

Series 2000 Bylaws

2500 Board Meetings and Open Meetings Act Compliance

2501A *Electronic Board of Education Meetings*

The Board may hold electronic meetings, and Board members and the public may participate remotely, only as permitted by this Policy, the Open Meetings Act, and other applicable law.

A. Definitions

The definitions in this section apply only to this Policy. All other words found in this Policy, unless specifically defined, are given their plain meaning.

1. “Medical Condition” means an illness, injury, disability, or other health-related condition.
2. “State of Emergency or Disaster” means a state of emergency or disaster that is declared pursuant to law, charter, or local ordinance by the Governor, a local official, governing body, or chief administrative officer (but not the Board).
3. “Two-Way Communication” means telephone, video, or other means of conferencing that allows Board members to hear and be heard by both the public and other Board members, and allows the public to hear and be heard by other members of the public and the Board members during public comment. Real-time typed public comments that may be read to or shared with Board members and the public is a sufficient form of two-way communication for purposes of public participation during an electronic Board meeting.

B. Permissible Reasons for Wholly Electronic Board Meetings

1. Any Reason

Before March 31, 2021, the Board may, for any reason, hold a meeting wholly electronically, with every Board member and the public participating remotely.

2. Statewide State of Emergency or Disaster

On or before December 31, 2021, the Board may hold a meeting wholly electronically, with every Board member and the public participating remotely, if there is a statewide State of Emergency or Disaster and convening a meeting in a physical location would risk the personal health or safety of the Board or the public.

3. Local State of Emergency or Disaster

On or before December 31, 2021, the Board may hold a meeting wholly electronically, with every Board member and the public participating remotely, if there is a local State of Emergency or Disaster that affects the area where

the Board usually holds its meetings and convening a meeting in that physical location would risk the personal health or safety of the Board or the public.

4. All Board Members Participating Remotely

The Board may hold a meeting wholly electronically, with every Board member and the public participating remotely, if every Board member simultaneously satisfies one or more of the conditions identified in Section C of this Policy.

C. Permissible Reasons for Individual Board Member Remote Participation

A Board member who is not physically present at an in-person Board meeting due to the following reasons may be counted toward a quorum, deliberate, and vote by following the procedures listed in Section D, below. Unless otherwise provided, any Board member who does not satisfy one or more of the following conditions must be physically present at the meeting to participate.

1. Any Reason

Before March 31, 2021, a Board member who is physically absent for any reason may participate remotely.

2. Military Duty

A Board member who is physically absent due to military duty may participate remotely.

3. Medical Condition

On or before December 31, 2021, a Board member who is physically absent due to a Medical Condition may participate remotely. The Board will not require a Board member to provide a note from a medical provider stating that the Board member has a Medical Condition.

4. Statewide State of Emergency or Disaster

On or before December 31, 2021, a Board member who is physically absent due to a statewide State of Emergency or Disaster may participate remotely if the Board member's in-person attendance at a physical meeting would risk the personal health or safety of the Board or the public.

5. Local State of Emergency or Disaster

On or before December 31, 2021, a Board member who is physically absent due to a local State of Emergency or Disaster may participate remotely if that local State of Emergency or Disaster affects the area in which the Board member resides and the Board member's in-person attendance at a physical meeting would risk the personal health or safety of the Board or the public.

D. Procedures to Accommodate Board Member Remote Participation

The Board institutes the following procedures to ensure that a Board member who is not physically present may be counted toward a quorum, deliberate, and vote at a Board meeting.

1. The remote Board member must make a public announcement at the beginning of the meeting stating that the Board member is attending remotely and (except for remote attendance for military duty) identifying the Board member's physical location, which must include the county, city, township, or village and the state from which the Board member is attending remotely;
2. The remote Board member's public announcement must be recorded in the minutes;
3. The Board and the remote Board member will ensure there is Two-Way Communication during the meeting;
4. A Board member who plans to participate in a meeting remotely must provide notice to President at least 1 hour before the meeting.
5. The Superintendent or designee will ensure that public notice of the Board member's absence and information on how to contact the Board member is provided sufficiently in advance of the Board meeting so that a member of the public may provide input on or ask questions about any business that will come before the Board at the meeting.

E. Procedures to Ensure Public Participation at Electronic Meetings

If the Board convenes a wholly electronic meeting or any Board member participates remotely, the public will also be provided the opportunity to attend the public meeting remotely.

The Board will not require the public to register or otherwise provide their names or other information as a condition of attending a Board meeting, whether in-person or remotely. The Board may require the public to submit information, consistent with public participation rules, to participate in the public comment portion of a meeting.

F. Electronic Board Meeting Notice Requirements

The Superintendent or designee will post notice of an electronic Board meeting at least 18 hours before the meeting. If the Board will be convening in a physical location with one or more Board members attending remotely pursuant to Section C, the notice must include both the physical and virtual locations of the meeting.

If the District has an internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, the notice must be included on a portion of the District's website that is fully accessible to the public, either on the District's homepage or on a separate webpage dedicated to public notices for non-

regularly scheduled or electronic meetings that is accessible through a prominent and conspicuous link on the District's website homepage. The link must clearly describe its purpose for public notice of non-regularly scheduled or electronic meetings.

The notice must clearly explain:

1. Why the Board is holding an electronic meeting;
2. How the public may participate remotely. If a telephone number, internet address, virtual meeting address, or other information is needed to participate, that information must be specifically provided;
3. How the public may contact Board members to provide input on or ask questions about business that will come before the Board at the meeting;
4. Which Board members will be participating remotely and information about how the public may contact those Board members in advance of the meeting to provide input on or ask questions about any business that will come before the Board at the meeting; and
5. How persons with disabilities may participate in the meeting.

G. Electronic Board Meeting Agenda Requirements

The Superintendent or designee must post the electronic meeting's agenda to the District's website, if an agenda exists. The agenda must be posted at least two hours before the electronic meeting begins. The Board may amend the agenda at the meeting.

Legal authority: MCL 15.263, 15.263a.

Date adopted: May 17, 2021

Date revised: