

Effective 5/12/2015

53A-3-409 Local governmental entities and school districts -- Contracts and cooperation -- Disbursement of funds -- Municipal and county representative participation in school district board meetings -- Notice required.

- (1) Local governmental entities and school districts may contract and cooperate with one another in matters affecting the health, welfare, education, and convenience of the inhabitants within their respective territorial limits.
- (2) A local governmental entity may disburse public funds in aid of a school district located wholly or partially within the limits of its jurisdiction.
- (3)
 - (a) As used in this Subsection (3):
 - (i) "Interested county executive" means the county executive or county manager of a county with unincorporated area within the boundary of a school district, or the designee of the county executive or county manager.
 - (ii) "Interested mayor" means the mayor of a municipality that is partly or entirely within the boundary of a school district, or the mayor's designee.
 - (b) A school district board shall allow an interested mayor and interested county executive to attend and participate in the board discussions at a school district board meeting that is open to the public under Title 52, Chapter 4, Open and Public Meetings Act.
 - (c) An interested county executive and interested mayor may attend and participate in board discussions at a school district board meeting that is closed to the public under Title 52, Chapter 4, Open and Public Meetings Act, if:
 - (i) the school district board invites the interested county executive or interested mayor to attend and participate; and
 - (ii) for a closed meeting held for the purpose of discussing the board's disposition or acquisition of real property, the interested county executive or interested mayor does not have a conflict of interest with respect to the real estate disposition or acquisition.
 - (d)
 - (i) A county or municipality may enter into an agreement with a school district under Title 11, Chapter 13, Interlocal Cooperation Act, to govern the attendance of an interested county executive or interested mayor at a school district board meeting.
 - (ii) An agreement under Subsection (3)(d)(i) may not be inconsistent with the provisions of this Subsection (3).
 - (e) Each local school board shall give notice of board meetings to each interested mayor and interested county executive.
 - (f) The notice required under Subsection (3)(c) shall be provided by:
 - (i) mail;
 - (ii) e-mail; or
 - (iii) other effective means agreed to by the person to whom notice is given.

Amended by Chapter 286, 2015 General Session