# Guidance for Academic Senates During Campus Closures

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During campus closures, it is likely that the business of the Academic Senate may need to continue; senates have asked about the feasibility and permissibility of using Zoom or other teleconferencing technology to conduct this business. The following information comes from the League of California Cities (<https://www.cacities.org/>) and is provided for all bodies that serve the public under the Brown Act. You can read the document in its entirety here: <https://www.cacities.org/UploadedFiles/LeagueInternet/6e/6ed3a54b-6766-4b67-bee9-e024ea3a3d2b.pdf>

**Provisions under Brown Act that cover teleconferencing:**

### (Gov’t Code § 54953(b).) “Teleconference” is defined as “a meeting of individuals in different locations, connected by electronic means, through either audio or video, or both.” In addition to the specific requirements relating to teleconferencing, the meeting must comply with all provisions of the law otherwise applicable. (Id.) Section 54953(b) contains the following specific requirements:

### Teleconferencing may be used for all purposes during any meeting.

### At least a quorum of the city council must participate from teleconferencing locations within the city’s jurisdiction.

### Each teleconference location must be identified in the notice and agenda of the meeting.

### Agendas must be posted at each teleconference location.

### Each location must be accessible to the public.

### The agenda must provide the opportunity for the public to address the legislative body directly at each teleconference location.

### All votes must be by roll call.

**Posting agendas and ensuring access:**

### The Act requires public notice of all audio/video teleconferencing events. This prevents a council member who is running late to audio/video teleconference in lieu of actual attendance if public notice of the teleconference location was not given in the agenda. Although the law is not specific as to what “identification” is required in the notice, cities should give the teleconferencing location, the street address, any suite or office number, and could even provide maps to the location. (An online agenda could provide a link to “Yahoo! Maps” or some other navigational device.)

### Section 54953(b)(3) requires that agendas be posted at all teleconferencing locations. The Act does not provide specific guidance on this requirement, but where practical, the agendas should probably be posted both outside the main facility of a teleconference location at a main entrance (e.g., outside an office building) and outside the specific teleconference location (e.g., outside the particular room or office door). SDPUB\SCS\225266 3 Agendas should, of course, remain visible at these locations. They should not be posted behind doors that are frequently ajar or behind counters, so as to be out of average reading distance.

**About “teleconferencing locations:”**

The Act refers to teleconferencing locations from the perspective of the chair of the committee securing a physical location for the meeting. This appears critical for both the letter and spirit of the Act, as described in the passages below:

### Each audio/video teleconference location must be made accessible to the public. While this requirement may not seem to be an obstacle, it may prove troublesome when deciding the means by which to teleconference. Because public access is not always possible, this requirement precludes some locations, such as car telephones or offices not accessible to the public. All telephones used for teleconferencing must have a functioning speaker to enable public access, even if there are no members of the public present at a particular location. The meeting must be conducted so that participants by audio alone are clearly identified. Similarly, city staff must ensure that logistical problems do not occur in providing public access. For example, if a member is audio/video teleconferencing from his office, someone must be present to allow the public entry to the office building if it is normally locked after hours. If the office is in a location where the public is not welcome, then audio/video teleconferencing cannot occur at that location.

From this description, it would appear that the person conducting the meeting must A) post the access to the Zoom meeting by link on the agenda, and B) post the actual location from which she/they/he will be conducting the meeting, which must, by law, be accessible to the public. The host cannot, under Brown Act, conduct the meeting at her/their/his home without being willing to allow the public into it. Therefore, it would appear that the meeting would need to be in a public, accessible location where the host conducts the meeting and also makes the location known on the agenda.