

SECTION: LOCAL BOARD PROCEDURES

TITLE: USE OF ELECTRONIC
COMMUNICATION
EQUIPMENT

ADOPTED: January 16, 2012

REVISED:

NEWPORT SCHOOL DISTRICT

006.1. USE OF ELECTRONIC COMMUNICATION EQUIPMENT

Section 1. Purpose

65 Pa. C.S.A.
Sec. 701 et seq

The Sunshine Act, 65 Pa. C.S.A. Sec. 701 et seq., has been interpreted by the Pennsylvania Supreme Court in Babac vs. Pennsylvania Milk Marketing Board 613 A.2d 551 (Pa. 1992) to permit a member of a governing body of a public agency to participate in public meetings, including deliberations and voting on official actions, by use of a telephone conferencing system.

The Board of School Directors recognizes that, from time to time, factors such as weather conditions, illness, or lack of quorum make it difficult for Board members to be physically present at Board meetings. The Board further recognizes that advances in technology have made it possible for individuals to interact with others at remote locations through the use of teleconferencing and videoconferencing. Moreover, the Board recognizes that effective use of videoconferencing and teleconferencing will help promote the technological capabilities of the Newport School District and the use of such technology by students and other persons.

It is the desire and intention of the Board to adopt a policy which would permit a Board member to participate in Board deliberations and actions by teleconferencing or videoconferencing.

Section 2. Authority

A member of the Board may attend a Board meeting, and may participate in Board deliberations and actions, by teleconferencing or videoconferencing if s/he cannot physically attend the meeting due to inclement weather, illness, or scheduling conflicts.

Section 3. Requirements

A member of the Board who desires to participate in a meeting of the Board by means of teleconferencing or videoconferencing shall notify the President of the Board at least one (1) day in advance of the meeting in question.

SC 422	<p>A member of the Board shall be deemed to be present at the meeting, and shall be entitled to participate in the meeting, only if:</p> <ol style="list-style-type: none">a. Such member is able to hear everything that is said at the meeting by the public and other members of the Board.b. The public and other members of the Board are able to hear everything that is said by the member of the Board who is not physically present at the meeting. <p>In the event it is determined by the President or Chair of the meeting that the member who is present by teleconferencing or videoconferencing cannot be heard by all persons who are physically present at the meeting or all persons who are physically present at the meeting cannot be heard by the member who is present by teleconferencing or videoconferencing, then the teleconferencing or videoconference shall be terminated and only those persons who are physically present at the meeting shall be permitted to participate therein.</p> <p>A member of the Board who is present at the meeting through teleconferencing or videoconferencing shall be permitted to vote only by roll call.</p> <p>Section 4. <u>Responsibility</u></p> <p>The appropriate school district officials are authorized and directed to provide teleconferencing and/or videoconferencing facilities sufficient to implement this policy.</p> <p>Section 5. <u>Quorum</u></p> <p>The remote member shall not be counted in determining whether a quorum of the Board is present pursuant to Section 422 of the School Code (24 P.S. § 4-422.)</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 422</p> <p>Sunshine Act – 65 Pa. C.S.A. Sec. 701 et seq.</p>
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