

VIRTUAL BOARD MEETINGS

Code **EBC-R(4)** Issued **9/20**

To execute the duties of their elected office, it is generally expected that board members will be physically present at board meetings. However, when emergency circumstances exist that make holding a physical board meeting impossible or inadvisable (e.g. natural disaster, local/regional/national emergency, public health emergency, etc.), the chair, in consultation with the superintendent, may determine it is reasonably necessary and appropriate to hold a virtual board meeting. The board recognizes that virtual meetings are a necessity to continue the business and operation of the district, which requires official decision-making and action by the board.

Board members who join virtual meetings are authorized to participate to the same extent as if they were physically present for a meeting, including discussing items of business and making and voting upon motions.

Noticing Virtual Meetings

In accordance with the South Carolina Freedom of Information Act (FOIA), public notice, including notification to the media, will be provided for all virtual meetings. An agenda, along with detailed information on how members of the public and the media can access the virtual meeting, will be posted in a prominent location on the district's website and, if feasible, posted at the board's typical physical meeting location.

The agenda will include a statement that the meeting will be conducted as a virtual meeting due to an active emergency situation and identify the nature of the emergency.

Convening Virtual Meetings

The board will utilize a telephonic call-in option for attending the meeting and Zoom, GoTo Meeting, Skype, YouTube live, etc. to livestream meetings for members of the public. In accordance with the FOIA, the district is required to provide the public audio access to board meetings, but visual access is not mandated.

The superintendent or his/her designee will be responsible for coordinating the technologies utilized for virtual board meetings. This includes confirming that all board members have the appropriate technologies to participate in a virtual meeting and, as necessary, being physically present at a central location to set up and initiate the virtual meeting technology.

At the start of the meeting, the chair will complete a roll call to verify that a quorum has been established.

Executive Session

The superintendent or his/her designee will make certain that technologies employed for virtual meetings include a mechanism for holding a closed portion of the meeting for purposes of executive session, either by creating a separate virtual meeting room or conference line exclusively for the executive session.

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Prior to entering executive session, board members will be asked to expressly affirm that appropriate precautions to safeguard the privacy and integrity of the closed session, including, but not limited to, precautions that would reasonably ensure that the closed session is not being recorded without the board's permission and that no unauthorized person can hear or access the discussions or other confidential information. The chair may take the response(s) to the request for such affirmations into account in determining whether to enter into or to potentially postpone the executive session.

Due Process Hearings

Due process hearings, whether typically held in open session or closed session, will not take place during a period necessitating virtual meetings unless the board affirmatively votes to permit such hearings and has either obtained the voluntary, written consent of the necessary parties to the hearings or determined that applicable law (including any order or decree issued by national, state, or local government to address the emergency) requires the board to hold such hearings through virtual means.

Disconnection/Technological Difficulties

If at any time during a virtual meeting a quorum of the board is not present, the meeting will not continue until a quorum is reached. If continuing the meeting is not feasible, the meeting will end and be rescheduled with appropriate public notice.

Disconnection of board member

If a board member is disconnected from the virtual meeting due to technology failure, the chair will call a temporary recess in order to attempt reconnecting the board member. Such recess will be for no longer than ten (10) minutes to provide a reasonable opportunity for the board member to reconnect without excessive delay of the meeting.

If the board member's access issues cannot be adequately resolved, but the board member also has not voluntarily withdrawn from the meeting, then the remaining members of the board (provided there is a quorum) will make a determination of whether or not to continue the meeting without the board member, taking into account factors such as the apparent reason(s) for the access issues and the time sensitivity and importance of any of the remaining items of business, including the feasibility of rescheduling some or all of the remaining agenda items of the meeting.

Failure of live-stream/public access

If the virtual meeting platform fails in such a manner that public access is no longer available, the chair will call a temporary recess in order to attempt to restore public access once the board becomes aware of the technological failure. Such a recess will be for no longer than ten (10) minutes. If connection cannot be restored, the meeting will end and be rescheduled with appropriate public notice.

Public Comment

Public comments can be submitted up to one (1) business day in advance of a meeting by emailing the superintendent. The individual submitting the public comment should include his/her full name, physical address, and a contact phone number. Note that written comments should be limited to three (3) minutes in length. Any content over this limit will not be included.

Minutes

Minutes for virtual meetings will be made available in accordance with the FOIA.

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Recordings

Virtual meetings will not be recorded as the public has access to view or hear the meeting while it is being conducted.

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