

**Remote Access to  
Public Meetings Post-Covid:**  
A Review of Rhode Island City and Town  
Councils and School Committees

**May 2023**

**ACLU**  
Rhode Island



## **Remote Access to Public Meetings Post-Covid:**

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# Introduction

When the Covid-19 pandemic prompted a lockdown of the state in March 2020, public bodies had to adapt quickly to the new reality. Within a week of the lockdown, then-Governor Gina Raimondo issued an executive order allowing public bodies to meet remotely while also requiring “adequate, alternative means” for the public to have access to the meetings.

Over the course of about two years, that executive order was renewed, tweaked, superseded, and allowed to lapse for about six months in 2021 before being reinstated, until finally Governor Daniel McKee let those orders lapse once and for all in March 2022, requiring all public bodies to begin meeting in person again and no longer obligating them to provide remote access to the public.

There can be little question that the pandemic demonstrated the value of remote meeting access for the public. Both public officials<sup>1</sup> and open meetings advocates<sup>2</sup> agreed that it encouraged more public engagement. It did so by removing longstanding barriers to participation for residents with disabilities, seniors, people with limited access to transportation, and individuals with work or family obligations that would otherwise prevent them from attending meetings in person or made it extremely burdensome to do so.

This expanded opportunity for civic engagement, and the recognition that government entities did not need to expend enormous resources to provide it, was a truly liberating experience for public participation in government.

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With the pandemic having subsided, and public bodies back to meeting in person for some time now, the ACLU of Rhode Island decided to examine whether that unanticipated experiment in remote participatory democracy had any continuing impact on how public bodies are operating in the post-Covid environment.<sup>3</sup>

Specifically, we decided to see how Rhode Island’s 39 city and town councils and 34 municipal school committees – two of the most important public bodies in any community – were operating in terms of providing remote public access and participation.<sup>4</sup>

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1 “Rep. Marszalkowski’s bill that allows virtual public meetings to continue past the pandemic heard by committee,” [https://www.rilegislature.gov/pressrelease/\\_layouts/RIL.PressRelease.ListStructure/Forms/DisplayForm.aspx?List=c8baae31-3c10-431c-8dcd-9dbbe21ce3e9&ID=371453](https://www.rilegislature.gov/pressrelease/_layouts/RIL.PressRelease.ListStructure/Forms/DisplayForm.aspx?List=c8baae31-3c10-431c-8dcd-9dbbe21ce3e9&ID=371453), March 19, 2021.

2 “New McKee order on public meetings scales back remote access,” <https://www.wpri.com/news/politics-government/new-mckee-order-on-public-meetings-scales-back-remote-access>, WPRI-TV, Steph Machado, February 18, 2022.

3 We pause here to note that, unlike our call for greater remote public access to meetings, the ACLU strongly believes that there is a major public benefit to having the public bodies themselves meet in person. Accountability and transparency are enhanced when public bodies meet face-to-face, allowing the public and the media to see the interaction among the public body members and to follow up with them on matters that get discussed – something that cannot happen when members of the public bodies are insulated from direct contact with the public. In-person meetings also remain an important option for residents who do not have reliable or fast internet service.

4 The references to “school committees” throughout this report also include the Providence school board.

To do this, we reviewed the recent published agendas of these two major bodies to determine whether:

- (1) they were allowing members of the public to watch meetings remotely;
- (2) they were allowing members of the public to participate in meetings remotely;
- (3) they were recording and archiving meetings that could be accessed by the public at a later date;
- (4) they were posting meeting agenda packets online with their agenda postings so that members of the public could review documents remotely and better follow the discussions taking place at the meetings.

**Every city and town council and every school committee should livestream their meetings, record them for future reference, provide links to agenda item documents online and, to the extent feasible, work to allow remote participation by the public as well.**

Particularly when it came to city and town councils, we were pleasantly surprised by the results. **While there remains room for improvement, most of the city and town councils continue to livestream their meetings (32 out of 39); post recordings online for future access (35 out of 39); and include links to documents that are the subject of agenda items (31 of 39). However, only 12 of these major public bodies have hybrid meetings allowing the public to participate remotely.**<sup>5</sup>

**As for school committees, our review found, on the generally positive side, that 25 of 34 were livestreaming their meetings and 28 were archiving meeting recordings. Less favorably, only 17 routinely included links to documents with their agendas, and only one was allowing hybrid participation.**<sup>6</sup>

Importantly, it is not only the largest municipalities that have continued offering remote access to public meetings. For example, the town councils of the two smallest municipalities – New Shoreham and Little Compton, with a population of approximately 1,000 and 3,500 respectively – offer livestreaming, access to the agenda and documents, and a video archive of previous meetings. By comparison, Burrillville has a population over 16,000, but only posts the archived videos online, with no livestream or hybrid participation option, or agenda packets available to the public.

This report intends to give a brief overview of the status of remote open meetings in Rhode Island, suggest ways to maximize public participation for residents on an on-going basis, and inspire action from municipalities, and other public and quasi-public bodies, to improve existing remote practices.

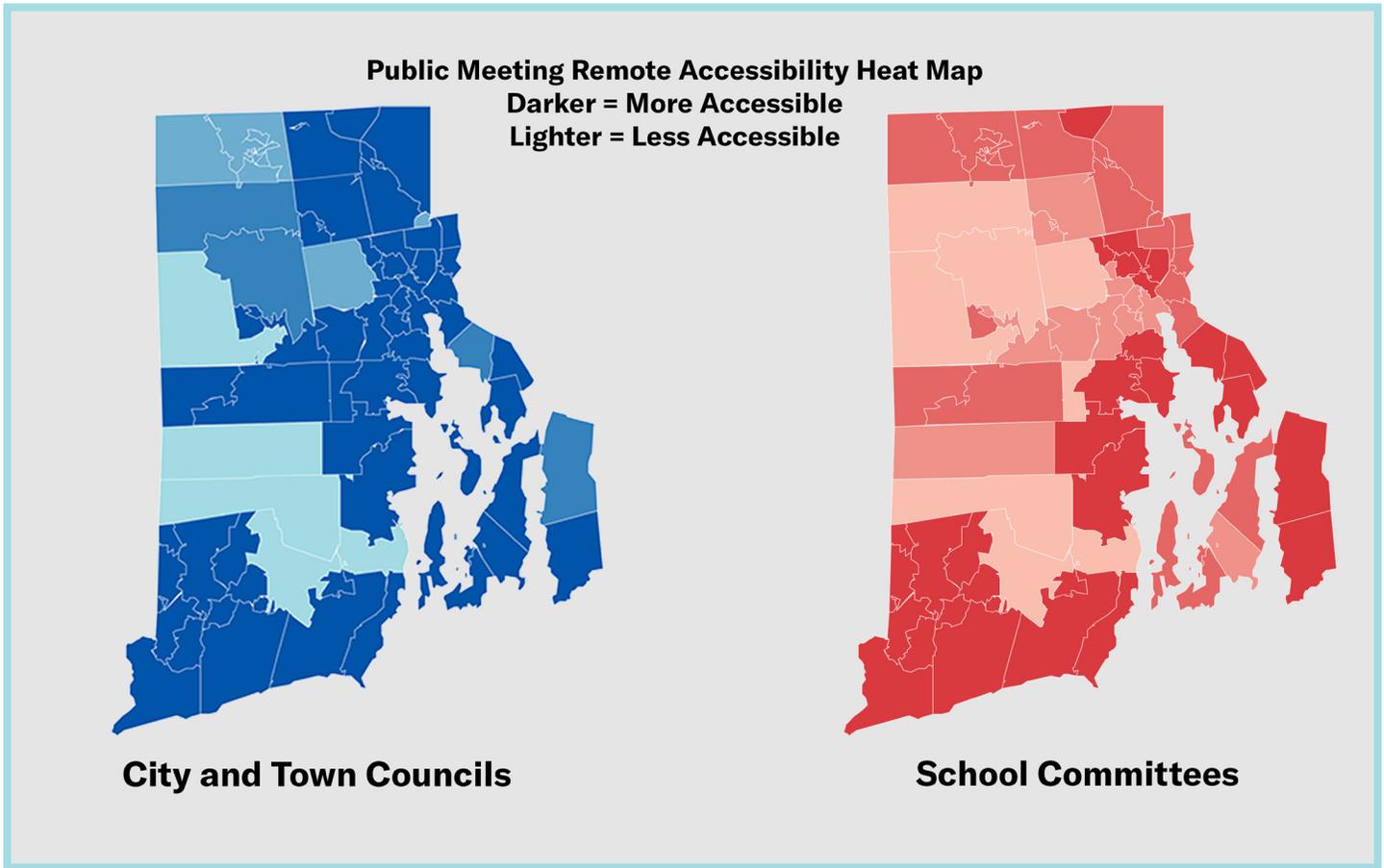
This report’s recommendations can be easily summarized: **Every city and town council and every school committee should livestream their meetings, record them for future reference, provide links to agenda item documents online and, to the extent feasible, work to allow remote participation by the public as well.**

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<sup>5</sup> In two of those 12 communities – Lincoln and Scituate – certain restrictions to remote participation apply. In addition, we were apprised by West Warwick town officials that remote participation is allowed, although their agendas do not make this clear.

<sup>6</sup> This data was gathered solely by reviewing posted agendas and websites of the public bodies in March and April of 2023, so we welcome updates and corrections to this information.

# Quick-Glance Charts of Open Meeting Policies in Rhode Island



## Best: Fully Remotely Accessible

City and Town Councils
Coventry
Cranston
Cumberland
East Greenwich
Lincoln
Middletown
Pawtucket
Portsmouth
Richmond
Scituate
West Warwick

## Worst: Not Remotely Accessible

City and Town Councils
Exeter
Foster
West Greenwich

School Committees
Foster-Glocester
Johnston
New Shoreham
West Warwick

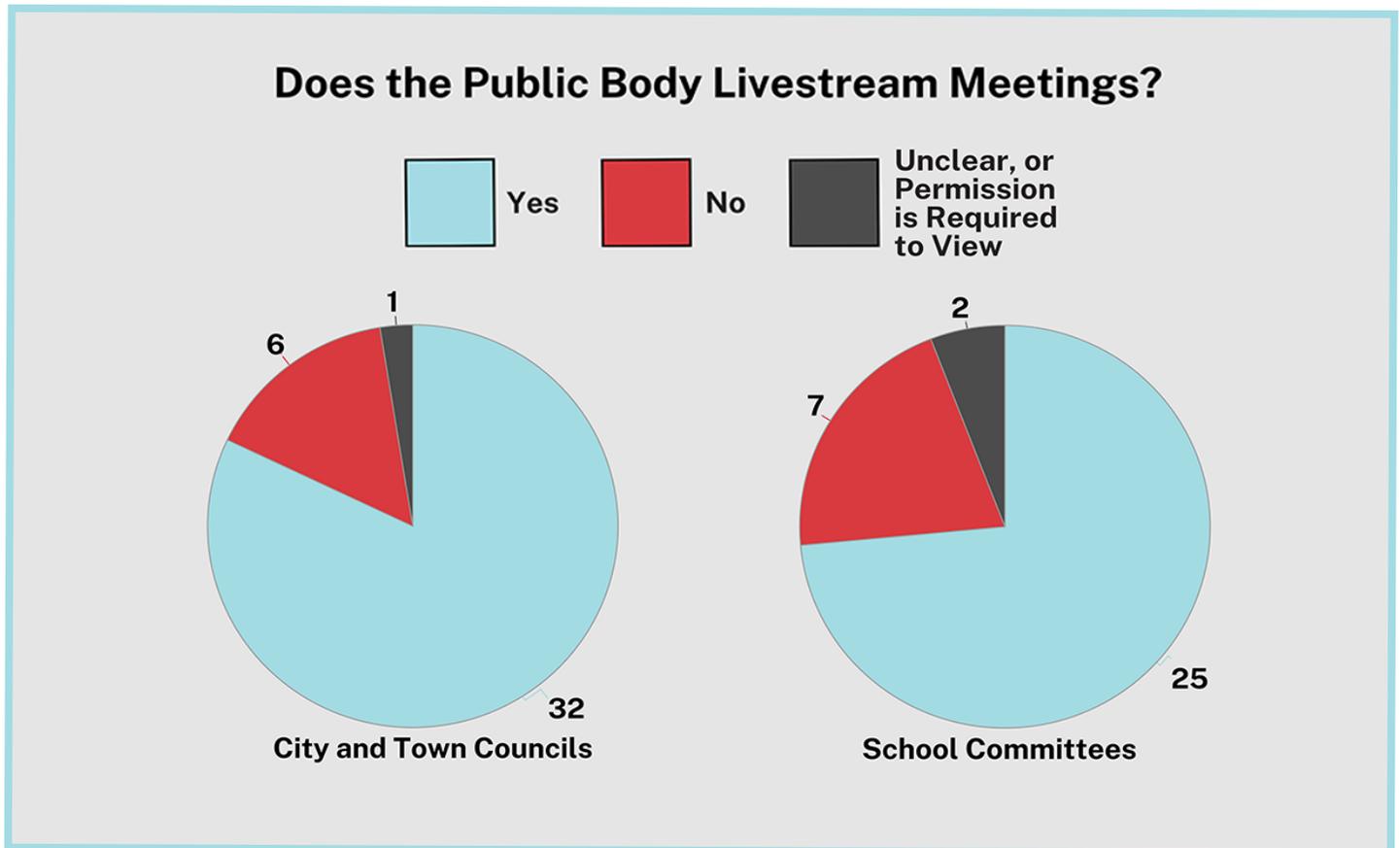
School Committees
Barrington

# Livestreaming

One of the simplest ways for public bodies to accommodate the public post-Covid is to allow remote access by continuing to livestream their meetings as they did during the pandemic.

We found that 32 of the 39 city and town councils continue to livestream their meetings, through Zoom, YouTube, Clerkbase or public access channels, and sometimes through more than one method. The only municipal councils that currently do not appear to allow their constituents to watch their meetings remotely in real time are: Barrington, Burrillville, Exeter, Foster, Johnston, West Greenwich, and perhaps Central Falls.<sup>7</sup>

Twenty-five of the 34 school committees continue to livestream their meetings through one or more of the methods cited above. Seven school committees currently not offering constituents the opportunity to watch their meetings remotely in real time are: Foster-Glocester, Johnston, Middletown, New Shoreham, Scituate, Smithfield, and West Warwick. The livestreaming process is unclear in two other school districts.<sup>8</sup>



<sup>7</sup> Videos of recent meetings of Central Falls City Council meetings are available, but it is unclear whether the meetings are livestreamed or posted only after conclusion of the meeting.

<sup>8</sup> It is unclear from Newport School Committee agendas whether the YouTube videos it posts of its meetings are livestreamed or only posted after the conclusion of the meeting. Exeter-West Greenwich livestreams meetings but requires viewers to obtain a password from the school in advance to watch.

## Remote Participation

A major benefit of the pandemic protocol was that many public bodies had to find ways to allow the public to not only view meetings, but also to participate in them.

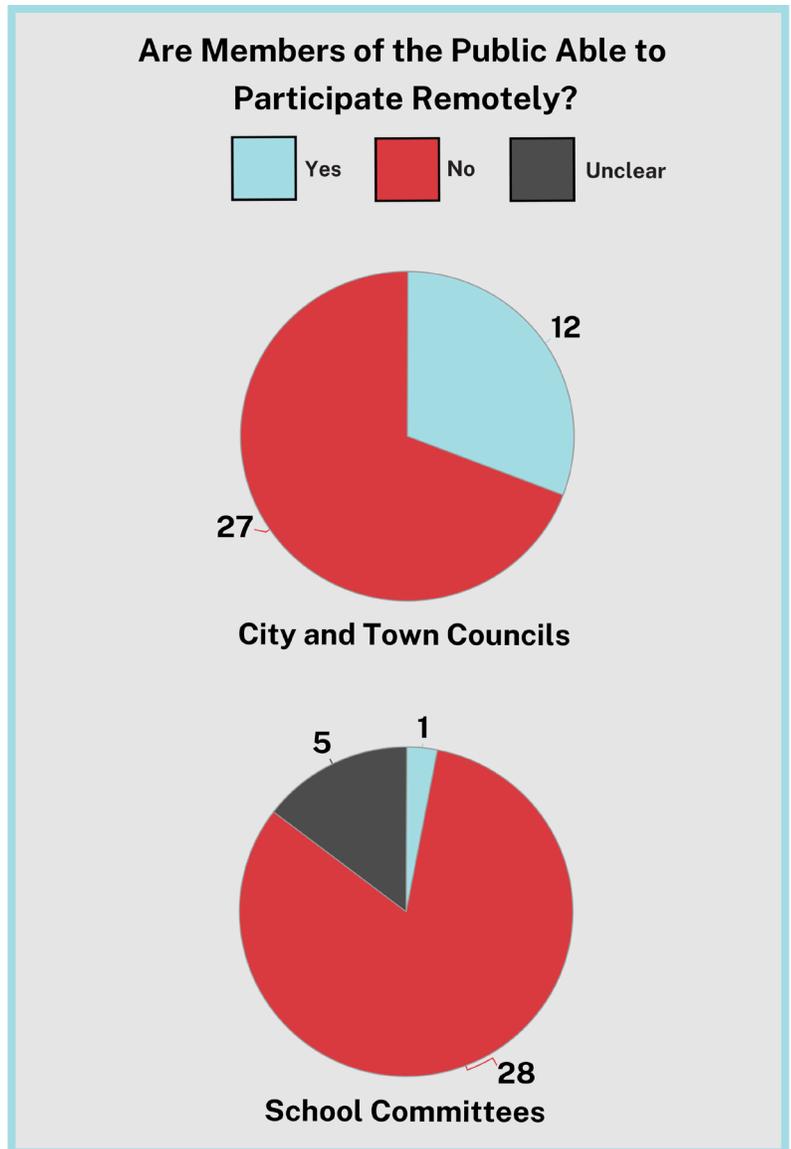
**Distressingly, we found only one school committee – Barrington – allowing for some kind of hybrid participation option via Zoom or phone.**

The executive orders made clear that if, for example, a town council was meeting remotely and was required by ordinance or charter to have public comment periods, members of the public had to be allowed to comment remotely. While that is admittedly done more easily when both the public and the public body are meeting virtually, technological issues are not insurmountable in creating hybrid meetings where the public can participate both in-person and remotely, as demonstrated by the public bodies that continue to do so.

Having said that, only a small subset of public bodies fit into that category at the moment. Specifically, only 12 of the 39 municipal councils allow for some kind of hybrid participation option with either a Zoom link or telephone call-in information.

Those municipalities are: Coventry, Cranston, Cumberland, East Greenwich, Hopkinton, Lincoln,<sup>9</sup> Middletown, Pawtucket, Portsmouth, Richmond, Scituate,<sup>10</sup> and West Warwick.<sup>11</sup>

Distressingly, we only found one school committee, Barrington, allowing for some kind of hybrid participation option via Zoom or phone.<sup>12</sup>



<sup>9</sup> Lincoln holds hybrid meetings where the public can watch a livestream and contemporaneously email comments to the Town Council for consideration.

<sup>10</sup> Scituate allows remote participation for public comment on non-agenda items only.

<sup>11</sup> West Warwick's agendas advise that people can "join the meeting" via computer or phone, but do not specify that participation is allowed. However, the Town Manager has advised us that individuals can participate via Zoom. The agendas should make this explicit so that members of the public are fully aware of this opportunity.

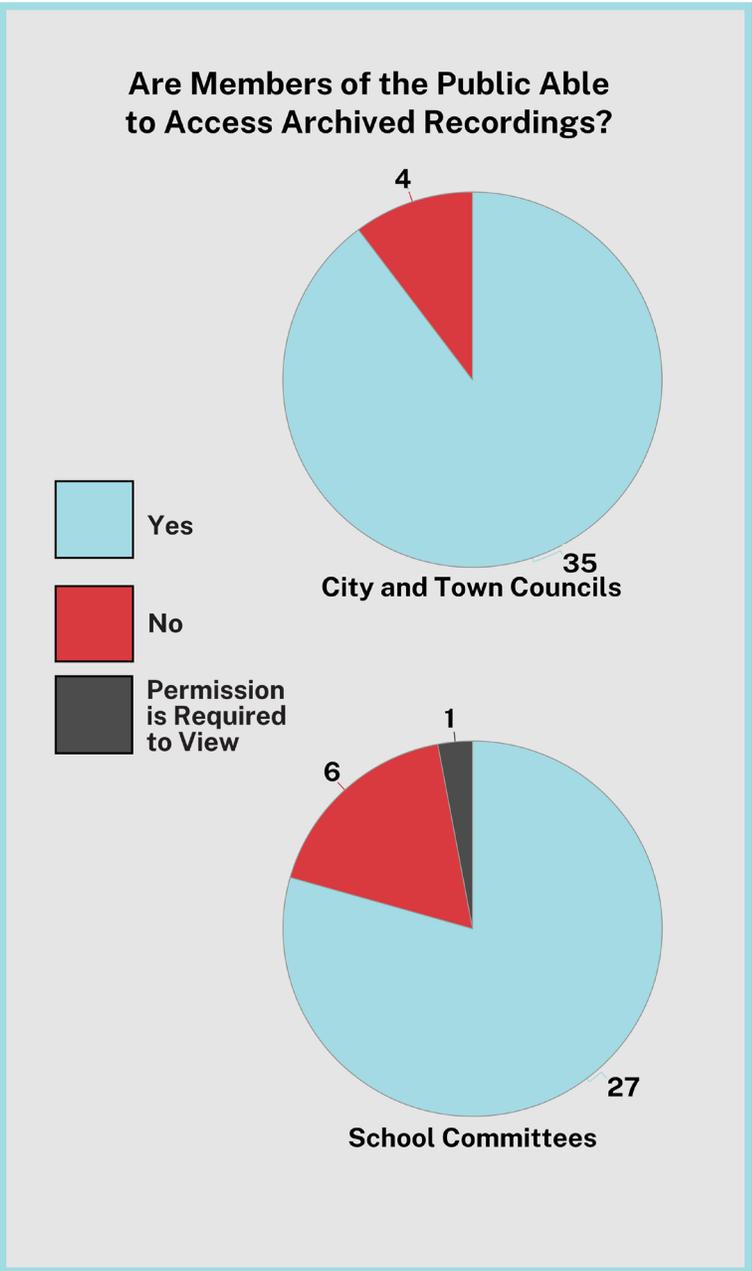
<sup>12</sup> The agendas for a handful of school committees – including Central Falls, Cranston, East Greenwich, North Smithfield, and Portsmouth – contain links for Zoom and or livestream access but do not explicitly specify one way or the other if remote participation is allowed. For purposes of our tally, we are assuming that participation is not authorized, but we welcome being corrected. If participation is allowed, we believe the meeting agendas should make that explicit so that the opportunity is made clear in advance.

# Meeting Archives

With so many public bodies livestreaming their meetings, it is only a short step to recording them and maintaining them online so the public can view them after the fact. This is a straightforward way of not only preserving a record of meetings for future reference, but of accommodating members of the public who, for whatever reason, are unavailable to view a meeting contemporaneously.

Our review found that 35 of 39 city and town councils had easily accessible archive links to watch previously recorded meetings. The only four municipalities that appeared to not make recorded meetings accessible were Exeter, Foster, Johnston, and West Greenwich. For unknown reasons, there are two municipalities — Barrington and Burrillville — that record meetings for future viewing but do not livestream them.

On the school committee side, 26 of 34 had easily accessible archive links to watch previously recorded meetings. Two school committees post recordings, but do not make them easy to find.<sup>13</sup> The six school districts that appear to not record their meetings, or at least not make them accessible for later viewing, are Cranston, Foster-Glocester, Johnston, Middletown, New Shoreham, and West Warwick. Two school committees — Scituate and Smithfield — do not livestream their meetings but nonetheless record them for future viewing.



<sup>13</sup> Specifically, finding the links to Newport School Committee archived meetings from their website is not an intuitively easy task. Exeter-West Greenwich provides archived access to meetings, but inexplicably it recently began requiring individuals to obtain a password from the school district to view more recently uploaded videos.

## Agenda Packets

An extremely frustrating aspect of remote viewing is when the public body fails to make accessible to the public the documents that form the basis for its agenda discussions. One of the most notorious examples of this during the pandemic was when a Providence City Council committee approved a \$511 million budget that was not available to anyone but the council members to peruse.<sup>14</sup>

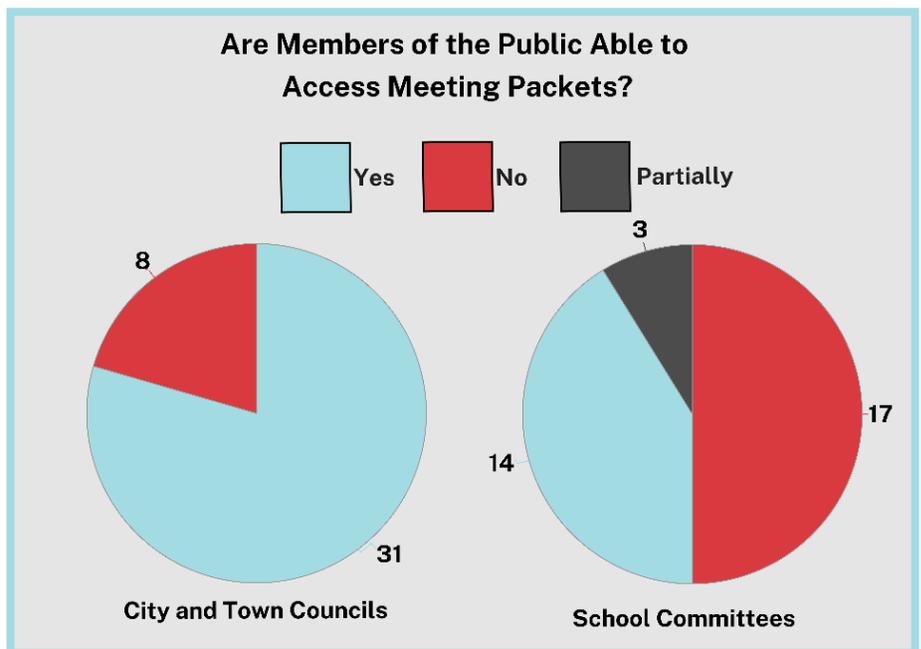
Providing links to agenda papers directly from the online published agenda is an easy way to ensure that the public can follow the public body’s discussion and debate, and do so knowledgeably, especially where remote participation is allowed. The availability of central document housing platforms, such as BoardDocs or Clerkbase, used by many of the public bodies for this purpose, make it extremely easy for public bodies to share meeting documents with the public.

In a very positive step for increased transparency and accountability, 31 of the 39 city and town councils include with their notices an online link to an agenda packet or to the documents being discussed at the meeting. The eight that fail to do so are: Burrillville, Central Falls,<sup>15</sup> Exeter, Foster, Glocester, Hopkinton, Tiverton, and West Greenwich.

Unfortunately, while 80% of city and town councils make their agenda packets available online, only 14 school committees regularly include a link to a full agenda packet or documents, although as

noted in the footnotes that follow, there are caveats that must be noted for a few of them. Three additional school committees – Little Compton, Narragansett, and North Providence – appear to partially provide agenda packets.

Those school committees routinely offering the public this information online, either fully or in part, are: Barrington, Bristol-Warren, Chariho, East Greenwich, Little Compton, Middletown,<sup>16</sup> Narragansett, Newport, North Kingstown, North Providence, Providence, Scituate, South Kingstown, Tiverton, Warwick, Westerly, and Woonsocket.



14 “Providence panel finally approves \$511M city budget,” Steph Machado, WPRI-TV, March 31, 2021. <https://www.wpri.com/news/local-news/providence/providence-panel-finally-approves-511m-city-budget-9-months-into-fiscal-year/>.

15 Some Central Falls City Council agendas include a link to view “an electronic version of the agenda with supporting documentation,” but documents were not available at the links we tried.

16 Supporting documents are not available from the Middletown school committee website, but can only be found through the Town Council website after clicking on some non-obvious links there.

## Recommendations and Conclusion

As a result of the open meetings lessons spurred by the pandemic, more parents were able to monitor school board meetings without having to find childcare; elderly residents could watch evening town council meetings without having to drive in the dark; and harried individuals with two jobs often had an opportunity to watch an important governmental meeting on their own schedule. Major public bodies that have not continued with those opportunities for remote public involvement should do so.

**Access to the democratic process should no longer hinge on a person's physical mobility or their ability to afford a car, get time off work, or find a childcare provider.**

Legislation sponsored by Senator Victoria Gu (23-S 815) has been introduced in the General Assembly this year that would require not only city and town councils and school committees, but also zoning and planning boards and quasi-public state agencies, to allow for remote attendance by the public, as well as remote participation to the extent that in-person participation is allowed.

The bill would also require that these meetings be recorded and posted online within 24 hours. **Our review of the current status of remote access demonstrates that it would not be difficult for the designated agencies, especially city and town councils and school committees, to comply, and the public benefit would be enormous.**

One amendment to the legislation that we would strongly recommend is a requirement for these entities to also post their agenda packets along with their agendas, as many already do voluntarily.<sup>17</sup>

Even without legislation, however, our review shows that there is simply no reason for any city or town council or school committee to fail to livestream their meetings, record them for future reference, and provide links to agenda item documents online. **We urge every city and town council and every school committee to begin doing so if they are not already. There is no need to wait for the passage of a law to take these actions in the interests of transparency and accountability.**

And while there may be technological challenges in some communities to offer hybrid participation in meetings, every city and town council and school committee should at least make the effort to determine if it is feasible, and the state should consider providing financial and technical assistance — as it did during the pandemic — to help them with this goal.

Access to the democratic process should no longer hinge on a person's physical mobility or their ability to afford a car, get time off work, or find a childcare provider. If municipal councils and school committees positively address the access issues analyzed in this report, they will be taking important steps in further promoting the Open Meetings Act's goal of having "public business be performed in an open and public manner." We hope that this review — and the evidence it presents on the reasonableness and practicability of greater remote public access to meetings — will encourage these important public bodies to take the modest steps outlined above.

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<sup>17</sup> A separate bill, making a number of reforms to the Access to Public Records Act, specifically contains a provision requiring public bodies to post agenda documents with their published agendas. 23-S 420/23-H 5454.

# Appendices

## Appendix A – City and Town Councils

City/Town Council	Watch Livestream	Remote Participation	Video Archived	Packet Online	Notes
Barrington	<b>No</b>	<b>No</b>	Yes	Yes	
Bristol	Yes	<b>No</b>	Yes	Yes	
Burrillville	<b>No</b>	<b>No</b>	Yes	<b>No</b>	
Central Falls	Unclear*	<b>No</b>	Yes	<b>No**</b>	* Videos of recent meetings are available, but it is unclear if they are livestreamed or posted after conclusion of the meeting. ** Some agendas include a link to view “an electronic version of the agenda with supporting documentation,” but documentation is not available at the link.
Charlestown	Yes	<b>No</b>	Yes	Yes	
Coventry	Yes	Yes	Yes	Yes	
Cranston	Yes	Yes	Yes	Yes	
Cumberland	Yes	Yes	Yes	Yes	
East Greenwich	Yes	Yes	Yes	Yes	
East Providence	Yes	<b>No</b>	Yes	Yes	
Exeter	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	
Foster	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	
Glocester	Yes	<b>No</b>	Yes	<b>No</b>	
Hopkinton	Yes	Yes	Yes	<b>No</b>	
Jamestown	Yes	<b>No</b>	Yes	Yes	
Johnston	<b>No</b>	<b>No</b>	<b>No</b>	Yes	
Lincoln	Yes	Yes*	Yes	Yes	* Individuals watching by livestream can email comments to meeting@lincolnri.org while the meeting is taking place.
Little Compton	Yes	<b>No</b>	Yes	Yes	
Middletown	Yes	Yes	Yes	Yes	
Narragansett	Yes	<b>No</b>	Yes	Yes	
New Shoreham	Yes	<b>No</b>	Yes	Yes	
Newport	Yes	<b>No</b>	Yes	Yes	
North Kingstown	Yes	<b>No</b>	Yes	Yes	

City/Town Council	Watch Livestream	Remote Participation	Video Archived	Packet Online	Notes
North Providence	Yes	<b>No</b>	Yes	Yes	
North Smithfield	Yes	<b>No</b>	Yes	Yes	
Pawtucket	Yes	Yes	Yes	Yes	
Portsmouth	Yes	Yes	Yes	Yes	
Providence	Yes	<b>No</b>	Yes	Yes	
Richmond	Yes	Yes	Yes	Yes	
Scituate	Yes	Yes*	Yes	Yes	* People watching via livestreaming can offer public comment remotely on non-agenda items, but not for public hearings.
Smithfield	Yes	<b>No</b>	Yes	Yes	
South Kingstown	Yes	<b>No</b>	Yes	Yes	
Tiverton	Yes	<b>No</b>	Yes	<b>No</b>	
Warren	Yes	<b>No</b>	Yes	Yes	
Warwick	Yes	<b>No</b>	Yes	Yes	
West Greenwich	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	
West Warwick	Yes	Yes*	Yes	Yes	* The agendas do not make clear remote participation is allowed, but town officials have advised that it is.
Westerly	Yes	<b>No</b>	Yes	Yes	
Woonsocket	Yes	<b>No</b>	Yes	Yes	

A total of 12 municipalities offer all four aspects of remote public meeting access and participation: Coventry, Cranston, Cumberland, East Greenwich, Lincoln, Middletown, Pawtucket, Portsmouth, Richmond, Scituate, and West Warwick.

Three municipalities offer no remote public meeting access in any capacity: Exeter, Foster, and West Greenwich.

## Appendix B – School Committees

School Committee	Watch Livestream	Remote Participation	Video Archived	Packet Online	Notes
Barrington	Yes	Yes*	Yes	Yes	* For at least one recent meeting (4/20/23), remote participation was not provided as an option.
Bristol-Warren	Yes	<b>No</b>	Yes	Yes	
Burrillville	Yes	<b>No</b>	Yes	<b>No</b>	
Central Falls	Yes	Unclear*	Yes	<b>No</b>	* The setup allows presenters to make their presentations on agenda items virtually, but it is unclear if the public is able to participate in the same way.
Chariho	Yes	<b>No</b>	Yes	Yes	
Coventry	Yes	<b>No</b>	Yes	<b>No</b>	
Cranston	Yes	Unclear*	<b>No*</b>	<b>No</b>	* Meetings are livestreamed via Zoom, but there is no mention on the agenda as to whether remote participation is allowed. There is also no indication that livestreamed meetings are archived.
Cumberland	Yes	<b>No</b>	Yes	<b>No</b>	
East Greenwich	Yes	Unclear*	Yes	Yes	* The committee agenda refers to “hybrid” meetings, but it does not specify whether remote viewers can participate.
East Providence	Yes	<b>No*</b>	Yes	<b>No</b>	* The agenda specifies that a provided link allows individuals to “view” the meeting. There is no reference to participation.
Exeter - West Greenwich	*	<b>No</b>	*	<b>No</b>	* Videos are archived and viewable until February 2023. For meetings thereafter, one must call the school in order to obtain a password to view current and more recently archived videos.
Foster-Glocester	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	
Jamestown	Yes	<b>No</b>	Yes	<b>No</b>	
Johnston	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	
Lincoln	Yes	<b>No</b>	Yes	<b>No</b>	
Little Compton	Yes	<b>No</b>	Yes	Yes*	* “Board Docs” has expandable agendas, but not all items have documents attached.
Middletown	<b>No</b>	<b>No</b>	<b>No</b>	Yes*	* Supporting documents are not available from the school committee website, but can only be found through the Town Council website after clicking on some non-obvious links there.

School Committee	Watch Livestream	Remote Participation	Video Archived	Packet Online	Notes
Narragansett	Yes	No	Yes	Yes*	* It appears that only the most current meeting agenda has documents available through a link.
New Shoreham	No	No	No	No	
Newport	Unclear*	No	Yes	Yes**	* Videos are available on YouTube, but it is unclear if they are livestreamed or posted after the conclusion of a meeting. ** The videos are available, but not easily accessible, from the school committee website.
North Kingstown	Yes	No	Yes	Yes	
North Providence	Yes	No	Yes	Yes*	* Agendas have a link to “view revised and new policies” that are listed on the agenda for “discussion and/or approval.”
North Smithfield	Yes	Unclear*	Yes	No	* The agenda advises that one may attend via Zoom, but it does not specify if participation is allowed.
Pawtucket	Yes	No*	Yes	No	* Meetings are livestreamed via Zoom, but available only for viewing.
Portsmouth	Yes	Unclear*	Yes	No	* Both a livestream and Zoom link are included on the agenda, but the agenda does not specify whether remote participation is allowed.
Providence	Yes	No	Yes	Yes	
Scituate	No*	No	Yes	Yes	*Video available after meeting has concluded
Smithfield	No	No	Yes*	No	* A link to the Town’s Vimeo account indicates that videos are available for viewing within 3 days after the meeting.
South Kingstown	Yes	No	Yes	Yes	
Tiverton	Yes	No	Yes	Yes	
Warwick	Yes	No	Yes	Yes	
West Warwick	No	No	No	No	
Westerly	Yes	No	Yes	Yes	
Woonsocket	Yes	No	Yes	Yes	

Barrington was the only school committee that offers all four aspects of remote public meeting access and participation.

Four school committees offer no remote public meeting access in any capacity: Foster-Glocester, Johnston, New Shoreham, and West Warwick.







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