

1. Definitions

For purposes of this policy:

- A. “Electronic equipment” means any technology that facilitates real-time public access to meetings, including, but not limited to, telephonic, video, or other conferencing platforms.
- B. “Electronic transmission” means any form or process of communication not directly involving the physical transfer of paper or another tangible medium, which (A) is capable of being retained, retrieved and reproduced by the recipient, and (B) is retrievable in paper form by the recipient.

2. Meeting Conduct

- A. Meetings of the Madison Board of Education (the “Board”) shall be conducted by the Chairperson in a manner consistent with the adopted bylaws of the Board and the provisions of law, including the Freedom of Information Act.
- B. All Board meetings shall commence at, or as close as practicable to, the stated time, provided there is a quorum.
- C. All regular and special Board meetings shall be guided by an agenda that will have been prepared and delivered in advance to all Board members and other designated persons and made available to the public in accordance with the Freedom of Information Act.
- D. Robert's Rules of Order shall govern the proceedings of the Board except as otherwise provided by these bylaws.
- E. In the event that a Board meeting is interrupted by any person or group of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meetings, the Chairperson may order the room cleared and continue in session.
 - 1. Only matters appearing on the agenda may be considered in such a session.
 - 2. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any such session.
 - 3. Nothing in these bylaws shall prohibit the Board from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the meeting.

47 **3. Smoking**

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- 49 A. Smoking of any kind, including using an electronic nicotine or cannabis delivery
- 50 system or vapor product, will not be permitted in any room in which a meeting of the
- 51 Board is being conducted, nor during the time immediately prior to the meeting.
- 52
- 53 B. When applicable, a sign notifying the public that no smoking is allowed in the room
- 54 designated for the meeting will be prominently posted.
- 55

56 **4. Procedures for Board Member Participation By Means of Electronic Equipment**

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- 58 A. The Board shall provide Board members the opportunity to participate in meetings by
- 59 means of electronic equipment, except that the Board is not required to adjourn or
- 60 postpone a meeting if a Board member loses the ability to participate because of an
- 61 interruption, failure, or degradation of that member's connection by electronic
- 62 equipment, unless the member's participation is necessary to form a quorum.
- 63 Conditions for participation are as follows:
- 64

- 65 1. If a quorum of the Board members attend a meeting, other than an executive
- 66 session, by means of electronic equipment from the same physical location,
- 67 members of the public must be permitted to attend such meeting in such physical
- 68 location.
- 69
- 70 2. Any physical or demonstrable material that is used in the course of the proceedings
- 71 must be present in the physical location, if any, where the public is located.
- 72
- 73 3. All those in attendance at the meeting, at whatever location, must be able to hear
- 74 and identify all participants in the proceeding, including their individual remarks
- 75 and votes.
- 76
- 77 4. Any vote taken at a meeting during which a Board member participates by means
- 78 of electronic equipment shall be taken by roll call, unless the vote is unanimous.
- 79
- 80 5. The minutes of the meeting shall record a list of Board members who attended the
- 81 meeting in person and a list of Board members who attended the meeting by means
- 82 of electronic equipment.
- 83

84 Any Board member who participates orally in a meeting conducted by means of

85 electronic equipment shall make a good faith effort to state such member's name

86 and title, if applicable, at the outset of each occasion that such member participates

87 orally during an uninterrupted dialogue or series of questions and answers.

88

89

- 90 B. When a Board member is participating in a meeting by means of electronic equipment,
- 91 the Chairperson shall take the necessary steps to ensure that the conditions enumerated
- 92 above are met. In addition, the Chairperson shall take the necessary steps to ensure
- 93 that a Board member participating by means of electronic equipment has adequate

94 opportunity for participation in Board discussion, including the opportunity to take the
95 floor and make motions.
96

97 *[Note: Boards that do not wish to provide for public participation by means of electronic*
98 *equipment may elect not to include the following section. However, Boards should be*
99 *prepared to accommodate any changes necessitated by pandemic-related conditions in the*
100 *event such conditions warrant a return to fully remote Board meetings.]*
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102 **5. Procedures for Public Participation By Means of Electronic Equipment**

103

104 The Board may hold a public meeting that is accessible to the public by means of
105 electronic equipment or by means of electronic equipment in conjunction with an in-
106 person meeting. If the Board allows for the public to participate by means of electronic
107 equipment, it shall do so in accordance with the following procedures:
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109 A. Not less than forty-eight (48) hours before the Board conducts a regular meeting by
110 means of electronic equipment, the Board shall provide direct notification in writing or
111 by electronic transmission to each member of the Board, and post a notice that the
112 Board intends to conduct the meeting solely or in part by means of electronic
113 equipment, (a) in the Board's Administrative Offices; (b) in the office of the Town
114 Clerk; and (c) on the Board's Internet web site, if any.
115

116 B. Not less than twenty-four (24) hours prior to any such meeting, the Board shall post
117 the agenda for any such meeting in the same manner as the notice of the meeting as set
118 forth in Section 5.A.
119

120 C. Such notice and agenda shall include instructions for the public to attend and provide
121 comment or otherwise participate in the meeting, by means of electronic equipment or
122 in person, as applicable and permitted by law. Any such notice and agenda shall be
123 posted in accordance with the provisions of Connecticut General Statutes § 1-225.
124

125 D. If the Board holds a meeting, other than an executive session or special meeting, solely
126 by means of electronic equipment:
127

128 1. The Board shall provide any member of the public
129

130 a. upon a written request submitted not less than twenty-four (24) hours prior to
131 such meeting, with a physical location and any electronic equipment necessary
132 to attend such meeting in real-time, and
133

134 b. the same opportunities to provide comment or testimony and otherwise
135 participate in such meeting that such member of the public would be accorded
136 if such meeting were held in person, except that the Board is not required (i) to
137 adjourn or postpone a meeting if a member of the public loses the ability to
138 participate because of an interruption, failure or degradation of such person's
139 connection to the meeting by electronic equipment, or (ii) to offer members of
140 the public who attend a meeting by means of electronic equipment the

141 opportunity for public comment, testimony, or other participation if the
142 provision of such opportunity is not required by law for members of the public
143 who attend such meeting in person.
144

- 145 2. The Board shall not be required to adjourn or postpone the meeting if a member of
146 the public loses the ability to participate because of an interruption, failure, or
147 degradation of such person's connection to the meeting by means of electronic
148 equipment.
149

- 150 3. The Board shall ensure that such meeting is recorded or transcribed, excluding any
151 portion of the meeting that is conducted in executive session. Such transcription or
152 recording shall be posted on the Board's Internet web site and made available to
153 the public to view, listen to, and copy in the Board's Administrative Offices not
154 later than seven (7) days after the meeting and for not less than forty-five (45) days
155 thereafter.
156

- 157 4. If a quorum of Board members attend a meeting by means of electronic equipment
158 from the same physical location, the Board shall permit members of the public to
159 attend such meeting in such physical location.
160

- 161 E. If the Board holds a special meeting and any portion of such meeting is to be
162 conducted by means of electronic equipment, it must include in the notice of such
163 meeting if the meeting will be conducted solely or in part by means of electronic
164 equipment.
165

- 166 1. Not less than twenty-four (24) hours prior to such meeting, the Board shall post
167 such notice and an agenda of the meeting in accordance with applicable law.
168

- 169 2. If such meeting is to be conducted by means of electronic equipment, such notice
170 and agenda shall include instructions for the public, by means of electronic
171 equipment or in person, to attend and provide comment or otherwise participate in
172 the meeting, as applicable and permitted by law.
173

- 174 F. Any member of the public who participates orally in a meeting conducted by means of
175 electronic equipment shall make a good faith effort to state such member's name and
176 title, if applicable, at the outset of each occasion that such member participates orally
177 during an uninterrupted dialogue or series of questions and answers.
178

- 179 G. Whenever a meeting being conducted by means of electronic equipment is interrupted
180 by the failure, disconnection or, in the Chairperson's determination, unacceptable
181 degradation of the electronic means of conducting a meeting, or if a Board member
182 necessary to form a quorum loses the ability to participate because of the interruption,
183 failure or degradation of such member's connection by electronic equipment, the
184 Board may, not less than thirty (30) minutes and not more than two (2) hours from the
185 time of the interruption or the Chairperson's determination, resume the meeting (1) in
186 person, if a quorum is present in person, or (2) if a quorum is restored by means of
187 electronic equipment, solely or in part by such electronic equipment.

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- 189 1. In each case of resumption of such meeting, electronic access shall be restored to
- 190 the public if such capability has been restored.
- 191
- 192 2. The Board shall, if practicable, post a notification on its Internet web site and
- 193 inform attendees by electronic transmission of the expected time of resumption or
- 194 of the adjournment or postponement of the meeting, as applicable, and may
- 195 announce at the beginning of any meeting what preplanned procedures are in place
- 196 for resumption of a meeting in the event of an interruption.
- 197

198 H. In the event that a Board meeting is interrupted by any person or group of persons so as to

199 render the orderly conduct of such meeting unfeasible, and if such person or group of

200 persons is attending such meeting by means of electronic equipment, the Chairperson may

201 terminate such person's or group of persons' attendance by electronic equipment until

202 such time as such person or group of persons conforms to order or, if need be, until such

203 meeting is closed.

204

205 ***[Note: The following section is optional:]***

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207 **6. Public Address**

208

209 ***A. The Board may permit any individual or group to address the Board***

210 ***concerning any subject that lies within its jurisdiction during a portion of the***

211 ***Board's regular [or special] meetings so designated for such purpose.***

212

213 ***(1) _____ minutes may be allotted to each speaker and a maximum of***

214 ***_____ minutes to each subject matter. The Board may modify these***

215 ***limitations at the beginning of a meeting if the number of persons***

216 ***wishing to speak makes it advisable to do so.***

217

218 ***(2) A Board member shall be appointed by the Chairperson prior to the***

219 ***meeting to act as timekeeper for the meeting, if deemed necessary by***

220 ***the Chairperson.***

221

222 ***(3) No boisterous conduct shall be permitted at any Board meeting.***

223 ***Persistence in boisterous conduct shall be grounds for summary***

224 ***termination, by the Chairperson, of that person's privilege of address.***

225

226 ***(4) All speakers must identify themselves by name and address.]***

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228

229 Legal References:

230

231 Connecticut General Statutes

232

233 Public Act 22-3, "An Act Concerning Remote Meetings Under the Freedom of

234 Information Act."

235		
236	1-200	Definitions
237	1-206	Denial of access to public records or meetings. Appeals. Notice. Orders.
238		Civil penalty. Petition for relief from vexatious requester. Service of
239		process upon commission. Frivolous appeals. Appeal re state hazardous
240		waste program records
241	1-225	Meetings of government agencies to be public. Recording of votes.
242		Schedule and agenda of certain meetings to be filed and posted on web
243		sites. Notice of special meetings. Executive sessions
244	1-232	Conduct of meetings
245		
246	19a-342	Smoking prohibited. Exceptions. Signs required. Penalties
247		
248	Freedom of Information Commission Advisory Opinion #41 (April 9, 1980)	
249		
250		