

Electronic Board of Education Meetings**Definitions**

A **meeting** is defined as a hearing or other proceeding of the Board, any convening or assembly of a quorum of the Board and any communication by or to a quorum of the Board, whether in person or by means of electronic equipment to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction, or advisory power. Communications between and among a quorum of members convening on electronically linked personal computers or by telephone conference call are subject to the Freedom of Information Act. This definition includes hybrid, in-person meetings.

Public Notice: Each Board member and each person who has duly requested such notification shall be notified no later than twenty-four hours in advance of the meeting of the time, date, location, and the agenda of any regular or special meeting. The twenty-four hour notice shall also be posted on the district website and filed with the Town Clerk, except that such notice is not required where the time, date, and location of the meeting has been published in the annual list of meetings approved by the Board and filed with the Town Clerk not later than January 31 of each year in accordance with law. The meeting agenda must be filed at least twenty-four hours before the meeting convenes. (In an emergency meeting, the Board may proceed to conduct business if and to the extent required by the emergency.) The expectation shall also be adhered to in the event of a Board meeting held through electronic means as described in this bylaw.

Voting: All Board actions requiring a vote may be conducted by voice, show of hands, or roll call provided that the vote of each member is recorded in the minutes of the meeting. Proxy voting shall not be permitted. Voice voting must occur in the event of a BOE meeting held through electronic means as described in this bylaw. Votes will be verbalized into the record by the Board Secretary. Abstentions shall not be counted as votes but shall be recorded.

Internet (Chat) Discussions: In the event of a Board meeting held through electronic means as described in this bylaw, under no circumstances are members of the Board to have private chats with or among each other on any form of media while engaged in the public session of the meeting. All comments, inquiries, and votes must occur in the public forum for all to hear. All Board member(s) are expected to comply with the guidance of this bylaw.

Policy Statement

The Board of Education may hold a public meeting that is accessible to the public by means of electronic equipment or by means of electronic equipment in conjunction with an in-person meeting.

In accordance with Connecticut's Freedom of Information Act (FOIA) the following provisions will be implemented so that a meeting can occur:

1. Board of Education members shall make every attempt to participate through a

technology portal where they can be viewable, or at a minimum heard, for each other and members of the public. The Board of Education will accomplish this through use of an electronic videoconferencing program, such as, but not limited to, ZOOM, GoToMeeting, WebEx, OnBoard, where members of the public can call and/or submit comments or questions electronically.

2. Notice of the Board meeting's virtual location shall be published through the traditional means and outlets as well as being noticed on the District website and in the Board of Education Office no less than 24 hours in advance.
3. The District shall post the agenda for the meeting no later than 24 hours in advance for review and reference by members of the public. The agenda will also be posted on the District website. Such notice and agenda shall include instructions for the public, to attend and provide comment or otherwise participate in the meeting, by means of electronic equipment or in person.
4. When the Board conducts a meeting, other than an executive session or special meeting, solely by means of electronic equipment, it shall (1) provide any member of the public (A) upon a written request submitted not less than twenty-four hours prior to such meeting, with a physical location and any electronic equipment necessary to attend such meeting in real-time, and (B) the same opportunities to provide comment or testimony and otherwise participate in such meeting that such member of the public would be accorded if such meeting were held in person; (2) ensure that such meeting is recorded or transcribed, excluding any portion of the meeting that is an executive session, and such transcription or recording is posted on the Board's Internet website and made available to the public to view, listen to and copy in the Board's office or regular place of business not later than seven days after the meeting and for not less than forty-five days thereafter; and (3) if a quorum of the members of the Board attend a meeting by means of electronic equipment from the same physical location, permit members of the public to attend such meeting in such physical location.
5. The Board, when conducting hybrid meetings, will make provisions to allow at least some members of the public and press to attend in the same location as the Board members conducting the meeting in a manner consistent with any public health guidance. The number of the public allowed to attend the in-person or hybrid meeting will be limited to capacity limits put in place consistent with public health and social distancing guidance, determined by local health officials.
6. If the Board conducts a special meeting it shall include in the notice of such meeting whether the meeting will be conducted solely or in part by means of electronic equipment and, not less than twenty-four hours prior to such meeting, shall post such notice and an agenda of the meeting. If such special meeting is to be conducted by means of electronic equipment, such notice and agenda shall include instructions for the public, by means of electronic equipment or in person, to attend and provide comment or otherwise participate in the meeting.
7. Any vote taken at a meeting during which any member participates by means of electronic equipment shall be taken by roll call, unless the vote is unanimous. The minutes of the meeting shall record a list of members that attended such meeting in person and a list of members that attended such meeting by means of electronic equipment.

8. Any member of the Board or the public who participates orally in a meeting of the Board conducted by means of electronic equipment shall make a good faith effort to state such member's name and title, if applicable at the outset of each occasion that such member participates orally.
9. Executive session will be held, when necessary and for the statutorily allowed reasons, in a second videoconferencing meeting open only to Board of Education members, and those individuals determined by the Board to be necessary to participate in such executive session.
10. Pursuant to PA 22-3 a Board member shall not be denied the opportunity to participate and vote in any meeting or proceeding using remote technology if such member requests to do so.

Options and instructions on how to access Board of Education virtual meetings will be posted on the District's website. A recording of Board meetings shall be made available within seven (7) days on the Board's Website.

Legal Reference: Connecticut General Statutes

- 1-200 (2) Definitions. "Meeting."
- 1-206 Denial of access to public records or meetings.
- 1-225 Meetings of government agencies to be public.
- 1-226 Broadcasting or photographing meetings.
- 1-227 Mailing of notice of meetings to persons filing written request.
- 1-228 Adjournment of meetings. Notice.
- 1-229 Continued hearings. Notice.
- 1-230 Regular meetings to be held pursuant to regulation, ordinance or resolution.
- 1-232 Conduct of meetings.
- 10-218 Officers. Meetings.
- 10-238 Petition for hearing by board of education.

PA 22-3 An Act Concerning Public Meetings Pursuant to the Freedom of Information Act.

Adopted: January 11, 2022

Revised: November 8, 2022

NORTH CANAAN BOARD OF EDUCATION
North Canaan, Connecticut