



<b>DIVISION</b>	<b>ADOPTION DATE</b>
I Board of Trustees	04/2007
<b>POLICY NAME</b>	<b>REVISIONS</b>
01.45.05 Electronic Attendance at Meetings Rules	Revised: 12/2015, 12/2019, 08/2021

01.45.05      **ELECTRONIC ATTENDANCE AT MEETINGS RULES**

Any member of the Board of Trustees (Board) may attend any open or closed meeting of the Board via electronic means (i.e., by video or audio conference) provided that such attendance is in compliance with these rules and any applicable laws including Illinois Open Meetings Act [5 ILCS 120/7].

**Prerequisites**

Provided that a quorum of the Board is physically present at a meeting, a member of the Board may attend the meeting electronically if the member meets the following conditions:

- The Trustee has notified the Secretary to the Board at least 24 hours before the meeting, unless impractical, so that necessary communications equipment can be arranged. Inability to make the necessary technical arrangements will result in denial of a request for remote attendance.
- In accordance with the Illinois Open Meeting Act [5 ILCS 120/7], the Trustee may be allowed to attend the meeting electronically only if the Trustee is unable to physically attend the meeting due to one of the following reasons:
  - personal illness or disability; or
  - employment purposes or the business of the College; or
  - a family or other emergency.

**Authorization to Participate**

The Secretary to the Board, after receiving the electronic attendance request, will inform the Board of the request for electronic attendance.

- After establishing that there is a quorum physically present at a meeting where a Trustee of the Board desires to attend electronically, the Chairperson of the Board will state that:
  - a notice was received by a Trustee of the Board in accordance with this procedure, and

- the Trustee will be deemed authorized to attend the meeting electronically unless a motion objecting to the Trustee's electronic attendance is made, seconded, and approved by a majority of the Trustees of the Board physically present at the meeting.
- If no such motion is made and seconded or if any such motion fails to achieve the required vote by the Trustees of the Board physically present at the meeting, then the request by the Trustee to attend the meeting electronically will be deemed approved by the Board and the Chairperson of the Board may declare the requesting member present. After such declaration by the Chairperson of the Board, the question of a Trustee's electronic attendance may not be reconsidered.

### **Adequate Equipment Required**

The Trustee participating electronically and other Trustees must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before allowing electronic attendance at any meeting, the Board may provide equipment adequate to accomplish this objective at the meeting site.

### **Minutes**

Any Trustee attending electronically may be considered an off-site attendee and counted as present electronically for that meeting if the Trustee is allowed to attend. The meeting minutes will also reflect and state specifically whether each Trustee is physically present or present by electronic means.

### **Rights of Remote Trustee**

A Trustee permitted to attend electronically will be able to express his or her comments during the meeting and participate in the same capacity as those Trustees physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. The Trustee attending electronically may be heard, considered, and counted as to any vote taken. Accordingly, the name of any Trustee attending electronically may be called during any vote taken, and his or her vote counted and recorded by the Secretary to the Board and placed in the minutes for the corresponding meeting. A Trustee attending electronically may leave a meeting and return as in the case of any Trustee, provided the Trustee attending electronically will announce his or leaving and returning.

### **Disaster Proclamations**

Subject to other requirements of the Open Meetings Act, an open or closed meeting subject to this Act may be conducted by audio or video conference, without the physical presence of a quorum of the members, so long as the following conditions are met:

1. The Governor or the Director of the Illinois Department of Public Health has issued a disaster declaration related to public health concerns because of a disaster as defined in Section 4 of the Illinois Emergency Management Agency Act, and all or part of the jurisdiction of the public body is covered by the disaster area;
2. The head of the public body determines that an in-person meeting or a meeting conducted under this Act is not practical or prudent because of a disaster;

3. All members of the body participating in the meeting, wherever their physical location, shall be verified and can hear one another and can hear all discussion and testimony;
4. For open meetings, members of the public present at the regular meeting location of the body can hear all discussion and testimony and all votes of the members of the body, unless attendance at the regular meeting location is not feasible due to the disaster, including the issued disaster declaration, in which case the public body must make alternative arrangements and provide notice as applicable or required under the Act of such alternative arrangements in a manner to allow any interested member of the public access to contemporaneously hear all discussion, testimony, and roll call votes, such as by offering a telephone number or a web-based link;
5. At least one member of the body, chief legal counsel, or chief administrative officer is physically present at the regular meeting location, unless unfeasible due to the disaster, including the issued disaster declaration; and
6. All votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.
7. Except in the event of a bona fide emergency, 48 hours' notice shall be given of a meeting to be held pursuant to this Section. Notice shall be given to all members of the public body, shall be posted on the website of the public body, and shall also be provided to any news media who has requested notice of meetings pursuant to the Act. If the public body declares a bona fide emergency:
  - a. Notice shall be given as required under the Act, and the presiding officer shall state the nature of the emergency at the beginning of the meeting.
  - b. The public body must comply with the verbatim recording requirements set forth in the Act.
8. Each member of the body participating in a meeting by audio or video conference for a meeting is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.
9. In addition to the requirements for open meetings, public bodies holding open meetings under this provision of the Act must also keep a verbatim record of all their meetings in the form of an audio or video recording. Such verbatim records made shall be made available to the public under, and are otherwise subject to, the provisions of the Act.
10. The public body shall bear all costs associated with compliance.