303 E. 17th Avenue, Suite 510
Denver, Colorado 80203
The Denver District Office is open Monday – Friday
8:00 a.m. – 5:00 p.m.
Phone: 303-866-1300/1301 or 1-800-669-4000
FAX: 303-866-1085
TTY: 303-866-1950 or 1-800-669-6820

- 3.3.3 A complainant should make sure that any such complaint is made timely under applicable statutes and regulations.

3.4 Miscellaneous Provisions:

- 3.4.1 No person shall suffer recrimination or discrimination because of participation in this grievance procedure.
- 3.4.2 Whenever possible, hearings should be scheduled during a mutually convenient time that does not conflict with the regularly scheduled school programs.
- 3.4.3 Employees shall be free to testify regarding any grievance filed hereunder, and the expenses of necessary and approved release time shall be borne by the District when hearings must be scheduled during the school day.
- 3.4.4 Nothing contained herein shall be construed to limit in any way the ability of the District, the aggrieved employee, students, patrons, and others to resolve any grievance, mutually and informally.
- 3.4.5 The complainant will be provided with written notice of the outcome of the complaint.
- 3.4.6 In cases where a violation of this policy is found to have occurred, Grand County School District will take action to correct the discriminatory conduct and to prevent the recurrence of harassment.
- 3.4.7 Written findings and conclusions shall be entered in connection with all Board-level decisions made under this policy.
- 3.4.8 Disclosure of information about complaints, investigations and finding shall be limited to those who have legitimate business or educational reason to know. To the extent practical, the District and Board shall keep confidential information regarding its investigations and findings unless disclosure is required by law. Any Board proceedings shall be conducted in closed meetings unless prohibited by the Utah Open and Public Meetings Act.

- 3.5 Any complaints alleged within the scope of the National School Lunch Program or National School Breakfast Program will be reported to Utah State Board of Education Child Nutrition Program Office.

Adopted: 10-19-94; Revised January 2013