

Arlington Electoral Board
Electronic Participation Policy
Effective September 16, 2022

Occasions may arise when a member of the Arlington Electoral Board (the “Board”) is unable to be physically present at a Board meeting. Under certain circumstances, Virginia law permits members to participate in meetings through electronic means such as telephone and video conferencing. The law limits the instances in which this may occur, prescribes procedures that must be followed when a member participates in a meeting through electronic means, and requires that a written policy governing such participation be adopted.

It is the policy (the “Policy”) of the Board that individual Board members may participate in Board meetings by electronic means as permitted by § 2.2-3708.2 of the Code of Virginia.

This Policy sets forth the instances when a Board member may participate in a meeting electronically and the procedures that apply. This Policy shall apply to all committees or subcommittees in existence at the time of the Policy’s adoption and to all committees or subcommittees created by the Board after adoption. This Policy shall be applied strictly and uniformly, without exception, to all Board members and without regard to the identity of the Board member requesting to participate remotely or the matters that will be considered or voted on at the Board meeting.

The Policy is established for Board members’ remote electronic participation in Board meetings due to:

1. A personal matter
 - a. On or before the day of a meeting, the Board member shall notify the Chair that the Board member is unable to attend the meeting due to a personal matter. The Board member must identify with specificity the nature of the personal matter.
 - b. A quorum of the Board must be physically assembled at the primary or central meeting location.
 - c. The Chair may approve or disapprove the request for electronic participation. If the absent Board member’s remote participation is disapproved because such participation would violate this Policy, the basis for the disapproval shall be recorded in the Board’s minutes. The decision shall be based solely on the criteria in this Policy, without regard to the identity of the Board member or matters that will be considered or voted on during the meeting.
 - d. The Board shall record the specific nature of the personal matter and the remote location from which the absent Board member participated in the Board’s minutes.
 - e. Participation by the absent Board member due to a personal matter shall be limited in each calendar year to: (1) two (2) meetings or (2) 25% of the meetings held rounded up to the next whole number, whichever is greater, of the Board.
2. A Board member’s temporary or permanent disability or other medical condition or a family member’s medical condition that requires the Board member to provide care for such family members, thereby preventing the Board member’s physical attendance.
 - a. On or before the day of a meeting, the Board member shall notify the Chair that the Board member is unable to attend the meeting due to the Board member’s temporary or permanent disability or other medical condition that prevents his or her physical attendance or a family member’s medical condition that requires the Board member to

provide care for such family members, thereby preventing the Board member's physical attendance.

- b. A quorum of the Board must be physically assembled at the primary or central meeting location.
 - c. The Board shall record the fact of the Board member's disability or other medical condition or a family member's medical condition that requires the Board member to provide care for such family members, thereby preventing the Board member's physical attendance, and the remote location from which the absent Board member participated in the Board's minutes.
3. For any remote participation, the Board shall make arrangements for the voice of the absent Board member or Board members to be heard by all persons in attendance at the meeting location.

This policy is established for an all-virtual public meeting in which no physical quorum is assembled under the following circumstances:

1. An indication of whether the meeting will be an in-person or all-virtual public meeting is included in the required meeting notice along with a statement notifying the public that the method by which the Arlington County Electoral Board chooses to meet shall not be changed unless the Arlington County Electoral Board provides a new meeting notice in accordance with the provisions of Va. Code § 2.2-3707; and
2. Public access to the all-virtual public meeting is provided via electronic communication means; and
3. The electronic communication means used allows the public to hear members of the Arlington County Electoral Board participating in the all-virtual public meeting and, when audio-visual technology is available, to see members of the Arlington County Electoral Board as well; and
4. A phone number or other live contact information is provided to alert the public body if the audio or video transmission of the meeting provided by the Arlington County Electoral Board fails, the Arlington County Electoral Board monitors such designated means of communication during the meeting, and the Arlington County Electoral Board takes a recess until public access is restored if the transmission fails for the public; and
5. A copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of the Arlington County Electoral Board for a meeting is made available to the public in electronic format at the same time that such materials are provided to members of the Arlington County Electoral Board; and
6. The public is afforded the opportunity to comment through electronic means, including by way of written comments, at those public meetings when public comment is customarily received; and
7. No more than two members of the Arlington County Electoral Board are together in any one remote location unless that remote location is open to the public to physically access it; and
8. If a closed session is held during an all-virtual public meeting, transmission of the meeting to the public resumes before the Arlington County Electoral Board votes to certify the closed meeting as required by section D of Va. Code § 2.2-3712.
9. The Arlington County Electoral Board does not convene an all-virtual public meeting (i) more than two times per calendar year or 25 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

10. Minutes of all-virtual public meetings held by electronic communication means are taken as required by Va. Code §2.2-3707 and include the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held; and
11. This policy shall not be applicable to electronic meetings held during declared states of emergency, which shall be governed by the applicable provisions of the Code of Virginia.

The Arlington County Electoral Board approved this policy at their September 15, 2022 meeting with an effective day of September 16, 2022.



Kimberly Phillip Chairman

Matthew Weinstein, Vice Chairman



W. Scott McGeary, Secretary