

Office of General Counsel Legal Briefings, April 2020 – from Monday, April 27, 2020 K-State Today

This K-State Today article is a reminder of open meeting requirements when public boards meet in a virtual environment.

The Kansas Attorney General adopted a temporary regulation about open meetings conducted virtually during emergency COVID-19 limited operations. The Kansas Open Meetings Act has always allowed for meetings to be conducted using interactive media, such as conference calls or videoconferences. But because most meetings now can only occur virtually during this emergency period, the Kansas Attorney General issued the regulation to ensure meetings remain accessible to the public. University committees (Extension Local Unit Boards) that must conduct their meetings open to the public should take note of the requirements, including:

- The interactive platform used for the meeting must allow members of the public to observe the meeting at no cost. Members of the public must only be permitted to observe the meeting; they are not entitled to participate.
- Provide directions describing how members of the public will be able to electronically access, listen to, or observe the meeting.
- Each member of the committee and any presenter must state their name and title, if any, each time they begin speaking or voting so that the individual can be readily identified by remote listeners or observers.
- All participants must ensure that microphones, phones, or other electronic devices are muted when the participants are not speaking remote listeners' or observers' abilities to hear the proceedings are not unnecessarily impeded;
- Before any meeting, provide to any requesting individual any electronic or paper copies of an agenda; and
- Clearly state motions and the results of any final vote on the record.

The full regulation may be viewed on the Attorney General's website.

<https://ag.ks.gov/media-center/news-releases/2020/03/20/ag-derek-schmidt-new-guidance-now-available-to-keep-meetings-open-to-the-public-during-covid-19-social-distancing-limitations>

For more information, please see the OGC COVID-19 Legal Related FAQs, number 7.

<https://www.k-state.edu/generalcounsel/covid19.html>