

# Board Member Participation in Meetings Via Technology

Policy 188

Page 1 of 2

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. Accordingly, absent further action by the Board, a Board member will be counted in the quorum of a Board meeting and be permitted to participate in discussion and voting only when the Board member is physically present at the meeting. No individual Board member may be excluded from any meeting of the Board at which he/she is physically present. However, 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 or other technology.

In the event a Board member is unable to be present at an open session meeting, and there is no other broadcast or recording of the meeting by which the absent Board member would be able to review the full discussion and Board action that transpires during the meeting, the Board member may contact the District Administrator with a request that the District attempt to make arrangements for the absent member to listen to and/or view the meeting via a link to the meeting by telephone or other technology. If such an electronic link to the meeting is made available, it shall not be construed to permit or authorize the absent Board member's remote participation in the meeting, even if such participation would be both technologically possible and compliant with the Open Meetings Law.

Any temporary exception to this policy that would permit Board members' remote participation in any Board meeting must be authorized by a motion that is approved by standard majority vote of the Board. No such exception shall be authorized as to any closed session, individual student disciplinary proceedings, disciplinary or nonrenewal proceedings involving individual employees, or other items of business on which the Board has received advice of legal counsel that it would be inadvisable to permit remote participation by Board members. The implementation of any such authorized exception must fully comply at all times with Wisconsin Open Meetings Law requirements regarding public notice and public accessibility of Board meetings.

If a motion to approve a temporary exception to this policy is approved by majority vote, 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.

Any motion authorizing a temporary exception to the general rule requiring the physical presence of Board members shall be understood to be valid only so long as the technology used to enable a Board member's remote participation allows the Board member to fully hear and fully be heard by other Board members participating in the meeting. 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 authority it granted for remote participation. Provided that a quorum of the Board remains physically present at the meeting, the meeting may continue without the participation of the Board member(s) who are not physically present.

To the extent a motion to authorize remote participation in a meeting is considered at the very meeting to which the possible exception would apply, such motion shall be the first item of

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Policy 188

Page 2 of 2

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 motion to approve an exception to this policy is defeated, the Board member(s) seeking such authorization shall no longer be counted in the meeting quorum and may no longer participate in the discussion or voting that occurs at the meeting. 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.

This policy shall also apply to Board committee meetings where the committee in question is a subunit of the 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.

## Legal References:

### Wisconsin Statutes

[Section 19.81\(2\)](#) [public accessibility of board meetings]

**Adoption Date: 11/13/17**