



Book	Policy Manual
Section	Vol. 34 No. 1 for Board Approval
Title	Revised Bylaw - Speical Update - Emergency and Electronic Meetings - June 2021 - MEETING OF THE BOARD DEFINED
Code	po0164.4
Status	
Adopted	March 13, 2014

#### 0164.4 - MEETING OF THE BOARD DEFINED

As used in these by-laws, 'meeting' means a gathering of a majority of Board of Managers members for the purpose of taking 'official action' as defined at I.C. 5-14-1.5-2(d) on public business. The term 'meeting' does not include the following:

- A. A social or chance gathering not intended to avoid the principles of the Indiana Open Door law set forth in I.C. 5-14-1.5-1 et seq.
- B. An on-site inspection of a project, program, or facility of applicants for incentives or assistance from the Board.
- C. Traveling to and attending meetings of organizations devoted to betterment of government.
- D. A caucus as defined at I.C. 5-14-1.5-2(h).
- E. A gathering to discuss an industrial or a commercial prospect that does not include a conclusion as to recommendations, policy, decisions, or final action on the terms of a request or an offer of public financial resources.
- F. An orientation of members of the Board on their role and responsibilities as public officials, but not for any other official action.
- G. A gathering of Board members for the sole purpose of administering the oath of office to a Board member or members.
- H. Collective bargaining discussions that the Board engages in directly with the exclusive representative of a bargaining unit consisting of Cooperative employees. This exception from the definition of a 'meeting' of the Board applies only when the Board has not appointed an agent or agents to conduct collective bargaining on behalf of the Board. A committee appointed by the Board or the Board President to conduct collective bargaining shall not constitute a 'governing body' subject to the Open Door Law (I.C. 5-14-1.5- 2((b)(3) and (c)(8)).

The Board's meetings normally shall be held at a location within the ~~School~~ Cooperative boundaries that may accommodate public attendance. In such meetings, some members may participate through electronic communication in accordance with Bylaw 0164.5 However, the Board authorizes the [select one of the following] (↔)

**Director (-) Board President (x)** Director and Board President acting in concert **[end of option]** to determine that it is necessary or appropriate to hold a regular, special or emergency Board meeting by means of remote or virtual participation by all Board members and remote or virtual public access, considering whether and how public comment will be allowed and in compliance with the Open Door Law to the extent required by the Governor ~~and/or~~ the Public Access Counselor or pursuant to Bylaw 0164.6, only in the event that circumstances justify such a meeting. Notice of such meetings shall be made as required by the Open Door Law or as modified by the Governor or the Public Access Counselor and include information regarding public access to the remote or virtual Board meeting. Any meeting held under this provision may include voting by Board members (see Policy 0167.1 - Voting), and such votes shall not be invalid merely because of the remote or virtual nature of the meeting if a legal exception exists to requirements under the Open Door law regarding remote voting, for example, by Executive Order of the Governor or guidance provided by the Public Access Counselor or pursuant to Bylaw 0164.6.

The Board President shall conduct the meeting so as to facilitate public understanding, including requiring Board members to identify themselves before speaking and limiting instances of multiple Board members speaking at the same time, to the extent possible.

In the event of an Executive Order issued by the Governor or guidance provided by the Public Access Counselor, notice of a Board meeting may be provided using alternative means than is required by the Open Door Law. For example, permitting notice to be made through electronic means, e.g., on the Cooperative website or social media site, rather than by posting and publication as required by Policy 0165 - Notice of Board Meeting.

© Neola ~~2020~~ 2021

Legal

I.C. 5-14-1.5 Open Door Law notice to the public and news media of regular, emergency and special meetings