

**BYLAWS OF THE VIRGINIA BEACH CITY PUBLIC SCHOOLS
COMMUNITY ADVISORY COMMITTEE FOR GIFTED EDUCATION**

BYLAW AMENDMENT

ARTICLE SIX MEETINGS

SECTION 8: ELECTRONIC MEETINGS AND REMOTE PARTICIPATION IN MEETINGS

Section 8. Electronic meetings and remote participation in meetings

In accordance with the Virginia Freedom of Information Act, § 2.2-3700, as amended, the Committee will hold electronic meetings or allow Committee Members to remotely participate in Committee meetings as set forth in this Section.

A. Electronic communication meetings during declared states of emergency.

The Committee may meet by electronic communication means without a quorum of the Committee physically assembled at one location when the Governor or the City of Virginia Beach has declared a state of emergency and the following conditions are met:

1. the catastrophic nature of the declared state of emergency makes it impracticable or unsafe to assemble a quorum in a single location.
2. the purpose of the meeting is to address the continuity of operations of the Committee or the discharge of the Committee's lawful purposes, duties, and responsibilities,
3. under other conditions allowed by the Governor or the Virginia General Assembly and adopted by the Committee.
4. The Committee must give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to Committee Members.
5. Agenda packets and all nonexempt materials should be available electronically or at all locations where public access will be provided and at the same time as the meeting.
6. Arrangements must be made for the public to access the meeting through electronic means. When the Committee determines, or the Chair or designee determine (when there is insufficient time for the Committee to act) that in person observation is unreasonable or unsafe under the circumstances, the Chair or designee will arrange for electronic or, telephonic access for the public if reasonably possible or the meeting will be recorded and made available to review when such means are not available. Provide the public with the opportunity to comment at those meetings when public comment is customarily received.

7. The meeting minutes must state the nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held.
8. Votes taken during any such meeting shall be recorded by the name in the roll-call fashion and included in the minutes.
9. The Committee Chair or designee will make a written report of such meeting as required by the Virginia Freedom of Information Act.

B. Remote location participation in meetings

Committee Members may participate in Committee Meetings through electronic communication means from a remote location that is not open to the public under conditions set forth in this Bylaw.

1. Temporary or permanent disability or other medical condition that prevents physical attendance.
 - a. On or before the day of a meeting, a Member must notify the Committee Chair that the Member is unable to attend the meeting due to: i) a temporary or permanent disability or other medical condition that prevents the Member's physical attendance; or ii) a medical condition of a member of the Member's family requires the Member to provide care that prevents the Member's physical attendance.
 - b. The Chair or designee will note during the meeting that the Member is remotely participating due to a temporary or permanent disability or other medical condition that prevents the Member's physical attendance. The general location from which the Member participates will be included in the meeting minutes, but the exact nature of the disability or medical condition does not need to be announced publicly or be included in the meeting minutes.
 - c. A Member's ability to remotely participate due to a temporary or permanent disability or other medical condition of the Member or a family member will not be limited in number as long as such remote participation: i) does not create an unreasonable hardship for the Committee to administer; ii) does not unreasonably interfere with the Committee's ability to conduct its business; and/or iii) the Member can clearly be heard and/or seen through the method of remote participation throughout each meeting. Before limiting continued remote participation pursuant to this subsection, the Committee Members must vote to discontinue the remote participation.
2. Personal matter prevents physical attendance.
 - a. On or before the day of a meeting, a Member must notify the Committee Chair that the Member is unable to attend the meeting due to a personal matter and must identify with specificity the nature of the personal matter.

- b. The Chair will note during the meeting the specific nature of the personal matter and the remote location from which the Member is participating.
 - c. During a calendar year (January 1 – December 31), a Member will be limited to remote participation for personal reasons to two meetings or twenty five percent (25%) of meetings held per that calendar year rounded up to the next whole number, whichever is greater.
 - d. Once a Member has participated remotely two times or twenty five percent of the meetings for that calendar year under this subsection (whichever is greater), the Chair or designee will inform the Member that no further remote participation will be allowed during the calendar year for personal reasons.
 - e. Committee Members should be consulted prior to rescheduling a meeting so that Committee Members have the opportunity to participate and do not have to use limited remote participation opportunities.
3. In any meeting at which one or more Members participates from a remote location: 1) a quorum of the Committee must physically assemble at the primary or central meeting location; and 2) the Chair or designee must make arrangements for the voice of the remote participant(s) to be heard by all persons at the primary or central meeting location. No more than two Committee Members can be in the same remote location during a meeting unless that remote location is open to the public to physically access it.
4. The Chair or designee will determine the appropriate method, if reasonably available, for the Member to remotely participate in a meeting.
5. Committee Members may not participate from a remote location in any closed session meeting.
6. Conditions regarding remote location participation may be suspended or modified in accordance with applicable School Board action or resolution, Governor's action, or Virginia General Assembly action.
7. The electronic communications mean used for a meeting will allow the public to hear all members of the public body participating in all virtual public meetings. A phone number or other live contact information is provided to alert the public if the audio or video transmission of the meeting fails, such contact number is monitored during the meeting, and the Committee takes a recess until public access is restored if transmission fails for the public.