

## **Procedure Governing Use of Videoconference for Board Meetings**

The Sullivan County Board of Cooperative Educational Services (the “Board”) has imposed the following requirements governing the use of videoconferencing by the Board to conduct open meetings, under “extraordinary circumstances,” regardless of a declaration of emergency:

1. This procedure, required by Public Officers Law §103-a (“POL §103-a”), remains valid from June 9, 2022, until July 1, 2024, unless otherwise modified or extended, and shall be conspicuously posted on the Sullivan BOCES website.
2. Only those Board Members meeting in person together, or at remote locations with public access shall count towards the quorum meeting requirements.
3. The Board, in its discretion, may allow its members to participate remotely, under extraordinary circumstances so long as there is a quorum of members gathered at a physical location or location open to the public.
4. The public shall have in-person access to any locations of the Board meeting, except for locations of those board members experiencing “extraordinary circumstances.”
5. “Extraordinary circumstances” is defined by the Board as disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes a Board Member’s physical attendance at such meeting.
6. The Board shall not disclose those “extraordinary circumstances” which preclude a Board Member’s physical attendance at such meeting unless compelled to do so by law or upon the consent of the affected Board Member.
7. The Board shall give the public notice when holding a meeting by videoconference pursuant to POL §103-a and such notice shall include a link where the public can view, listen, and when applicable, participate in such meetings. It shall also identify what documents and records will be posted or available and identify the physical location for the meeting where the public can attend.
8. Except in the case of executive sessions conducted according to POL § 105, the Board shall ensure that its members can be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. This shall include the use of first and last name placards physically placed in front of the members or, for members participating by video conferencing from private locations due to extraordinary circumstances, such members must ensure that their full first and last name appears on their video conferencing screen.
9. Open meetings of the Board conducted using video conferencing pursuant to the provisions of POL § 103-a shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this guideline, “disability” shall have the meaning defined in Executive Law § 292.

10. Minutes of a meeting involving video conferencing shall include which, if any, member participate remotely and shall be available to the public.
11. Each meeting conducted using video conferencing shall be recorded and such recording shall be posted or linked to the District's website within five (5) business days following the meeting and shall remain so available for a minimum of five (5) years. Such recording shall be transcribed upon request.
12. The foregoing provisions related to public access shall not be required pursuant to a state disaster emergency declared by the Governor of New York, or a local state of emergency proclaimed by the Chief Executive of Sullivan County or Town of Liberty, when such emergency would hinder the ability of the Board to hold an in-person meeting.