

188 Board Member Participation in Meeting Via Technology

The School Board's business requires the active and direct attention of all Board members. Conducting Board business via telephone conference, video conference, or other technology is not a perfect substitute for the in-person dialogue and exchange of views that occurs at Board meetings. The Board strongly encourages all individual Board members to be physically present at all Board meetings in which they intend to participate in any capacity. No individual Board member may be excluded from any meeting of the Board at which he/she is physically present. An individual Board member has no right to insist upon the ability to participate, in any capacity, in any Board meeting remotely via telephone conference, video conference or other technology.

Subject to the following limitations, and as a privilege that may be withdrawn or limited at the discretion of a majority vote of the Board, the Board will permit an individual Board member with a scheduling conflict to listen and contribute to the discussion occurring at a Board meeting from a remote location:

1. The District Administrator will work with appropriate staff to identify an appropriate mode of technology that enables reliable two-way communication and that satisfies the Wisconsin Open Meetings Law requirements regarding public notice and public accessibility of meetings.
2. Absent further affirmative authorization enacted by the Board, the privilege shall extend only to open sessions of regular and special Board meetings, and shall not extend to closed session portion(s) of any meeting, to individual student disciplinary proceedings, to disciplinary or nonrenewal proceedings involving individual employees, or to other meetings or specific items of business on which the Board decides or receives advice of legal counsel that it would be inadvisable to permit remote participation by individual Board members.
3. Absent further affirmative authorization enacted by the Board, the Board member(s) who are not physically present at the meeting and who are exercising the privilege of limited remote participation expressly allowed under this policy shall not be included in the quorum count for the meeting and shall not be permitted to make or vote upon any motions or resolutions.
4. No Board meeting need be delayed, cancelled, or rescheduled solely to accommodate a Board member's request to exercise the privilege of limited remote participation. To the extent that the technology used to enable remote participation is not functioning so as to facilitate appropriate participation and/or there is any uncertainty regarding compliance with the Open Meetings Law, the Board may terminate the privilege of limited remote participation, and the meeting may continue without the participation of the Board member(s) who are not physically present.
5. To the extent that the number of individual Board members wishing to exercise the privilege of limited remote participation in any meeting exceeds the capacity of the

technology that is used to facilitate such remote participation, then no Board member shall avail themselves of the privilege of remote participation for that meeting unless one or more Board members withdraws his/her request and the number of pending requests is once again within the capacity of the technology being used.

In extending the above-identified privilege of limited remote participation to individual Board members, the Board is cognizant that members of the Board who avail themselves of this privilege and who participate remotely in the discussion of items of business, although not counted in the quorum of the Board as a matter of the Board's own rules of order, nonetheless must be counted for purposes of determining whether a meeting is taking place within the meaning of the Wisconsin Open Meetings Law.

Subject to ensuring compliance with all aspects of the Wisconsin Open Meetings Law and the availability of appropriate technology, it is within the power of the Board to authorize remote participation in Board meetings that exceeds the limited privilege of remote participation in discussion, as expressly authorized above. To the extent a motion to authorize more extensive remote participation in a meeting is considered at the very meeting to which the possible authorization would apply, such motion shall be the first item of business on the agenda, and the Board member(s) seeking authorization to participate in the meeting remotely will be counted in the quorum solely for purposes of convening the meeting and discussing and voting upon the motion that would authorize their continued participation in the meeting.

If the Board approves, by majority vote, a motion authorizing remote participation in any Board meeting at a level of participation that exceeds the limited privileges expressly contemplated within this policy, one or more Board members participating remotely may thereafter be counted (or, if at the same meeting, continue to be counted) in the meeting's quorum count and may participate in the meeting to the extent authorized by the motion. If such a motion is defeated, the Board member(s) seeking such special authorization shall no longer be counted in the quorum of the meeting that was the subject of the motion and shall have no further authority to make or vote upon motions or resolutions at such meeting(s).

No meeting of the Board need be delayed, cancelled, or rescheduled solely to accommodate a Board member's request that the Board consider a motion to authorize any level of remote participation in any meeting. To lessen the risk that a technical limitation or technology-related problem may prevent otherwise-authorized remote participation in a Board meeting, an individual Board member who wishes to exercise any privilege of remote participation shall inform the District Administrator and presiding officer of the meeting as far in advance as possible of his/her desire to attempt remote participation.

This policy shall also apply to Board committee meetings where the committee in question is a subunit of the School Board, except that in the case of such a committee meeting, references to individual Board members within this policy shall be understood

to refer to individual committee members, and all discretionary authority held by the Board under this policy shall be held by the committee. A committee may also opt out of this policy and require all committee members to be physically present at all meetings.

Legal References:

Wisconsin Statutes

- [Section 19.81\(2\)](#) [public accessibility of board meetings]
[Section 120.11\(1\)](#) [regular board meetings and definition of quorum for meetings in common and union high school districts] *{Editor's Note: This reference does not apply to unified school districts.}*
[Section 120.43](#) [board meetings in unified school districts] *{Editor's Note: This reference applies only to unified school districts.}*

Adopted: December 19, 2018