

BYLAW

BOARD OF EDUCATION MOUNT OLIVE TOWNSHIP

BYLAWS

0165.1/Page 1 of 3

BOARD MEMBER PARTICIPATION IN BOARD MEETINGS BY TELECONFERENCING OR VIDEO-CONFERENCING EQUIPMENT

Policy Intent:

While the Board strongly encourages members to participate in board of education meetings in person, there may be occasions when a member cannot physically be present at the meeting, but he/she nevertheless wishes to fully participate in the discussion. Therefore, due to advances in technology, the Board hereby wishes to allow its members, within reason, to participate in board meetings by teleconferencing or videoconferencing equipment (or by other comparable technological means), subject to conditions set forth in this policy (hereinafter "remote participation"). Indeed, the definition of a "meeting" under the OPMA is defined as "a gathering whether corporeal or by means of communication equipment which is attended by, or open to, all members of the public body to discuss or act as a unit upon specific public business".

The Board recognizes that having a policy with clearly defined criteria for such board member participation will permit such participation in a reasonable, proper and consistent manner. Moreover, it will ensure that all appropriate measures are taken to ensure that members of the public attending the meeting have the opportunity to hear the member who is not physically present participate in the public meeting.

Conditions for Participation:

The following conditions must be satisfied before a member is allowed to participate in a meeting remotely through the use of technology. However, satisfying these conditions does not guarantee that permission will be granted:

1. If a member cannot participate in a Board meeting due to personal, family, business, or proximity reasons, *i.e.*, being out of State, (hereinafter referred to as "good cause"), he or she shall notify the Board President at least twenty-four (24) hours in advance of the meeting.



BYLAW

BOARD OF EDUCATION MOUNT OLIVE TOWNSHIP

BYLAWS

0165.1/Page 2 of 3

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This notice requirement may be waived if the member could not have reasonably anticipated that he or she would not be able to attend the meeting in person.

2. The member must explain to the President the reason(s) why the request is being made.
3. The member making the request must participate in the entire meeting, not just a portion of the meeting or for a particular vote. If this is not possible, the request should be denied.
4. If the meeting will include a closed session discussion, the board member shall not request to participate unless the member is certain that he/she will be able to participate in the meeting from a location where others cannot hear the discussion.
5. The Board President will then determine whether good cause exists so as to permit the member to participate.
6. The Board President must notify the board member of his or her determination as soon as is reasonably possible in advance of the meeting.
7. If permission is granted for remote participation, the board member must give his/her undivided attention to the meeting and must participate in the entire meeting.
8. The board member must be able to hear all of the members of the board and public and vice versa through the communications equipment which will be used. If this is not possible, the request for participation shall be denied.



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0165.1/Page 3 of 3

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9. No more than 2 persons shall be permitted to participate in a meeting remotely.
10. The Board President shall not be permitted to participate in a meeting remotely.
11. Each Board member shall be limited to three (3) occasions each calendar year when he/she may participate in a meeting remotely.

Other Miscellaneous Provisions:

The Board President shall announce at the beginning of the meeting the identity of those board members who are participating in the meeting remotely.

The meeting minutes should reflect the name of the member(s) who participated in the meeting remotely.

Legal References:

Open Public Meetings Act: N.J.S.A. 10:4-6 *et seq.*
Attorney General Opinion, April 12, 2000

Adopted: 12 November 2018

Revised: 25 January 2021


