

POLICY NO. 9325.1 “USE OF TELECONFERENCING”

The Board of Education recognizes that a Board member may be unable to attend a meeting of the Board due to circumstances that make the Board member unavailable for a meeting which is called with limited notice, or which occurs during a period declared pursuant to the laws of the State of New Jersey as a state of emergency, public health emergency, or state of local disaster emergency. In order to achieve full participation under these circumstances, the Board will permit the Board member to participate in a meeting through the use of a speaker telephone or videoconferencing device. This policy defines and specifies the requirements for satisfying the legal requirements for participation by a physically absent Board member at a duly convened Board meeting for the purpose of the establishment of a quorum and/or for the purpose of voting on matters brought before the Board at such meeting. The Board shall rely on the discretion, good judgment and integrity of its members to ensure that the procedures as authorized in this policy will not be abused or misused.

Definitions and Scope

This policy shall apply to regular meetings, special meetings, work sessions and committee meetings when such meetings occur during a period declared pursuant to the laws of the State of New Jersey as a state of emergency, public health emergency, or state of local disaster emergency.

Speaker Telephone; Videoconferencing Device – Any telephone instrument or internet-connected device capable of:

1. Enabling the absent Board member(s) to hear the comments of and speak to all those present at the meeting; and
2. Enabling all those present at the meeting to hear the comments of and speak to such absent member(s) contemporaneously.

Notice

Any Board member who anticipates the necessity of participating remotely in a meeting pursuant to the authorization of this policy shall give reasonable advance written notice to the Board Secretary, so that arrangements for the provision of the necessary equipment can be made. The Board member participating via speaker telephone or videoconferencing device shall be provided, either in advance of the meeting or electronically just prior to or during the meeting, all handouts and supporting documentation that is presented, deliberated and voted on during the meeting.

Procedure

At the Call to Order of the meeting, the presiding officer shall inform all Board members and all others in attendance at the meeting of the identity of the absent member, and that

the absent member has provided the Board Secretary with notice in accordance with the requirements of this policy. The Secretary shall then proceed to establish the telephone or videoconference connection with the absent Board member. Upon the completion of such connection, the presiding officer shall establish the identity of the absent Board member by appropriate inquiry and shall conduct such voice and volume tests to ensure that the absent Board member and all those present at the meeting are in adequate contemporaneous voice communication.

The presiding officer shall then commence the roll call. The physically absent member, upon responding affirmatively to the call, shall be considered present for purposes of satisfying any quorum requirement.

The physically absent member shall participate in the entire meeting under the conditions outlined in this policy and cannot participate in selected portions of such meeting.

Should any portion of the meeting be closed to the public for legally permissible purposes as set forth in the Open Public Meetings Act, the physically absent member shall affirm that he/she is in a location that ensures privacy and confidentiality, and that no other individuals can hear any of the participants in the closed session meeting (including the physically absent board member). If the physically absent board member is not able to so affirm, his/her participation in the closed session portion of the meeting shall not be permitted.

If, for any reason, the telephone or video connection with the absent member is terminated before the adjournment of the meeting, the meeting shall continue with the minutes referencing the reasons for the absent member's discontinued participation, unless the resultant non-participation by the absent member results in the loss of a quorum, in which case the meeting shall be adjourned. Such adjournment shall not affect the validity of such actions taken by the Board prior to adjournment.

Legal Citations:

N.J.S.A. 10:4-6 et seq.

Open Public Meetings Act

N.J.S.A. 10:4-8(b)

Meeting Defined

N.J.S.A. 10:4-9.3

Conducting meetings by electronic means during periods of emergency; conditions

N.J.A.C. 6A:32-3.1

Special Meetings of District Boards of Education

Adopted: