

Ohio Library Council
Sample Virtual Meetings Policy¹

XXXX Public Library Virtual Meetings Policy
Approved _____, 20__

Definitions

- A. “All-Virtual Meeting” means a Meeting that is to be conducted through the use of video conferencing or similar electronic technology and during which all participating Trustees will attend remotely through use of such technology rather than being assembled in one physical location.
- B. “Emergency” means an unforeseen event or circumstance that would prevent a Trustee from physically attending a scheduled in-person Meeting without undue effort, expense, or risk to the Trustee or others (e.g., unexpected travel for work, adverse weather conditions, illness, etc.).²
- C. “Emergency Requiring Immediate Official Action” means an issue or circumstance that requires immediate consideration and/or action by the Library Board of Trustees in regard to an imminent threat to the safety or security of the Library, its staff and/or patrons or to avoid the potential loss of a business opportunity, missing a statutory or other deadline, incurring liability, violating the law, or other material adverse consequences to the Library’s operations or finances.³
- D. “Major Non-Routine Expenditure” means _____.⁴
- E. “Significant Hiring Decision” means _____.⁵
- F. “Virtual Meeting” means an All-Virtual Meeting, or any Meeting that is attended by one or more Trustees remotely through use of electronic technology.

Policy

¹ This sample policy is intended to reflect the requirements of new ORC §121.221, which will become effective on April 9, 2025.

² The statute requires the policy to define “Emergency” for purposes of the 48 hour prior notice requirement under Section 7 below. This is a sample definition only. The Library may modify or replace this definition in its discretion.

³ The statute requires the policy to define “Emergency Requiring Immediate Official Action” for purposes of the 72 hour prior notice requirement in Section 3.a below. This is a sample definition only. The Library may modify or replace this definition in its discretion.

⁴ The statute requires the policy to define “Major Non-Routine Expenditure” for purposes of the list of issues that may not be considered in a Virtual Meeting, as set out in Section 8 below. The Library will need to draft and incorporate its own definition of this term in order to reflect the types and dollar amounts of expenditures that would be considered both non-routine and significant relative to the Library’s overall budget and operations such that they should be addressed only in an in-person meeting. Such expenditures could be identified by transaction type (e.g., new construction, facilities improvement/expansion) and/or by their dollar value expressed as a percentage of the Library’s annual budget and/or as a fixed dollar amount (e.g., expenditures in excess of \$50,000).

⁵ The statute requires the policy to define “Significant Hiring Decision” for purposes of the list of issues that may not be considered in a Virtual Meeting, as set out in Section 8 below. The Library will need to draft and incorporate its own definition of this term in order to reflect those hiring decisions that would be considered significant for the Library’s operations. Such hiring decisions could be identified by listing out each of the relevant roles (e.g., library director, department heads, branch managers) that would be deemed significant such that they should be considered only in an in-person meeting.

1. This policy applies to all meetings of the Board of Trustees of the Library and all meetings of committees and subcommittees of the Board of Trustees. All such meetings are referred to herein as “Meetings”.
2. Subject to the exceptions set out below in Section 8, Meetings may be conducted, and Trustees may attend Meetings, through use of video conferencing or similar electronic technology that enables the Trustee(s) to be both seen and heard by members of the public attending the Meeting in-person and/or electronically, as applicable. Use of telephone or other audio-only conferencing technology is not permitted under this policy.
3. In regard to an All-Virtual Meeting, the Library must:
 - a. except in the event of an Emergency Requiring Immediate Official Action, notify the public, and media outlets that have requested to receive meeting notices, of the All-Virtual Meeting at least 72 hours in advance. Such notification must identify the time and agenda of the Meeting, together with the particular electronic technology that will be used to conduct the Meeting and the means by which the public may access it (e.g., a video conferencing link). In the event an All-Virtual Meeting is being convened to address an Emergency Requiring Immediate Official Action, such 72 hours’ advance notice is not required and the Library must, instead, immediately provide notice of the Meeting to those media outlets that have requested to receive meeting notices – identifying the time and purpose of the Meeting, together with the particular electronic technology that will be used to conduct the Meeting and the means by which the public may access it (e.g., a video conferencing link);
 - b. enable the public to access the All-Virtual Meeting through use of the electronic technology being used to conduct it; and
 - c. provide a means, through use of electronic technology that is widely available to the public, to permit public comment by members of the public attending the Meeting remotely, if the Meeting agenda includes a public comment item.
4. The Library must ensure that the public is able to see and hear the discussions and deliberations of all Trustees participating in a Virtual Meeting, whether a Trustee is participating in-person or remotely.
5. Each Trustee attending a Meeting remotely through use of electronic technology must: (i) have the necessary hardware, software, and Internet connection to enable them to be seen and heard clearly during the Meeting; and (ii) be visible to the public at all times during the Meeting.
6. In regard to any Virtual Meeting for which the public is provided a video conference link or other electronic means of access, the Library must designate an email address or other method of contact the public may use during the Meeting to notify the Board that the conference link or other electronic means of access does not work or that the conferencing technology has failed.

7. The minutes of any Virtual Meeting must record: (i) that the Meeting was conducted in an all-virtual manner or that one or more identified Trustees attended the Meeting remotely through use of electronic technology, as applicable; and (ii) the particular video conferencing or other technology used to conduct or attend the Meeting.
8. All votes taken during a Virtual Meeting must be in the form of a roll-call vote, unless there is a motion for unanimous consent that is not objected to by a Trustee. If a vote is taken by unanimous consent, the Board must indicate to the public how each Trustee voted – including any Trustee who abstained from voting.
9. Any Trustee who intends to attend any scheduled in-person Meeting remotely through use of electronic technology must notify the President of the Library Board of Trustees of same at least 48 hours prior to the Meeting, except in the case of an Emergency - in which event the Trustee is to give such prior notice as is reasonably possible.
10. Meetings may not be conducted, and Trustees may not attend Meetings, through use of video conferencing or similar electronic technology if the Meeting involves:⁶
 - a. a vote to approve a Major Non-Routine Expenditure;
 - b. a vote to approve a Significant Hiring Decision;
 - c. a vote to approve the purchase of real property⁷; or
 - d. proposing, approving, or voting on a tax issue or tax increase.
11. If, not less than 48 hours prior to the Meeting, two or more Trustees notify the President of the Library Board of Trustees that an item on the agenda must be acted on only at a Meeting conducted fully in-person – then the Library Board of Trustees will take action on such item only at a Meeting conducted fully in-person and not at a Virtual Meeting.
12. Meetings may be conducted, and Trustees may attend Meetings, through use of video conferencing or similar electronic technology only after the adoption of this policy by the Library Board of Trustees, and only so long as this policy (or a successor policy) remains in effect.

⁶ The Library may supplement the below list of issues that may not be considered in a Virtual Meeting to include other categories of Board action that it would consider so significant or important to the Library's operations that they should be addressed only in an in-person meeting.

⁷ The purchase of real property is not included on the list of issues that are prohibited from being considered in a Virtual Meeting under ORC §121.221(B)(3)(e). However, it is recommended to be included in the list of prohibited issues here in light of the fact that the purchase of real property by a library board of trustees requires a two-thirds vote of the full board membership for approval under ORC 3375.35 and, thus, should be understood to be a significant decision that warrants a heightened level of process and consideration.