



Kansas Attorney General

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Best practices to aid in implementing K.A.R. 16-20-1 concerning open meetings during an emergency declaration

A public body or agency subject to the Kansas Open Meetings Act (KOMA), K.S.A. 75-4317 et seq., should take any actions as may be necessary and reasonable under the circumstances of the emergency declaration to advance the state policy that “meetings for the conduct of governmental affairs and the transaction of governmental business be open to the public” as provided by K.S.A. 75-4317(a), and amendments thereto.

To aid in its transparency efforts during a declared emergency, a public body or agency should consider taking the following steps:

- (1) Audio or video record the meeting, excluding any portion of the meeting that pertains to an actual closed or executive meeting pursuant to K.S.A. 75-4319, and amendments thereto, and post the recording on its website or other internet location;
- (2) post to its website any agenda, agenda packet, presentation, or other document that will be discussed during the meeting;
- (3) post any meeting minutes to its website as soon as possible after the meeting.
- (4) as early as practicable before any such meeting or meetings, disseminate a notice describing its intent to conduct a meeting or meetings solely by a medium of interactive communication or by meeting in person but limiting physical access of the public to the place where the meeting will occur. Such notice should at a minimum:
 - (a) explain the reason or reasons the public will not be permitted to physically attend the meeting;
 - (b) describe how members of the public may receive notice of any such meeting;
 - (c) explain how members of the public may listen to, observe and/or participate in any such meeting by telephone or other medium of interactive communication; and
 - (d) explain how members of the public may obtain in advance any written information to be discussed during the meeting, such as agendas.
- (5) broadly disseminate any notice by any means calculated to bring its contents to the attention of the general public. Such means may include, but not be limited to, publication on websites of the public body or agency; dissemination to news media; publication on social media accounts of the public body or agency; distribution by email to persons likely to be interested in the business of the public body or agency; or by any other means likely to cause actual notice to members of the general public. Multiple methods of distribution should be used whenever available.