

## REMOTE PARTICIPATION IN BOARD MEETINGS

Policy Code: 2302

1 The [Transylvania County Board of Education](#) (the “board”) acknowledges that attendance at  
2 board meetings is essential for its members to perform their official duties and to add to the  
3 diversity of thought and opinion in the board’s deliberations. The board strongly encourages its  
4 members to be physically present for all board meetings. The board recognizes, however, that  
5 extenuating circumstances may occasionally prevent a member from being physically present at  
6 a meeting. It further recognizes that advances in technology, such as audio and video  
7 conferencing, have made it possible for members to communicate and deliberate with each other  
8 from remote locations. Therefore, to promote full participation of board members while  
9 ensuring access and transparency for the public as required by the Open Meetings Law, G.S.  
10 143-318.9 *et seq.*, the board authorizes remote participation in board meetings subject to the  
11 following procedures and requirements.

### 12 13 **A. AUTHORIZED CIRCUMSTANCES FOR REMOTE PARTICIPATION**

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15 1. The board authorizes remote participation consistent with the requirements of this  
16 policy in any meeting of the board that is not a hearing as described in policy  
17 2500, Hearings Before the Board, or other quasi-judicial proceeding.  
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19 2. A member may attend a meeting and participate in board deliberations and  
20 decisions by remote participation if the member is prevented from physically  
21 attending the meeting due to:  
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23 a. personal illness or disability;  
24 b. out-of-town travel;  
25 c. unexpected lack of child-care;  
26 d. family member illness or emergency;  
27 e. weather conditions;  
28 f. military service;  
29 g. employment obligations; or  
30 h. a scheduling conflict.

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32 Remote participation is not to be used solely for a board member’s convenience  
33 or to avoid attending a particular meeting in person.

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35 3. Acceptable means of remote participation include telephone-, Internet-, or  
36 satellite-enabled audio or video conferencing, or any other technology that  
37 enables the remote participant and all persons present at the meeting location to  
38 be clearly audible to one another. Text messaging, instant messaging, email, and  
39 web chat without audio are not acceptable means of remote participation.  
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41 4. No board member may participate remotely more than three times during a  
42 calendar year; however, in justifiable circumstances, the board may, by two-thirds  
43 vote, agree to waive this limitation.

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**B.     CONDITIONS AND REQUIREMENTS FOR REMOTE PARTICIPATION**

1.     A board member participating in a meeting remotely shall use his or her best efforts to participate in all or as much of the meeting as circumstances permit and not merely for the closed session portion of the meeting or a limited number of agenda items.
  
2.     A board member participating remotely will be considered present at the meeting for purposes of establishing a meeting quorum and will be entitled to participate in open session deliberations at the meeting if:
  - a.     the member is able to hear other members of the board and any members of the public present at the meeting who are recognized by the board during public comment;
  
  - b.     all persons present at the meeting location are able to hear the board member who is participating remotely; and
  
  - c.     when video technology is used, the remote participant is visible to all persons present at the meeting location.
  
3.     A board member may participate remotely in a closed session of the board provided the member provides assurance to the board that no other person is able to hear, see, or otherwise participate in the closed session from the remote location.
  
4.     A board member considered present through remote participation will be permitted to vote on any action item at the meeting except:
  - a.     any item for which the member was not participating remotely during the entire discussion and deliberation of the matter preceding the vote; and
  
  - b.     any item that was being discussed when an interruption to the electronic communication occurred, if the board’s discussion was not suspended during the interruption. A brief loss of simultaneous communication, such as a few seconds, will not disqualify the member from voting on the matter under discussion.

**C.     PROCEDURE FOR REMOTE PARTICIPATION**

**REMOTE PARTICIPATION  
IN BOARD MEETINGS**

*Policy Code:* **2302**

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- 85 1. A member of the board who desires to participate in a meeting remotely shall  
86 notify the board chair and the superintendent at least four hours in advance of the  
87 meeting so that necessary arrangements can be made.  
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- 89 2. The chair or designee at the meeting location shall initiate contact with the  
90 member prior to the start of the meeting to secure participation.  
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- 92 3. The chair shall announce the remote participant and the means of remote  
93 participation at the beginning of the meeting.  
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- 95 4. The meeting chair may decide how to address technical difficulties that arise  
96 when utilizing remote participation, but whenever possible, the chair should  
97 suspend discussion while reasonable efforts are made to correct any problem that  
98 interferes with a remote participant’s ability to hear or be heard clearly by all  
99 persons present at the meeting location. If, however, the technical difficulties  
100 distract from or impede the orderly progress of the meeting, a majority of the  
101 members physically present may vote to end the remote participation.  
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- 103 5. A member participating remotely shall notify the chair if leaving the meeting  
104 before it is adjourned or rejoining the meeting after a period of absence.  
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- 106 6. All votes taken will be by voice vote.  
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- 108 7. Participation by electronic communication will be noted in the official board  
109 minutes. Any interruption to or discontinuation of the member’s participation  
110 will also be noted in the minutes.  
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- 112 8. Any costs associated with remote participation other than normal telephone or  
113 Internet connection shall be borne by the remote participant.  
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115 The superintendent is directed to provide the technology sufficient to implement this policy in  
116 accordance with all applicable laws.  
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118 Legal References: G.S. ch. 143, art. 33C  
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120 Cross References: Board Meetings (policy 2300), Compliance with the Open Meetings Law  
121 (policy 2320), Closed Sessions (policy 2321), Board Meeting News Coverage (policy 2325),  
122 Quorum (policy 2341), Hearings Before the Board (policy 2500)  
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124 Adopted:  
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