

CHILD SUPPORT GUIDELINES REVIEW PANEL
REMOTE PARTICIPATION AND ALL-VIRTUAL MEETINGS
Va. Code § 2.2-3708.3 (enacted 2022, amended 2024)
September 2024

1. POLICY REQUIREMENT

Before allowing either remote participation or all-virtual public meetings, the Panel must (at least once per year) adopt a policy which shall:

- A. Be adopted by vote at a public meeting,
- B. Be applied “strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting,” and
- C. Describe
 - i. The circumstances under which an all-virtual public meeting and remote participation will be allowed,
 - ii. The process the Panel will use for making requests to use remote participation, approving or denying such requests, and creating a record of such requests, and
 - iii. Fix the number of times remote participation for personal matters or all-virtual public meetings can be used per calendar year, not to exceed statutory maximums.

Note: The policy shall not prohibit or restrict any individual member of the Panel who is participating in an all-virtual meeting or who is using remote participation from voting.

2. REMOTE PARTICIPATION

Individual members of the Panel may use remote participation instead of attending a public meeting in person if, before the meeting:

- A. The Panel has adopted a remote participation policy, and
- B. The member notifies the chair that:
 - i. The Panel member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance (NOTE: Remote participation counts toward the quorum),
 - ii. A medical condition of a family member requires the Panel 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 meeting is being held (NOTE: Remote participation counts toward the quorum),
 - iii. The member's principal residence is more than 60 miles from the meeting location (NOTE: Remote participation does NOT count toward the quorum), or
 - iv. The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter (NOTE: Remote participation does NOT count toward the quorum).

Note: Remote participation due to personal matters is limited to 2 meetings or 25 percent of the meetings (rounded up) per calendar year, whichever is greater.

Meeting minutes must state:

- A. If disapproved, the specific reason the request was in violation of the Panel's adopted policy.
- B. If approved:
 - i. The remote location (may be a general description),
 - ii. The reason for the remote participation, and
 - iii. The specific nature of the personal matter (if personal matter is the reason for the remote appearance).

3. ALL-VIRTUAL MEETINGS

The panel may hold all-virtual public meetings if:

- A. The Panel has adopted an all-virtual meeting policy,
- B. The public meeting notice states the meeting will be all-virtual,
- C. Public access is provided via electronic communication,

NOTE: Can be audio-only. If audio-visual, a Panel member is considered absent (for quorum purposes) from any portion of the meeting during which visual communication is disconnected or audio communication involuntarily fails,
- D. The public body must recess if the public access transmission fails,
- E. The agenda and other materials must be made available to the public in electronic format at the same time the materials are provided to the Panel members,
- F. If public comment is customarily received, the public must be afforded the opportunity to comment through electronic means, including by way of written comments, and
- G. No more than two Panel members may be together in any one remote location unless that remote location is open to the public to physically access it.
- H. Restrictions:
 - i. Limited to 2 meetings or 50% of meetings (rounded up) held per calendar year, whichever is greater.
 - ii. Cannot hold consecutive all-virtual meetings