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POLICY #5.23 SUBJECT: Public Meetings

SUU [suu.edu/policies/05/23.html](https://www.suu.edu/policies/05/23.html) (<https://www.suu.edu/policies/05/23.html>)

I. PURPOSE

The purpose of this Policy is to define the public Meetings policy of the University.

II. REFERENCES

N/A

III. DEFINITIONS

1. **Convening:** The calling of a Meeting of a Public Body by a person or persons authorized to do so for the express purpose of discussing or acting upon a subject over which that Public Body has jurisdiction.
 2. **Meeting:** The Convening of a Public Body, with a Quorum present, whether in person or by means of electronic equipment, for the purpose of discussing or acting upon a matter over which the Public Body has jurisdiction or advisory power. This chapter shall not apply to chance Meetings.
 3. **Public Body:** Any administrative, advisory, executive, or legislative body of the state or its political subdivisions which consists of two (2) or more persons that expends, disburses, or is supported in whole or in part by tax revenue and which is vested with the authority to make decisions regarding the public's business. Public Body does not include any political party, group, or caucus nor any conference committee, rules or sifting committee of the legislature.
 4. **Quorum:** A simple majority of the membership of a Public Body, unless otherwise defined by applicable law, but a Quorum does not include a Meeting of two (2) elected officials by themselves when no action, either formal or informal, is taken on a subject over which these elected officials have jurisdiction.
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IV. POLICY

1. The provisions of Chapter 4 of Title 52, Utah Code Annotated 1953, as completely recodified in 1977 and last amended in 1987, are as follows.

2. Declaration of public policy. In enacting this chapter, the legislature finds and declares that the state, its agencies and political subdivisions, exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.
3. Meetings open to the public. -- Exceptions. Every Meeting is open to the public unless closed pursuant to Section IV.D.
4. Closed Meeting held upon vote of members -- Business -- Reasons for Meeting recorded. A closed Meeting may be held upon the affirmative vote of two-thirds (2/3) of the members of the Public Body present at an open Meeting for which notice is given; provided a Quorum is present. No closed Meeting is allowed except as to matters exempted under Section IV.E.; provided, no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed Meeting. The reason or reasons for holding a closed Meeting and the vote, either for or against the proposition to hold such a Meeting, cast by each member by name shall be entered on the minutes of the Meeting.

Nothing in this chapter shall be construed to require any Meeting to be closed to the public.

5. Purposes of closed Meetings -- Chance Meetings and social Meetings excluded -- Disruption of Meetings.
 1. A closed Meeting may be held pursuant to Section IV.D. for any of the following purposes:
 1. Discussion of the character, professional competence, or physical or mental health of an individual;
 2. Strategy sessions with respect to collective bargaining, litigation, or purchase of real property;
 3. Discussion regarding deployment of security personnel or devices; and
 4. Investigative proceedings regarding allegations of criminal misconduct.
 2. This chapter shall not apply to any chance Meeting or a social Meeting. No chance Meeting or social Meeting shall be used to circumvent this chapter.
 3. This chapter shall not prohibit the removal of any person who willfully disrupts a Meeting to the extent that orderly conduct is seriously compromised.

V. RELEVANT FORMS/LINKS

N/A

VI. QUESTIONS/RESPONSIBLE OFFICE

The responsible office for this Policy is the Office of the President (<https://www.suu.edu/.../president/index.html>). For questions about this Policy, contact the Office of Legal Affairs (<https://www.suu.edu/.../legal/index.html>).

VII. POLICY ADOPTION AND AMENDMENT DATES

Date Approved: July 27, 1990

Amended: N/A

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