**Member Participation in Meetings by Electronic Communication**

Consistent with Virginia’s Freedom of Information Act, the Advisory Committee for Gifted Education (hereinafter 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 meetings of the Committee, as well as work sessions of the Committee and meetings of subcommittees, task forces, and study groups 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.

1. Definition of Electronic Communication  
     
   Electronic communication, as used in this policy, means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information. This includes communication technology approved and supported by the PWCS Department of Information Technology for this use, where the voice, or voice and image, of the member participating in a meeting from a remote location may be heard, or seen and heard, by all persons at the meeting location.
2. Eligibility

A member of the Committee may participate in a meeting by means of electronic communication if the member notifies the Chairperson of the Committee or, in his/her absence or unavailability, the Vice Chairperson of the Committee, on or before the day of the meeting that:

* 1. Such member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the member’s physical attendance; or
  2. Such member is unable to attend the meeting due to a family member’s medical condition that requires the member to provide care for such family member, thereby preventing the member’s physical attendance; or
  3. Such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation by a member pursuant to this subsection is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. The Recording Secretary shall keep a record of the number of meetings in which each Committee member participates electronically under this subsection and the nature of the personal matter specified.

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. All matters decided by the Committee when one or more members of the Committee 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 Recording 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 5 of this policy.

1. Approval of Requests to Participate Through Electronic Communication.

Any Committee member who requests to participate in any meeting through electronic communication must inform the Recording Secretary and the Chairperson, or in the absence or unavailability of the Chairperson, the Vice Chairperson, of such request and the reason for the request no later than 4 pm on the day of the meeting. Upon notice to the Recording Secretary and the Chairperson, in his/her absence or unavailability, the Vice Chairperson, that a member of the Committee has requested participation from a remote location under this policy, the Recording Secretary, acting on behalf of the Chairperson/Vice Chairperson shall make reasonable efforts to notify the Associate Superintendent for Student and Professional Learning, the Office of Division Counsel, and all other members of the Committee of the request.

Individual Committee member participation from a remote location may be approved by the Chairperson or, in his/her absence or unavailability the Vice Chairperson, unless advised by the Office of Division Counsel that such participation would violate this policy or the provisions of the Virginia Freedom of Information Act. 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. If the Committee member’s participation is disapproved, the Chairperson At-Large shall announce immediately after opening the meeting that the member requested to participate remotely, but the request was denied and the reason for the denial.

If a member’s participation from a remote location is challenged or the decision of the Chairperson/Vice Chairperson to deny the request is challenged, then as the first item on the meeting agenda and before any other business is conducted, the Committee shall vote whether to allow such participation. If the Committee votes to disapprove the member’s participation because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity. If the Committee member’s request to participate remotely is disapproved, the Committee member may then monitor the meeting from a remote location by electronic means but may not participate in the meeting (may not speak, make motions, vote, or otherwise participate) and may not be counted as present at the meeting. In such a situation, the Chairperson shall inform the public and other members of the Committee at the commencement of the meeting that the remote Committee member could not attend the meeting in person but is watching or listening to the meeting by whatever electronic communication means but will not be counted as present nor participating in the meeting.

1. Minutes of the Committee Meeting Where a Member Participates Through Electronic Communication.
   1. If remote participation by a Committee member through means of electronic communication is approved pursuant to Section 2 of this policy, the Recording Secretary shall record in the minutes of the meeting the remote location from which the Committee member participated; however the remote location need not be open to the public.
   2. If the Committee member’s remote participation is approved pursuant to Sections 2 (a) or (b) of this policy, the Recording Secretary shall record in the minutes of the meeting the fact that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition that prevented the member’s physical attendance or due to a family member’s medical condition that required the member to provide care for such family member, thereby preventing the member’s physical attendance
   3. If the Committee member’s remote participation is approved pursuant to Section 2(c) of this policy, the Recording Secretary shall record in the minutes of the meeting the specific nature of the personal matter cited by the Committee member.
   4. If the Committee member’s remote participation pursuant to Section 2(c) of this policy is disapproved, such disapproval shall be recorded in the minutes of the meeting with specificity.
2. Remote Participation During a State of Emergency

The Committee may meet by electronic communication means without a quorum of the Committee physically assembled at one location 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, provided that:

* 1. The catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location; and
  2. The purpose of the meeting is to provide for the continuity of operations of the Prince William County Public Schools or the discharge of the Committee’s lawful purposes, duties, and responsibilities as designated by the School Board.

In the event of a Committee meeting held during a state of emergency where one or more members of the Committee will participate from a remote location, the following procedures will be followed:

* 1. The Recording Secretary shall give public notice of the meeting using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided members of the Committee;
  2. Arrangements shall be made for public access to the meeting through electronic means, including videoconferencing, and to provide the public with the opportunity to comment at regular meetings of the Committee and public hearings when public comment is customarily received;
  3. All other applicable provisions of Virginia’s Freedom of Information Act shall apply; and
  4. The minutes of the meeting shall record 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.

In the event that any federal, state, or local law, ordinance or executive order provides for alternative procedures for the conduct of public meetings during a State of Emergency, the Committee may vote to follow those procedures in lieu of, or in addition to, the procedures set forth in this policy.

The provisions of Section 5 of this policy shall be applicable only for the duration of the emergency declared pursuant to Virginia Code §§ 44-146.17 or 44-146. 21.