

TYRONE AREA SCHOOL DISTRICT

SECTION: LOCAL BOARD PROCEDURES

TITLE: USE OF TELE/VIDEO
CONFERENCING

ADOPTED: AUGUST 15, 2006

006.1. USE OF TELE/VIDEO CONFERENCING

Section 1. Purpose

The Sunshine Act, 65 P.S. 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, circumstances may 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 Tyrone Area 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 and videoconferencing.

It is the further intent of this policy that the authorized procedures are to be used in the event of emergencies and other compelling circumstances, which require a Board member to be physically absent from a meeting. In that vein, no individual Board member can avail themselves of these procedures more than two (2) times per fiscal year measured from July 1 until June 30.

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, scheduling conflicts, or other reasons of an exceptional nature as deemed appropriate by the Board.

Section 3. Definitions

Meeting - Any regular or special meeting of the Board at which deliberations and official action take place. Special work sessions and committee meetings are not included.

Speaker Telephone - Any telephone instrument or device capable of: (1) enabling the absent Board member(s) to hear the comments of and speak to all those present at the meeting; (2) enabling all those present at the meeting to hear the comments of and speak to such absent Board member(s) contemporaneously.

Section 4. Requirements

Any Board member who anticipates the necessity of participating in a meeting pursuant to the authorization of this policy shall give at least twenty-four (24) hours advance notice to the Superintendent of Schools and the Board President so that arrangements can be made for the provision of the necessary equipment.

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:

- 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.

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 person 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 videoconferencing shall be terminated and only those persons who are physically present at the meeting shall be permitted to participate therein.

A member of the Board who is present at a meeting through teleconferencing or videoconferencing shall be permitted to cast votes by voice vote only.

Section 5. Procedure

At the call to order of the meeting, the presiding officer shall inform all Board members and all others in attendance at the meeting of the identity of the absent Board member(s), his/her physical location, and the reason for his/her inability to be physically present at the meeting. The Secretary shall then proceed to establish the

telephone connection with the absent Board member(s). Upon the completion of such connection, the presiding officer shall establish the identity of the absent Board member(s) by appropriate inquiry and shall conduct such voice and volume tests to ensure that the absent Board member(s) and all those present or viewing the meeting have adequate contemporaneous voice communications.

The presiding officer or the Secretary shall then commence the roll call. The physical absent Board member(s), upon responding affirmatively to the call, shall be considered present for the purpose of satisfying the quorum requirement of the School Code.

The physically absent Board member(s) may participate in all discussions, deliberations, and votes of the Board as if physically present at the meeting.

If, for any reason, the telephone connection with the absent Board member(s) is terminated before the adjournment of the meeting, the meeting shall continue unless the resultant non-participation by the absent Board member(s) results in the loss of a quorum, in which case the meeting shall be adjourned. Such adjournment shall not affect the validity of such actions taken by the Board prior to the adjournment.

Section 6. Responsibility

The appropriate school district officials are authorized and directed to provide teleconferencing and/or videoconferencing facilities sufficient to implement this policy.