



CLIENT ALERT
March 31, 2020

CORONAVIRUS (COVID-19)

Remote/Virtual Board Meetings

We have already issued a Client Alert relative to the ability to conduct business remotely and/or vis-à-vis a call-in process under the auspices of the Pennsylvania Milk Marketing Board decision. Since that time, there have been news reports of virtual meetings across the United States being hijacked by strangers.

One target has been the platform Zoom in which strangers are disrupting meetings by displaying graphic or pornographic content and using inappropriate language. This “Zoom-bombing” has resulted in Zoom releasing guidance for users to protect themselves from such actions.

<https://blog.zoom.us/wordpress/2020/03/20/keep-the-party-crashers-from-crashing-your-zoom-event/>

One option is to post call in instructions on your website whereby public comments, questions, etc. can be transmitted by an individual physically present at the meeting, such as the Board Secretary or Superintendent, to the Board during the public comment portion of the meeting to comply with public participation obligations of the Sunshine Act. We do not recommend that members of the public be required to submit their questions or comments in writing in advance of the meeting as an alternative, due to First Amendment and other concerns.

For those using Zoom, the most practical advice for creating virtual meetings is to limit screensharing by changing screensharing to “Host Only”, disabling “Join Before Host” so people cannot cause trouble, disabling “File Transfer” so there is no digital virus sharing, and disabling “Allow Removed Participants to Rejoin” so booted attendees cannot rejoin. Another layer of protection to consider is sending the session password separately from the session invitation.

It is important to consult with legal counsel regarding removal of attendees from virtual meetings to ensure compliance with First Amendment obligations. We recommend consulting with IT professionals to ensure that appropriate methods are being taken to secure the virtual meetings to the best extent possible.

While the Beard Legal Group Client Alert is designed to provide information on topics of concern to Pennsylvania Public Schools, it is not legal advice and School Districts should contact their Solicitor, Labor of Special Counsel for advice related to their specific circumstances.