

Employment Service Organization Steering Committee ELECTRONIC MEETING POLICY

The Virginia Freedom of Information Act (FOIA) requires all boards to adopt an electronic meeting policy. It shall be the policy of the Employment Service Organization Steering Committee to allow for electronic meeting participation as permitted in FOIA and in accordance with this policy.

Members shall notify Committee staff of the need to participate electronically as soon as possible.

NOTICE PROVIDED TO STAFF AT LEAST ONE WEEK PRIOR TO A MEETING

When such notice is provided at least one week prior to the meeting, the following Electronic Participation Permission shall be applied:

Electronic Participation Permission #1: General - It shall be the policy of the the Committee to allow a member to participate electronically under §2.2-3708.2 D of the Code of Virginia provided that:

1. A quorum of the Committee is physically assembled at the primary meeting location;
2. Notice of the meeting has been provided at least three working days in advance of the date scheduled for the meeting. The meeting notice will include the date, time, place, and purpose for the meeting and identify the primary meeting location; and
3. Members of the public are provided a substantially equivalent electronic communication means through which to observe or listen to the meeting. The meeting notice shall include the electronic communication means by which members of the public may witness the meeting; and shall include a telephone number that may be used to notify the primary meeting location of any interruption in the telephonic or video broadcast of the meeting. Any interruption in the telephonic or video broadcast of the meeting shall result in the suspension of action at the meeting until repairs are made and public access is restored.

A copy of all materials that will be distributed to members of the Committee will be made available for public inspection at the same time such documents are furnished to the members of the public body conducting the meeting.

If three or more members are gathered at the same remote location, then the remote location shall be open to the public and the meeting notice shall include the remote location. The same opportunity to address the public body shall be afforded all persons attending the meeting at any of the remote locations as afforded to persons attending the primary meeting location. A copy of the meeting materials distributed to the Committee will be made available for inspection by members of the public attending the meeting at any of the remote locations at the time of the meeting.

Votes taken during any meeting conducted through electronic communication means shall be recorded by name in roll-call fashion and included in the minutes.

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As required by FOIA, pursuant to Electronic Participation Permission #1, at least one meeting per year must be conducted without electronic participation, regardless if Permission #2 or Permission #3 are also utilized.

As required by FOIA, pursuant to Electronic Participation Permission #1, the Committee staff shall:

1. Make available to the public at any meeting conducted in accordance with this permission a public comment form prepared by the Virginia Freedom of Information Advisory Council; and
2. Coordinate the submission of an electronic meeting report to the FOIA Council annually in December.

NOTICE PROVIDED TO STAFF WITHIN ONE WEEK OF THE MEETING

When such notice of the need for electronic participation is provided to the Committee staff with less than one week notice, the following two (2) options shall be considered.

Electronic Participation Permission #2: Disability or Medical Condition - It shall be the policy of the Committee to allow a member to participate electronically under §2.2-3708.2 A 1 a of the Code of Virginia, unless a member objects. At the beginning to the meeting, the Chair shall state the member's electronic participation and the reason as required under §2.2-3708.2 A 1 a of the Code of Virginia. At such time, if any other member objects, the Chair shall call for a vote on the matter. If the vote is such that the member will not be permitted to participate electronically, the member should be advised that he/she may only monitor/witness the meeting and is not permitted to participate (e.g., vote, discuss). The outcome of any vote on the member's participation shall be documented in the minutes accordingly.

If the Committee employs Permission #2 but also convenes an electronic meeting pursuant to Electronic Permission #1 during the year, it is required hold at least one meeting annually where members in attendance at the meeting are physically assembled at one location and where no members participate by electronic communication means.

Electronic Participation Permission#3: Personal Matters - It shall be the policy of the Committee to allow a member to participate electronically under §2.2-3708.2 A 1 b of the Code of Virginia, unless a member objects. At the beginning to the meeting, the Chair shall state the member's electronic participation and the reason as required under §2.2-3708.2 A 1 b of the Code of Virginia. At such time, if any other member objects, the Chair shall call for a vote on the matter. If the vote is such that the member will not be permitted to participate electronically, the member should be advised that he/she may only monitor/witness the meeting and is not permitted to participate (e.g., vote, discuss). The outcome of any vote on the member's participation shall be documented in the minutes accordingly.

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As required by FOIA, pursuant to Electronic Participation Permission #3, each Committee member may only use this permission twice per year.

If the Committee employs Permission #3 but also convenes an electronic meeting pursuant to Electronic Permission #1 during the year, it is required hold at least one meeting annually where members in attendance at the meeting are physically assembled at one location and where no members participate by electronic communication means.

FUTURE REVISIONS AND POLICY ADOPTION

All future revisions to this policy, including those that are required as a result of changes to FOIA, shall be submitted for consideration to the Committee at least one week prior to the Committee meeting at which the policy revisions shall be considered. Revisions shall be approved with a majority vote of the Committee members present at the meeting and become effective immediately upon adoption.

Policy Adoption Date: 12/02/2019