

Virtual Board Meetings During the COVID-19 Pandemic

Guidance and Helpful Tips for Executive Assistants

The COVID-19 pandemic has dramatically altered daily life in California, including how the public's business is conducted at school district and county office of education Board meetings. Boards throughout the state have revised their Board meeting format and procedures to ensure they can continue to meet virtually to govern the community's public schools, operating under a revised set of rules based on Gov. Gavin Newsom's [executive orders](#) that waived portions of the Brown Act during the pandemic.

UNDERSTANDING THE EXECUTIVE ORDERS

Under the Governor's executive orders, the requirements of the Brown Act that would normally require the physical presence of members, the clerk and other personnel are waived. The Board does not need to make physical space available for the public to observe or participate in a virtual meeting, Board members do not need to publicly disclose the location from which they virtually attend the meeting, and Boards do not need to have a quorum of members participate from locations within the boundaries of the district.

Boards must allow the public to observe and address the meeting by telephone or other electronic means. Governing Boards must implement a procedure for receiving and resolving requests for reasonable accommodations from individuals with disabilities. The meeting agenda and notice must include the procedure by which the public may observe the meeting and offer public comment.

Board members should note that there have *not* been changes to the limits on the use of closed sessions, to the notice periods, or to the agenda requirements for Board meetings during this time.

CREATING A TRANSPARENT BOARD MEETING

Virtual meetings can make transparency more challenging for Boards, but clear communication can make a significant difference. Agenda notices should be more detailed during the COVID-19 pandemic, including plain language details of how the public can access the meeting and how the Board is accepting public comment. All Board member votes should be taken by roll call to make clear to the public how each

member voted on an agenda item. Roll call votes may mean Board meetings will take longer, but clear communication can mean avoiding potential legal issues, unnecessary Public Records Act requests, and other more time-consuming issues down the road.

PLANNING, TECHNICAL DIFFICULTIES, AND HOW EXECUTIVE ASSISTANTS ARE IMPROVING BOARD COMMUNICATION

In addition to the requirements for the agenda notice described above, some Executive Assistants have reported using social media platforms and community phone calls, as well as the district or county office website, to provide additional information about Board meetings and the process for attending and commenting. This additional communication can help allay community concerns about transparency during virtual meetings of the Board.

Executive Assistants have also highlighted the need to be clear on the access points and timing for Board meetings, ensuring the Board meeting is easy to access for everyone in the community. Having the Zoom or other connection details set up well in advance of posting the agenda allows additional time to understand the format for the Board meeting, and potential technical issues that may arise.

As many Executive Assistants have done prior to the pandemic, creating Board meeting scripts that include any mandated language and necessary steps for the Board to take can be a helpful guide.

For Executive Assistants who are reading public comments aloud during the meeting, it may be helpful use a standard script to publicly identify yourself and explain that the speech is from a member of the community, and not from the Board.

CREATE A PUBLIC COMMENT SYSTEM THAT WORKS FOR EVERYONE

Boards must continue to give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. Public comment has created particular challenges for some Boards during virtual meetings, and there is no one-size-fits-all solution. Boards should seek to create a system that allows for meaningful public participation in the meeting, and that allows the Board to conduct district business in an orderly and efficient manner.

Some Boards are using Zoom or other video conferencing software to allow attendees to comment in real-time or organizing public comment with a call-in number. Other Boards have found real-time commenting to be difficult for their district, and have limited public comment to email, providing a special email address for the public to submit comments in advance of the meeting. Some of these Boards have required public comments to be submitted by a specific cutoff time before the meeting begins, so staff can read and organize the comments to be read aloud before each agenda item during the virtual meeting.

For a more in depth discussion of holding virtual meetings during the COVID-19 pandemic, see CSBA's webinar: [Open Board Meetings in a World of School Closures](#).

For additional resources, see CSBA's model board policies:

Board Bylaw 9130 - Board Committees

Board Bylaw 9320 - Meetings and Notices

Board Bylaw 9321 - Closed Session

Board Bylaw 9322 - Agenda/Meeting Materials

Board Bylaw 9323 - Meeting Conduct

Board Bylaw 9323.2 - Actions by the Board

Board Bylaw 9324 - Minutes and Recordings