VIPA | VIRGINIA INNOVATION PARTNERSHIP AUTHORITY

Board Policy

TITLE: Virtual Meetings

EFFECTIVE DATE: September 6, 2022

AUTHORITY: Code of Virginia § 2.2-3708.3 Meetings held through electronic communication means

POLICY STATEMENT: Pursuant to § 2.2-3708.3 meetings held through electronic communication means, the public body must adopt a policy to conduct virtual public meetings. It is the intention of the Virginia Innovation Partnership Authority that its Board shall meet in person with a quorum of the public body physically assembled at one location unless the Governor has declared a state of emergency. Virtual meetings shall be determined at the Board Chair's discretion based on the work to be undertaken by the Board at a given meeting. A member may use remote participation in situations other than a declared state of emergency, no more than twice per year if, in advance of the public meeting, the member notifies the Board Chair and Board Administrator that:

1. The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance;
2. A medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance;
3. The member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or
4. The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter.

A record of the reason cited for the member's virtual attendance, including the remote location from which the member participated, shall be included in the meeting minutes. A member may not use remote participation due to personal matters more than two meetings per calendar year or 25 of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

In situations during declared states of emergency:

When the Governor has declared a state of emergency in accordance with § 44-146.17, the Board may be meet by electronic communication means without a quorum of the public body physically assembled at one location provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to provide for the continuity of operations of the public body or the discharge of its lawful purposes, duties, and responsibilities. The public body convening a meeting in accordance with this section shall:

1. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body conducting the meeting;
2. Make arrangements for public access to such meeting through electronic communication means, including videoconferencing if already used by the public body;

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3. Provide the public with the opportunity to comment at those meetings of the public body when public comment is customarily received; and
4. Otherwise comply with the provisions of the Code of Virginia and this policy.

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 shall be stated in the minutes. This provision of this section shall be applicable only for the duration of the emergency declared.

APPROVAL AND REVIEW: This Board policy was reviewed and approved on September 6, 2022.

SUPERSESSION: None

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