

PRINCE WILLIAM COUNTY SCHOOLS GIFTED EDUCATION ADVISORY COMMITTEE BYLAWS

I. Name

The name of this Committee/Council shall be the Gifted Education Advisory Committee.

II. Purpose and Responsibilities

The purpose and responsibilities of the Gifted Education Advisory Committee are outlined in *Regulations Governing Educational Services for Gifted Students* of the Commonwealth of Virginia.

1. The Committee reviews annually the local plan for the education of the gifted, including revisions.
2. The Committee determines the extent to which the plan for the previous year was implemented.
3. The Committee shall submit annually in writing to the Division Superintendent and to the School Board the findings of program effectiveness and the recommendations of the advisory committee.

III. Membership

Section 3.1: Membership Makeup

(a) The Committee shall be composed of voting members and non-voting members along with at least one non-voting Facilitator. The Facilitator shall be the PWCS Chief or Associate, or their designee, whose duties most closely align with the purpose of the Committee. PWCS Division Counsel, or their designee, shall also attend as appropriate as a non-voting member. Members of the Committee shall not participate in any decisions in which there is a conflict or the appearance of a conflict between their duties in the public interest and their private interests.

(b) Membership shall include:

- (i) Eight voting members recommended by the School Board. Members of this group shall include persons who have demonstrated an on-going commitment to the purposes and responsibilities served by this Committee. Board appointments and vacancies shall be handled in accordance with School Board Policy 170.
- (ii) A maximum of seven voting members recommended by the Superintendent. Members of this group shall include persons whose interests or expertise relate to the purposes and responsibilities of this Committee, including but not limited to parents, teachers, administrators or students. The Superintendent may recommend more than seven members to the School Board, but at no point shall more than seven serve as voting

members.

(iii) If not satisfied by the appointments made pursuant to Section 3.1(b)(i) or (ii), any additional members or persons required by the Virginia Code, Virginia Administrative Code, or other law or regulation. The Committee Chairperson shall consult with their Facilitator and the Office of Division Counsel to ensure any statutory or regulatory membership requirements are met.

Section 3.2: Appointments and Term Limits

(a) Appointment and terms for members shall comply with [School Board Policy 170](#).

Section 3.3: Identification of Members

(a) All members of the Committee will be identified in the meeting minutes annually each fall and as needed throughout the school year. Members attending, absent, and excused will be identified in meeting minutes.

Section 3.4: Responsibilities of Appointed Members

(a) The responsibility of the appointed members shall be to serve the purposes of the Committee, as set forth in Article II.

IV. Governance

Section 4.1: Governing Structure

The Committee shall by majority vote of a quorum of the Committee, appoint a Chairperson, Vice Chairperson, and Secretary from the membership, who shall serve an annual term effective for the following school year but not to exceed the length of their appointment. Only members appointed by the School Board shall have the option to serve as Chairperson, Vice Chairperson, or Secretary.

Section 4.2: Chairperson Responsibilities

The Chairperson or, in his/her absence or incapacity, the Vice Chairperson shall:

- (a) Open and preside at meetings of the Committee;
- (b) Prepare and/or approve the meeting agenda in advance of each meeting;
- (c) Ensure proper parliamentary procedures are followed in accordance with [Robert's Rules of Order - Simplified](#);
- (d) Ensure compliance with the Virtual Meeting Policy; and

- (e) Work through the Facilitator to communicate the needs and work of the Committee to Division leadership.

Section 4.3: Vice Chairperson Responsibilities

The Vice Chairperson, or in his/her absence or incapacity, the Secretary shall:

- (a) Perform the duties of the Chairperson in their absence.

Section 4.4: Secretary Responsibilities

The Secretary, or, in his/her absence or incapacity, the Vice Chairperson shall:

- (a) Take notes of meetings of this Committee;
- (b) Be responsible for the preparation of minutes from each meeting in cooperation with the Committee;
- (c) Be responsible for recording the attendance of committee members;
- (d) Transmit copies of the minutes to the Chairperson, Vice Chairperson, or Facilitator in advance of the next Committee meeting;
- (e) Ensure approved minutes are posted to the Committee website monthly;
- (f) Work with the Facilitator to ensure meeting spaces are properly scheduled and arranged;
- (g) Work with the Facilitator to ensure meetings are properly noticed by posting notice of the date, time, location, and remote location, if required, of all meetings on the Committee's website;
- (h) Be responsible for providing assistance to the Chairperson with preparation of the meeting agenda and transmission of the proposed agenda to the Chairperson or Vice Chairperson at least three days in advance of the next Committee meeting;
- (i) Work with the Facilitator to publish agendas, agenda packets, and all materials subject to public disclosure under FOIA to the Committee's website at the same time that the materials are distributed to committee members; and
- (j) Carry out such other administrative duties as may be assigned by this Committee.

V. Meetings

Section 5.1: Meeting Frequency

The Committee shall establish a meeting calendar annually at the first meeting. In establishing a calendar, the Committee must meet at least quarterly. The Chairperson, or a majority of the active voting membership, may call additional meetings for good cause or at the request of the School Board, Superintendent, or Committee Membership.

Section 5.2: Decision-making Process

Decisions of the Committee shall be made by majority vote of a quorum, unless otherwise indicated in the Bylaws. Each voting member shall have one vote, regardless of leadership role. A record of affirmative, dissenting, and abstaining votes and comments shall be placed in the

minutes of each meeting.

Section 5.3: Meeting Elements

Meetings may contain the following elements: call to order, determination of quorum, community time/citizens' comments, approval of minutes of the preceding meeting, follow up on action items, items of information, action items, discussion items, items for inclusion in future meeting agendas, and adjournment.

Section 5.4: Quorum Requirement

Forty percent (40%) of the active voting membership of the Committee constitutes a quorum. Vacancies shall not be counted as active membership for purposes of determining a quorum.

Section 5.5: Procedural Disputes

In the event of any procedural dispute arising out of the conduct of meetings, [Robert's Rules of Order – Simplified](#) shall be used to resolve such dispute, except to the extent that [Robert's Rules of Order – Simplified](#) conflict with any provisions of these Bylaws or School Board Policy 170.

Section 5.6: Virtual Participation by Individual Members

At the first annual meeting of the Committee, the Committee shall adopt a virtual meeting policy to govern the Committee's use of individual remote participation and all-virtual public meetings. Failure to adopt a virtual meeting policy will preclude the Committee and its members from participating in any meeting remotely or via all-virtual means. Unless authorized by the virtual meeting policy, all committee meetings shall be conducted in person with a quorum physically assembled in one location.

VI. Expectations and Requirements of Members

Section 6.1: Attendance and Absences

Members are expected to attend all scheduled meetings and to provide advance notice to the Chairperson when he/she will not be able to attend the meeting. Each member's attendance will be identified in the meeting minutes as required in Section 3.3(a).

Section 6.2: Meeting Preparation

Members are expected to prepare thoroughly for each meeting by reading and responding to supporting documents (minutes, attendance, attachments, emails, etc.), as provided.

Section 6.3: Collaboration

Committee members are expected to work in a collaborative fashion with each other, members of the School Division, and community representatives. Members are expected to express views and opinions or concerns openly and constructively and to appropriately represent his or her district/office/department on the Committee.

Section 6.4: Freedom of Information Act Requirements

As a body created by the School Board or for the purpose of advising the School Board, this Committee is a public body subject to the requirements of Virginia's Freedom of Information Act (the Act). At the first meeting of every school year the Committee shall receive a training on the Act. All meetings and communications of this Committee shall comply with the Act and all members are required to read and become familiar with the Act. Committee members are required to seek the advice of the PWCS Division Counsel in maintaining the proper balance between the protection of the sensitive information and the requirements of the Act.

VII. Approval and Amendment of Bylaws

Section 7.1: Approval of Bylaws

These Bylaws shall take effect upon adoption by a two-thirds vote of the voting membership. These Bylaws shall be approved as to form prior to any committee vote on whether to adopt these Bylaws.

Section 7.2: Amendment Procedure

Any member of this Committee may propose an amendment to these Bylaws. A written, full, and complete text of the proposed amendment shall be forwarded to the Facilitator and approved as to form by the Office of Division Counsel. Once a proposed amendment has been approved as to form, it must be provided to the members of the Committee at least one month prior to the meeting at which the amendment is to be acted upon. The amendment shall be effective on approval by a two-thirds vote of the voting members.

COMMITTEE VIRTUAL MEETING POLICY

Consistent with Virginia's Freedom of Information Act, the Committee adopts this policy allowing for and governing limited participation of its members in meetings of the Committee by electronic communication means. This policy applies to all regular, closed, and special meetings of the Committee, as well as work sessions of the Committee and meetings of subcommittees comprised of two or more members of the Committee. This policy shall be applied strictly and uniformly and without exception to the entire membership of the Committee and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

I. Virtual Participation During a Declared State of Emergency

Committees shall not meet virtually when the Governor has declared a state of emergency in accordance with Virginia Code § 44-146.17 or where a state of emergency has been declared by Prince William County pursuant to Virginia Code § 44-146.21.

II. Virtual Participation in Instances of Medical, Distance, or Personal Need

(a) Eligibility

The Committee Chairperson may allow individuals to remotely participate in a committee meeting in situations other than a declared state of emergency if a quorum remains physically assembled in the member's absence and the member notifies the Chairperson that they meet one of the following criteria in advance of the meeting:

- (i) The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance;
- (ii) A medical condition of a member's family requires the member to provide care that prevents the member's physical attendance;
- (iii) The member's principal residence is more than 60 miles from the meeting location identified in the required notice for such a meeting; or
- (iv) The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. This option may not be exercised for more than two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

Such member may only participate in the meeting by electronic communication means if a quorum of the Committee is physically assembled in a primary or central meeting location, and the Committee is able to make arrangements for the voice, and if feasible the image, of the remote committee member to be heard by all persons at the meeting location. Remote participation in a closed meeting is allowed only when the member is in a location where other persons are not present and that does not allow for discussions of the Committee to be overheard or recorded in any form. The Committee member who is participating remotely must certify on the record to the same before participating in the meeting. All matters decided by the Committee when one or more members are participating remotely must be decided by roll call vote and every member participating remotely must identify himself or herself when voting or

participating in discussion in order that such discussion and vote can be recorded in the minutes by the Secretary of the Committee. The meeting must be chaired by a person who is physically present with the quorum of those members present at the physical location, except as provided in Section III of this policy.

a) Approval of Requests to Participate through Electronic Communication

Committee members may request to participate virtually by contacting the Chairperson no later than 4:00 p.m. on the day of the meeting. Upon receipt of a request to participate virtually, the Chairperson shall make reasonable efforts to notify the Facilitator, Division Counsel, and all other members of the request. A committee member's request may be approved by the Chairperson, or Vice Chairperson in their absence, unless such participation would violate this policy or the Freedom of Information Act.

If participation by a member through electronic communication means is approved pursuant to this section, the Chairperson shall announce prior to commencement of the meeting, but after a quorum has assembled at the meeting location where the public is present, that the remote committee member will be participating by means of electronic communication. The Secretary shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public and may be identified in the minutes by a general description. If participation is approved pursuant to subdivision A (1) or (2), the Committee shall also include in its minutes the fact that the member participated through electronic communication means due to a (i) temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance. If participation is approved pursuant to subdivision A (3), the Committee shall also include in its minutes the fact that the member participated through electronic communication means due to the distance between the member's principal residence and the meeting location. If participation is approved pursuant to subdivision A (4), the Committee shall also include in its minutes the specific nature of the personal matter cited by the member.

If a member's participation from a remote location pursuant to this subsection is disapproved, the Chairperson shall announce immediately after the opening of the meeting that the member requested to participate remotely, but the request was denied and the reason for the denial. Such disapproval shall be recorded in the minutes with specificity.

(b) All-Virtual Public Meetings

Committees may hold all-virtual public meetings in situations other than a declared state of emergency only under the following conditions:

- (i) The Committee complies with all other FOIA requirements for meetings;
- (ii) The Committee includes an indication of whether the meeting will be held in-person or all-virtual in the required meeting notice along with a statement notifying the public that the meeting method will not be changed unless the Committee provides a new notice;

- (iii) The Committee provides public access to the all-virtual meeting via electronic communication means;
- (iv) The electronic communication means used allows the public to hear all members of the Committee participating in the all-virtual public meeting and, when audio-visual technology is available, to see the members of the Committee as well. When audio-visual technology is available, a member of a committee shall, for purposes of a quorum, be considered absent from any portion of the meeting during which visual communication with the member is voluntarily disconnected or otherwise fails or during which audio communication involuntarily fails;
- (v) The Committee must provide a phone number or other live contact information so the public may alert the Committee if the audio or video transmission of the meeting fails. The Committee must monitor the designated means of communication and must take a recess until public access is restored if the transmission fails for the public;
- (vi) The Committee must make a copy of the proposed agenda, all agenda packets and all other non-exempt materials furnished to the Committee available to the public in electronic format at the same time that such materials are provided to the Committee;
- (vii) The Committee must afford the public the opportunity to comment through electronic means, including by way of written comments, at those public meetings when public comment is customarily received;
- (viii) No more than two members of the Committee may be together in any one remote location unless that remote location is open to the public to physically access it;
- (ix) If a closed session is held during an all-virtual public meeting, transmission of the meeting to the public must resume before the Committee votes to certify the closed meeting;
- (x) The Committee may not convene an all-virtual public meeting (i) more than two times per calendar year or 50 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, or (ii) consecutively with another all-virtual public meeting; and
- (xi) Minutes must be taken and include the fact that the meeting was held virtually and the type of electronic communication means by which the meeting was held. If a member's participation from a remote location is disapproved, such disapproval shall be recorded in the minutes with specificity.

Prior to holding an all-virtual public meeting, the Chairperson must consult with the Facilitator about the desire to hold an all-virtual meeting. The Chairperson must show the all-virtual meeting is necessary or helpful in achieving the purpose of the meeting agenda and that the Committee is prepared to hold the meeting in compliance with this Policy and the Freedom of Information Act.