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## Governance support resources

### Board meetings and board resolutions via electronic means

The Education (School boards) Regulations 2020 allow school boards to meet using electronic means.

#### Board meetings

Regulation 12(3) of the [Education \(School Boards\) Regulations 2020](#) allows school boards to hold meetings via audio, audio-visual, or electronic communication providing:

- a. all of the board members who wish to participate in the meeting have access to the technology needed to participate, and
- b. a quorum of members can simultaneously communicate with each other throughout the meeting.

#### Points to note when holding board meetings via electronic means are:

- As board meetings are held in public the board will need to ensure community members can access the meetings to observe/ listen. This could be, for example, by providing remote access if holding a meeting by audio-visual conferencing (taking account of any cost involved or possible misuse of the access codes) or designating a place where community members could gather. This could be where the board normally holds its meetings.
- If the meeting could be open to legal challenge, e.g. a board disciplinary hearing. It is important to ensure the board's procedures do not disadvantage any person who had the right to attend or participate in a board meeting.
- It is important to ensure the integrity of the process for excluding the public (i.e., public excluded business (PEB) or going "into committee") is protected. For example, if remote access is provided to community members to listen in to a board meeting, the board would need to ensure community members had gone offline before public excluded business was discussed. It is likely that this method of holding a meeting would usually be to deal with public excluded business which needed to be dealt with quickly by the board.

#### Board resolutions via electronic means (e-resolutions)

Regulation 17 of the [Education \(School Boards\) Regulations 2020](#) allows school boards to pass resolutions by post, delivery, or electronic communication (email). This can be used by the board to make a resolution where they otherwise would have been unable to meet. Resolutions passed in this way must be unanimously agreed to by all board members currently in office.

## Points to note when passing resolutions by electronic means are:

- If the board is passing a resolution by email, emails from board members assenting to the resolution should be from board members' known email addresses. This would provide sufficient proof of identification and agreement with the resolution from the board member concerned. It would not be necessary to provide an actual "electronic signature". It is important, though, that individual agreements to the resolution are printed, gathered, and signed off by the presiding member.
- Unanimous resolutions passed by electronic means should be included in the schedule of correspondence at the next board meeting. This then becomes part of the board's official written record and avoids the danger of a resolution being filed away and forgotten about or lost.

## Useful links:

[KnowledgeHub](#) – Boards and electronic meetings



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[facebook.com/NZSTA1](https://facebook.com/NZSTA1)



[twitter.com/NZSchoolTrustee](https://twitter.com/NZSchoolTrustee)

For further advice please contact the **Advisory and Support Centre** on **0800 782 435, option 1** or [govadvice@nzsta.org.nz](mailto:govadvice@nzsta.org.nz)