

# Policy Type: Governance Policy

## Title: Electronic Board Meetings Policy

**Effective:** As listed below

### Purpose

The purpose of this Electronic Board Meetings Policy is to establish the means and procedures by which the Governing Board of Directors (the “Board”) of Custom Class Charter School (“Custom Class”) may conduct electronic meetings in compliance with the Utah Open and Public Meetings Act (the “Act”), including Utah Code Ann. § 52-4-207.

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## 1. Definitions

The Board adopts for purposes of this policy the definitions set forth in the Act at Utah Code § 52-4-103.

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## 2. Electronic Meetings

### 2.1 Authority to Convene Electronic Meetings

The Board may, from time to time as needed, convene and conduct electronic meetings. For purposes of this policy, an “electronic meeting” is a Board meeting that some or all Board members attend through an electronic video connection, audio connection, or both, as authorized under Utah Code § 52-4-207.

### 2.2 Anchor Location Requirement and Exceptions

The Board will establish one or more “anchor locations” for an electronic meeting unless **both** of the following circumstances exist:

- a. **All** Board members attend the electronic meeting remotely through an electronic video, audio, or both video and audio connection; **and**
- b. The Board has **not** received a written request, at least **12 hours** before the scheduled meeting time, to provide an anchor location for members of the public to attend in person the open portions of the electronic meeting.

## 2.3 Requirements When an Anchor Location Is Provided

For an electronic meeting where the Board provides an anchor location, the following apply:

- a. The anchor location will be:
  - i. The building where the Board would normally meet if the Board were not holding an electronic meeting; **or**
  - ii. Another location that is reasonably as accessible to the public as the building described in subsection (i).
- b. The Board will provide space and facilities at the anchor location so that interested persons and the public may attend and monitor the open portions of the electronic meeting.
- c. If public comment will be accepted during the electronic meeting, the Board will provide space and facilities at the anchor location so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting in accordance with applicable law and Board procedure.

## 2.4 Quorum and Participation

A Board member who is able to hear and verbally participate in the electronic meeting is considered present for purposes of determining the presence of a quorum at an electronic meeting.

## 2.5 Voting

The Board shall take all votes by **roll call** during an electronic meeting, except in the case of a **unanimous vote**, consistent with the Act and Board practice.

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# 3. Notice

Prior to conducting an electronic meeting, the Board shall provide advance notice of the meeting in accordance with the Act. Notice shall be provided to all Board members and to members of the public as required by law.

Each notice shall include:

- a. The date, time, and agenda of the meeting consistent with the Act;
  - b. The means of electronic communication by which Board members will be connected (video, audio, or both); and
  - c. If applicable, the anchor location information, including the address and how members of the public may attend and monitor the open portions of the meeting.
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## 4. Records and Public Access

Custom Class will maintain meeting notices, agendas, minutes, and recordings as required by the Act and applicable Board policy. If the Board provides an anchor location, the Board will ensure that members of the public attending at the anchor location can reasonably monitor the open portions of the electronic meeting.

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### Certification

The undersigned officers and/or Board of Directors of Custom Class Charter School certify that this Electronic Board Meetings Policy was duly adopted as of the date below

Signature:

Matthew J. Middione – Board Chair

Signature:

Douglas Reed – Board Vice Chair

**Effective Date:** As listed above

**Revised Date:**

**References:** Utah Code § 52-4-101 et seq.; Utah Code § 52-4-207