

## Policy Executive Summary

August 30, 2021

The following policy will be presented for a Second Reading.

### **REMOTE PARTICIPATION IN SCHOOL COMMITTEE MEETINGS: BED**

Policy BED is proposed to define the circumstances under which remote participation is allowable for School Committee meetings. This is a new policy based on MSMA's sample policy and the City's recently drafted policy surrounding remote participation for City Council meetings.

Based on input from the August 11, 2021 Sanford School Committee meeting, the third paragraph of the proposed policy has been modified to include the phrase "**when technology is available**" and the eighth paragraph of the proposed policy has been modified to include the phrase "**according to Sanford School Committee Policies BE , BEDA and 1MRSA §406**".

### **Recommendation**

To adopt Policy BED **Remote Participation in School Committee Meetings** as presented.

## REMOTE PARTICIPATION IN SCHOOL COMMITTEE MEETINGS

The **Sanford School Committee** allows members of the Committee to participate in a public meeting of the Committee by remote methods in limited circumstances as provided in 1 MRSA §403-B.

For the purpose of this policy, “remote methods” means telephonic or video technology allowing simultaneous reception of information and may also include other means necessary to provide reasonable accommodations to individuals with disabilities. Remote participation by Committee members cannot be by text-only means such as email, text messages, or chat functions.

**All regular School Committee meetings shall be multi-media format to include live broadcast on the public access channel/s, live streamed over the internet, and shall incorporate a videotelephony platform allowing public participation by remote connection when technology is available. A recorded version of live broadcasts shall be rebroadcast on the public access channel/s and preserved and made available via internet streaming.**

Members of the Committee are expected to be physically present for Committee meetings except when being physically present is not practicable.

Circumstances in which physical presence for public meetings is not practicable include:

1. The existence of an emergency or other issue that requires the Committee itself to meet by remote methods.

An emergency may be a State-declared emergency, where there has been a declaration of a state of emergency by the Governor that applies to the school unit, or a local emergency (e.g., adverse weather conditions) or urgent issue requiring Committee action.

The Committee Chair, in consultation with the Superintendent, will determine whether there is a local emergency or urgent issue that requires a remote meeting of the Committee.

2. Illness, or other physical condition, or temporary absence from the area governed by the Committee that causes a Committee member to face significant difficulties traveling to and attending in person at the designated physical location of the Committee meeting.

Prior notice of the Committee member’s absence and the reason for it, with indication that the Committee member plans to participate remotely, should be communicated to the Committee Chair as far in advance of the meeting as practicable.

- ~~3. [For bodies with statewide membership only] Significant distance a member must travel to be physically present at the designated meeting location.~~
4. The area of the Committee's jurisdiction includes geographic characteristics that impede or slow travel, including but not limited to islands not connected by bridges.

The opportunity for the public to comment at Committee meetings (20-A MRSA §1002(20)) applies to remote public meetings. If the Committee allows or is required to provide an opportunity for public participation/public input during the meeting, an effective means of communication between the members of the Committee and the public must be provided (e.g., submitting comments or questions by chat, raising hand on Zoom, submitting written comments to the Superintendent's office at least 24 hours in advance). Individuals with disabilities seeking a reasonable accommodation should contact the Committee Chair ~~OR: \_\_\_\_\_~~ as far in advance of the Committee meeting as practicable.

Members of the public participating in public meetings of the Committee are expected to comply with the guidelines for public participation provided in the Committee's policy BEDH, or in such rules as the Committee may develop specifically for remote meetings.

Notice of all Committee meetings is required **in accordance with Sanford School Committee Policies BE and BEDA and 1 MRSA § 406**. When the public may attend by remote methods, notice must include the means by which members of the public may access the meeting using remote methods. The notice must also identify a location for members of the public to attend in person. The Committee may not determine that public attendance at a meeting will be limited solely to remote methods except under the conditions in subparagraph 1 above (emergency or urgent issue meetings).

A member of the Committee who participates remotely in a public meeting of the Committee is considered present for purposes of a quorum and voting.

All votes taken during a public meeting of the Committee using remote methods must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by the other members of the Committee and the public.

The Committee will make all documents and other materials to be considered by the Committee available, electronically or otherwise, to members of the public who attend remotely to the same extent customarily available to members of the public who attend public meetings of the Committee in person, as long as additional costs are not incurred by the Committee.

Remote participation is not permitted for meetings where voters of the School Administrative Unit meet to vote as a legislative body, such as budget meetings.

~~[NOTE: We caution Committees to ensure that appropriate measures are taken to secure the confidentiality of executive sessions when the Committee is meeting remotely as a whole or when one or more members of the Committee are participating remotely, especially when the Committee is expected to return to public session to vote on a matter discussed in executive session.]~~

Legal Reference: 1 MRSA § 403-B, 406  
20 MRSA §1001(20)

Cross Reference: BEC – Executive Session  
BE – Committee Meetings  
BEDA – Notification of Committee Meetings  
BEDB – Agenda  
BEDD – Rules of Order  
BEDH – Public Participation at Committee Meetings  
BIC – Committee Member Compensation  
KE – Public Concerns and Complaints

Adopted: First Reading on **8.11.21**  
Adopted: \_\_\_\_\_