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Managing Board Meetings During COVID-19

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DISCUSSION OUTLINE

- **Legal Considerations for Virtual Meetings**
 - Postings, Open Meeting Law, Minutes
- **Virtual Meeting Platforms**
 - Web-Based & Telephonic
- **Challenges of Virtual Meetings**
 - Security & Access
- **Conducting Virtual Meetings**
 - Etiquette & Promising Practices
- **Q&A**



Legal Considerations for Virtual Meetings



LEGAL CONSIDERATIONS FOR VIRTUAL MEETINGS

Q: Can districts cancel their regular meetings?

A: Yes, and...

- You must post a notice of cancellation online and at your physical location
- You do not need to vote to cancel the meeting
- There is still a legal requirement to meet at least once per month while school is in session as this requirement has not been waived

LEGAL CONSIDERATIONS FOR VIRTUAL MEETINGS

Q: Can districts hold virtual meetings via web or phone?

A: Yes, and...

- OML and normal posting must still be followed
- The public must be able to listen/view in real-time
 - **Live access must be allowed or the OML is not satisfied.**
- Posting should include instructions for how to log-in/call-in (with an offer of assistance if needed)
- Selected virtual tool must be free and easy to access across multiple platforms (e.g. desktop, phone)

LEGAL CONSIDERATIONS FOR VIRTUAL MEETINGS

Q: Does OML require a physical location be open to the public who do not have access to internet?

A: OML does require open access. You should provide technical assistance for anyone that cannot access the meeting. This could include conference call access, a physical space or a place where one could watch the online meeting.

Q: Can the district suspend call to the public?

A: Yes, and...

- While there is no legal requirement that boards offer call to the public, if this has been your practice you should include the change in your notice to the public
- You do not need to vote to suspend this policy
- Be sure let them know how they can still view/listen to the meeting

Note: We will cover how to include a “call to the public” later in the webinar

LEGAL CONSIDERATIONS FOR VIRTUAL MEETINGS

Q: Do we still need to produce meeting minutes within 3 working days of the meeting?

A: Yes, there is no wavier of this requirement. However...

- Written minutes OR a recording of the meeting can be submitted

HINT:

If using teleconferencing or web options, look for the record feature, then share out a link to the recording as your minutes.

LEGAL CONSIDERATIONS FOR VIRTUAL MEETINGS

Q: Can you can have an executive session via virtual meeting?

A: Yes, participants still need to be reminded it is confidential.

- Read the admonition statement
- Participants should go to a room where nobody is present, and nobody can hear, including family members.

Note: When COVID-19 is over and regular meetings resume, Executive session should go back to in person only

LEGAL CONSIDERATIONS FOR VIRTUAL MEETINGS

Q: How would you go between regular and executive session in a virtual meeting ?

A: Two options:

- Leave the regular meeting running and switch over to a separate an exe. session virtual meeting, then switch back
- Provide a time of your return and be sure to be back to the regular meeting (even if just to extend exe. session) at that time

LEGAL CONSIDERATIONS FOR VIRTUAL MEETINGS

Q: Can you hold an emergency meeting where less than 24 hours notice is given ?

A: Yes, and

- The reason for the meeting is an emergency that the board must address
- Post notice ASAP
- Discuss at meeting why it is an emergency
- Deal only with the matters that are an emergency – no routine business that can wait for regular meeting

LEGAL CONSIDERATIONS FOR VIRTUAL MEETINGS

Q: Does the public have to have access to support documents?

A: Yes, the public must have access to all documents that will be referred to in the virtual meeting

- This may require you to post these online
- Will be easier to do if you have a web-based board document management system

LEGAL CONSIDERATIONS FOR VIRTUAL MEETINGS

General OML Reminders...

- Conversations between a quorum of board members about board/district business, via any platform, violate OML
 - This include daisy-chain and spoke-n-wheel communications
- Do not text your board members during the board meeting...even if it is just one. All conversation during the meeting should be public
- Open Meeting Law still applies to all board activity even during these unprecedented times.

Virtual Meeting Platform



ZOOM

Prices range from free to \$19.99+/mo.

<https://zoom.us/pricing>

GOOGLE HANGOUTS

Prices range from free (if you already have G-Suite) to \$25+/mo.

<https://gsuite.google.com/pricing.html>

WEBEX

Prices range from free to \$26.95+/mo.

<https://www.webex.com/pricing/index.html>

GOTOMEETING

Prices range from \$59/mo to \$499/mo

<https://www.gotomeeting.com/webinar/pricingb>

So Many Options

THERE IS A MIX OF FREE
AND FEE BASED MEETING
OPTIONS

*ASBA does not endorse any
particular platform

NOTE: These are the most common but others can be found
at: <https://www.quicksprout.com/best-conference-call-services/>

Consider This...

When choosing a virtual platform for your district



PRICE

- Free (limited)
- Monthly fee (added/expanded options)

MEETING & PARTICIPANT LIMITS

- How long do you have for a meeting?
- How many people can join Web vs call-only?

RECORDING CAPABILITY

- Do you have the option to record?
- Audio & visual? Audio only?

Consider This...

When choosing a virtual platform for your district



STORAGE OPTIONS

- Local?
- Cloud?

MANAGEMENT & SECURITY TOOLS

- Access codes?
- Control of audio/visual?
- Other security settings?

EASE OF ACCESS

- Is it quick and easy for people to access?
- Does it require installing special software?

Consider This...

When choosing a virtual platform for your district



CUSTOMER SUPPORT

- Do you have access to 24/7 support?
- Is live support available or ticket only?

ACCOMMODATIONS

- ADA (TTY line, closed caption)
- Translations

REMEMBER

- If you have an IT specialist, they may not know the requirements of OML.
- Your superintendent can work with them to share your needs and find a solution that works for your district.



Challenges of Virtual Meetings

MANY DISTRICTS DO NOT HAVE A DEDICATED INFORMATION TECHNOLOGY(IT) PERSON TO MANAGE VIRTUAL MEETINGS

Suggestions:

- Identify a tech-savvy staff person to manage virtual platform
- Purchase a platform that provides robust online/phone customer support
- Reach out to larger districts near by to request support from their IT professionals
- **Free tech consultation:**
<https://azsba.org/k12itc/>

Lack of Tech Support

“ZOOMBOMBING”:WHEN INDIVIDUAL(S) POST IMAGES OR MAKE INAPPROPRIATE COMMENTS DURING A ZOOM OR WEB-BASED MEETING.

- FBI recommends exercising due diligence and caution in your cyber-security efforts.
 - The following steps can be taken to mitigate teleconference hijacking threats:
 - Require participants sign-in
 - Use a virtual “waiting room” to control the admittance of guests.
 - Manage screen sharing/voice sharing options.
 - Change screen sharing to “Host,” “Organizer,” “Presenter” only
 - Set defaults to “mute” all participants or “listen only”
- Ensure users are using the updated version of meeting applications as companies have recently updated security features

Security

SOURCE: [HTTPS://WWW.FBI.GOV/CONTACT-US/FIELD-OFFICES/BOSTON/NEWS/PRESS-RELEASES/FBI-WARNS-OF-TELECONFERENCING-AND-ONLINE-CLASSROOM-HIJACKING-DURING-COVID-19-PANDEMIC](https://www.fbi.gov/contact-us/field-offices/boston/news/press-releases/fbi-warns-of-teleconferencing-and-online-classroom-hijacking-during-covid-19-pandemic)

WHILE NOT REQUIRED, SOME DISTRICTS STILL WANT TO OFFER PUBLIC PARTICIPATION

If you will continue public
participation:

- Clearly identify the process by which you will accommodate public comments on your meeting notice
- Suggestion:
 - Offer an option where people submit comments prior to the meeting which can be read aloud at the meeting or,
 - Individuals can be un-muted for this portion.

Public Participation

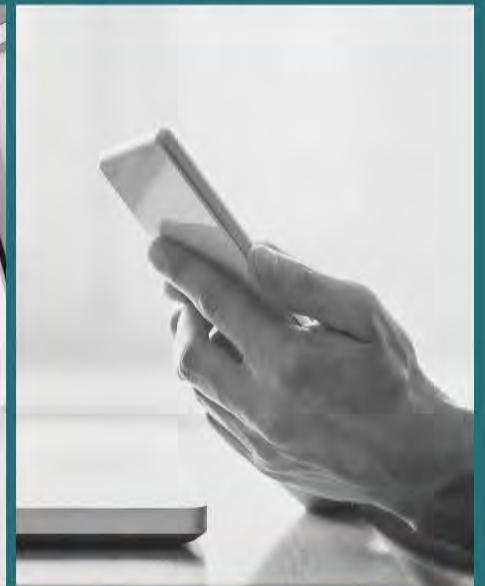
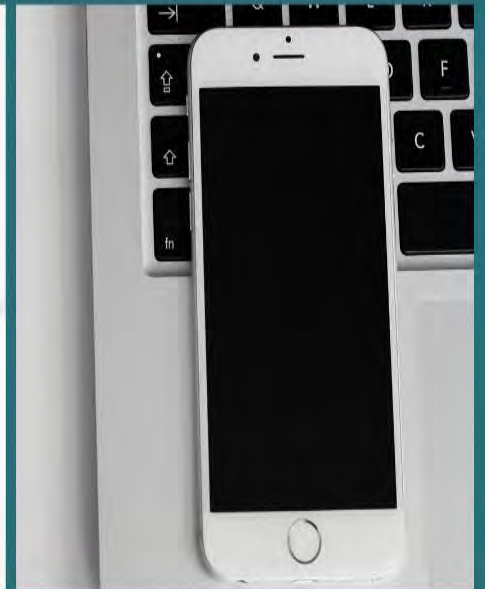
NOT EVERYONE IN YOUR
COMMUNITY WILL HAVE A DEVICE
OR SERVICE THAT ALLOWS THEM TO
ACCESS VIRTUAL MEETINGS.

Suggestions:

- Many web-meeting platforms offer a call-in number and some with a deaf or hard of hearing number that does not require computer access.
 - Clearly publish this number in your notice
- Encourage people who need translation or other access services to reach out to you in advance of the meeting to coordinate access.
- Offer a physical locations where people can view the meeting and practice social-distancing.

Equity

Conducting Virtual Meetings



PREPARING FOR VIRTUAL MEETINGS



Board President & Superintendent

- Work with the superintendent to identify a platform for virtual meetings that works for your community
- Create basic ground rules for participants (board members) and attendees (community) if applicable
- Identify a tech moderator who will ensure the platform is properly set up and who will manage participants/ attendees.

PREPARING FOR VIRTUAL MEETINGS



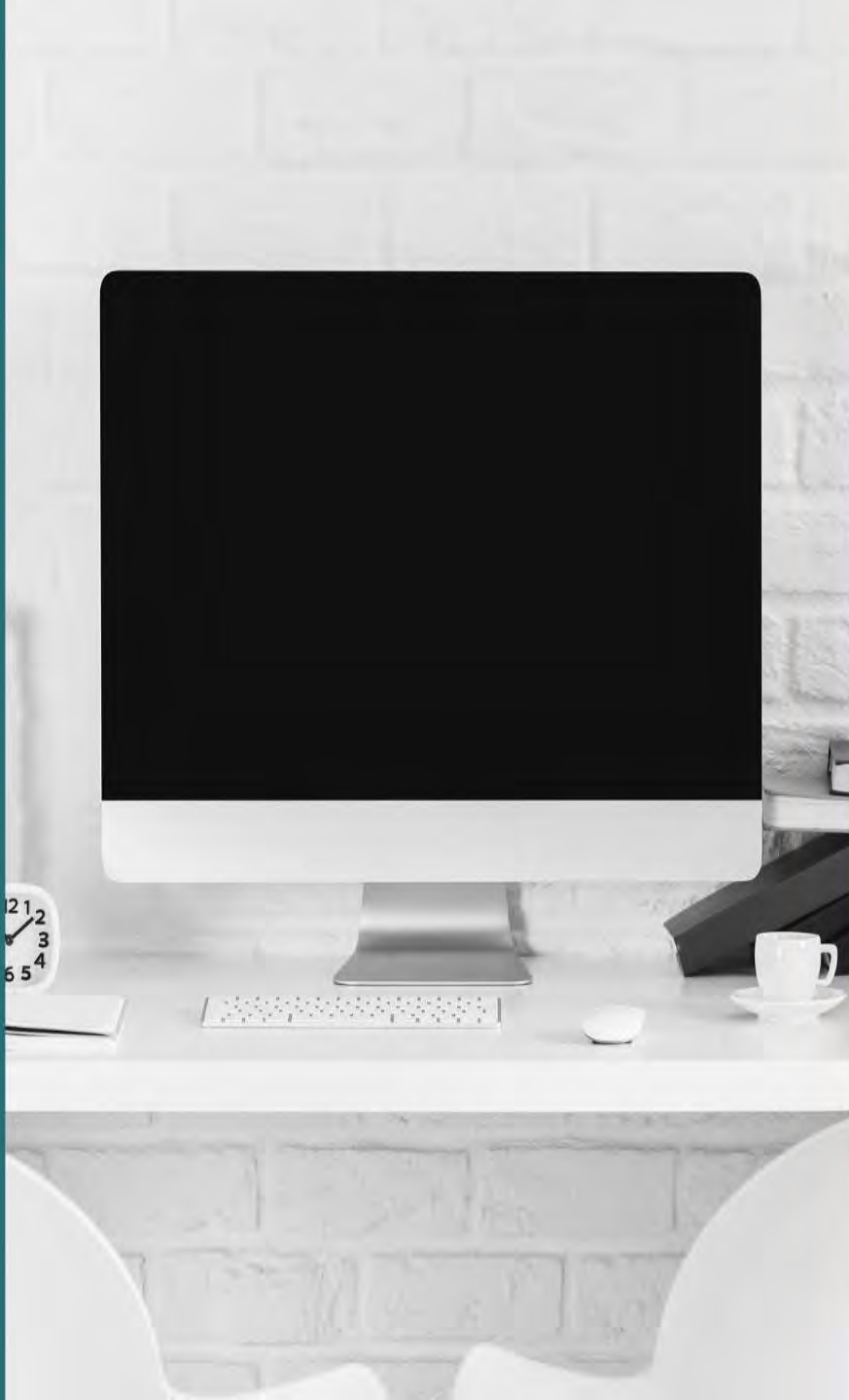
Board President & Superintendent

- Identify a point person who is available to text tech issues to during the meeting
- Create a script for how to begin each meeting giving attendees an overview of the meeting flow (See Resources)
- Create a process by which you will acknowledge board members who wish to speak during the meeting
- Ensure the above information or any changes are shared with the entire board prior to the meeting.



Tech Moderator

- Complete a practice run in the days leading up to the meeting
- Build in 15-30 minutes to get the technology up and running the day of the meeting
- Share the basic “ground rules” for how the meeting will run and basic etiquette (see resources)
- Tell everyone when you are about to record, and that they may leave the session if they don’t want to be recorded.
- Start the recording.
- Be prepared to manually mute the microphones of participants, if needed.



General Preparations

- **Limit distractions**
 - Find a quiet place to view from
 - Set up so you and your device are stationary
 - Let people know you are in a meeting
 - Turn-off background noise such as phones, radios, TVs, fans etc. that often amplify during meetings and can cause issue with sound/picture quality.
- **Open virtual meeting platform**
 - Plan to sign into the meeting 10 minutes early
 - Check connectivity
 - Immediately mute your phone/computer microphone



As a speaker...

- Try to speak slower, clearer and, if soft-spoken, louder than usual to improve clarity of speech
- Identify yourself each time you speak so those without visuals can know who is speaking
- Be mindful of your tone of voice, which will be more noticeable for those without visuals.
- If referring to a visual, explain what it is you are looking at before making your comment.
 - Example: "With regards to the graph on student lunches served" ...



As a participant...

- Be present: Avoid checking other devices, eating, getting up or holding side conversations
- Mute your microphone when you are not speaking
- Be aware that, just like in a regular meeting, people can see you.
- Be professional: Avoid shaking your head, rolling eyes, hand gestures, etc. while others are speaking.

Remember- You are likely to see higher attendance rates with virtual meetings. Now's the time to demonstrate your team's leadership!



As board president...

- Read your opening script for the meeting to get everyone on the same page
- Gently remind all participants to follow ground rules as needed
- Ensure all board member are given the opportunity to speak if desired.
 - This may require you specifically asking each member if they have any comments and providing a pause for response.
- Acknowledge speakers by name when it is their time to speak
- Identify who will preside over meeting should president drop off.
- Ensure everyone has the call in number in case video fails.

After the Meeting

- **Tech Moderator:** Ensure the meeting platform is completely shut down at the conclusion of the meeting

- **Board Administrative Professional:** Ensure Minutes are available within 3 working days of meeting. If available, a recording of your virtual meeting can be used as your meeting minutes

- **Board President/ Superintendent:** Follow up with board members and review any feedback received to improve future meetings.



Question & Answer

Resources

ASBA COVID-19 RESOURCE PAGE

<https://azsba.org/novel-coronavirus-covid-19-information-resources/>

YOUR LEGAL COUNSEL

Contact your superintendent to coordinate advice

ASBA TECHNOLOGY PARTNER-K12ITC

Allen Barton, Email: Allen.Barton@menloinc.com Phone: 480-772-7342

ASBA CONSULTATION ON MEETING PROTOCOLS

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