

Executive Summary

The proposed revision is a major expansion and modernization of the Board meetings policy. The new version:

- Adds extensive statutory definitions tied directly to Oregon Public Meetings Law.
- Significantly strengthens restrictions on serial communications and electronic deliberation outside public meetings.
- Modernizes meeting procedures for virtual/hybrid participation.
- Expands public notice, accessibility, and accommodation requirements.
- Clarifies executive session procedures and media access rights.
- Adds formal complaint and mandatory training provisions.
- Aligns the policy much more closely with current Oregon statutes and administrative rules.

Overall, the revised policy transforms the current version from a general meeting procedures policy into a highly detailed legal-compliance framework focused on Public Meetings Law, transparency, accessibility, and electronic communications.

Major Structural Change

1. Extensive Definitions Section Added

Entirely New

The proposed policy introduces detailed definitions for:

- Communication
- Convening
- Decision
- Decision-making process
- Deliberation
- Executive session
- Intermediary
- Meeting
- Public Meetings Law

- Quorum
- Work session/workshop

Impact

- Provides legal precision and interpretive clarity.
- Aligns terminology directly with Oregon DOJ/Public Meetings Law guidance.
- Reduces ambiguity regarding prohibited communications and meeting conduct.

This is one of the most significant changes in the entire revision.

Board Authority Changes

2. Board Authority Language Modernized

Current

“duly called regular, special, or emergency meeting”

New

“properly noticed regular, special or emergency meeting”

Change

- Emphasizes public notice/legal compliance rather than procedural terminology.

Additional Change

The proposed policy specifies:

“The affirmative vote of [three] members...”

instead of:

“majority of members”

Impact

- More explicit quorum/voting threshold.
- May require local customization if Board size changes.

Meeting Types and Structure

3. Public Meetings Law Explicitly Applies to All Meeting Types

New

The policy specifically states Public Meetings Law applies to:

- regular meetings
- special meetings
- emergency meetings
- executive sessions
- work sessions

Impact

- Removes any ambiguity about applicability.
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4. Work Sessions Expanded

Current

Work sessions are primarily informational/discussion-oriented.

New

Adds:

“The Board may make official decisions during a work session.”

Impact

- Clarifies that formal Board action can occur during work sessions if properly noticed.
 - Expands operational flexibility.
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Serial Communications / Electronic Communication Changes

5. Major Expansion of Restrictions on Communications Outside Meetings

This is likely the single biggest operational change.

Current

Policy generally prohibits:

- electronic deliberation among a quorum

New

Adds a highly detailed prohibition on:

- serial meetings
- intermediary communications
- electronic chains
- video applications
- texts
- indirect deliberation

Specifically Prohibits

Using:

- email
- text messaging
- intermediaries
- phone calls
- electronic applications
- combinations of methods

to deliberate outside public meetings.

Impact

- Much stricter governance compliance expectations.
- Significantly reduces risk of inadvertent Public Meetings Law violations.

- Reflects modern concerns about electronic communications.
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6. “Intermediary” Concept Added

Entirely New

Defines intermediaries as:

persons used to facilitate communication among Board members.

Impact

- Explicitly prohibits “hub-and-spoke” communications.
- Prevents indirect serial meetings through staff or Board members.

This is a major legal modernization.

7. Permitted Communications Clarified

Entirely New

Allows:

- scheduling communications
- factual information
- educational materials
- non-substantive logistics

Impact

- Helps Board members understand safe communications.
 - Creates operational clarity.
-

Social Gatherings Section Revised

8. Social Meetings Language Modernized

Current

Simply prohibits private/social meetings for deliberation.

New

Allows:

“A quorum of Board members may attend social meetings or gatherings so long as no discussions or deliberations are had.”

Impact

- Clarifies what is permissible.
 - More practical and legally nuanced.
-

Meeting Location / Hybrid Meeting Changes

9. Virtual and Hybrid Meetings Authorized

Entirely New

The new policy expressly authorizes:

- electronic meetings
- telephonic meetings
- hybrid participation

Impact

- Modernizes policy for current governance practices.
 - Reflects post-pandemic meeting norms.
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10. Public Access Requirements Expanded

Entirely New

Requires:

- real-time public access
- electronic listening/viewing capability
- public access even if no Board member is physically present

Impact

- Stronger transparency requirements.
 - More robust virtual meeting compliance standards.
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11. Media Access to Executive Sessions Expanded

Entirely New

If Board members attend executive session remotely:

- authorized media must receive equivalent access.

Impact

- Strengthens media rights and transparency compliance.
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Accessibility and Accommodation Changes

12. Accessibility Language Expanded

Current

Focuses mainly on interpreters for hearing impaired persons.

New

Adds:

- accessible meeting locations
- electronic access accommodations
- “good faith effort” standards
- sign language preference requests
- optional translation services

Impact

- More comprehensive ADA/accessibility compliance.
 - Reflects modern accessibility standards.
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13. Translation Services Provision Added

Entirely New (optional bracketed language)

Would require:

- reasonable efforts for translation services with advance notice.

Impact

- Expands language accessibility.
 - Supports broader public participation.
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Public Notice Requirements Expanded

14. Detailed Notice Requirements Added

Current

General notice requirements only.

New

Adds detailed requirements for:

- website posting
- Oregon Transparency website posting
- electronic access info
- contact information
- agenda specificity
- interpreter requests

Impact

- Much more comprehensive compliance framework.
 - Greater transparency and public accessibility.
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15. Agenda Requirements Expanded

New

Requires agendas be:

“specific enough to permit the public to recognize matters in which they are interested.”

Impact

- Higher transparency standard.
 - Better public notice quality.
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16. Executive Session Notice Requirements Expanded

Current

General statement only.

New

Requires:

- statutory citations
- subsection references

- general description of purpose
- public announcement before executive session

Impact

- Stronger legal compliance.
 - Better public transparency.
-

Recordkeeping Changes

17. Minutes or Recordings Requirement Expanded

Current

Mentions minutes for some meetings/work sessions.

New

Requires:

“Recordings or minutes will be kept for all meetings...”

Impact

- More explicit statewide compliance alignment.
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New Complaints Section

18. Public Meetings Law Complaint Procedure Added

Entirely New

Adds:

- formal complaint mechanism
- 30-day filing window

- reference to Public Complaints policy

Impact

- Establishes procedural pathway for alleged violations.
 - Adds accountability framework.
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New Mandatory Training Requirement

19. Mandatory Public Meetings Law Training

Entirely New

Requires all Board members to:

- attend or view Public Meetings Law training.

Impact

- Aligns with newer Oregon statutory requirements.
 - Formalizes governance training obligations.
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Safety Provision Added

20. Firearms/Dangerous Weapons Language Added (Optional)

Entirely New (bracketed)

Would prohibit weapons at Board meetings except as authorized by law.

Impact

- Adds potential meeting safety/security provision.
- Appears to be optional template language for local consideration.

Legal Reference Changes

Updated and Expanded References

Added

- ORS 276A.253
- OAR 199-050 series
- Oregon DOJ Public Records and Meetings Manual

Removed

- Older Attorney General opinions
- ADA federal citations
- Some older OAR references

Impact

- Stronger alignment with current Oregon Public Meetings framework.

Overall Governance Shift

The proposed policy represents a substantial shift toward:

- Legal precision
- Public Meetings Law compliance
- Electronic communication governance
- Virtual meeting operations
- Transparency and accessibility
- Risk mitigation
- Detailed procedural accountability

The current policy is relatively operational and concise. The new version is significantly more comprehensive, compliance-oriented, and legally sophisticated.

Most Significant Practical Changes

The most meaningful operational changes are likely:

1. Major restrictions on serial/electronic Board communications.
2. Explicit prohibition on intermediary communications.
3. Formal authorization and regulation of virtual/hybrid meetings.
4. Expanded public notice and agenda requirements.
5. Mandatory Public Meetings Law training.
6. More detailed executive session procedures.
7. Expanded accessibility and accommodation obligations.
8. Formal complaint procedures for alleged Public Meetings Law violations.

These changes collectively create a much more detailed governance and legal compliance framework for Board operations and communications.