

Washington Township Health Care District Board of Directors Policy

Title: USE OF TELECONFERENCING DURING BOARD MEETINGS	
Category: Governance and General Administration	Policy Number: A-017
Original Adoption Date: 02/08/2023	
Last Reviewed/Revised Date: 02/08/2023	
Last Approval Date: 02/08/2023	

PURPOSE

This Policy describes the procedure for the use of teleconference technology to hold or participate in public meetings of the Board that are subject to the provisions of the Brown Act, Government Code § 54950 *et seq.*

POLICY:

- A. The Board recognizes the importance of public access to the meetings of the Board, but also the need to protect the health and safety of Board members, staff, and members of the public. The Board believes that both goals can be achieved through the judicious use of teleconferencing technology in a manner permitted under the Brown Act.
- B. To guarantee public access to Board meetings, all Board meetings will be open to the public (except for portions permitted to be held in closed session under the Brown Act) via a two-way audiovisual platform or two-way telephone service and live webcasting of the meeting. Members of the public shall be allowed to comment during the Public Comment period as well as at the appropriate time on each item on the agenda.
- C. During a proclaimed state of emergency during which state or local officials have imposed or recommended measures to promote social distancing, the Board believes the use of teleconferencing technology will provide the best balance between providing access to the public and protecting the health and safety of Board members, staff, and members of the public. Therefore, such meetings will be held in accordance with subsection (e) of section 54953 of the Government Code.
- D. In all other situations, except as noted in Section F below, the meetings of the Board of Directors shall be held in-person, provided, however, that members of the Board of Directors may attend via teleconference under the circumstances described in

February 8, 2023

Page 2

subsection (f) of section 54953 of the Government Code. The following shall apply to such teleconferencing:

1. The Director shall notify the District Clerk in writing that the Director wishes to attend a Board meeting by teleconference. The request shall include the following information and a separate written request must be made for each meeting (i.e., one notice cannot make a request to attend remotely for two or more meetings):
 - (a) The date of the meeting; and
 - (b) The Director's statement of "just cause," which is an approximately 20-word or less statement identifying one of the following reasons for attending a meeting remotely: (i) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely; (ii) a contagious illness that prevents a member from attending in person; (iii) a need related to a physical or mental disability (as defined by statute); and (iv) travel while on official business of the legislative body or another state or local agency; *or*
 - (c) The Director's description of the "emergency circumstances" justifying remote participation, which is defined as a physical or family medical emergency that prevents a member from attending in person.
2. The District Clerk shall be responsible for logging the request on a log form maintained by the District Clerk. The log shall include the date of the meeting and whether the reason is due to just cause or emergency circumstances.
 - (a) The District Clerk will then verify that the Director has not exceeded the number of meetings that the Director is allowed to attend remotely under this provision, which is two meetings per calendar year for a just cause situation, or no more than 20% of all regular meetings in a calendar year and for no more than three consecutive months for an emergency circumstances situation.
 - (b) The District Clerk shall, to the extent practicable, confirm that at least three other Directors will be attending the meeting in person. The District Clerk may assume that, unless informed otherwise, that all Directors will be attending the meeting and that, unless notified by a Director that the Director intends to attend remotely, the Director will attend in person.
 - (c) The District Clerk shall inform the requesting Director if the Director is not able to attend remotely due to exceeding the limits described in (a) above and that a quorum at the meeting is expected.

February 8, 2023

Page 3

3. Provided that the Director is able to attend remotely, the District Clerk shall, if possible (i.e., the Director provided notice prior to the time the Agenda was posted), add a note to the Agenda for the meeting noting that the Director has requested to attend the meeting remotely. The Director shall endeavor to provide notice to the District Clerk in time for the District Clerk to provide notice on the Agenda.
4. At the Board meeting in which a Director intends to appear remotely under this section of this Policy, the following shall occur:
 - (a) The District Clerk shall announce the Director's remote appearance.
 - (b) The Director shall disclose whether any individual 18 years of age or older is present in the room with the Director, and if so, the nature of the Director's relationship to such individual. The Director shall promptly disclose to the other Directors in the event this fact changes (i.e., an individual is now present who was not present, the individual who was present has left, etc.).
 - (c) The Director shall provide a general description of the just cause or emergency circumstances relating to his or her need to appear remotely. The general description need not exceed 20 words in most cases¹. The District Clerk shall note the general description in the minutes.
 - (d) The Director shall participate remotely at the meeting through both audio and visual technology.
 - (e) If the Director's request was based on emergency circumstances, then the Board shall, at the commencement of the meeting, approve or disapprove the Director's remote appearance. If disapproved, the Director shall be disallowed from participating in the meeting in any way and shall not be counted for purposes of determining whether a quorum is present. However, the Director may observe the Meeting as a member of the public.
5. In the event the Director is not able to make the request to appear remotely in advance of the meeting, the Director may make the request at the start of the meeting. At that time, the District Clerk shall determine whether or not the Director is eligible to appear remotely before the meeting proceeds.

¹ A general description of an item shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code).

February 8, 2023

Page 4

- E. At the start of each calendar year, the District Clerk shall tally the number of regular Board meetings for the calendar year to facilitate determination of the numerical limits described in this Policy.
- F. A Director's remote appearance under Government Code § 54953(e) (pertaining to remote meetings under a declared state of emergency) shall not be counted towards the limits on remote appearances under Government Code § 54953(f).
- G. In addition to the situations described above, Board members may also participate by teleconference any Board meeting by making the remote location open to the public and otherwise complying with the requirements of the Brown Act.
- H. For purposes of this Policy, the term "District Clerk" shall mean the District Clerk or the individual designated by the Chief Executive Officer to perform the function of the District Clerk on a temporary basis.

Approved:

DocuSigned by:
Bernard Stewart
FE8D086E54844E2...
Bernard Stewart, DDS
President

DocuSigned by:
Jeannie Yee
02007A853B4B4BA...
Jeannie Yee
Secretary