

**PROCEDURES FOR BOARD MEMBER PARTICIPATION VIA
VIDEOCONFERENCING PURSUANT TO PUBLIC OFFICERS LAW § 103-a**

In compliance with Public Officers Law (“POL”) § 103-a(2)(a), the Board of Education of the Valley Stream Central High School District (“District”), following a public hearing, authorized a resolution on February 14, 2023 for the use of videoconferencing as described in POL § 103-a.

The following procedures are hereby established to satisfy the requirements of POL § 103-a(2)(b):

1. Board of Education members may participate in Board meetings via videoconference from a remote location without providing public access to such location provided such Board member(s) is unable to attend the Board meeting location(s) open to the public due to *extraordinary circumstances*. Remote participation by a Board member due to extraordinary circumstances is only permitted when a quorum of the Board will be present at the meeting location(s) open to the public. If it is not possible for a quorum of the Board to be physically present at the in-person meeting location(s), the meeting will be rescheduled as soon as possible. A member who is participating from a remote location that is not open to in-person physical attendance by the public shall not count toward a quorum of the Board of Education but may participate and vote if there is a quorum of the Board of Education at a physical location(s) open to the public.
2. Board members participating via videoconference must disclose the total number of people in attendance at that location. To promote the highest degree of confidentiality during executive session, such Board members must sign an affidavit that the only people, if any, present in the room during the executive session were authorized to be there.
3. For purposes of these procedures, the term “extraordinary circumstances” shall include the following circumstances: (1) Board member’s disability; (2) Board member’s illness; (3) Board member’s caregiving responsibilities; or (4) any other significant or unexpected factor or event which preclude the Board member’s physical attendance at such meeting.
4. Board members may request permission to participate in a Board meeting via videoconference from a private location due to extraordinary circumstances by sending a written request to the Board President, Superintendent of Schools and District Clerk with a copy to the Board of Education at least four (4) business days prior to the scheduled Board meeting date. If extraordinary circumstances occur within four (4) days of a scheduled meeting which prevents the Board member from submitting a timely request, the Board member shall send a written request as soon as practicable under the circumstances. The request shall include the reason(s) why the Board member cannot participate in a meeting location open to the public. The Board President shall make a determination as to whether the stated reason constitutes extraordinary circumstances as required by the Open Meetings Law. The Board President’s determination of whether the Board member’s stated reason qualifies as an extraordinary circumstance permitting videoconferencing participation from an inaccessible location shall be final and binding on the Board of Education. The Board President shall provide written notice to the Board member, the Board of Education,

Superintendent of Schools and District Clerk of his or her determination as to whether the Board member's request is granted or denied. The District Clerk shall ensure that proper notice to the public is given.

5. Except in cases of executive sessions conducted pursuant to POL § 105, the Board of Education shall ensure that all Board members can be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon.
6. If members of the Board of Education are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the Board of Education shall provide the opportunity for members of the public to view such meeting by video, and to participate in proceedings by videoconference in real time where public comment or participation is authorized, and shall ensure that videoconferencing authorizes the same public participation or testimony as in person participation or testimony.
7. The in-person participation requirement of POL § 103-a(2)(c) shall not apply during a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to section twenty-four of the executive law, if the Board of Education determines that the circumstances necessitating the emergency declaration would affect or impair its ability to hold an in-person meeting.
8. The District Clerk shall ensure compliance with the provisions of the Open Meetings Law with respect to meetings conducted via videoconference, including but not limited to public notice of the meeting.
9. These procedures shall be posted on the District website.