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FOR IMMEDIATE RELEASE

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Office of Open Government Advisory: Sunshine Week and the Continued Importance of Ensuring that Open Meetings are Reasonably Accessible During the COVID-19 Pandemic

MADISON, Wis. – In recognition of Sunshine Week, the Wisconsin Department of Justice (DOJ) is reaffirming the importance of taking steps to ensure that meetings of governmental bodies remain open and reasonably accessible to the public amid the continuing COVID-19 pandemic. DOJ's Office of Open Government (OOG) prepared the following advisory pursuant to Wis. Stat. § 19.98.

In March 2020, the OOG issued two advisories in response to inquiries as to the applicability of Wisconsin's open meetings law, Wis. Stat. §§ 19.81 to 19.98, in light of public health concerns regarding COVID-19. Those two advisories remain available to the public via DOJ's website at <https://www.doj.state.wi.us/office-open-government/office-open-government>. As those advisories discuss, remote meetings can be conducted consistently with the open meetings law, but governmental bodies should make appropriate accommodations for individuals for whom remote attendance would not be possible or would present significant difficulty.

Similarly, governmental bodies conducting in-person meetings prior to the end of the pandemic should consider the impact that the pandemic continues to have on the accessibility of such meetings. Under Wis. Stat. § 19.81(2), "all meetings of all state and local governmental bodies shall be publicly held in places reasonably accessible to members of the public and shall be open to all citizens at all times unless otherwise expressly provided by law." And while vaccines are becoming more widely distributed and the public health situation has recently improved, in-person meetings continue to present heightened health risks for many individuals.

To ensure that in-person meetings during the pandemic are reasonably accessible to the public, governmental bodies should keep the public health situation, guidance of public health professionals, and health concerns of the public in mind when making

decisions about how open meetings are conducted. Further, governmental bodies are strongly encouraged to make remote access to meetings available through the duration of the pandemic.

Governmental bodies are also encouraged to retain practices adopted to promote transparency during the pandemic to the extent that those practices would increase accessibility after the pandemic ends. By maintaining a remote option for public access to meetings or posting recordings of meetings as soon as practicable after meetings conclude, governmental bodies can advance the open meetings law's purpose of ensuring government openness and transparency.

This advisory is limited to guidance in connection with the open meetings law. Individuals and governmental bodies with questions regarding reasonable accommodations under state and federal law should contact their own legal counsel.

If you have questions or concerns regarding the application of the open meetings law, please contact the Office of Open Government at (608) 267-2220.

See also:

March 17, 2020 – [Office of Open Government Advisory: Coronavirus Disease 2019 \(COVID-19\) and Open Meetings](#)

March 20, 2020 – [Office of Open Government Advisory: Additional Information Regarding Coronavirus Disease \(COVID-19\) and Open Meetings](#)