

## **REMOTE PARTICIPATION IN SCHOOL BOARD MEETINGS**

The M.S.A.D. No. 75 Board of Directors allows members of the Board to participate in a public meeting of the Board by remote methods in limited circumstances as provided in 1 MRSA §403-B.

For the purpose of this policy, “remote methods” means telephonic or video technology allowing simultaneous reception of information and may also include other means necessary to provide reasonable accommodations to individuals with disabilities. Remote participation by board members cannot be by text-only means such as email, text messages, or chat functions. A reasonable accommodation provided to an individual with a disability for participation in a meeting, may include remote methods or other means. That accommodation does not create a right to remote participation by other individuals, even if that accommodation involves remote methods.

A member of the Board who participates remotely in a public meeting of the Board is considered present for purposes of a quorum and voting.

Members of the Board are expected to be physically present for board meetings except when being physically present is not practicable.

Circumstances in which physical presence for public meetings is not practicable include:

1. The existence of an emergency or urgent situation that requires the Board itself to meet by remote methods.
  - a. An emergency may be a State-declared emergency, where there has been a declaration of a state of emergency by the Governor that applies to the school unit, or a local emergency (e.g., adverse weather conditions) or an urgent situation requiring Board action.
  - b. The Board Chair, in consultation with the Superintendent, will determine whether there is a local emergency or urgent situation that requires a remote meeting of the Board.
  - c. The Board Chair, in consultation with the Superintendent, will determine whether circumstances present that the Board will be unable to achieve a quorum for a meeting, and so requires a remote meeting of the Board to achieve a quorum.

All votes taken during a public meeting of the Board using remote methods must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by the other members of the board and the public.

#### PUBLIC PARTICIPATION DURING REMOTE BOARD MEETINGS

The opportunity for the public to comment at Board meetings (20-A MRSA §1001(20)) applies to remote public meetings. If the Board allows or is required to provide an opportunity for public participation/public input during the meeting, an effective means of communication between the members of the Board and the public must be provided (e.g., raising a hand on Zoom, submitting written comments to the Superintendent's office at least 24 hours in advance).

Individuals with disabilities seeking a reasonable accommodation should contact the Board Chair as far in advance of the Board meeting as practicable.

Members of the public participating in public meetings of the board are expected to comply with the guidelines for public participation provided in the Board's policy BEDH, or by such rules as the Board may develop specifically for remote meetings.

Notice of all Board meetings is required (1 MRSA § 406). Under this policy, Board meetings will be either all in-person or all remote, and not both. Notice for remote Board meetings under this policy must include the means by which members of the public may access the meeting using remote methods, and notice for in-person meetings must identify the location for members of the public to attend in person. The Board may not determine that public attendance at a meeting will be limited solely to remote methods except for remote Board meetings held under the conditions in subparagraph 1 above.

The Board will make all documents and other materials to be considered by the Board available, electronically or otherwise, to members of the public who attend remotely to the same extent customarily available to members of the public who attend public meetings of the Board in person, as long as additional costs are not incurred by the Board.

This policy may be applied to meetings of Board Committees (Standing and Ad Hoc), where the Superintendent, Board Chair, and Committee Chair all agree the requirements have been met.

Remote meetings are not permitted for meetings where voters of the School Administrative Unit meet to vote as a legislative body, such as budget meetings.

LEGAL REFERENCE: 1 MRSA § 403-B, 406  
20 MRSA §1001(20)

CROSS REFERENCE: BDDE – Rules of Order  
BDE – Board Committees  
BE – School Board Meetings  
BEC – Executive Sessions  
BEDB – Agenda  
BEDH – Public Participation at Board Meetings  
KL – Complaints

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