

Date: March 31, 2020
Memo to: DCFS Advisory Boards and Groups
From: Marc D. Smith, Acting Director
Subject: **COVID-19 and the Open Meetings Act**

The Illinois Open Meetings Act (5 ILCS 120/2.01) requires that “a quorum of members of a public body must be physically present at the location of an open meeting.”

As a result of the recent spread of the novel coronavirus (COVID-19), DCFS encourages its advisory groups to meet via teleconference or videoconference, or to postpone in-person meetings.

On March 16, 2020, Governor Pritzker issued Executive Order 2020-07 (<https://www2.illinois.gov/Pages/Executive-Orders/ExecutiveOrder2020-07.aspx>). This Executive Order suspended the Open Meetings Act requirements for physical presence at meetings of public bodies for the duration of the Gubernatorial Disaster Proclamation.

Executive Order 2020-07 Section 6, which addresses meetings of public bodies, reads as follows:

Section 6. During the duration of the Gubernatorial Disaster Proclamation, the provisions of the Open Meetings Act, 5 ILCS 120, requiring or relating to in-person attendance by members of a public body are suspended. Specifically, (1) the requirement in 5 ILCS 120/2.01 that “members of a public body must be physically present” is suspended; and (2) the conditions in 5 ILCS 120/7 limiting when remote participation is permitted are suspended. Public bodies are encouraged to postpone consideration of public business where possible. When a meeting is necessary, public bodies are encouraged to provide video, audio, and/or telephonic access to meetings to ensure members of the public may monitor the meeting, and to update their websites and social media feeds to keep the public fully apprised of any modifications to their meeting schedules or the format of their meetings due to COVID-19, as well their activities relating to COVID-19.

Other requirements of the Open Meetings Act, including public postings and public accessibility, continue to apply to DCFS Advisory Boards and Groups. Questions should be directed to the group’s assigned staff liaison or Stefanie Polacheck at Stefanie.L.Polacheck@illinois.gov.