

Model Policy Requiring Livestreaming School Board Meetings

Purpose

The purpose of this policy is to ensure that each public school governing body, including the governing bodies of charter schools and special schools, must make reasonable efforts to ensure the entirety of all meetings subject to the provisions of the South Carolina Freedom of Information Act are open and accessible to the public and also available by means of live video and audio electronic access, hereafter referred to as livestream access, except during a lawful executive session.

The Model Policy Requiring Livestreaming School Board Meetings has been developed in compliance with the General Assembly Bill A28, R46, S77.

This bill requires each public school governing body to adopt a policy adopted by the State Board of Education that requires the livestreaming of school board meetings. Each public school governing body must adopt a local policy applicable to its meetings within three months of the adoption of the State Board of Education model policy. A local policy must include, at a minimum, the State Board of Education model policy.

School districts are required to submit a copy of the local policy to the State Superintendent of Education for the State Board of Education approval.

Model Policy Language

I. Applicability

- A. This policy refers to all meetings of a public school governing body, as defined under the Freedom of Information Act or Section 30-4-20(d). This includes but is not limited to: regular school board meetings; special called school board meetings; committee and/or subcommittee meetings; board workshops; budget workshops and/or hearings; and/or public hearings.

II. Policy Implementation

- A. All portions of livestreamed meetings must be visible and audible in real time;
- B. Subsequently, all livestreamed meetings must be posted on applicable school district websites within no more than two business days of the meeting;

- C. Districts may consider using an online video service such as YouTube, Vimeo, or Facebook Live and should post visible links to livestreams in advance on the district's webpage and/or social media accounts upon the posting of public notice of all livestreamed public meetings.
- D. The broadcast of livestreamed meetings must be of sufficient video and audio quality so that viewers can easily hear the comments and be able to identify who is making comments. The use of a closed captioning service is strongly encouraged. Livestreamed meetings must be held in a location with sufficient access to quality audio/video equipment;
- E. Districts must publicize the availability of livestreamed meetings;
- F. This policy does not apply to lawful executive sessions.

III. Access to Broadband

- A. Districts are encouraged to work with technology partners to develop and implement their ability to provide, expand or improve existing livestream capacity.
- B. Upon a showing of reasonable efforts to comply with the requirement, a district's governing body with evidence of limited or no broadband access may request approval from the State Board of Education's Policy & Legislative Committee for up to an additional twelve months to comply.

IV. Noncompliance

- A. Penalties for policy violations or noncompliance will be based on escalating tiers based on frequency, duration, and severity. For a first offense, technical guidance may be provided through the South Carolina Department of Education. For subsequent offenses, a warning will be issued, and the district may be required to submit a written plan to the South Carolina Department of Education with specific details on how they will attain compliance. Persistent and egregious violations may be referred to the State Board of Education for review and penalties may be assessed but such determination shall not exceed one percent of state funds to the district, charter school, or special school.