

BARNSTABLE COUNTY REGIONAL GOVERNMENT
VIRTUAL PUBLIC MEETING POLICY
ADOPTED BY THE COUNTY COMMISSIONERS

Effective: March 2, 2022

Introduction:

The increase in use of virtual technology for public meetings, where permitted by law, presents logistical and practical challenges that can be addressed via a uniform approach. To ensure this, Barnstable County must standardize its operations regarding the hosting of virtual public meetings by creating a uniform approach and clear protocols for handling disruptions to public meetings. This will maximize meeting efficiency, provide appropriate avenues for public participation where permitted, and afford all meeting participants and attendees clear parameters for the use of virtual technology. Public hearings which implicate a right of public participation, present additional logistical considerations when conducted via remote or virtual platforms.

The County fully recognizes its obligations under the Open Meeting Law. The policy and procedures set forth below are intended to comply with those obligations and the public's right to observe County public bodies in the conduct of official government business during public meetings and public hearings.

Policy:

County employees involved in the hosting and organizing of virtual public meetings are expected to adhere to Massachusetts Open Meeting Law.

The following policy terms only apply to County-organized virtual public meetings that require technical support from the Barnstable County Information Technology ("IT") Department to host the meeting.

For such meetings:

- A. Employees and elected officials participating must do so via County-managed user accounts.
- B. Only County-approved virtual meeting platform(s), in accordance with provided guidelines, may be used.
- C. Organizers are responsible for mitigating meeting disruptions, addressing or communicating technical issues to IT staff, and communicating relevant guidelines to attendees where appropriate.
- D. Organizers must contact IT for support if they require assistance with live streaming, broadcasting, or the recording of virtual public meetings, and must inform IT if there is

a meeting disruption that requires the suspension or termination of a live stream or broadcast.

- E. IT employees are responsible for following provided guidelines related to limiting the dissemination of inappropriate content, and the removal of inappropriate content from recordings.
- F. All parties who are not required to, or do not wish to, actively participate in a meeting, are encouraged to view a live stream, or broadcast of the meeting (if there is one available).

Resources

[Attachment A: Meeting Access and Setup Requirements](#)

[Attachment B: Guidelines and Procedures for Meeting Disruption Mitigation](#)

Attachment A: Meeting Access and Setup Requirements

The following guidelines apply only to County-organized virtual public meetings that require technical support from the Barnstable County Information Technology (“IT”) Department to host the meeting.

This document is referred to by the policy: “Public Meetings Using Virtual Technology” and will be updated independently to account for changes in technology, as appropriate.

- A. County staff must use the approved online meeting platform, *Microsoft Teams*, and must use County-managed *Microsoft 365* user accounts provided by Barnstable County IT for creating and attending virtual public meetings.
- B. The following are required settings to be applied to virtual public meetings by meeting organizers on the Teams platform:
 - 1. Setting: “Announce callers” Select: “No”
Purpose: Prevents meeting disruptions from automated announcements; ensures compliance with Open Meeting Law for members of the public who wish to participate in a public meeting (where permitted) without identifying themselves.
 - 2. Setting: “Presenters” Select: “Specify” (provide names)
Purpose: Limits the individuals that enter the meeting without limitations.
 - 3. Setting: “Allow microphone” Select: “No”
Setting: “Allow camera” Select: “No”
Purpose: Allows moderation of meeting attendees to ensure that persons without the right or permission by the Chair to participate are unable to improperly disrupt meeting, without recognition.

4. Setting: “Allow meeting chat” Select: “No”

Setting: “Allow reactions” Select: “No”

Purpose: Disables alternate means of meeting interaction for all attendees.

Note: These settings will only be applied to meeting attendees that sign in from non-County managed user accounts.

- C. Additional meeting attendees may be promoted to the “Presenter” meeting role as needed by meeting organizers, or other presenters, at the discretion of the Chair.

Note: Care should be taken when doing this as the “presenter” meeting role can control many aspects of a meeting beyond just basic participation.

- D. Staff responsible for organizing/hosting the meeting must instruct attendees, other than those promoted or previously specified as presenters in item B.3, to use the “raise hand” button to request permission to speak (unmute) and share their video (enable camera), or if participating by phone, pressing *5 on their keypad.
- E. After hand-raising meeting attendees finish speaking, County staff must then disable the attendee’s microphone and camera and lower their raised hand if needed.
- F. Regularly scheduled meetings held by the Board of County Commissioners and the Assembly of Delegates will be live streamed on the County’s YouTube channel, by IT staff or other qualified designees. Special meetings may also be streamed by request to IT. Video footage is later processed and archived on this channel for future public access. All agendas for public meetings that will be live streamed should contain the necessary information so that members of the public can access the live stream or directly participate if public comment is offered.

For public hearings, the Chair of the body holding the public hearing is ultimately responsible to ensure that adequate information is included on the posted agenda, enabling members of the public to not only access but also participate in the public hearing (where required or permitted by law). This is in addition to any live stream of the hearing. The steps identified above in paragraphs A-E apply to public hearings, for purposes of public participation.

Attachment B: Guidelines and Procedures for Meeting Disruption Mitigation

The following mitigation procedure apply only to County-organized virtual public meetings that require technical support to host the meeting from the Barnstable County Information Technology ("IT") Department and are to be followed by County staff when responding to meeting disruptions.

Under the Open Meeting Law, "[n]o person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting." G.L. c. 30A, §20(g).

All remarks by members of the public will be addressed through the Chair of the meeting. All speakers are encouraged to present their remarks in a respectful manner. The Chair of the meeting may not interrupt speakers who have been recognized to speak, except that the Chair reserves the right to terminate speech which is not constitutionally protected because it constitutes true threats, incitement to imminent lawless conduct, comments that were found by a court of law to be defamatory, and/or sexually explicit comments/content/conduct.

The Chair of the public body holding the meeting, working in conjunction with designated County staff hosting a virtual public meeting, may choose to remove or limit the participation of disruptive attendees from meetings where appropriate in order to be able to proceed with the meeting.

If behavior interrupts public discourse in the meeting without authorization, the Chair shall provide a warning to individuals prior to removal, in accordance with G.L. c. 30A, §20(g).

Optionally the Chair may call a brief recess, and disable microphone and camera access for all attendees, depending on the nature and severity of the disruption.

For Meetings Being Live-Streamed

Because virtual technology provides a mechanism for sudden interruptions without the normal safeguards inherent in an in-person meeting, persons chairing public meetings, and County staff hosting these meetings, should be particularly attentive to disruptions that are not constitutionally protected, such as sexually explicit or pornographic statements, conduct or displays. When such activities occur, the Chair and/or County staff responsible for hosting any public meeting that is being streamed or broadcast live, must immediately inform the County IT staff performing this function.

Once notified, the IT staff operating the live stream will then proceed, to the extent possible, to stop the live stream in progress immediately, disable access to footage previously streamed, and re-start a new stream for the remainder of the meeting.

If a brief recess was called, the meeting host will be informed when the live stream has resumed so that they can formally return to the regular meeting and re-enable microphone and camera access for meeting presenters.

Unless otherwise required by the Open Meeting Law, upon adjournment, IT staff will download and merge all meeting footage, edit/remove sexually explicit or unlawful content as needed and re-upload the complete meeting to be viewed in its entirety.

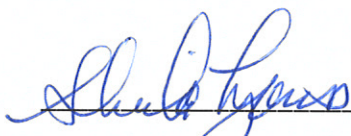
Meeting Minutes


Meeting minutes should document any disruptions in public meetings where attendees are removed and/or where meetings are recessed or suspended to address the disruption.

Incident Reports

The meeting host will create an Incident Report and timeline with assistance from IT staff. Depending on the severity of the event, additional information may be obtained from the service provider and relayed to law enforcement. Note that these incident reports are covered under the Public Records Law.

Approved by the Board of Regional Commissioners on March 2, 2022.



Sheila Lyons, Chair

Ronald Bergstrom, Vice-Chair

Mark Forest, Commissioner