

R 1-9-13 Meeting by Telephone Conference or Other Electronic Means

West Virginia Code §6-9A-2 of the Open Governmental Proceedings Act grants governing bodies such as a county board of education the authority to conduct meetings via telephone conference and other suitable electronic means. The Preston County Board of Education's main interest in availing itself of this option for conducting business meetings is to provide a means for individual Board Members or the Superintendent to participate in regular or special meetings of the Board when unusual circumstances prevent their presence at said meetings. Special circumstances may include, but are not limited to, unexpected personal or family illness, acts of God that prevent attendance at a meeting, delays in transportation plans and other personal and professional obligations deemed acceptable by the majority of board members.

Meetings of the Board which include participation by one or more members via telephone conferencing or other electronic means shall be conducted in accordance with all aspects of the Open Governmental Proceedings Act. The meeting room shall be equipped in a manner that permits the public in attendance to hear and/or see the absent member's interaction with the Board Members present.

While it is unlikely that the Preston County Board will find it necessary to hold a meeting with all five members participating by electronic means, nothing in these procedures precludes such an occurrence. In the event of such a meeting, all provisions of the Open Governmental Proceedings Act shall be followed.

Such meeting shall not be utilized when the Board is dealing with disciplinary matters involving an employee or student.

(WVC §6-9A-2; West Virginia Ethics Commission Advisory Opinion #99-08)