



California Privacy Protection Agency

AGENDA ITEM 5:

Bagley-Keene Open Meeting Act
Amendments, January 1, 2024 – January 1,
2026

Board Meeting Option #1

- All board members participate in person
- No remote public participation
- Staff and guests may appear by telephone or teleconference without triggering additional teleconferencing requirements
- Notice & transparency requirements still apply

Board Meeting Option #2

- All board members participate in person
- Remote public participation
- Staff, guests, and public may appear by telephone or teleconference without triggering additional teleconferencing requirements
- Notice & transparency requirements still apply

Board Meeting Option #3

- At least three (3) board members participate in person
- Up to two (2) board members may participate remotely
 - Members must appear on camera unless technologically impractical; if so, member must announce the reason for nonappearance
 - Members must disclose individuals 18+ in the room & their relationship
- Remote public participation (equivalent to board's participation)
- All votes must be by roll call
- If remote public access fails & cannot be restored, must adjourn the meeting & provide appropriate notice to the public

Board Meeting Option #4

- At least one (1) board member participates in person
- Up to two (2) board members may participate remotely
- Additional board members may participate remotely & count towards the in-person quorum if member:
 - Has a need related to a physical or mental disability that is not accommodated under the Americans with Disability Act of 1990
 - Notifies the board at the earliest opportunity possible, including at the start of the meeting
 - Includes the circumstances relating to their need to participate remotely
- The board must then take action to approve the exception for each meeting & request a general description of the circumstances relating to the member's need to participate remotely
 - Member not required to:
 - Provide a description that exceeds 20 words
 - Disclose any medical diagnosis or disability
 - Disclose any personal medical information that is already exempt under existing law, such as the CMIA
- All other requirements of Option 3 apply