

VIDEOCONFERENCING OF BOARD MEETINGS

I. Videoconferencing – Locations Open to the Public

Members of the Board of Education may attend Board meetings by videoconference, if their location is open to the public, and appropriate public notice has been given as outlined in law and policy. Such members may participate in all aspects of the meeting, including establishing a quorum, discussions, and voting. Board members participating via videoconference must disclose the total number of people in attendance at that location.

The District will make all reasonable efforts to ensure that the facility of the primary meeting site provides barrier-free access to the physically handicapped, and accommodates all members of the public who wish to attend. Sites where a member participates via videoconference which are open to the public are not required to comply with these conditions.

II. Videoconferencing Under Extraordinary Circumstances (Public Officers Law Section 103-a) – Locations Not Open to the Public

Pursuant to the resolution authorizing this policy, Board members are permitted to participate in meetings via videoconferencing under extraordinary circumstances, in accordance with state law and this policy. Extraordinary circumstances include: disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the members' physical attendance at the meeting.

To utilize videoconferencing under extraordinary circumstances, a quorum of Board members must be present in the same physical location(s) where the public can attend the meeting. Board members videoconferencing under extraordinary circumstances can participate in meeting discussions and voting, and their locations are not required to be open to the public, but they do not count towards a quorum unless their locations are open to the public.

The in-person quorum requirement will not apply in the event of a declared state disaster emergency or local state of emergency, if the District determines that such emergency would affect or impair the District's ability to hold an in-person meeting.

To participate via videoconference under extraordinary circumstances, Board members should notify the District Clerk, or designee, as soon as the need arises, stating the extraordinary circumstance. This should occur at least twenty-four (24) hours prior to the meeting in order to give proper notice to the public unless extraordinary circumstances prevent the Board member from doing so. Such notification may be made by any means (e.g., phone, electronically, in writing or in person), but the Board member should receive confirmation, so they know the request was received and approved. The District Clerk, or designee, will make the appropriate notifications to confirm an in-person quorum.

If more than one Board member wishes to participate in the same meeting by videoconferencing under extraordinary circumstances, the District will consider the need for a quorum at locations where the public may attend. The District may reschedule meetings if appropriate.

This policy, or the District's written procedures for videoconferencing under extraordinary circumstances if a separate document, will be posted on the District website.

Except for properly convened executive sessions, all Board members (i.e., those attending both in person and via videoconferencing) must be able to be heard, seen and identified (e.g., their first and last name

shown) during the meeting, including all motions, proposals, resolutions or any other matter formally discussed or voted upon.

All meetings that are broadcast or utilize videoconference technology will utilize technology that permits access by members of the public with disabilities, consistent with the Americans with Disabilities Act, as amended.

For all meetings involving videoconferencing under extraordinary circumstances, the District will provide members of the public the opportunity to view the meeting via video, and participate in public comment via videoconference in real time where public comment is authorized, to the same extent as in-person comment.

Minutes of meetings involving videoconferencing under extraordinary circumstances will include which members participated remotely.

All meetings where videoconferencing under extraordinary circumstances is used will be recorded, except those portions held in executive session. Recordings will be posted or linked on the District website within five business days of the meeting, and remain posted or linked for at least five years after the meeting. Recordings will be transcribed upon request.

Cross-ref: Board By-Laws (2300)

Ref: Public Officer’s Law §§102; 103; 103-a; 104
NYS Department of State, Committee on Open Government, Advisory Opinion OML-AO-#5575 (3/6/2018)
“Questions and Answers, Chapter 56 of the Laws of 2022,” NYS Committee on Open Government, <https://opengovernment.ny.gov/system/files/documents/2022/05/chapter-56-of-the-laws-of-2022-guidance-document-05-20-22.pdf>

Notes: Adopted July 28, 2011 pursuant to Resolution 2011-12: 103; Amended January 26, 2017 pursuant to Resolution No. 2016-17: 500; Amended October 28, 2021 pursuant to Resolution 2021-22: 243; Amended March 23, 2023 pursuant to Resolution No. 2022-23: 555 (Formerly Policy 2325 Videoconferencing)

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