



# SECTION I: BOARD OF EDUCATION      POLICY 1195

## BOARD MEETINGS HELD VIA VIDEOCONFERENCE OR TELECONFERENCE

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THIS POLICY SHALL BE IN EFFECT UNTIL THE EARLIER OF ~~NOVEMBER-FEBRUARY 15, 2020~~2022, OR THIRTY DAYS AFTER THE EXPIRATION OR TERMINATION OF THE STATE OF EMERGENCY DECLARED BY THE GOVERNOR TO RESPOND TO THE THREAT OF COVID-19.~~OR THE GOVERNOR DECLARES THE COVID-19 STATE OF EMERGENCY TO BE TERMINATED.~~

PURSUANT TO AMENDMENTS IN SENATE BILL 1031,~~SENATE BILL 661~~, SOME OF WHICH TEMPORARILY AMENDS CERTAIN PROVISIONS OF THE OPEN MEETING ACT, THIS POLICY ~~TEMPORARILY~~ MODIFIES THE FOLLOWING BOARD POLICIES TO ALLOW BOARD MEETINGS TO BE CONDUCTED BY VIDEOCONFERENCE OR TELECONFERENCE:

- SCHOOL BOARD MEETINGS
- BOARD OF EDUCATION NOTIFICATION OF MEETINGS
- QUORUM: BOARD MEETING PROCEDURE
- PUBLIC PARTICIPATION IN BOARD MEETINGS

The board of education recognizes its continuing duty to encourage and facilitate an informed citizenry's understanding of the school district's governing processes and problems by conducting its meetings in compliance with the Open Meeting Act. However, the board may determine that present circumstances and ongoing social distancing guidelines issued by the president, the governor, and national and state public health entities necessitate that its meetings be conducted entirely via videoconference or teleconference (remote means) or a combination of physical meeting and remote means. In such cases, it shall comply with all provisions of the Open Meeting Act, as amended by Senate Bill ~~661~~1031. However, in no case shall the board use remote means to prevent its meetings from remaining open and accessible to the public.

### DEFINITIONS

**Videoconference** – A conference among members of the board remote from one another who are linked by interactive telecommunication devices or technology and/or technology permitting both visual and auditory communication between and among members of the board and/or between and among members of the board and members of the public. During any videoconference, the board shall attempt to use both the visual and auditory communications functions of its videoconferencing devices and/or technology.

**Teleconference** – A conference among members of the board remote from one another who are linked by telecommunication devices and/or technology permitting auditory communication between and among members of the board and/or between and among members of the board and members of the public.

## SCHOOL BOARD MEETINGS

Meetings may be held entirely or partially by videoconference or teleconference as long as the meeting conforms to the requirements of the Open Meeting Act, as temporarily amended by Senate Bill ~~1031664~~. Accordingly, any board meeting conducted by videoconference or teleconference must meet the following requirements:

- The meeting shall be recorded by written, electronic, or other means.
- Each member of the body must be audible or visible to each other and the public.
- A quorum must be present during a meeting conducted via videoconference or teleconference, but need not be physically present at any physical meeting site.
- If at any time the audio connection is disconnected, the meeting shall be stopped and reconvened once the audio connection is restored.
- The meeting notice and agenda prepared in advance of the meeting, as required by law, shall indicate if the meeting will include videoconferencing or teleconferencing, ~~and shall also state the following information:~~
- The meeting must be conducted in the manner set forth in the meeting notice and agenda.
- After the meeting notice and agenda are prepared and posted as required by law, board members shall not be permitted to alter their method of attendance; provided, however, those members who were identified as appearing remotely may be permitted to physically appear at the meeting site (if any).
- The meeting notice and agenda shall also state the following information:
  - Each member of the body appearing remotely and the method of each member's remote appearance (videoconference or teleconference);
  - The identity of any member of the body who will be physically present at the meeting site (if any);
  - The code or password to access the meeting, if required;
  - If any executive session is contemplated. In such case, the notice requirements of Section 311 of the Open Meeting Act shall be stated in the notice and agenda along with the following:
    - The executive session will include videoconferencing or teleconferencing,
    - The identity of each member of the body appearing remotely,
    - The method of each body member's remote appearance, and

- Whether any member of the body will be physically present at the meeting site (if any) for that executive session.
- ~~After the meeting notice and agenda are prepared and posted as required by law, public body members shall not be permitted to alter their method of attendance; provided, however, those members who were identified as appearing remotely may be permitted to physically appear at the meeting site (if any).~~
- ~~Board Public body~~ members who participate in the meeting by videoconference or teleconference need not be physically present at a location open and accessible to the public located in the member's district.
- The public shall be allowed to participate and speak, as allowed by any rules or policy set by the ~~board public body~~, in a meeting which utilizes videoconference or teleconference in the same manner and to the same extent as the public is allowed to participate or speak during a meeting where all public body members are physically present together at the meeting site.
- Any documents or other materials provided to members of the board or shared electronically between members of the ~~board public body during the meeting~~ shall be immediately made available to the public on the website of the board (if the board maintains one).~~in the same form.~~
- All votes occurring during meetings using videoconferencing or teleconferencing shall occur and be recorded by roll call votes.
- Executive sessions may be conducted by videoconference or teleconference. For such sessions, no ~~board public body~~ member is required to be physically present so long as each member is audible or visible to each other.
- Except as otherwise provided in this policy, the meeting shall be conducted per the usual procedures and requirements of the Open Meeting Act.

## **BOARD OF EDUCATION NOTIFICATION OF MEETINGS**

### Notice to County Clerk

**Regular Meetings** – Should the board elect to hold any regular meeting via videoconference or teleconference, the board shall cause notice of this change to be provided in writing to the county clerk at least ten days prior to implementing the change. The notice shall indicate if videoconferencing or teleconferencing shall be used, each ~~board public body~~ member appearing remotely, the method of each member's remote appearance (videoconference or teleconference), ~~and~~ the identity of each member who will be physically present at the meeting site (if any), and a code or password if required to access a videoconference or teleconference meeting.

**Special Meetings** – Notice of the time, date and place of a special meeting shall be provided to the county clerk in person, in writing, or by telephone at least forty-eight (48) hours prior to the meeting. The notice shall indicate if videoconferencing or teleconferencing shall be used, each ~~board public body~~ member appearing remotely, the method of each member's remote appearance (videoconference or teleconference), ~~and~~ the identity of each member who will be physically

present at the meeting site (if any) and a code or password if required to access a videoconference or teleconference meeting.

### Meeting Notices

Pursuant to SB-~~66~~1031, public bodies shall not be required to make the notice of a public meeting available to the public in the principal office of the ~~public body~~board or at the location of the meeting during normal business hours at least twenty-four hours prior to the meeting. If the district chooses to only post its meeting agenda electronically, then Option 2's procedures shall be used.

### Option 1 (Traditional Method)

At least twenty-four hours prior to a regular or special meeting, a meeting agenda shall be posted which shall include the date, time, and place of the meeting and the business to be undertaken at the meeting. Additionally, it shall indicate if videoconferencing or teleconferencing shall be used, each ~~board~~public body member appearing remotely, the method of each member's remote appearance (videoconference or teleconference), ~~and~~ the identity of each member who will be physically present at the meeting site (if any) and a code or password if required to access a videoconference or teleconference meeting. The calculation of the twenty-four (24) hour period shall exclude Saturdays, Sundays, and holidays.

Written notice of the date, time and place of the meeting will be mailed or delivered to each person, newspaper, wire service, radio station and television station that has filed a written request for such notice. Such requests must be renewed annually, and an annual fee of Eighteen Dollars (\$18.00) will be charged each person or entity that requests written notification.

### Option 2 (Electronic System)

Electronic meeting notices will be provided free of charge to all individuals and organizations who have signed up in advance or this notice. Requests to receive electronic notices can be made by contacting the Board Clerk.

At least twenty-four (24) hours prior to a regular meeting or forty-eight (48) hours prior to a special meeting, a meeting agenda shall be posted on the district's website and emailed to those who have previously requested electronic meeting notifications. The agenda shall include the date, time, and place of the meeting, and the business to be undertaken at the meeting. Additionally, it shall indicate if videoconferencing or teleconferencing shall be used, each ~~board~~public body member appearing remotely, the method of each member's remote appearance (videoconference or teleconference), ~~and~~ the identity of each member who will be physically present at the meeting site (if any), and a code or password if required to access a videoconference or teleconference meeting. The calculation of the 24/48-hour period shall exclude Saturdays, Sundays, and holidays. Physical posting of the meeting notice shall not be required to be made available to the public at the principal office of the ~~board~~public body or at the location of the meeting during normal business hours at least twenty-four (24) hours prior to the meeting.

### Continuing Meetings

In the event any meeting of the board is to be continued or reconvened, public notice of the action, including the date, time and place of the continued meeting shall be given by announcement at the original meeting.

### **QUORUM: BOARD MEETING PROCEDURE**

A quorum consisting of a majority of the board membership shall be necessary to conduct business at a meeting of the board of education held via videoconference or teleconference; however, a majority of the board need not be physically present at a physical meeting site when such meeting is conducted via videoconference or teleconference. In such cases, quorum may be established if a majority of the board is present via videoconference or teleconference, and each board member is audible or visible to each other and the public. In the event a quorum is not present at a meeting held via videoconference or teleconference, and a regularly scheduled meeting cannot be convened, the meeting shall be cancelled.

### **PUBLIC PARTICIPATION IN BOARD MEETINGS**

#### Public Comments – General Guidelines

Members of the public shall be allowed to participate and speak, to the extent allowed by rule of policy set by this board, in a meeting which utilizes videoconference or teleconference in the same manner and to the same extent as the public is allowed to participate or speak during a meeting where all ~~board~~~~public~~~~body~~ members are physically present together at the meeting site.

Source: *Broken Arrow Board of Education policy adoption, August 10, 2020.*  
*Broken Arrow Board of Education policy revision, May 10, 2021.*