

## TO BE RESCINDED

5123:1-8-01

**Conducting meetings of the Ohio developmental disabilities council via interactive videoconference or teleconference.****(A) Purpose**

The purpose of this rule is to authorize members of the Ohio developmental disabilities council to participate in council meetings via interactive videoconference or teleconference; to establish requirements for conducting council meetings via interactive videoconference or teleconference; and to establish a policy regarding the distribution and circulation of meeting-related documents to council members, the public, and the media.

**(B) Definitions**

- (1) "Council" means the Ohio developmental disabilities council as established by section 5123.35 of the Revised Code.
- (2) "Meeting-related documents" means the meeting agenda, previous meeting minutes, state plan language drafts or amendments, and other documents that may be the subject of a motion.
- (3) "Primary meeting location" means the physical location of the public meeting that is indicated in a notice of public meeting.

**(C) Participation in council meetings via interactive videoconference or teleconference**

- (1) Only members of council who need a reasonable accommodation due to a disability or reside more than thirty miles from the primary meeting location may participate in the meeting via interactive videoconference or teleconference.
- (2) A minimum of three members of council shall be physically present at the primary meeting location for each council meeting.
- (3) Chairpersons or vice-chairpersons of the council and standing committees, subcommittees, or work groups of council shall be physically present at meetings for which they are the presiding official.
- (4) A member of council participating in a council meeting via interactive videoconference or teleconference shall not be counted toward a quorum or be eligible to vote if technical difficulties interfere with the member's full participation in the meeting.

(D) Authentication of members participating via teleconference

- (1) The executive director of the council or his or her designee shall provide each council member who is eligible to participate in a meeting via teleconference with a pass code to authenticate the member's identity.
- (2) Once a member has utilized a pass code, the executive director of the council or his or her designee shall provide the council member with a new pass code for future use.
- (3) A member participating via teleconference who cannot provide a valid pass code prior to a meeting shall not be counted toward a quorum and shall not have voting privileges at that meeting.

(E) Distribution of meeting materials

- (1) Designated council staff shall send, via electronic mail, facsimile, or United States postal service, a copy of meeting-related documents to each member of the committee prior to the convening of a meeting of council conducted via interactive videoconference or teleconference. Meeting-related documents sent to members who elect to receive documents via electronic mail or facsimile shall be sent no less than forty-eight hours prior to the convening of the meeting. Meeting-related documents sent to members who elect to receive documents via United States postal service shall be postmarked no less than seven days prior to the convening of the meeting.
- (2) The executive director of the council or his or her designee shall maintain an up-to-date list of the names and contact information for members of the general public and members of the media who have requested to receive meeting-related documents prior to the convening of a meeting of council conducted via interactive videoconference or teleconference. Meeting-related documents sent to members of the general public or members of the media who elect to receive documents via electronic mail or facsimile shall be sent no less than forty-eight hours prior to the convening of the meeting. Meeting-related documents sent to members of the general public or members of the media who elect to receive documents via United States postal service shall be postmarked no less than seven days prior to the convening of the meeting.

Effective:

Five Year Review (FYR) Dates: 3/2/2020

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 5123.04, 5123.35  
Rule Amplifies: 5123.04, 5123.35  
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