

# SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDD

## ELECTRONIC PARTICIPATION IN MEETINGS FROM REMOTE LOCATIONS

Except as provided hereafter, the School Board shall not conduct any meeting wherein the public business is discussed or transacted through telephone, video, electronic, or other communication means where the members are not physically assembled.

### A. Quorum Physically Assembled

A school board member may participate in a meeting through electronic communication means from a remote location that is not open to the public:

1. if, on or before the day of a meeting, the school board member notifies the Chair of the School Board that he or she is unable to attend the meeting, due to an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, and the School Board
  - (a) approves the member's participation by a majority vote of the members present at a meeting and
  - (b) records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated.

In deciding whether or not to approve a Board member's request to participate from a remote location, the Board shall not consider the identity of the member making the request or the matters that will be considered or voted on at the meeting.

If a Board member's participation from a remote location is disapproved, such disapproval will be recorded in the minutes with specificity.

Such participation by a school board member shall be limited each calendar year to two meetings or 25 percent of the meetings of the School Board, whichever is fewer:

2. if a school board member notifies the School Board Chair that he or she is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the school Board records this fact and the remote location from which the member participated in its minutes.

A school board member may participate in a meeting by electronic means only when:

- a quorum of the School Board is physically assembled at the primary or central meeting location; and

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- the School Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

### B. Quorum Not Physically Assembled

The School Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in accordance with Va. Code § 44-146.17, as provided:

- the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location, and
- the purpose of the meeting is to address the emergency.

If it holds a meeting pursuant to this section, the School Board shall

- give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the School Board;
- make arrangements for public access to the meeting;
- make available to the public, at the time of the meeting, agenda packets and all materials, unless exempt, that will be distributed to members of the School Board and that have been made available to the School Board's staff in sufficient time for duplication and forwarding to all locations at which public access will be provided;
- record minutes of the meeting in accordance with Policy BDDG; and
- record in the minutes votes taken by name in roll-call fashion.

The nature of the emergency and the fact that the meeting was held by electronic communication means shall be stated in the minutes of the meeting.

If the School Board meets by electronic means as provided in this section, it shall make a written report of the following to the Virginia Freedom of Information Advisory Council and the Joint Commission on Technology and Science by December 15 of each year:

- the total number of electronic communication meetings held that year;
- the dates and purposes of the meetings;
- the number of sites for each meeting;
- the types of electronic communication means by which the meetings were held;
- the number of participants, including members of the public, at each meeting location;
- the identity of the members of the School Board recorded as absent and those recorded as present at each meeting location,
- a summary of any public comment received about the electronic communication meetings; and

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- a summary of the School Board's experience using electronic communication meetings, including its logistical and technical experience.

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Revised: June 19, 2008  
Revised: June 25, 2013  
Revised: June 26, 2014

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Legal References: Code of Virginia, 1950, as amended, §§ 2.2-3708, 2.2-3708.1, 2.2-3710

Cross References: BDDG Minutes

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