

**Policy on Participation of Professional Standards Committee Members in
Meetings by Electronic Means
Pursuant to *Virginia Code* § 2.2-3708.3**

It is the policy of the Professional Standards Committee (the Committee) that individual members may participate in meetings of the Committee by electronic communication as permitted by *Va. Code* § [2.2-3708.3](#). This policy shall apply to the entire membership without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

Whenever an individual member wishes to participate from a remote location, the law requires a quorum of the Committee to be physically assembled at the primary or central meeting location, except in the case of an all-virtual public meeting permitted by *Va. Code* § 2.2-3708.3. However, an individual member of the Committee who is a person with a disability as defined in *Va. Code* § 51.5-40.1 or who is a caregiver for a person with a disability and who uses remote participation will count toward the quorum as if the individual was physically present.

To participate through electronic communication means pursuant to *Va. Code* § 2.2-3708.3, the member must notify the Chair of the Committee that (i) such member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance; (ii) a family member's medical condition requires the member to provide care that prevents the member's physical attendance or the member is a caregiver who must provide care for a person with a disability at the time the public meeting is being held; (iii) such member's principal residence is more than 60 miles from the primary meeting location, or (iv) such member is unable to attend due to a personal matter and identifies with specificity the nature of the personal matter.

Individual participation from a remote location shall be approved unless such participation would violate this policy or the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) of the *Code of Virginia*. If a member's participation from a remote location is challenged, then the Committee shall vote whether to allow such participation.

The request for remote participation shall be recorded in the minutes of the meeting. If the Committee votes to disapprove of the member's participation because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity. If the request is approved, the reason that the member is unable to attend the meeting and the remote location from which the member participates will be recorded in the meeting minutes. When such individual participation is due to a personal matter, such participation is limited by law to 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.

Further, it is the policy of the Committee that the Committee may hold all-virtual public meetings pursuant to subsection C of *Va. Code* § 2.2-3708.3. Such all-virtual public meetings are also limited to two meetings per calendar year or 50 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. Additionally, an all-virtual public meeting may not be held consecutively with another all-virtual public meeting.

The fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held will be recorded in the minutes.

When audio-visual technology is available, a member of the 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.

Nothing in this policy shall be interpreted to prohibit or restrict any individual member of the Committee who is participating in an all-virtual meeting or who is using remote participation from voting on matters before the Committee.