

Remote Participation in Board Meetings

The RSU 26 board of directors wishes to maximize the ability of the public to observe its meetings and to participate in the public comment portions of its meetings and to allow all board members to participate on an equal status.

To this end, pursuant to 1 MRSA §403-B, all RSU 26 school board meetings will allow participation remotely via electronic means for both board members and the public subject to the conditions listed below. The regional school unit budget meeting is not a board meeting for purposes of remote participation and will involve only in person participation by the public and board members, although broadcasting or recording for observers not participating may be offered at the discretion of the superintendent.

To enable remote participation while ensuring transparency and compliance with public meeting laws, the following practices must be followed for remote participation

- A. Any technology used for remote participation must enable the following:
 - a. All board members must be able to speak and hear each other consistently
 - b. The public must be able to hear all board members speak consistently
 - c. There must be a mechanism by which the public can express an interest in speaking and can speak and be heard by all board members and the public when recognized by the chair during public comment
 - d. If videoconferencing technology is used, all board members must be visible to other board members and the public
 - e. Any chat or other text-based, non-speaking functions are not part of the official meeting and may not be used for public comment, board discussion or any other official part of the proceedings. Availability of said functions even for informal purposes is solely at the discretion of the board chair.
 - f. With suitable advance notice, reasonable accommodations will be provided for individuals with disabilities to participate in board meetings in accordance with their role (either as board member or member of the public); said accommodations may include using chat or other text-based functions to address specific disabilities such as speaking or hearing impairment notwithstanding the remainder of this section (A.f)
 - g. The board has no control over technology and internet connections people use to participate remotely, and the board is not responsible for individuals unable to participate due to technology limitations on their end

- B. Board members are expected to be physically present and participate in person in meetings when practicable. Circumstances that might prevent physically present participation may include:
 - a. The existence of a Governor declared state of emergency that applies to the schools, a local emergency (e.g. weather), or an urgent issue that requires

- immediate board action; the board chair in consultation with the superintendent will determine if one of these conditions exist requiring a remote meeting;
- b. Illness, other physical condition or temporary absence from the jurisdiction of the body that causes a member of the body to face significant difficulties traveling to and attending in person at the location in the notice under section 406; prior notice of the board member's absence and the reason for it, with indication that the board member plans to participate remotely, should be communicated to the board chair as far in advance of the meeting as practicable.
- C. Exceptions to mandating the ability for remote participation in a board meeting (which shall then be denied to both board members and the public) include (but are not limited to) unforeseeable technical emergencies such as power or internet outage and when there is urgent school business that cannot be deferred to another time.
 - D. If one or more board members are participating remotely in compliance with the provisions of (B) then:
 - a. Any remote board members shall count towards quorum in addition to physically present board members
 - b. All votes must be taken by roll call in such a way that the vote of each board member can be heard by other board members and the public (and seen if video technology is used)
 - c. Executive sessions will be held in accordance with policy BEC while using a technology which ensures that all board members and invited participants to the executive session can speak and hear each other, but ensures that no other members of the public may accidentally join or overhear the proceedings in executive session (such methods include but are not limited to circulation of links for an executive session only to board members and participants but not notified to the public). Immediately upon termination of the executive session, the board meeting must resume using the access methods notified in advance to the public for participation.
 - E. Public comment will be open to members of the public that are either physically present at the meeting or attending remotely, subject to the terms of public participation in policy BEDH
 - F. All board meetings must be publicly notified in accordance with policy BEDA. Such notifications must state a physical location for those who wish to attend in physically present fashion (unless a board meeting is being held entirely remotely under clause B.1). Such notifications must also include information on how to connect remotely for those wishing to participate remotely (unless a board meeting is being held in person only under clause C).
 - G. All documents and materials that are shared with those physically present at the meeting must be made available at the same time for electronic download to those attending remotely.

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