STATE OF RHODE ISLAND

HOLDING PUBLIC MEETINGS VIA VIDEO CONFERENCE

BEST PRACTICES, REFERENCE GUIDE & IMPLEMENTATION PLAN FOR ZOOM ENTERPRISE LICENSES

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DEPARTMENT OF BUSINESS REGULATION ● DEPARTMENT OF ADMINISTRATION

Table of Contents

Introduction 3
Purpose of this Document 3
Part 1: Compliance with the Open Meetings Act 4
Part 2: Recusals and Compliance with the Code of Ethics 4
Part 3: Who will be Engaged in the Meeting? 4
Part 4: Before your first Zoom Meeting 5
Part 5: What are the Best Practices for Engaging Individuals in Each Role? 7
Hosts/Co-hosts 7
Entity Participants 8
Participating Public 9
Non-participating Public 11
Hybrid Meetings/Webinars 11
Part 6: Best Practices for using Zoom for Public Meetings 12
Preparing for a Meeting 12
Day of the Meeting 15
Part 7: Executive Sessions 18
Part 8: Video Conferences for Administrative and Regulatory Hearings Subject to the Administrative Procedures Act 20
Administrative Hearings and Conferences in Enforcement Actions 20
Additional Guidance on Conducting Virtual Hearings 22
Public Hearings for the Promulgation of Regulations 22
Part 9: Zoom Meeting Security/Interruptions 25
Part 10: Zoom Implementation Plan for Municipalities 26
Provisioning Municipal Users 26
Part 11: IT Support 26
IT Support Plan for Municipalities Contracting with Zoom through DoIT 26
IT Support for State Agencies 27
Part 12: Helpful Trainings and Materials 27
Contact Information 28
Appendix A – Zoom Meeting/Webinar Checklist for Zoom Hosts and Entity Staff 29
Appendix B – Sample Agenda Zoom Invitations 31
Appendix C – Sample Waiting Room Message for Zoom Meetings 34

Introduction

In response to the Covid-19 Pandemic, Rhode Island Governor Gina M. Raimondo issued Executive Orders related to Public Meetings starting on March 16, 2020, “relieving” public bodies "from the prohibitions regarding use of telephonic or electronic communication to conduct meetings,” contained in R.I. Gen. Laws § 42-46-5(b). These Executive Orders have also made provisions to ensure free public access to the meeting of any public body for members of the public through adequate, alternative means.

June 2022 Update: The Executive Orders have been lifted and OMA has yet to be amended, therefore, fully remote meetings and remote participation by public body members is not permitted. However, public bodies may utilize the best practices in this guide for hybrid meetings that provide remote public access and participation.

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Purpose of this Document

This document is intended to provide Rhode Island public entities with best practices and technical information on how to use Zoom to hold public meetings. These best practices and suggestions are not legal requirements. While this document focuses on Zoom, many of the suggested best practices could be adapted to other video-conferencing platforms.

This document is not intended to provide legal advice or interpretation of the Open Meetings Act (OMA). Any questions regarding OMA should be directed to the public entity’s solicitor/legal counsel and the R.I. Attorney General’s Office. Staff and attorneys of public entities should be mindful of changes in the Governor’s executive orders and/or any other laws which authorize conducting virtual meetings under OMA.

While the primary focus of this document is on OMA public meetings, many of the recommended Zoom settings and best practices for OMA public meetings can be adapted for use in Administrative Procedures Act administrative/enforcement and regulation hearings as discussed in Part 8.

Part 1: Compliance with the Open Meetings Act

All public bodies must comply with the Open Meetings Act ("OMA"), R.I. Gen. Laws Chapter 42-46.

All public bodies using Zoom for any component of a public meeting should consult with their solicitor/legal counsel to ensure that all agendas, notices, actions and votes taken during any telephonic/video conference meetings remain in compliance with the Open Meetings Act.

Check the AG's website for updates and guidance relative to any new executive orders or legislative changes related to OMA.

You can contact the R.I. Attorney General's Office, Open Government Unit at opengovernment@riag.ri.gov or (401) 274-4400.

Part 2: Recusals and Compliance with the Code of Ethics

The Rhode Island Ethics Commission suggests the following best practices for recusal by a member of a public body during video/telephonic meetings, assuming that they are allowed to participate remotely by Executive Order or future OMA amendments.

If a member of a public entity needs to recuse from participation in an agenda item, they should notify staff and consult with their solicitor/legal counsel ahead of the meeting. This will help to ensure that a quorum is available to hear the matter.

Logistics of recusing during a telephonic or video conference:

- The person recusing should publicly state that they are recusing from the agenda item as soon as the agenda item is called and briefly state the reason for recusing.
- The person recusing should fill out a recusal form and consult with the public entity's staff to make sure the form is sent to the Ethics Commission.
- Open Session Recusals – There is no need to literally leave the Zoom meeting or to hang up on a conference call. The recusing person should mute themselves (both audio and video if possible) and not participate for the duration of the agenda item they have recused from.
- Executive Session Recusals – Consistent with the letter and spirit of the Open Meetings Act and the Code of Ethics, a person recusing from an Executive Session item should leave the meeting while that item is being discussed. The person may either completely leave the meeting, or temporarily be placed in a waiting room or breakout room until that item is completed.

For questions regarding when recusal is required, please contact the Ethics Commission, www.ethics.ri.gov, (401) 222-3790, or ethics.email@ethics.ri.gov.

Part 3: Who will be Engaged in the Meeting?

While an in-person meeting can often be easily managed by the Chair of the entity working from an agenda, organizing and facilitating a remote meeting adds additional complexity. For this reason, we strongly urge that public entities engage staff who can manage the remote meeting and provide basic technical support if needed.

For consistency, we will define terminology and roles as follows:

Platform: Any technology being utilized to allow convening remotely, which may include audio only via conference call, but is recommended to include both video and audio (Zoom).

Host(s): Individual(s) responsible for operating a digital platform to successfully facilitate a remote/virtual meeting. This may or may not be the traditional staff that support the operations of a public body.

IT Support: Individual(s) responsible for troubleshooting issues with the platform for both the municipal staff and entity members, as well as the participants.

Entity Participants: Individuals who are part of an elected or appointed public body/entity (as well as their solicitor/legal counsel and staff) convening for a public meeting that has been publicly noticed as required by the Open Meetings Act, R.I. Gen. Laws Chapter 42-46.

Participating Public: Individuals who may be (and/or have a reasonable expectation of) participating in the proceedings or interacting with the Entity during the public meeting.

Non-participating Public: Individuals who wish to observe the proceedings of the public meeting but may not be participating or interacting with the Entity during the public meeting.

Part 4: Before your first Zoom Meeting

Download Zoom Client

All regular Zoom users should download Zoom Client to their computer, tablet and/or smartphone and keep the application updated to the latest version. While your smartphone Zoom application may automatically update, that may not be the case for the Zoom application on your computer. Instructions for how to update the Zoom Client are available here.

Hold Practice Meetings

Practice meetings are **essential** when first starting to use Zoom for the success of public meetings. Practice meetings can happen in two stages if there is enough staff within an agency or municipality. First, have internal training meetings with staff who support all boards within that entity and any IT staff assisting with Zoom. Second, have practice meetings with the Board members (duly noticed under OMA), as necessary. Participants should familiarize themselves with both desktop and mobile apps, in case they need to join the meeting from a smart phone.

Plan ahead, but be flexible. Things will happen during meetings. Zoom settings will change.

Do the best you can. If you run into trouble – Google It. Do you need to update your Zoom application? When in doubt, restart your computer. The Enterprise Zoom Accounts include toll-free dial-in number access to meetings. Have participants call in if their video is not working.

If Zoom is not working properly, check the Zoom Service Status website to see if there have been any recorded problems with a particular system.

Know how to connect by phone - Regular Zoom users should install the Zoom app on their smartphones and practice connecting by phone in case it becomes necessary during a meeting. This can be helpful during a power outage or where WIFI connections are spotty.

Questions about Zoom functionality – Answers to most questions about using Zoom can be found through a simple web search. There are numerous articles and training videos on most Zoom features and functions, including:

- Click on the "Resources" tab on the Zoom.us website, where you can access a variety of information including video tutorials.
- https://zoom.us/docs/en-us/covid19.html
- https://blog.zoom.us/wordpress/2020/03/04/best-practices-for-hosting-a-digital-event
- You can find more information in our Helpful Trainings and Materials section below.

Decide whether you will have a Zoom Meeting or Zoom Webinar

What is the difference between a Meeting and a Webinar?

From a Host's perspective, there is one significant visual difference that results in many practical differences between a Meeting and a Webinar. That significant difference is when the Participants button on the toolbar is clicked, a Zoom Meeting displays all Participants in a single list in a panel that pops up to the right of the photo gallery, whereas in a Zoom Webinar, there are two tabs of participants divided between the list of "Panelists" and "Attendees." In a Zoom Webinar, an "Attendee's" ability to participate in your meeting will be much more limited than any person designated as a "Panelist".

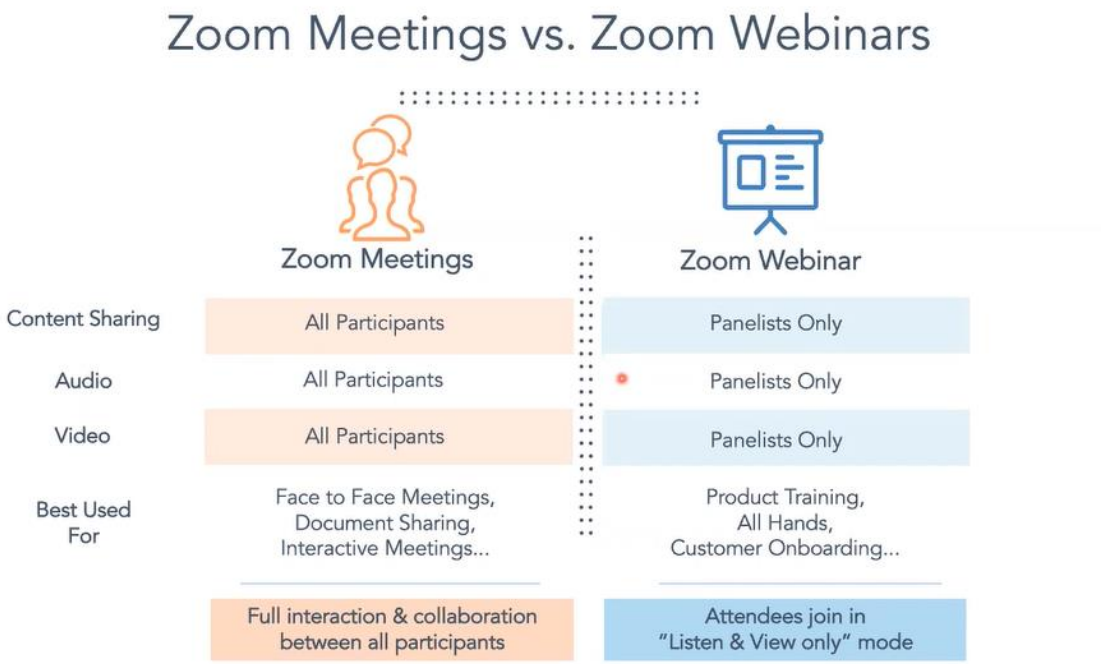
- A Zoom Meeting works well when all participants are known and expected to collaborate, for example, during a staff meeting or working meeting.
- A Zoom Webinar should be employed when there is an expected non-participating public audience.
- For public meetings, ***Zoom Webinar is strongly recommended***.
- For more details on the difference between meetings and webinars, please see this page.

Zoom Webinar – Panelist Invites v. General Webinar ID

Once a Zoom Webinar is created, names and e-mail addresses of those expected to participate actively in the meeting (Entity Participants/Participating Public with matters on the agenda) may be individually entered under the "Invitations" section of the webinar. Each person identified as a panelist will receive an email from the Zoom licensee who created the meeting containing a unique "Panelist" link. Clicking one's Panelist link in that email will admit one to the meeting as both visible and audible. The panelist invite email contains a link to join on your computer, all information to join by phone, and an individual participant code.

The general Webinar ID generated when you "Copy this Invitation" or "Add to" a particular calendar, may be shared broadly (e.g. on a publicly posted agenda), allowing the Non-Participating Public to join as "Attendees" (Listen & View Only mode).

During the meeting, the Host has the ability to unmute an Attendee (making them audible) or utilize the "Promote to Panelist" function (making them visible and audible alongside all other Panelists). The Host may use the Share Screen function to display any application/document during the Webinar on behalf of any meeting participant.



This Zoom Blog Post offers another good explanation of the differences between meetings and webinars.

Part 5: What are the Best Practices for Engaging Individuals in Each Role?

Each person participating in the meeting should engage with the platform in a manner that best supports clear communication and reduces the risk of displaying inappropriate content.

Hosts/Co-hosts

The goal of the host should be to use the platform to support the successful facilitation of the meeting as the technical moderator, engaging the appropriate stakeholders, sharing materials, and controlling all settings. Hosts should train other entity staff in Zoom functionality so that other staff members can serve as co-hosts and assist with the management of meeting participants (muting/unmuting, allowing attendees to participate when appropriate, and looking at the hand raising for persons wishing to provide public comment). The Host/Co-Host should continually monitor the participants/attendees lists during the meeting to identify the appearance or disappearance of board members and members of the participating public.

The Host should ideally be someone who does not participate in the meeting, who can serve as a technical moderator behind the scenes and assist the public entity with public participation. It can be difficult for someone with responsibilities during the meeting to serve as a host, especially with large public entities or those with significant public participation.

> **Maintain the List of Participants:** The host will have a list of participants (entity members and members of the participating public, if they sign up in advance) that will guide them in identifying whose line to unmute and when.

Admit Participants to the Meeting/Webinar:

Zoom Meeting: If a Waiting Room is used for the meeting, the host/co-host will admit participants into the meeting from the Waiting Room.

Zoom Webinar: Manage the attendee list and promote any entity participants or other persons to panelists as necessary.

Unmute Participants to Allow Participation: Control whose line is open so that they can speak. Mute lines of everyone who is not speaking at the time from the public; mute the lines of entity members who are not currently speaking if they are creating background noise or other distractions.

Receiving Electronic Exhibits During the Meeting: Host/Entity staff should determine whether exhibits will be received during the meeting in consultation with their solicitor/legal counsel. If allowed, instructions should be provided on the agenda to email exhibits to the Host so that they can be captured in the official Record, labeled, etc., and then the Host can share it on the screen with everyone. If participants need to share a file during a meeting, the host can share an e-mail address vocally or by typing it into an application (e.g. Microsoft Word) and share their screen so that the email address is visible to all meeting attendees. It is also advisable to include an email address on the Open Meeting Agenda so all parties and participating public will know where to send such exhibits.

Recording Meetings: The Host must ensure meetings are being recorded, both Open and Executive Sessions. If functionality is available and enabled for saving the meeting to the cloud and generating and sharing meeting transcripts, the host will be responsible for using that functionality as well. All Enterprise Zoom accounts include unlimited cloud storage for recording and will automatically generate a transcript for a recorded meeting.

Entity Participants

The goal of entity participants should be to be present on the platform, clearly visible with appropriate audio. As expertise expands, the chairperson may present the meeting materials themselves, but this may vary by entity.

1) **On Platform:** Members should be logged in to the platform with their identity clear (name should include title/role) and visible to the host and guests. Consider using a common virtual background, such as the Town Seal or a photograph of Town Hall, which helps the public to easily determine who is an Entity Participant.

2) **On Video**: When possible, entity participants should use a video camera, either on a desktop, laptop, tablet, phone or other web-enabled device so they are visible and remain visible during the entirety of the meeting. If entity participants walk away from a video camera in use, the entity staff/chair should pause the meeting and confirm that they still have a quorum. Any questions should be directed to the entity's solicitor/legal counsel.

3) **Audio Connections** for persons joining the meeting through a computer/tablet/smartphone. Good audio is the most important part of participating in a video conference meeting.

    a) **Option 1: Hard wired internet/Strong WIFI Connection** – Choose computer audio if your internet connection is reliable. This is a simpler procedure.

b) **Option 2: Weak/Intermittent Internet Connections**: Speaking participants with spotty internet service should join the meeting on the computer and then dial in via phone audio (using a connection separate from that used by the camera). Benefits include:
   i) Clear audio: voice is right next to the microphone
   ii) Reduced delay, allowing easier dialog between members
   iii) Ability to use the phone mute button (as opposed to Zoom platform mute)
   iv) Eliminate competition for the wi-fi signal between your video and voice
   v) If your wi-fi drops its connection, your ability to hear and speak is not lost

NOTE: It is strongly recommended that anyone attending a meeting remotely **utilize a headset or Bluetooth earpiece**, which will reduce background noise, make it easier to hear proceedings and will show courtesy to others that may be within earshot. Also, if utilizing Phone audio in conjunction with a separate webcam, it is important to correctly link the phone to the respective webcam, so a participant does not appear twice on the same meeting. Here are instructions.

Troubleshooting: If your microphone or camera is not working, check to see if it is disabled in the computer/laptop/tablet's system settings.

4) **Dialing in from a single speakerphone for multiple entity members in the same location is NOT recommended**. A speaker who is physically distant from the microphone will always be more difficult to hear. If multiple entity members happen to meet in the same physical location, it is advised that they each be dialed in on separate telephones (with headsets or Bluetooth earpieces, etc. to avoid background noise) so their voices are both clear and distinguishable while upholding social distancing practices.

5) **Participating by Phone.** Participants calling in to a meeting can use the mute function on their phone but should be aware of the following commands can be entered via DTMF tones using your phone's dial pad while in a Zoom meeting:
   - *6 - Toggle mute/unmute
   - *9 - Raise hand
   - These codes will not work on a rotary phone and some push-button phones that do not utilize DTMF technology.

Participating Public

The public may participate in meetings in a variety of ways, including to speak or present information during an agenda item in which they are a party, or as an abutter, remonstrant, objector, etc. or during an opportunity for public comment. Note that meetings can be a public meeting with the potential for a public forum or a public ***hearing***, as required by law and depending on the agenda item. Whether public participation is offered or required will vary depending upon the public entity, the governing statutes, regulations and ordinances for that public body and the specific agenda item (i.e. license application, zoning variance, subdivision application, etc.).

Consult with your solicitor/legal counsel regarding whether public participation is required for the matters on your agenda and whether you will use or require advanced sign-up for testimony.

The public entity may request that participating public sign-up for testimony in advance, so that the host can identify and approve them to actively participate in the meeting and unmute their line to present their testimony.

1) If the entity will ask the public to **"Sign Up" for Testimony** ahead of time, the entity should determine what methods will be provided to the public to sign up to give testimony, including any deadlines or timeframe restrictions, and this information should be provided at the top of the publicly posted agenda. Some methods to consider include, but are not limited to: E-mail, Phone call, Text message, Postal mail, or Webform.

2) **Advance Notice**: It is recommended that guest participants, especially those who are a party to a matter on the agenda, contact the host/entity staff in advance of any public meeting to:
   a) Confirm with the host that they do intend to speak at the meeting;
   b) Share what method they will be using to join the meeting (platform or phone only);
   c) Share the number from which they will be calling (if phone only); and
   d) Email the host any material the presenter wishes to display.

3) **Identifying Additional Public Attendees during the Meeting**: If desired and as may be required by law, the host and chair of an entity should allow public attendees to decide to participate as appropriate during the meeting. In such a case, someone must be regularly monitoring the "methods" offered to the public to communicate their interest in participating. Also, consider providing some instructions as to how this will work on the agenda and during the meeting.

   If you choose to use it, **Zoom has a Raise Hand function**. If connecting to Zoom on a desktop or laptop computer, users online can click the Participants icon on the toolbar at the bottom of the Zoom display, which will open a right panel with a list of the names of all participants. At the bottom of that panel will be additional options including a "Raise Hand" button to indicate their interest in speaking. The host may choose to recognize and unmute someone with their hand raised. For users who are on the phone only, they can enter *9 to "raise their hand." The location of the "Raise Hand" function may vary depending on the device you are using. For more information, see instructions here.

4) **Process of Presenting**: At the time that the chair of the entity determines that a presenter/member of the public will speak, the chair/host/entity staff will verbally recognize that individual. If the individual is a Panelist (in a Webinar) the individual will unmute themselves. If they are an Attendee or otherwise the Host must unmute them. Once the presenter is audible, the Host may:
   a) Share the first application/document that the presenter wishes to display
   b) Offer Remote Control privileges to the presenter, so that they may page through or otherwise navigate the application/document they wish to display, or ask the presenter to narrate as the host navigates
   c) Please Note: Allowing the display of documents from a remote computer adds additional risk that is not recommended. The best practice is to require documents to be submitted in advance and presented by the host, who may allow the presenter Remote Control privileges (to navigate the documents while narrating) if they are using the Zoom Application on their own computer. Guest presenters can be given mouse and keyboard controls, but they cannot pull up any alternative documents either by accident or on purpose, because they are not sharing their own screen.

Non-participating Public

The public should be able to observe and hear the proceedings of an Open Meeting clearly. Measures should be taken to reduce or eliminate the possibility of interruptions (either audible or visible).

1) **Observe Only Option**: A meeting host has a limited capacity to actively manage non-participating meeting attendees within the platform, so ideally non-participating attendees are provided a view-only option that requires little to no management. There are two ways to accomplish this:

    a) Using Zoom Webinar: Hosts using Zoom Webinar have access to additional functionality that allows non-participating public to join the platform directly and be easily managed. The host(s) will see two different lists in the Participant Panel (Panelists and Attendees). If the host distributes invitations for the Zoom Webinar (by entering their e-mail addresses into the meeting invitation tool) to those expected to participate, those "Panelists" will be automatically put into the Panelist list when they join the Webinar. All others will be automatically placed in the "Attendees" list. Attendees cannot be seen or heard by anyone else attending the Webinar. However, they can type/chat with the host and be "promoted" to a Panelist if it is determined they should participate.

    b) Stream to Other Location: If you anticipate having more participants than you're your account level allows (including non-participating public), you may choose to stream to a second location so that more participants can view the webinar. For more information, click here.

2) **Phone/Listen Only Option**: The Non-Participating Public must have a "low-tech" option to hear the proceedings of a public meeting. The State Zoom contract includes toll-free phone numbers in both meeting and webinar invites. By default, anyone joining a Zoom Webinar via phone would appear as an Attendee (not visible or audible). If using Zoom Meeting, the host would be able to mute all lines to maintain control over who is speaking.

3) **Recordings**: Whether the above options 1) and/or 2) are provided, meetings should be recorded, and those recordings should be made publicly available. The State Zoom contract includes unlimited cloud recordings and automatic machine transcription of these recordings. Meetings broadcast live via YouTube and other streaming services may make them available for replay upon their conclusion.

4) **Public Recordings**: The public is allowed to record public meetings. For participants joining via Zoom, the host has the ability to enable guest/local recording by right-clicking on one's name in the participant panel. We expect that any entity using Zoom for remote meetings is already recording and posting these recordings publicly, if not live streaming to a platform that accomplishes this simultaneously.

Hybrid Meetings/Webinars

Meetings that have some participants attend in person while others participate remotely

Hybrid meetings bring all participants together in one online platform such as Zoom so all participants in the meeting (entity members/staff and public/audience/press) can hear and see all other participants whether they are in the meeting room or participating remotely. Hybrid meetings are useful because they can help public entities comply with social distancing requirements and capacity limitations.

If you are holding hybrid meetings, you must ensure that every entity participant has their own microphone and appears on video (if possible) through their computer/tablet/phone or through an audiovisual system in the meeting room that connects within the same video conferencing platform.

Here are a few examples of how one could set up a hybrid meeting:

- All participants log into the Zoom Meeting/Webinar from their own computer/smartphone, regardless of whether they are sitting in the meeting room or participating remotely. Participants in the same room but on separate devices should consider using headsets/headphones to avoid any audio feedback.
- For public hearings where exhibits and witnesses are necessary, some participants could appear in person through an audio/video feed in the meeting room such as the council chamber, with the council chamber appearing as one of the participants/panelists in the Zoom Meeting/Webinar. In this example, the full video conference must also be seen and heard in the meeting room on a large monitor/TV.
- Even if the entire meeting is conducted remotely, if there are concerns of public access or a request for help with participation in the Zoom meeting, the public entity could set up a computer terminal accessible by one party at a time at the public entity. Consider how you will provide access for other in person participants to at least listen (if not watch) the meeting while they are waiting in a socially distanced line for their turn to participate (each person on their phone, audio/video display, radio transmission, etc.). Entity staff should be present for technical assistance and to clean the space between users.

Social distancing, capacity limits, and cleaning requirements, as may be applicable, must be observed for any such meetings where some members of the public are participating in person.

Part 6: Best Practices for using Zoom for Public Meetings

DISCLAIMER: These are best practices and suggestions to adapt in-person meetings to Zoom or similar video conferencing technology. This is not a list of legal requirements. For any questions regarding the Open Meetings Act, please consult your solicitor/legal counsel.

Preparing for a Meeting

1) **Schedule the Zoom Meeting/Webinar**. Ask the Host/Zoom Licensee to schedule the Zoom Meetings/Webinars and, if agendas are not prepared by the host, send the Zoom invitations to the staff member who creates the meeting agendas. See sample checklist in Appendix A and sample agendas in Appendix B.

    a. **Meeting/Webinar Settings**: To preserve the **privacy** of any participants joining via phone only, it is recommended to turn on the **Mask Phone Number** option (under Settings→ Telephone when setting up a meeting) so that their full phone number is not displayed.

    b. **Panelist Invitations - Webinar Only**: Consider if you want to send entity participants a separate invite as a "panelist." This would be a separate invitation sent by the Zoom Host that is NOT shared on the agenda. The "panelist" invitation creates a personalized link for each panelist and allows them to join the webinar directly as a panelist, without having to be promoted from the attendee list. When setting up the panelist invitations, the Zoom host can name the panelists ahead of time with their entity position, such as "John Doe – Chair." You can review the instructions here and starting on slide 19 here.

Currently, you must type in each participant's name and email for every meeting, which is time consuming. However, it is still easier to type in the Panelist's names and emails ahead of the meeting than having to identify, promote and rename each entity member during each meeting. Zoom Support has indicated that there may be a way to save a phone book or distribution list in the future.

c. **Recommended Settings to use when scheduling meetings**:
   i. It is strongly recommended that publicly noticed meetings utilize the Zoom Webinar feature, which gives the host the most control and ability to avoid interruptions and prevent the sharing of inappropriate content by zoom-bombing. Additional settings for entities concerned about interruptions are listed in Part 9, below.
   ii. Executive Session meetings invites should not be shared publicly and should have a password.
   iii. Do not use a recurring Meeting ID/Webinar ID for publicly noticed meetings and use a unique password for each Meeting/Webinar.
   iv. Under the settings section in your Zoom Account, turn on the setting to always show the meeting control toolbar, which can be helpful for managing the meeting/webinar.

2) **Preparing Meeting Materials**: The entity's staff should prepare and digitize all meeting materials and request exhibits ahead of time from persons with matters scheduled for that agenda.

3) **Prepare the meeting Agendas** in accordance with the Open Meetings Act. Open and Executive Agendas should include the Zoom invitation information with instructions to access the meeting/webinar on Zoom by computer and/or phone.

4) **Consider adding some instructions to your Agendas** for the public and entity participants to adapt to an online meeting, such as:

   a. **How can the public participate in this meeting?** As applicable, instructions should be included on the agenda for how public participation will work, if advance sign-up is required or preferred and how to do that, use of "Raise your hand" function, etc.

   b. **If there is potential to receive exhibits during a meeting**, consider including the Host's email address on the agenda with directions to send exhibits to the host ahead of or during the meeting.

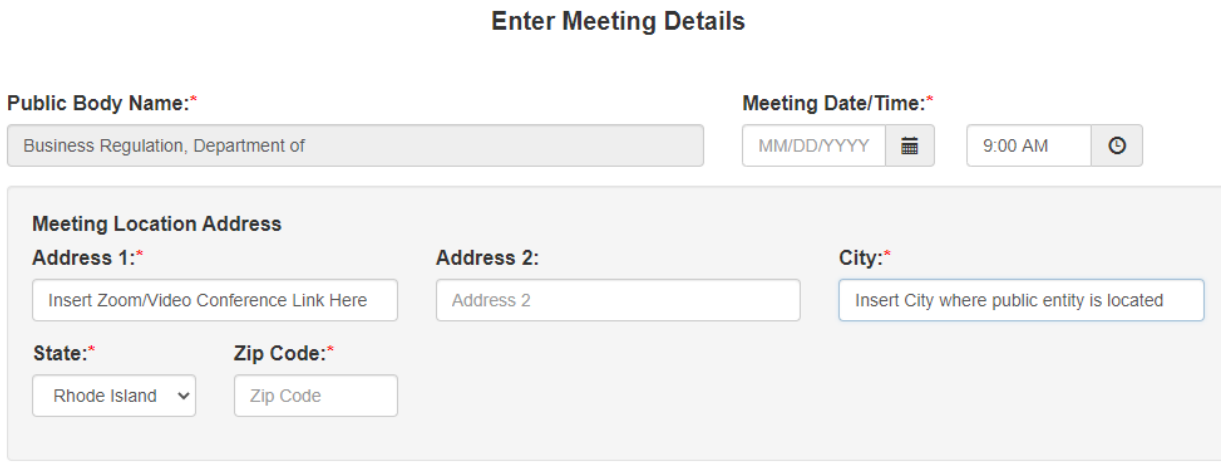
   c. **Who to call if you cannot connect to the meeting?** Consider including contact information (phone number and email) on the meeting agendas with instructions on who to call/email if you are having trouble connecting to the meeting. This can be helpful both to entity members and members of the public. The staff member answering the phone calls should also on a computer with video/audio capability and logged into the Zoom meeting/webinar so they can see any problems and help troubleshoot. This should be someone designated as a co-host so they have sufficient access to meeting controls.

   d. **Toll-Free Phone Access**: Consider including an instruction on the agenda for persons to use the toll-free phone numbers if they do not have a phone plan that includes free nation-wide long-distance calling. NOTE: People who do not have a touch tone phone will not have access to full functionality.

e. **If having Executive Session,** consider adding an additional agenda instruction to explain how the public entity will come back into the open session meeting/webinar to report out on the actions taken in executive session. For more information about Executive Sessions refer to Part 7.

f. **Do you normally have documents available for the public to take copies of at your in-person board meeting**? If so, the best practice for adapting to video conferencing is to post all documents expected to the publicly presented at the meeting on the public entity's website prior to the start of the meeting and then to post any new documents/exhibits introduced during the meeting to the Board's website as soon as practicable. If posting these documents, include a hyperlink on the agenda to where they can be found on the public entity's website.

5) **Post the Open Meeting Agenda** in accordance with the Open Meetings Act. When filing the Open Session agenda with the RI Department of State Open Government Filing Application, insert the link for the meeting/webinar invite or insert "Virtual Meeting" in the "Address 1" field. For the required fields of "City", "State" and "Zip Code", insert the information for physical location of the public entity. If holding a hybrid meeting, state that the meeting is virtual the "Address 1" field and the insert the physical address into the "Address 2" field. Make sure to include the complete video conference invitation (hyperlink, Meeting/Webinar ID, Passcode, and/or phone numbers) within the text of the actual agenda.



6) **Identify and make a list of all participants** that are expected to join, either by name (Zoom ID) or phone number. Print out this list and have it ready to check off participants as they are admitted when the meeting starts. Provide a copy of the list to the public entity Chair ahead of the meeting.

This list could include:

a. Public entity members;
b. Staff of the public entity (i.e. Zoom meeting host, co-hosts, entity staff, clerk/board manager, solicitor/legal counsel, etc.);
c. Members of the participating public who are a party to a matter on the meeting's agenda (this could include their legal counsel, witnesses, etc.); and

d. Any other member of the public who signs up in advance to provide public comment during the meeting.

7) **Educate entity participants on any necessary procedural changes to adapt to the Zoom platform.** Consider how will you ensure that each vote or non-vote is recorded accurately and clearly during the meeting, including Ayes, Nays, Abstentions and Recusals.

   a. Discuss this with your solicitor/legal counsel ahead of the first Zoom meeting and notify entity participants ahead of time if there will be procedural changes and then remind them of those changes at the beginning of the meeting.

   b. Note that with Zoom there may be more management by staff of the logistics of the meeting as the chairperson becomes comfortable with the technology.

   c. Consider using roll call votes, which may not be required but add clarity for the public and the clerk/staff member taking the minutes and recording each vote.

8) **If using Zoom Meetings, set up your Zoom Waiting Room message** (this only needs to be done once per account, unless you need to change your message). This message will be visible to anyone joining your meetings via Zoom and can be done in the settings under Waiting Room. See Appendix B.

Day of the Meeting

9) The Host/Entity Staff should physically set up in a location with space for any meeting materials, and ideally with a computer connected to a large monitor or multiple monitors, to be able to see as many participants as possible on your screen and manage any exhibits or materials that need to be shared during the meeting. A hard-wired internet connection is preferable to WIFI if available.

NOTE: For entity staff working remotely, you will have a problem accessing Zoom through a Virtual Private Network (VPN) connection while at home. When you are in a VPN session, you are controlling your desktop computer in your office, not the computer you are working on at home. If you are having trouble connecting your video camera, make sure you have launched Zoom from your local computer, not the desktop computer to which you're connected remotely.

Municipalities: Local IT Staff should be available for questions before and during the meeting.

10) Launch Zoom application and **"Start Meeting/Webinar"** at least 15 minutes early.

11) Choose **Phone Audio** option and dial in from phone/speakerphone (better audio as long as there is no echo in your location).

12) Hosts/Cohosts should click on "Participants" have the Participants List open so they can see who is in attendance at all times.

13) **If applicable, designate other staff member(s) as Co-Hosts** for the meeting/webinar. Note: In a Zoom meeting and in a Zoom webinar, the host can designate a staff member as a co-host or host **even if they do not have their own Zoom license**.

a. Click on “Manage Participants” in the meeting controls at the bottom of the Zoom window.
b. Hover over the name of the participant who is going to be a co-host and choose “More.”
c. Click “Make Co-Host.”
d. This can also be done during a meeting by hovering over a user’s video, clicking on the more icon and then clicking “Make Co-Host.”

14) If holding a **Zoom Meeting**, you may want to **Mute All** (bottom of participant panel) and **disallow self-unmuting**.

15) **Admission process** for all ***Entity Participants:***

a. **Zoom Meeting – From the Waiting Room**
   i. Identify them by Zoom Name or last digits of phone number
   ii. Admit them one at a time as quickly as possible (you may decide to start the meeting more than 15 minutes early if you can’t finish before meeting time) or Admit All if everyone in the Waiting Room is identifiable and expected to participate.

b. **Zoom Webinar – From the list of Attendees**
   i. Identify them by Zoom Name or last digits of phone number and promote to panelist by doing the following:
   ii. Click on participants in the webinar controls.
   iii. Participants panel will appear on the right side of your screen.
   iv. Click on Attendees, identify everyone who needs to be promoted to panelist.
   v. Hover over their name and click on more.
   vi. Select “Promote to Panelist” or for persons connecting by phone “Allow to Talk”. (This will not be necessary for Panelists joining through an individualized panelist invitation. They will automatically appear in the webinar as a panelist if joining from their panelist invitation.)
   vii. See this Zoom Support article on Managing Participants in a Webinar for more information.
   viii. Promote to panelist one at a time as quickly as possible.
   ix. Attendees will not be able to participate unless you “Allow them to Speak.”

c. **For Both Meetings and Webinars: Make sure all entity participants have audio/video working properly.**
   i. Entity members should be on video if possible.
   ii. Ask them to test their audio to make sure you can hear them. Check for the audio icon for either phone or microphone next to their name in the participant panel.
   iii. Rename Entity Participants, as necessary, with their title and name, so the public watching the meeting on the computer will know the difference between the entity members who are the decision makers and the entity’s staff members. If utilizing “Panelist” invitations for a webinar, the Host can pre-name the entity participants with their public entity titles ahead of the meeting when they set up the panelist invitations.
   iv. Depending on the administrative settings, the Host may need to manually allow a participant to make their own recording of the meeting, if they so desire.

16) **Notify Chair to start meeting while**:
   a. Immediately Starting **Zoom Recording** (choose to save to Cloud or Computer).
   b. Immediately Starting **Digital Audio Recording** (if placing a physical digital audio recorder next to your speakerphone as a backup recording).
   c. Immediately Starting **Live Streaming** (if you have set up a social media account to stream to).

17) **Identify All Entity Members in Attendance**: At the commencement of a meeting, the best practice is for the entity to state on the record which members are in attendance, if all are participating remotely, or who is in-person and who is participating remotely. This is helpful for anyone listening to the meeting on the phone. This is also an opportunity to state on the record if the entity has a quorum.

18) **Announce Meeting Procedures and Provide Technical instructions:**
   a. **Muting protocol**: At the beginning of the meeting, ask the host and/or chair to explain a few items of protocol:
      i. How important it is to mute oneself when not speaking.
      ii. How to make it known you wish to speak, both for entity members and for members of the public.
      iii. Notify all that they may be muted by the host/staff temporarily if a significant amount of background noise is coming from their microphone.

   b. **Explain How Public Participation Will Work and Manage interaction with public participants**.
      i. Identify any **expected participants** and unmute them to allow them to engage when appropriate.
      ii. Identify any **unexpected participants** and explain how and when they will have an opportunity to speak.
      iii. **Raise Hand function**. Users online can click a button to "raise their hand" to request to participate. You could choose to recognize and unmute them. For users who are on the phone only, they can enter *9 to "raise their hand." For more information, see instructions here.
      iv. Unmute them when you are ready for them to speak. Be prepared to mute them if any inappropriate content is shared.

   c. **Chat Functionality** – **It is strongly recommended to disable the Chat and Q&A functionality.** These are vulnerabilities that are easily flooded with offensive messages from anyone who wishes to disrupt a meeting. Communication between the host and Attendees should only take place over non-Zoom communication tools (e-mail, alternative phone, etc.).

19) **Identity of Entity Speaker**: Each member should identify themselves before speaking so that the record is clear as to who is discussing or questioning a matter. This helps the person taking the minutes and anyone participating only by phone. Remember that persons calling in by phone (board members or public) will not see the computer screen and may not know who is speaking. The automated transcription of recorded meetings will also identify

the speaker based on their "Name" in the meeting. Someone speaking by phone who has not been renamed by the Host will show up in this transcript as their inbound phone number.

20) **Remain on the lookout for additional attendees** joining the meeting or leaving the meeting if they are an entity participant because it could affect the quorum.

    a. **Zoom Meeting.** They will pop up at the top of the Participant List in the Waiting Room. Admit anyone joining via phone immediately and only admit recognized Zoom users. Rename recognized users if desired.

    b. **Zoom Webinar.** Be on the lookout for entity participants and persons with matters on the agenda who appear in the Attendee list. Promote to panelist or allow them to speak as required.

21) **Temporarily mute** any participants (entity members) who appear to have a lot of background noise (the box representing them in the Zoom meeting lights up when they are "speaking" or just merely generating noise) and don't forget to unmute anyone who needs to speak.

22) **Interruption of Zoom Meeting/Live Stream**: In the event that either audio and/or video coverage of a meeting is interrupted, whether on Zoom, teleconference or live streaming, the meeting should be suspended, with the record reflecting such suspension, until such time as functionality is restored.

23) **Pause the Zoom recording if a recess or pause in the meeting occurs**. This means instructing the entity members to pause their discussion of official business. This may not be possible on any live feed. Stop the Zoom recording and the live feed when the meeting has been adjourned.

24) After the meeting adjourns, **download** the recording and transcript for review and public posting as applicable.

Part 7: Executive Sessions

It is important to consider the fact that remote Executive Sessions carry a significant risk that cannot be avoided. Because of the nature of remote meetings, there is no way to guarantee who may be within earshot of the device being utilized to listen in to an Executive Session by those who are expected to participate, nor whether some device or tool is being used to record the session without permission. Headphones/earpieces should be strongly encouraged so that individuals present in the same house/building as an Executive Session participant do not hear the proceedings.

The best practice is to schedule two different meetings (potentially on different platforms), one public for Open Session and one private for Executive Session, to avoid accidentally permitting the public to hear an Executive Session (either live or via accidental publishing of the recording).

How do we do this on Zoom? Public Entities can make their own decisions regarding using remote meeting tools for Executive Sessions. Here are some examples.

1. Cleanest Approach: Two separate meetings/webinars are scheduled by two-separate license holders or on two different platforms. The Open Meeting is scheduled in Zoom. When it is time to go into Executive Session, all the entity participants leave that meeting and join a private Executive Session meeting hosted on another account or another platform (Webex, which is also free indefinitely, conference call line, etc.). The benefit of this is that the public can wait in the Open Session Zoom meeting/webinar for the public entity members to return to Open Session, report out on the activities of Executive Session and finish any remaining business. NOTE: DoIT will NOT grant any entity two licenses solely for the purpose of holding Executive Sessions in this fashion. Ideally, just before the Host leaves the Regular Session, they would pause the Zoom recording and identify an alternative member of their team to "Make Host" before leaving. While the original Host facilitates the Executive Session, the alternative Host could "Share Screen" showing a message (e.g. on Microsoft Word) that states "Please Wait Until Committee Returns from Executive Session" while also monitoring the Regular Session. When the original Host returns, the alternative Host can transfer back Host responsibilities and the Host may un-pause the Zoom recording and continue the meeting.

2. A little clunky but still simple - Separate Zoom meetings/webinars scheduled by the same Zoom License holder. After the Board votes to go into Executive Session, the Open Session Zoom meeting will temporarily close and viewers will not be able to join the Executive Session which is being held in a separate Zoom meeting. At the conclusion of the Executive Session, which has no set duration, the Board will reconvene in the Open Session meeting for the purpose of reporting out any actions taken in Executive Session. The public may rejoin the Open Session by following the same instructions on the agenda to join the original Open Session meeting. If you attempt to rejoin the Open Session Zoom meeting while the Executive Session portion is occurring, you will see a message that the meeting host is in another meeting. Eventually, once the Executive Session meeting concludes, the host will reconvene the Open Session meeting and you will be able to view the Board report out any actions taken in Executive Session. Make sure to extend the length of time for the Open Session meeting beyond the estimated time for Executive Session. If not, the Open Session meeting invitation may expire before Executive Session ends.

   NOTE: For Examples 1 and 2, the Executive Session Agenda Zoom invite would only be shared with the public entity's members and staff in attendance and anyone invited to attend because they have a matter on the Executive Session agenda.

   NOTE: Examples 3 and 4 Require a little more familiarity with Zoom technology and are not available if you are using a Zoom Webinar for Open Session. You may want to practice with internal staff prior to using it for Executive Session for the first time.
3. Schedule one Zoom Meeting and use the Breakout Rooms. After the vote to go into Executive Session, move all persons **authorized** to participate in Executive Session into a Breakout Room; however, these are only available for Zoom Meetings and not Zoom Webinars. Note that if you want to record multiple rooms in a breakout session, each room needs a co-host and that co-host will have to save the recording locally (not to the Cloud).

4. Schedule one Zoom Meeting and use the Waiting Room. After the vote to into Executive Session, move all persons **not authorized** to participate in Executive Session into the Waiting Room until Executive Session is over, at which point the Host will move

everyone back into open session. Note that Breakout rooms may be more secure and less prone to error. Waiting rooms are not available for Zoom Webinars.

Please consult with your solicitor/legal counsel regarding any necessary changes to Executive Session procedures while conducting meetings with Zoom or other video conferencing platforms.

Logistics of switching between meetings –The host/public entity's staff should provide instructions to entity members, staff, and any other participants on the logistics of moving between the different meeting invites for Open Session and Executive Session. The best practice would be to include instructions on the Open Session Agenda.

Part 8: Video Conferences for Administrative and Regulatory Hearings Subject to the Administrative Procedures Act

State agencies may utilize Zoom, other video conferencing platforms or teleconferences for administrative hearings, pre-hearings, status conferences and regulation hearings, all of which are subject to the Administrative Procedures Act (APA), R.I. Gen. Laws Chapter 42-35.

Administrative Hearings and Conferences in Enforcement Actions

During the Covid-19 pandemic, state and federal courts have moved many hearings and some trials to Zoom (RI Federal District Court) and Cisco WebEx (RI State Courts). State agencies should consider whether utilizing video conferencing or phone conferencing for some hearings may be appropriate and/or necessary. Video conferencing and phone conferencing are well suited to pre-hearing conferences and other status conferences. Here are some suggested best practices to consider before scheduling a remote hearing.

1. **Is Zoom Appropriate for this Hearing?** Prior to noticing any hearings, agency attorneys and staff should review governing laws and determine if a video conference hearing is appropriate for the matter and the parties. Would a phone conference be sufficient or more appropriate for a pre-hearing conference or status conference? Consider any applicable guidance in Part 4. If using Zoom, all parties should be advised (if possible) to download Zoom Client to their computer/table/phone and keep the application updated to the latest version.

2. **Phone Conference.** If using a phone conference line, the best practice is to use a phone line purchased from a state vendor, such as an 888 number from Verizon. Free conference call services should not be used for any public hearings or meetings as there may be limitations on the number of people who can join the call.

3. **Meeting v. Webinar.** If using Zoom, the host may schedule either a Zoom Meeting or a Zoom Webinar. In a Zoom Meeting, all participants are able to talk and see everyone else who is participating. In a Zoom Webinar, only persons designated as "Panelists" by the host can talk and turn on their video, while members of the audience called "Attendees" are only able to see and hear the "Panelists" but not themselves or other "Attendees." These differences are discussed further in Part 4.

    a. **Administrative Hearings Held by Public Entities Subject to OMA**. If a public entity will be holding the administrative hearing, a webinar may be the better forum if the meeting will be held during Open Session. The Host could extend

panelist invitations to the Respondent and Respondent's counsel, and any witnesses could also be promoted as panelists while being questioned. If the Board holds the administrative hearing in Executive Session, a Meeting would be a simpler option because there is no audience. The best practice for taking votes during an administrative hearing or any contested matter would be by roll call.

4. **Zoom Invitation** – Include the Zoom invitation with instructions on how to join the meeting within the notice of hearing, order to show cause, or other applicable notices. The Parties may share the Zoom invitation with any witnesses. If hearing notices are normally posted on the website, such notice should include the Zoom invitation.

5. **Zoom Co-Hosts.** The Host/Hearing Officer can designate administrative or other staff members as Co-Hosts to help manage the hearing by starting/stopping recordings, muting/unmuting participants, sharing exhibits on screen and utilizing the breakout rooms for parties to consult with their attorneys. If the Hearing Officer is not the Host, they should be designated as a Co-Host in order to have control over the participants and starting/stopping the recording. See "Day of the Meeting", paragraph 13 for instructions on making someone a Co-Host. This function is available for both Zoom Meetings and Zoom Webinars. Any person can be designated a co-host, even if they are not a Licensed Zoom user.

6. **Practice meetings**. It is a best practice to offer all parties an opportunity to practice using the chosen other video conferencing platform ahead of the hearing to make sure that everyone can connect on both audio and video.

7. **Exhibits**. The best practice would be to request that all parties submit pre-labeled exhibits to the hearing officer and opposing parties ahead of the hearing. Stipulating to facts and exhibits ahead of time, when appropriate, could also help simplify the proceedings.

8. **Good Audio**. All participants in the hearing must have a good audio connection and be visible on video, if possible. Headsets/headphones with a microphone are strongly recommended as they reduce background noise and feedback. Participants in administrative hearings should follow the same guidance as set forth above for Entity Participants.

9. **Recording the Hearing/Conference**. The Host/Co-Host can use the recording function, which can assist the Hearing Officer as a record for the hearing. A digital audio recorder could be used as a backup. The State's Zoom contract includes unlimited cloud recordings and automatic machine transcription of these recordings. However, these transcriptions, while useful for preparing meeting minutes, are likely not appropriate and/or accurate enough to submit to the Court for any appeal. Consult with agency legal counsel to determine if stenographers are required or recommended for a particular hearing.

10. **Sharing Exhibits**. During the hearing, the Host/Co-Host can screen share exhibits as necessary and may allow the presenter Remote Control privileges (to navigate the documents while narrating) if they are using the Zoom Application on their own computer. Guest presenters can be given mouse and keyboard controls, but they

cannot pull up any alternative documents either by accident or on purpose, because they are not sharing their own screen. It is a security risk as well as a procedural risk to allow non-hosts to present any materials from their own computers. Here are some instructions for how to use the Remote Control Function. If the parties circulate pre-labeled exhibits in advance, ask the hearing officer whether screen sharing is necessary when all parties and the hearing officer have copies of the same exhibits. Anyone using the screen share function should close all other applications during the hearing to avoid inadvertently sharing confidential or other information not related to the hearing.

11. **Breakout Rooms/Sidebars**. Parties that are not present in the same room as their attorneys may want to speak privately during the hearing. In a Zoom Meeting, this can be accomplished by putting the parties/attorneys in a Breakout Room. Prior to the hearing, attorneys should discuss with co-counsel and their clients as to how they will privately communicate when not sitting in the same room.

Additional Guidance on Conducting Virtual Hearings

- **The R.I. Federal District Court's**
  - Guidance for Participating in a Zoom Video Conference.
  - Litigation Academy—How to Conduct a Virtual Bench Trial training video contains guidance on examining witnesses and presenting exhibits during a video conference. This would be helpful to both attorneys preparing for their first virtual hearing and clients who could view the sample mock-trial portion to see what it is like to participate in a video conference hearing.

- **The Administrative Conference of the United States** (ACUS) has resources regarding federal administration adjudication available here, which includes a staff report issued on June 16, 2020 on the Legal Considerations for Remote Hearings in Agency Adjudications.

Public Hearings for the Promulgation of Regulations

R.I. Gen. Laws § 42-35-2.8(c) states that "a hearing must be open to the public, recorded, and held at least five (5) days before the end of the public-comment period." If an agency needs to hold a regulation hearing, it should consider whether a video conference or phone conference would be an appropriate forum. Rules Coordinators should consult with agency attorneys before scheduling a video conference hearing.

1. **Similarities with OMA Open Session Meetings**. Many of the best practices set forth above for Open Session Meetings apply to regulation hearings because both involve advance public notice and public participation. Rules Coordinators should review Part 4, Part 5 and Part 6 above which discuss recommended Zoom settings and best practices for OMA Meetings.

2. **Public Notices**: For OMA Meetings, the Zoom invitation is placed in the Open Session Agenda. For Regulation Hearings, the Zoom invitation is placed in the Notice of Proposed Rulemaking, which is created by entering information into the RICR filing system with the RI Department of State.

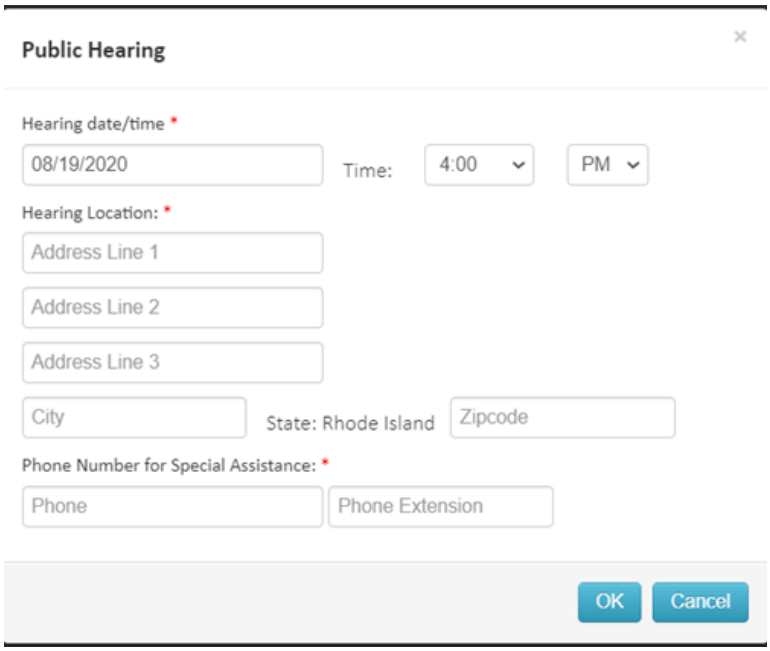
Note: Some regulation hearings are held by public bodies subject to OMA and, thus, would be noticed both as public hearings on Open Meeting Agendas and in the Notice of Proposed Rulemaking. Consult with your agency's legal counsel if you have any questions.

Please refer to the Department of State's Formatting and Filing Manual for more information about generating Notices of Proposed Rulemaking.

3. **Entering Public Hearing Video Conference Invitation Information into the RICR Filing Application**: The video conferencing invitation information (hyperlink, phone numbers, Meeting ID, and passcode) should be entered into the "Summary of the Rulemaking Action" and/or the Public Hearing location information when "Generating the Notice of Proposed Rulemaking" in the RICR filing system. The best practice would be to include the information in both places, if possible.

    a. **Summary of the Rulemaking Action** – After describing the proposed rulemaking, the agency should state that the hearing will be held by video conference, list the date and time, and include the full invitation (hyperlink, Meeting ID and passcode, and at least one phone number (toll-free) to join the meeting). Including the invitation here also means that the video conferencing information will appear on the "Overview" Tab of the proposed rule's page in the RICR database. Similar to OMA meeting agendas, the agency should include any additional instructions for video conferencing hearings in this section of the Notice of Proposed Rulemaking and/or post such information on the agency's website.

    b. **Generate the Notice of Proposed Rulemaking – Entering the Public Hearing Information**. When scheduling the public hearing in the RICR filing system, the database requires the agency to include the hearing location. Instead of entering the address of the hearing room, enter the video conferencing invitation into the address lines. Here is an example of how to enter the information to join a virtual meeting:
        i. **Address Line 1**: Enter the Name of the video conferencing platform and insert the hyperlink to join the video conference. (Note: there is a character limit so the entire link may not appear. Check this before publishing or shorten the URL.)
        ii. **Address Line 2**: Enter the Meeting ID and Passcode for the Zoom/Video Conference.
        iii. **Address Line 3**: Enter at least one phone number, preferably a toll-free number, to join the video conference.



This hearing date and location information is transferred to paragraph form in the finalized "Public Notice of Proposed Rulemaking." If it will be a hybrid meeting with both in-person and remote participation, that should be explained in the "Summary of the Rulemaking Action."

Note that the "Phone Number for Special Assistance" is the number that the public can call to request disability accommodations for the regulation hearing.

4. **Post Hearing Information on Agency Website** – When posting the hearing information on the agency's website, consider whether additional instructions/notices regarding video conferencing would be instructive to the public.

5. **Hold a Practice Meeting with Agency Participants** – When preparing for your agency's first regulation hearing, if the Rules Coordinator or staff members responsible for the hearing are unfamiliar with video conferencing, they should consult with other staff members who are using video conferencing for OMA Meetings. Agency staff should hold a practice meeting prior to the regulation hearing if they are not already regular users of the chosen video conferencing platform.

6. **Avoiding "Zoombombing" and Other Security Settings** – Because a regulation hearing is publicly noticed, it will have similar security concerns as an Open Session OMA Meeting. Consider the recommended settings in Part 6, "Preparing for Meeting," paragraph 1, and in Part 9.

7. **Recommended Zoom Settings – Webinar v. Meeting**. Given that the purpose of a regulatory hearing is for an agency to receive public comment, the Zoom Meeting would best replicate the in-person experience because everyone can see and hear everyone else. However, the Host may want to use the settings that prevent participants from turning on their video or unmuting themselves. With these settings, only Hosts and Co-

Hosts would be able to control their own audio and video settings. All agency participants designated as Co-Hosts will be able to unmute themselves as necessary to participate in the hearing. The hearing officer can call on each participant and unmute them, one at a time, so each parson may provide their public comments.

8. **Record the Regulation Hearing** with Zoom and save the video and transcript. These transcripts are not perfect but are still helpful and should be included as part of the rulemaking file uploaded to the RICR Filing System at the end of the rulemaking process. *See* R.I. Gen. Laws § 42-35-2.3.

Part 9: Zoom Meeting Security/Interruptions

How can I ensure my Zoom meeting is secure?

Zoom allows you to adjust your settings to mitigate the chances of anything inappropriate taking place. These include restricting screen sharing, in-meeting chat, Q&A, the ability for attendees to unmute themselves, locking down the meeting to prevent other from joining, and the ability for attendees to rename themselves. All of these controls can be managed prior to the meeting even starting and within the meeting itself by the host. For more information, please go to the Zoom security page here.

Note: Do not lock down an Open Session meeting in a way that prevents additional members of the public from joining and observing the meeting. Security measures should be balanced with providing adequate means of public access. Please review the Attorney General's Open Meetings Act guidance and consult with your solicitor/legal counsel.

All regular Zoom users should download the Zoom Client to their computer, tablet and/or smartphone, and keep the application updated to the latest version. Zoom will update the applications with security patches to fix known vulnerabilities to hacking.

How can I prevent interruptions in my Zoom Meeting or Webinar?

There are a few types of interruptions that can be prevented using settings in Zoom, including these recommended settings:

1. Requiring a password.
2. Turning off Q&A, Chat and Private Chat (which may be a public record if kept on).
3. Turning off File transfer.
4. Clicking Mute All when using Zoom Meetings (at the bottom of the Manage Participants window) and unchecking the ability for participants to unmute themselves as soon as the meeting begins (then you unmute only those who should be speaking).
5. Turning off Screen Sharing (or set it to Host Only).
6. In Zoom Meetings:
    a. Turning off Join Before Host.
    b. Turning on the Waiting Room and admit participants as you identify them.
7. Turning off Play sound when participants join or leave (to avoid audible tones).
8. Hiding participant profile pictures in a meeting, which could eliminate offensive images for those using Zoom meetings.

If all else fails and the meeting is disrupted by a “zoombombing” event and the host cannot regain control, then the Host can end the meeting. The public entity should consult with its solicitor/legal counsel about re-noticing the remaining portion of the meeting.

Part 10: Zoom Implementation Plan for Municipalities

Provisioning Municipal Users

DBR has transferred this contract to the Division of Municipal Finance at the Department of Revenue. Any questions on the procurement of municipal or state agency zoom licenses should be directed to DoIT by emailing ent.servicedesk@ri.gov, attention Patrick O’Donnell.

NOTE: If an entity has an existing Zoom account on another plan and wishes to keep that plan, they must use a different email address for the Zoom account procured by DoIT. Using the same account can cause complications resulting in delays to the entity’s access to this new account.

Once accounts are set-up, users can take advantage of online training options from Zoom to learn about key functionality. For more on the online training options, please see Helpful Training and Materials.

Part 11: IT Support

IT Support Plan for Municipalities Contracting with Zoom through DoIT

The State will work with municipalities to clearly define the responsibilities for supporting public meetings using Zoom, identifying who from the municipality, DoIT, or Zoom corporate, will provide support for public meetings when they are live.

At minimum, each meeting should have a host who is responsible for managing the platform, as well as the Chair or lead presenter, who will run the meeting from an administrative standpoint. The host may be administrative staff who are comfortable with using the technology or a member of the IT staff. If the host is not a member of the IT staff, IT support should be available to provide coverage for the meeting in anticipation of any issues that may occur for the presenter(s) or the public.

Consider the following options of IT support

Municipal IT Lead: For issues related to installing Zoom on your computer, setting up speakers and/or video, and any other issues related to your personal or municipality-provided computer, please engage with your municipal IT lead.

Zoom Corporate: The State's Enterprise Zoom account comes with multiple options to connect to Zoom support. If you have an issue with setting up a meeting or webinar, or you have any questions about the settings in your Zoom account, this should be your first resource. You have three options for reaching out to Zoom.

- Phone Call - You and your users should see a phone number in the upper right-hand corner of your Zoom account when you log in (1.888.799.0125). This is your account's dedicated number to reach Zoom technical support and is the best avenue for questions that need to be answered urgently. **Have your personal meeting ID and host key ready; you can only use phone support if you enter these identifying numbers**.

- Chat - There is a little blue "Help" button on the lower right-hand side of your Zoom web portal. This is the same team that handles the phone support line and is best reserved for less urgent requests (clarification on a specific feature or process).

- Ticket - The "Submit a Request" button found on our help center (support.zoom.us [support.zoom.us]) is the best way to submit a technical support ticket. You can also Cc the email alias - support@zoom.us and a ticket will automatically be created. Tickets are best used for a deeper analysis of an issue (say an audio discrepancy during a call). If at all possible, including the Meeting ID, Date, and Time in the ticket is advised. **Please note:** Zoom support has stated publicly that they are overwhelmed with support requests and is running up to two (2) weeks behind as of July 2020. Issues involving security or disruptive, uninvited attendees receive higher priority.

State of Rhode Island Division of Information Technology (DoIT): If you have an emerging issue and are unable to reach Zoom, or you have a question about your access or license, please reach the State Enterprise Service Desk at Ent.servicedesk@ri.gov.

- Please set the Subject line as the name of your municipality, and in the body of the email, include the name of the individual needing support, their contact number(s), the best time to call them within the hours of support, and a summary of the issue.

- The State Enterprise Service Desk hours of operation are 7:30AM to 4:30PM.

- **NOTE: State DoIT staff will only assist municipal users with Zoom access and licensing issues. State DoIT staff is not permitted to assist with municipal or personal devices or logistical Zoom troubleshooting issues.** If you have an issue related to your devices, please work with your municipal IT staff.

IT Support for State Agencies

State Employees should contact DoIT or their agency's IT staff (as applicable outside of the Executive Branch) if they have issues related to connecting to Zoom from state devices.

Part 12: Helpful Trainings and Materials

DBR's September 17, 2020 Webinar Recording – Holding Successful Virtual Public Meetings

Power Point Slides from that Webinar

Other information from the webinar is available on DBR's Website

Zoom Trainings

Live Webinar Training for Users and Admins These are daily or multiple times a week and 30-60 minutes.

Recorded Training

Short Video Tutorials (1- 2 min)

Materials Related to Zoom

Zoom Resources Homepage

Webinar Resources Homepage

Set Up Your Waiting Room Securely

Host and Co-Host Controls

Breakout Rooms

Accessibility Details

Other Helpful Links

Governor's Executive Orders

Open Meetings Act

RI Office of the Attorney General, Open Government R.I. Ethics Commission

Contact Information

Rhode Island Department of Business Regulation 1511 Pontiac Ave., Buildings 68-69 Cranston, RI 02920 (401) 462-9500 https://dbr.ri.gov/	Questions may be emailed to: Amy Stewart at amy.stewart@dbr.ri.gov

Appendix A – Zoom Meeting/Webinar Checklist for Zoom Hosts and Entity Staff

PREPARING FOR A MEETING		
1.	Schedule the Zoom Meeting/Webinar	
2.	Prepare, gather and digitize meeting materials	
3.	Advise all participants of deadline to submit materials and exhibits	
4.	Prepare Meeting Agendas with Zoom invitation and any necessary additional instructions for video conference meeting	
5.	Post Open Session Agendas in accordance with OMA	
6.	Send out Webinar Panelist invitations (if applicable)	
7.	Send meeting materials and agendas to entity participants and staff	
8.	Identify and make a list of all entity participants (entity members, staff and participating public with matters on the agenda)	
9.	Set up Zoom Waiting Room Message (if using Zoom Meetings) and prepare for livestreaming (if applicable).	
DAY OF MEETING		
10.	Host/Entity Staff should physically set up in a location with space for meeting materials and with a large monitor or multiple monitors to see all participants and be prepared to share screen	
11.	Launch Zoom application and “Start Meeting/Webinar” at least 15 minutes early.	
12.	Open Participants list and keep it open for the duration of the meeting. Remain on lookout for attendees/panelists leaving and joining the meeting. They could be entity members, staff, persons with matters on the agenda, or members of public waiting to speak.	
13.	Designate other staff members as Co-Hosts.	
14.	Admit participants to the Zoom Meeting (from waiting room) or promote attendees to Panelists for the Zoom Webinar	

15. Make sure all entity participants have functioning audio and video.	
16. Notify Chairperson to start meeting which starting recording and livestreaming (if applicable).	
17. Announce Meeting Procedures/Protocol and Provide Technical Instructions to all participants regarding votes, muting, public participation, etc.	
18. Remind each speaker to state their name before they speak (helpful to persons listening on the phone).	
19. If having Executive Session, explain to participants and public how it will work prior to leaving Open Session	
20. Return to Open Session meeting to report on actions taken in Executive Session and complete remaining Open Session agenda items	
21. After meeting adjourns, stop recording. Download recording and transcript for review and public posting as applicable.	

Appendix B – Sample Agenda Zoom Invitations

Here is an example of a public meeting agenda header when Providence was using Zoom Meetings (and chose not to share the Zoom Address):

Committee on Finance
Regular Meeting

~ Agenda ~

Thursday, April 9, 2020 **5:30 PM** **Conference Remote Meeting**

To view the meeting with a web-enabled device, please visit our YouTube Channel: https://bit.ly/pvdmeetings and refresh your browser every minute or two until the meeting starts.

To listen to the meeting only using a telephone, please dial: 1-646-876-9923, enter pin: 640475783# and press # to join.

And here is the corresponding information that was sent to entity members and invited guests, either via calendar invite or letter.

Attendee responses: 1 accepted, 0 tentatively accepted, 0 declined.

Send Update

From: Sselleck@providenceri.gov

To...: Mastroianni, Tina; Petronio, Sheri

Subject: City of Providence - Finance Committee - April 9, 2020

Location: https://zoom.us/j/640475783

Start time: Thu 4/9/2020 5:30 PM ☐ All day event

End time: Thu 4/9/2020 8:30 PM

To join via phone, dial +1-646-876-9923 and then pin 640-475-783# and then press # to join.

Or via Zoom: https://zoom.us/j/640475783

Here is an example of a more recent public meeting agenda header after the City of Providence started using Zoom Webinar. Now they include the Zoom Webinar address, because “Panelists” will be in a separate list from “Attendees” and the City of Providence still live streams to YouTube.

Committee on Finance
Regular Meeting

~ Agenda ~

Thursday, April 23, 2020 **5:30 PM** **Conference Remote Meeting**

Attend with Zoom from a PC, Mac, iPad, iPhone or Android device: https://zoom.us/j/99215947852

Or join by phone: +1-646-876-9923 or Toll Free at +1-888-475-4499
Then enter Meeting ID: 992 1594 7852#, and press # to join.

Meetings are also streamed live on our YouTube Channel: https://bit.ly/pvdmeetings
Please refresh your browser every minute or two until the meeting starts.

Here is a sample of the Zoom information included on a recent state board agenda:

RHODE ISLAND STATE FIRE SAFETY CODE BOARD OF APPEAL AND REVIEW

Pursuant to Governor Gina Raimondo's E xecutive Order 20-25, dated April 15, 2020, this meeting will not be conducted in-person at the Rhode Island Fire Safety Code Board of Appeal and Review offices. Rather, it will be conducted remotely in Zoom webinar format in order to minimize any possible transmission of COVID-19. Any member of the public who wishes to participate in this meeting can utilize the following link or call one of the following telephone numbers at the appointed time and use the associated meeting ID:

You are invited to a Zoom webinar.
When: May 19, 2020 01:00 PM Eastern Time (US and Canada)
Topic: Fire Safety Code Board Meeting

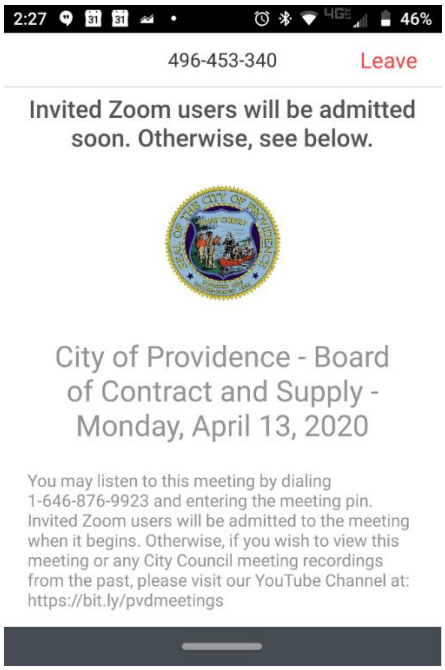
Please click the link below to join the webinar:
https://zoom.us/j/98457964451

Or iPhone one-tap:
US: +16465588656,, 92223358573#,,1#,000391# or
+13017158592,,92223358573#,,1#,000391#

Or iPhone one-tap :
US: +13126266799,,98457964451# or +16465588656,,98457964451#
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free)
Webinar ID: 984 5796 4451
International numbers available: https://zoom.us/u/acBiY0M7BE

IN THE EVENT OF TECHNICAL DIFFICULTIES, PLEASE CONTACT THE BOARD AT 401-462-0940 FOR ASSISTANCE.

For Applicants, AHJs and members of the public, once you enter the meeting, your call will be placed on mute until your case is called on the docket – a moderator will manage the order of the docket and unmute the calls as needed.

Appendix C – Sample Waiting Room Message for Zoom Meetings

This is what Providence's Waiting Room message looked like on a smartphone before they transitioned away from Zoom Meetings and started using Zoom Webinar exclusively: