

**LIVONIA PUBLIC SCHOOLS  
BOARD OF EDUCATION MEETING  
October 12, 2020**

**ITEM:**                           **Reaffirm Resolutions Adopted Remotely**

**RECOMMENDATION:**

Move that the Board of Education of the Livonia Public Schools School District adopt the attached resolution to ratify and affirm all decisions made by this Board at regular or special board meetings held remotely between April 27, 2020 and the date of this meeting.

**RATIONALE:**

On October 2, 2020, Michigan Supreme Court issued an opinion concerning the Governor's authority to issue certain Executive Orders. Express authority to hold entirely remote board meetings came from the Governor's Executive Orders suspending, to whatever extent necessary, the "physical place" and "physical attendance" requirements of the Open Meetings Act (OMA). Without an express suspension of those requirements, a school board that holds an entirely remote board meeting may be challenged under the OMA requirement to meet "in a place available to the general public."

Although legislation has been introduced in both the Michigan House of Representatives and Michigan Senate to allow for entirely remote board meetings during state or local health emergencies, the legislation has not been voted on by either legislative body. While the Supreme Court's ruling should be construed as having only prospective effect, a school board may, in an abundance of caution, consider adopting a motion to ratify all action taken at board meetings held remotely in which a quorum was not convened in a physical location open to the public.

**BUDGETARY INFORMATION:**

None

**RESOURCE PERSONNEL:**

Alison Smith, Director of Finance

**EXHIBITS:**

Attached