

INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION'S ELECTRONIC COMMUNICATIONS MEETING POLICY

1. Purpose

Indiana Code § 5-14-1.5-3.6 allows members of the governing body of a state agency, such as the Indiana Fire Prevention and Building Safety Commission ("Commission"), who are not physically present at the meeting to participate in meetings of the governing body using electronic communications if all of the requirements under Indiana Code § 5-14-1.5-3.6 are met, including the requirement that the governing body adopt a policy to govern participation in the governing body's meetings by electronic communication.

This Commission Electronic Communications Meeting Policy (the "Policy") is intended to comply with these statutory requirements and will provide for the participation in and the conducting of meetings where electronic communication is utilized by members of the Commission who are not physically present at the meeting.

2. Applicability

This Policy applies to meetings of the Commission in which any member of the Commission participates electronically.

3. Policy

A. Minimum Physical Participation. As required by Indiana Code § 5-14-1.5-3.6(c)(1), at any meeting of the Commission, at least four (4) voting members of the Commission must be physically present at the place where the meeting is conducted.

B. Treatment of Members Participating by Electronic Means. A member of the Commission who participates in a meeting by a permitted electronic means of communication shall be considered present at the meeting and may vote on any matter at the meeting. A member participating via electronic means may cast the deciding vote on any matter properly before the Commission.

C. Quorum. Pursuant to Indiana Code § 22-12-2-6, since the Commission has eleven (11) members a quorum consists of six (6) members of the Commission. A member of the Commission who participates by a permitted electronic means of communication shall be counted for purposes of establishing a quorum.

D. Permitted Means of Communication. A member of the Commission not physically present at a meeting may participate in the meeting by any electronic

means of communication so long as that electronic means of communication permits:

1. the member;
2. all other members participating in the meeting; and
3. all members of the public physically present at the place where the meeting is conducted to simultaneously communicate with one another.

A member participating in a meeting via electronic means is not required to do so in a setting that is open to the public.

E. Roll Call Voting. As required by Indiana Code § 5-14-1.5-3.6(c)(2), all votes of the Commission during a meeting where any member participates by means of electronic communication shall be taken by roll call vote, in which the name of each member of the Commission present will be called individually and requested to cast their vote aloud.


F. General Requirements and Limitations. In addition to the above requirements, the following requirements are also applicable:

- i. **Annual Minimum Participation.** Whether physically or electronically, all members of the Commission must attend at least sixty-six percent (66%) of the Commission's meetings held in a calendar year.
- ii. **Annual Minimum Physical Participation.** Each member of the Commission must physically attend at least four (4) of the meetings of the Commission held in a calendar year, and each member of the Commission shall not miss a meeting physically in two (2) consecutive quarters (6 months).
- iii. **Technological Limitations.** If a meeting location is chosen for a Commission meeting that is not conducive to participation by means of electronic communications due to technological limitations, the Commission will be notified in advance of the meeting that participation by electronic communications will not be available for that meeting.
- iv. **Documents.** Any documents made available to those individuals attending a Commission meeting in person will also be made available to those attending by means of electronic communications. Such documents will be made available electronically prior to the start of the meeting.
- v. **Publication of Policy.** As required by Indiana Code § 5-14-1.5-3.6(h), this policy will be posted on the Internet web site of the Commission.
- vi. **Coordination.** The Chairperson, and in the Chairperson's absence, the Vice-Chairperson, is delegated to supervise and coordinate electronic participation with the assistance of the Commission 's staff and in

consultation, as necessary, with the Deputy Attorney General assigned to the Commission.

- vii. Commission Member Requests for Electronic Participation.** A member intending to participate via electronic means shall notify the Chairperson, Vice-Chairperson or Commission's staff reasonably in advance of the meeting. In the case of multiple members requesting electronic participation, the Chairperson, or in the Chairperson's absence, the Vice-Chairperson, shall determine which members, if any, may attend electronically.

This Electronic Communications Meeting Policy was updated and readopted by the Indiana Fire Prevention Building Safety Commission on this 7th day of **July, 2021**.



James L. Greeson
Indiana Fire Prevention and Building Safety Commission Chair