

## TO BE RESCINDED

**5123:1-8-01                    Ohio developmental disabilities council teleconference pilot program.****(A) Purpose**

The purpose of this rule is to authorize members of the Ohio developmental disabilities council to participate in a pilot program that allows council members to be present at council meetings via teleconference or interactive video teleconference; to establish requirements for conducting council meetings via teleconference or interactive video conference, including the method the council will use to authenticate the identify of a member who is present at a meeting via teleconference or interactive video 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) "Council meetings" means meetings of council and meetings of council standing committees, subcommittees, and workgroups.
- (3) "Designated meeting location" means the physical location of the public meeting that is indicated in a notice of public meeting.
- (4) "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.
- (5) "Presiding official" means the individual recognized by the members of council as having authority to convene and adjourn the public meeting.

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

- (1) Only members of council who need a reasonable accommodation due to a disability or reside more than forty-five miles from the designated meeting location may participate in the meeting via teleconference or interactive video teleconference.

- (2) A minimum of three members of council shall be physically present at the designated meeting location for each council meeting.
  - (3) Chairpersons or vice-chairpersons of the council and standing committees, subcommittees, or workgroups 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 teleconference or interactive video 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.
  - (5) Voting at meetings of council that involve members participating via teleconference or interactive video teleconference shall be conducted by roll call, except that a voice vote may be called at the discretion of the chair in cases where a motion or vote is procedural in nature (e.g., a vote to approve meeting minutes).
  - (6) Between April 7, 2010 and April 6, 2011, the council shall hold at least one meeting at which members shall be physically present to participate and to count toward a quorum.
- (D) Authentication of members participating via teleconference or interactive video teleconference
- (1) The executive director of the council or his/her designee shall provide each council member who is eligible to be present at a meeting via teleconference or interactive video 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/her designee shall provide the council member with a new pass code for future use.
  - (3) A member who cannot provide a valid pass code prior to a meeting conducted via teleconference or interactive video teleconference 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 teleconference or interactive video 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 for which the documents apply. 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 for which the documents apply.

- (2) The executive director of the council or his/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 teleconference or interactive video 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 for which the documents apply. 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 for which the documents apply.

- (3) Minutes of council meetings shall be posted on the council's website.

(F) Report regarding pilot program

- (1) On or before October 7, 2010, the council shall submit to the speaker of the Ohio house of representatives, the minority leader of the Ohio house of representatives, the president of the Ohio senate, and the minority leader of the Ohio senate, a report that describes the effects on the operation of the council of member participation in council meetings via teleconference or interactive video teleconference.
- (2) The report shall describe any additional costs the council incurred and cost savings the council realized through member participation in council meetings via teleconference or interactive video teleconference and shall include:
  - (a) A description of the notice given of each council meeting held during the pilot program;

- (b) An account of attendance by council members, the public, and the media at each council meeting held during the pilot program;
- (c) Summaries or copies of comments by the public and the media concerning council meetings held by teleconference or interactive video teleconference;
- (d) A copy of the minutes and an itemized list of the costs of each meeting held during the period of the pilot program; and
- (e) An account of local media coverage of council meetings held via teleconference or interactive video teleconference.

(G) Termination of pilot program

The Ohio developmental disabilities council teleconference pilot program shall cease to exist on April 7, 2011.

Effective:

R.C. 119.032 review dates: 07/22/2011

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Certification

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Date

Promulgated Under: 111.15  
Statutory Authority: 5123.04, House Bill 129 of the 127th General Assembly  
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