



INDIANA OPTOMETRY BOARD
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-2054
Fax: (317) 233-4236
Website: www.PLA.IN.gov

Governor Mitchell E. Daniels, Jr.

INDIANA OPTOMETRY BOARD
ELECTRONIC MEANS PARTICIPATION POLICY

Posted on the public IOB webpage and copies available from main office

The following policy (the "Policy") regarding electronic participation in the Indiana Optometry Board ("IOB" or "Board") meetings was approved as set forth herein at the public meeting of October 24, 2012 by due consideration and unanimous, 5/0/0, vote of the Board.¹

I. Recitals: Policy Considerations

This Policy is promulgated, and shall be interpreted to:

- A. Balance ease of Board access and participation with orderly proceedings, including best practices for oral argument proceedings;
- B. Follow P.L. 134-2012, as amended and be interpreted in a manner consistent with that law;
- C. Aid in recruitment of Board Members on a statewide basis whose ability to participate electronically in some meetings would further broader recruitment efforts and statewide Board representation; and
- D. Encourage Board Members to physically attend meetings whenever possible, especially when administrative hearings are scheduled.²

II. Policy Provisions

Based on the foregoing Recitals, the following Policy is hereby adopted by IOB:

1. At least two (2) Board Members must be physically present at the designated meeting site. In case of difficulty of scheduling or multiple Board Members requesting electronic participation, the Chairperson of the Board shall determine the rotation of who may attend electronically.
2. A Board Member participating via electronic means can do so by telephone, computer, video conferencing, or any other method of communication that allows for simultaneous communication and is capable of being recorded by members of the public present at the designated meeting site.
3. Where at least one (1) Board Member is participating via electronic means at a Board meeting, all votes must be taken by roll call.

¹ Statutory Background. P.L. 134-2012 (HEA No. 1003-2012) affected the Open Door Law (ODL) and the Access to Public Records Act (APRA). A notable change would allow a State agency such as the Indiana Optometry Board (IOB) to allow its Members to attend meetings via electronic means on or after January 1, 2013. In order to permit participation in such a fashion, IOB has adopted this Policy. IOB is authorized to develop such a policy through Ind. Code §§ 5-14-1.5-3, 5-14-1.5-3.6.

² Physical attendance IOB's quorum requirement of a minimum of two members participating.

4. Each Board Member must physically attend at least one (1) Board meeting a year. This meeting shall be in the first quarter of the calendar year or at the earliest meeting practicable for the member (for instance, if the member is appointed during the year).
5. A Board Member appropriately participating via electronic means is considered present, is counted for quorum purposes, and may vote at the meeting on all matters. A Board Member participating via electronic means may cast the deciding vote on any matter properly before the Board and shall, and is encouraged to, fully participate in the meeting. The Policy is not intended to reduce robust debate of Board matters.
6. A Board Member participating in a meeting via electronic means is not required to do so in a setting that is open to the public.
7. A Board Member attending via electronic means shall notify the Chairperson and Board Director reasonably in advance of the meeting. A Board Member does not require prior Board authorization to participate electronically under this policy unless the Chairperson objects or must require physical participation under Section 1 herein.
8. The Board Director is delegated to supervise and coordinate electronic participation in consultation with the Chair.
9. Board Members are encouraged, but not required, to attend in person all meetings possible, especially where administrative hearings are set. This Policy endeavors to balance convenience and greater membership participation with operational efficiency and quality.
10. This Policy shall sunset and terminate on December 31, 2014, unless earlier renewed by the Board. The Board intends to and may review this Policy annually or more frequently.



Douglas C. Morrow, O.D., President, IOB
On Behalf of the Board