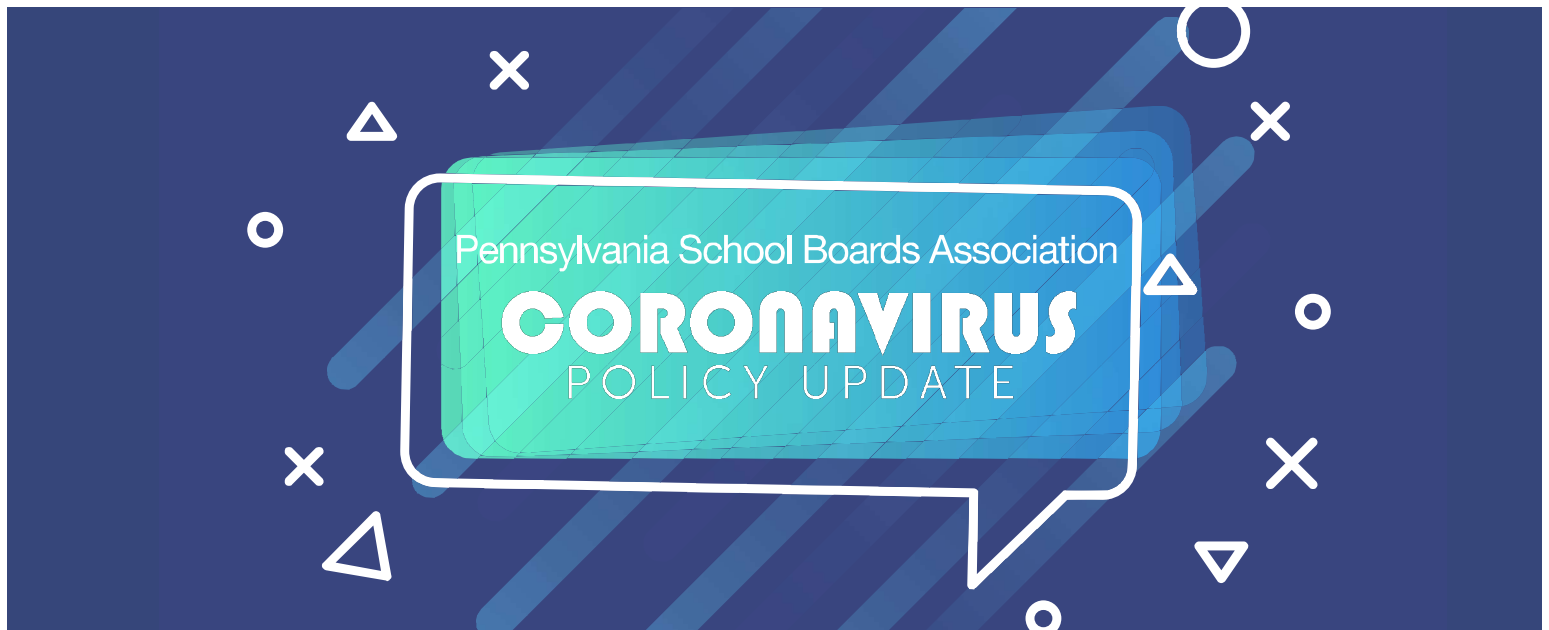




POLICY UPDATE: PSBA GUIDANCE ON ELECTRONIC SCHOOL BOARD MEETINGS

4/7/2020 | **PSBA Guidance on Board Meetings Via Electronic Means**

During this crisis, school boards recognize the need to continue the business and operation of the school district, which requires official decision-making and action by the board in a public meeting. PSBA has continuously developed guidance, training and other resources for conducting meetings via electronic means. PSBA encourages school boards to work with their school solicitor in establishing practices that meet the needs of the individual school board directors, the district and the school community in conducting the business of the board and prioritizing the health and safety of the school community.

This update reflects the most recent resources for school boards to consider while conducting meetings via electronic means.

- The Pennsylvania Office of Open Records issued guidance on holding open meetings through electronic communications in compliance with the Sunshine Act: <https://openrecordspennsylvania.com/2020/03/11/the-sunshine-act-and-covid-19/>
- PSBA has created several training documents, recorded webinars and resources on conducting virtual board meetings. Please visit www.paschoolsready.org, under Tools for Virtual Board Meetings, as well as the Online Learning section of myPSBA.org to access these resources which includes the following and more:
 - ✓ [Coronavirus Webinar: Deeper Dive Into Digital School Board Meetings](#)
 - ✓ [How to Transition Board Meetings to Zoom](#)
 - ✓ [Using ZOOM for Digital School Board Meetings](#)

Board Policy 006.1

The PSBA policy guide for **Board Policy 006.1** Attendance at Meetings Via Electronic Communications has been recently updated as a result of the COVID-19 pandemic to reflect the potential impact of extenuating circumstances, such as a health and safety emergency in the school community, on conducting school board meetings.

A section on emergency conditions was added to Policy 006.1 to clarify that in such circumstances, school boards may conduct meetings entirely via electronic communications, provided that such meetings maintain compliance with public access and comment requirements of the Sunshine Act.

These revisions were drafted to replace the need for school boards to take action to suspend the portion of the policy requiring that a majority of school directors be physically present at a meeting, in order to streamline the ability for boards to meet virtually under emergency conditions. If school boards have already suspended the content in the current 006.1 policy requiring a majority of the school directors to be physically present, there is no immediate need to adopt the newly revised Policy 006.1; however, we recommend officially revising Policy 006.1 at some point in the future to facilitate electronic board meetings during emergency conditions.

The updated PSBA policy guide for 006.1 Attendance at Meetings Via Electronic Communications is accessible through the web-based policy system in the PNN/PNN+ Volume II April 2020. For additional information, please contact policyprograms@psba.org.

Virtual Meeting Considerations

Considerations to discuss with your school solicitor during virtual school board or committee meetings:

- Ensure that the board meeting will be conducted in compliance with the Sunshine Act:
 - ◊ How will the public be able to attend and participate via a remote connection?
 - Consider using a virtual meeting platform such as Zoom, GoTo Meeting, Skype or other platforms that will allow for connection by any member of the public and provide a mechanism for attendees to indicate that they would like to speak and offer comment during the public comment portion of the meeting. Provide helpful directions on the website for easy connection and participation.
 - If your school board already provides livestreaming of your board meetings, ensure a mechanism is established for the public to provide public comment appropriately.
 - Ensure that accommodations are made available for individuals with disabilities in your school community.
- Include the news media in planning and advertising for the virtual meeting. This will assist in communicating to your school community and also demonstrate that the board is meeting virtually for the health and safety of individuals, not to avoid transparency to the public.
- Ensure all school board directors have appropriate technology, devices and Internet connections, to participate in a virtual meeting. Also consider the availability of these resources in your school community and provide a list of public venues where community members may be able to connect.
- Discuss with the school solicitor how Executive Sessions may be handled.

Rescheduling Board Meetings

School Code [24 P.S. §4-421](#) requires that each school board hold a “regular meeting” at least once every two (2) months. **Board Policy 006** establishes the board’s rules and processes for advertising and conducting board meetings, in accordance with School Code and the Sunshine Act ([65 Pa. C.S. 701 et seq.](#)). School boards may choose to reschedule board meetings to a later date if there are concerns for the health and safety of individuals in the school community in conducting a public meeting at a specified time and place. Notice of rescheduled meetings must be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting. School districts should consider what additional communication channels can be used to inform the community about cancelled or rescheduled school board or committee meetings, such as website, social media, email, texts and other methods used to announce weather-related closings.

Emergency Board Meetings

Given the current situation, some school boards may have the need to meet under emergency circumstances for particular issues. An “emergency meeting” under the Sunshine Act is a meeting called for the purpose of dealing with a real or potential emergency involving a clear and present danger to life or property. Consult with your school solicitor if the board has a need to conduct an emergency meeting; the state and federal emergency disaster declarations may apply in this area. Public notice is not required in the case of an emergency meeting, but it is still important to maximize the use of other communication channels, including reaching out to the news media.

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