

MEETING PROCEDURES

The following procedures govern how to run meetings for the Utah Board of Higher Education (“Board”).

RELEVANT POLICY AND PROCEDURES

- [Utah Code § 53B-1-404](#), Board Quorum
 - [Board Policy R120](#), Board of Higher Education Bylaws
 - [Utah Code § 52-4-101, et seq.](#), Open and Public Meetings Act
 - Robert’s Rules of Order
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OPEN AND PUBLIC MEETINGS REQUIREMENTS

Open Meetings

Board meetings, including workshops and executive sessions in which there is a quorum present, are open to the public unless closed and are broadcast on the internet.

Closed Meetings

- Upon a motion, a closed meeting may be held if:
 - A quorum is present;
 - The meeting is an open meeting for which notice has been given; and
 - Two-thirds of the members of the Board or committee, or a majority of the members if the meeting is required to be closed as outlined below, vote to approve closing the meeting.
- However, a meeting can only be closed for one of the following reasons:
 - discussion of the character, professional competence, or physical or mental health of an individual;
 - Strategy sessions to discuss collective bargaining;
 - Strategy sessions to discuss pending or reasonably imminent litigation;

- Strategy sessions to discuss the purchase, exchange, or lease of real property, or to discuss a proposed development agreement, project proposal, or financing proposal related to the development of state-owned land if statutory requirements are met;
 - Strategy sessions related to the sale of real property if statutory requirements are met;
 - Discussion regarding deployment of security personnel, devices, or systems;
 - Conducting business related to an ethics complaint;
 - Considering information designated as a trade secret; and/or
 - Discussing information provided during the procurement process if statutory requirements are met.
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- An ordinance, resolution, rule, regulation, contract, or appointment may not be approved at a closed meeting.

 - The Board or a committee may not take a vote in a closed meeting except on a motion to end the closed meeting and return to the public meeting.

 - A motion to end the closed portion of the meeting may be approved by a majority of the members present.

 - The reason(s) for, and location of, the closed meeting, as well as the vote by name of each member for or against the motion to hold the closed meeting, shall be included in the minutes of the relevant open meeting.

BEFORE THE MEETING

Agenda and Meeting Materials

- Except for agenda items and materials that qualify for closure under the Utah Open and Public Meetings Act, all agenda items and meeting materials are public.

- Board and committee agendas and meeting materials are published on the USHE website for public review a week in advance of the meeting. For this reason, Board members and staff members are required to submit meeting materials two weeks in advance of the relevant meeting so that materials can be compiled and prepared by the deadline for publication.

Quorum Required

- Prior to starting the meeting, the Chair must ensure that there is a quorum for the meeting. They should remark on this at the beginning of the meeting.
- Under Board Policy R120, a quorum for the Board is 10 members. For a Board committee, a quorum is a majority of the committee's members.
- Neither Board nor committee action can be taken in the absence of a quorum.
- If a quorum is not present, the Chair's information items can be taken while delegates attempt to round up members. If a quorum cannot be achieved, the Chair may entertain a motion to recess or adjourn until a quorum is possible.

DURING THE MEETING

Welcome and Call to Order

The Chair will call the meeting to order by announcing the meeting to be open and welcoming those attending.

Approval of Minutes

The minutes are generally added to the consent calendar and approved as outlined below.

Action Items

- Agenda items requiring Board action, including those postponed at prior meetings, are scheduled on the agenda in the Action Items portion of the meeting. These include new or edited policies, real estate transactions, and other items requiring the Board's approval.
- To be approved, each action item must have a motion to approve and vote that meets the motion requirements outlined below.

Consent Calendar

- Typical consent calendar items are routine, procedural decisions, and decisions that are likely to be unanimous. These may include approval of the minutes, non-substantive edits to Board policies, and appointments to committees.
- To be approved, the consent calendar must have a motion to approve and vote that meets the motion requirements outlined below.
- Items on the consent calendar may be approved in one motion and the Board may vote on the entire consent calendar rather than items individually.

Information Items

- Agenda items not requiring Board action are scheduled on the agenda in the Information Items portion of the meeting. This includes committee reports, strategic plan updates, stakeholder and industry panels, etc.
- Because no action is required, generally, no motion or vote is taken on such items.

Motion to Adjourn

The Chair may either entertain a motion to adjourn and a vote or, if they state in the meeting the desire to adjourn and if there are no objections, proceed to adjourn the meeting.

MOTIONS

A Board member who has recused themselves shall not participate as either a moving, seconding, or voting member.

Making a Motion

The following script outlines how a motion should be made.

Member: Chair, I move that [STATES MOTION].

Seconding Member: I second the motion.

Chair: It is moved and seconded. Is there any discussion?

Discussing a Motion

- If there is any discussion, the Chair encourages those who wish to discuss the motion to begin.
- A member must be recognized by the Chair before they can speak on the motion.
- Members can speak up to twice on each motion, but only for a limited time.
- The Chair is the facilitator of the debate and, as the debate winds down, calls for the vote.

Amendment to a Motion

To amend an original motion, a motion to amend the motion must be made, followed by a second and a vote of the majority.

Voting on a Motion

- Votes on motions can be made via:
 - Unanimous consent with the Chair asking if there is any opposition. If there is none, the motion carries;
 - Voice vote with the Chair asking those in favor to say “aye” and those against the motion to say “nay”. If there is a majority of ayes, the motion passes. If there is a majority of nays, the motion fails; and
 - Raised hand vote with the Chair asking those in favor to raise their hands or stand. This can help ensure an accurate vote if any issue seems divided.
- For meetings held electronically, non-unanimous votes shall be taken by roll call.

QUESTIONS

Board Chairs may refer questions about meeting procedures to Geoff Landward, Secretary of the Board.
