

Christopher Newport University

Policy: Board of Visitors - Meetings by Electronic Communication Means Policy Number: 1010

Oversight: Secretary to the Board
Contact Office: President's Office

A. PURPOSE

This policy is adopted by the Board of Visitors of Christopher Newport University to enable the Board and its committees to hold all-virtual public meetings as necessary, and to enable individual members of the Board to participate remotely in in-person meetings of the Board and its committees, as permitted by Virginia Code § 2.2-3708.3.

B. POLICY STATEMENT

1. The Board of Visitors may hold all-virtual public meetings, subject to the requirements and limitations set out below.
2. Members of the Board of Visitors who are prevented from physically attending an in-person meeting of the Board, or a committee of the Board, due to:
 - a. a disability or other medical condition;
 - b. a disability or other medical condition of a family member which requires the member to provide care for such family member; or
 - c. a personal matter, the nature of which has been specifically identified; and members of the Board who reside more than 60 miles from the in-person meeting location may participate remotely in an in-person meeting of the Board or a committee of the Board, subject to the requirements and limitations set out under Procedures, below.
3. This policy shall be applied strictly and uniformly, without exception, to the entire membership of the Board, without regard for the identity of the member requesting remote participation or to the matters on the agenda for any particular meeting.

C. PROCEDURES

1. All-Virtual Meetings
No more than two (2) all -virtual meetings of the Board, and 2 all-virtual meetings of any committee, may be held per calendar year. A decision to hold an all-virtual meeting of the Board shall made by the Rector, upon consultation with the President. A decision to hold

an all-virtual meeting of a committee of the Board shall be made by the committee chair, after consultation with the Rector and the President. In order for an all virtual meeting of the Board, or any committee of the Board, to be held, the following requisites must be met, in addition to those required for all in-person meetings:

- a. The public notice of the meeting required by Va. Code 2.2-3707 shall indicate that the meeting will be all-virtual and state that any change in the method by which the Board or committee chooses to meet will be communicated by issuance of a new statutorily compliant meeting notice.
- b. Public access to the meeting must be provided by a means of electronic communication that allows the public to hear and see all members of the public body participating. A phone number or other live contact information shall be provided for the public to alert the Board if the audio or video transmission of the meeting fails. Staff shall monitor the transmission and if audio or video fails, the Board shall take a recess until public access is restored.
- c. The meeting agenda and agenda packets shall be provided in electronic format, at the same time as they are provided to the Board.
- d. If public comment is customarily received at the meeting when it is conducted in-person, the public shall be afforded to opportunity to comment through electronic means.
- e. No more than two members may participate in the all-virtual meeting from a single location unless that location is open to the public.
- f. If an all-virtual meeting goes into closed session, public access to the meeting must be restored before a vote to certify the closed meeting is taken.
- g. Minutes must be taken and must include the fact that the meeting was held using electronic communication means, and identify the means by which the meeting was held.

2. Remote Participation in In-Person Meetings

A member of the Board who is unable to attend an in-person meeting of the Board or one of its committees for one of the reasons authorized by this policy and wishes to participate remotely shall:

- a. Notify the Rector or committee chair on or before the day of the meeting, identifying the reason, and request to participate remotely.
- b. If the reason for the request is a personal reason, identify the nature of the personal matter with specificity.
- c. The Rector or committee chair shall approve or disapprove the request subject to the following limitations:
 - i. a quorum of the Board or committee of the Board must be physically assembled at one primary or central meeting location;

- ii. arrangements can be made for the voice of the remote participant to be heard by all persons at the primary or central meeting location;
 - iii. remote participation by any member, due to a personal matter, is not available any more than twice in a calendar year.
- 3. The following information shall be recorded in the minutes of a meeting in which a member is allowed to participate remotely:
 - a. the fact of the member's remote participation
 - b. whether remote participation was allowed due to:
 - i. a temporary or permanent disability or other medical condition that prevented the member's physical attendance;
 - ii. a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance;
 - iii. a personal matter and the specific nature of that matter; or
 - iv. the distance between the member's primary residence and the meeting location
 - c. the remote location from which the member participated
- 4. If a request to participate remotely is disapproved because such participation would violate this policy, such request and disapproval shall be recorded in the minutes of the meeting with specificity.

D. REFERENCES

Va. Code § 2.2-3708.3

E. APPROVAL AND REVISIONS

Approval: Board of Visitors, September 25, 2020

Revised: Board of Visitors, February 4, 2022

Revised: Board of Visitors, November 18, 2022