

Electronic Meetings

Electronic meetings as of 2020 have been allowed for the following reasons:

- A member of a local body may participate electronically due to a personal matter (limited to twice a calendar year per member) or due to a medical condition or disability that prevents attendance, so long as there is quorum of the public body physically in the room, and that the remote member's voice can be heard at the main location.
- When the Governor has declared a state of emergency (such as during the COVID-19 pandemic), and where the purpose of the meeting is to respond to the emergency, or to conduct business that is necessary to continue operations and discharge the lawful purposes, duties, and responsibilities of the local body.
 - Members may monitor even if they cannot participate
 - Restrictions do not apply to the public or staff
 - Quorum is not required

Notice of any virtual Advisory Committee Meetings will be posted on the ACPS Calendar, the School Board Upcoming Meetings page and on individual advisory committee web pages, where the public may link to join the committee meetings. Meetings are also broadcast on the ACPS website and Comcast Channel 71 in Alexandria. Minutes for these meetings are posted online as soon as available after the meeting.

Using Zoom

Advisory Committee meetings are required to be *recorded and posted* for easy access by the public while being held through Zoom. In order to accommodate this, the Clerk's office has set up Zoom Webinars on dates and times provided by each committee. It requires that a member of our office be present in your meeting to run the electronics and allow for broadcasting to the public. Each electronic meeting held requires a report to the FOIA Council (completed and filed by the Clerk's office) about the purpose of the meeting, who attended, and if members of the public body are absent.

For Committee Meetings held through Zoom:

- Committee members or staff are given individual links to the meeting—please do not share your individual link. A Zoom invite is sent to those who should participate.
- Guest speakers, staff or others vital to the business of your meeting can be invited to participate. Please send those names in advance.
- Members of the public may join through the links provided on the published agenda, in the ACPS Calendar notice, or on the School Board Meetings webpage. If a member of the public needs to speak or join the meeting, we can bring them into the meeting to participate, or allow them to give comments from the public link. Please do not share your participant link with non-participants.
- Everyone in the meeting should have a name (no repeats or phone numbers). Use the 3 dots located in the corner of your projected video, or use the "more" button under participants, to rename yourself. The host of the meeting can also rename individuals, if needed.
- Participants should mute their microphones except when speaking to cut down on feedback
- In person public comments, or written public comments must be allowed at each meeting. Attendees can "raise their hand" from the public side to be called on to speak.

- Breakout sessions are not allowed (see below under FOIA) as there would be no access by the public and no record of the discussions.
- Recordings of meetings are posted on the Archived School Board Meetings page after the meeting with the exception of meetings that could not be broadcast live. Those meetings are recorded and sent for captioning before posting.

FOIA Requirements during Zoom

The purpose of the [Virginia Freedom of Information Act](#) (FOIA) is to allow ready access to public records, free entry to meetings of public bodies, and to promote awareness of governmental activities and operations. For these reasons, meetings of Advisory Committees (a public body of the School Board) through Zoom are required to be recorded and posted for easy access by the public during this state of emergency as there are no physical meeting locations in which the public can attend.

Here are some key takeaways for Advisory Committees regarding FOIA:

- The term Public Body includes any committee, subcommittee, or other entity however designated, of the public body (School Board) created to perform delegated functions of the public body or to advise the public body.
 - Meetings are defined as meetings, including work sessions, when sitting physically, or through electronic communication means, as a body or entity, or as an informal assemblage of i) as many as 3 members or (ii) a quorum if less than three, of the constituent membership, wherever held, with or without minutes being taken or whether or not votes are cast.
 - “Quorum if less than three” means two members. A subcommittee with only two- or three-members total would have a quorum of two members.
 - Must be discussing or transacting public business in real time.
- Meetings must be open to the public with notice given at least 3 days in advance (not counting the day of the meeting); and allow the public to record, photograph, film, or otherwise reproduce.
- All votes must be taken and recorded in an open meeting (no written or secret ballots)
- Closed meetings are normally beyond the scope of Advisory Committee Meetings and are restricted to matters specifically exempted from FOIA by VA Code (such as discussion of specific personnel, new and existing contracts under negotiation, student matters, and consultation with an attorney on certain matters, etc.). Closed meetings must be certified that only the matters heard, discussed, or considered in the closed meeting were lawfully exempted from an open meeting and were identified in the motion to call the closed meeting.
- Minutes for Advisory Committees must include:
 - Date, time and location of the meeting
 - Members of the public body (Advisory Committee) present and absent
 - A summary of matters discussed, deliberated or decided
 - A record of any votes taken

If you have questions regarding Zoom or FOIA, don't hesitate to reach out directly by email or by phone to Susan at 703-619-8316 or by email to susan.neilson@acps.k12.va.us .