

December 13, 2023

Dear FOIA Council:

I am writing to you today on behalf of REV UP Virginia regarding electronic participation for people with disabilities who serve on a public body. REV UP (Register! Educate! Vote! Use your Power!) Virginia is a non-partisan voter education and engagement initiative aimed at increasing the political power and influence of the disability vote to effectuate meaningful change in the lives of disabled Virginians and their families. This statewide disability vote coalition, launched in April 2021, is comprised of interested individuals as well as representatives from diverse disability organizations and ally groups who are working collectively to advance the disability vote in the Commonwealth.

While REV UP Virginia primarily focuses on issues that impact voting access, rights, and engagement, we can take a stance on non-voting, disability related issues when there is unanimous support from our coalition. At our recent December 7 meeting, the coalition gave their approval for REV UP Virginia to express their firm support of proposals to expand the rights of people with disabilities and their parents and/or caregivers by allowing disabled public body members **and** their parents/caregivers to count towards a quorum when participating remotely.

Much of our statewide coalition is comprised of people with disabilities and many others are providing care for disabled individuals. We have seen incredible ideas, energy, and engagement from this group we simply could not harness if we only allowed ourselves to meet in person without accommodations for virtual participation. We know many of our members, their families, and networks join in on other workgroups as volunteers to share their valuable experience, but this is often difficult and sometimes impossible without the flexibility of virtual attendance (counted toward a quorum) and voting.

People with disabilities have a long history of being disenfranchised from various settings, and it is extremely disheartening and disappointing to see this now when we readily possess the technology and adaptive equipment to allow disabled individuals to virtually join a meeting without risk to their health, the complexities and expenses of navigating specialized transit, and the challenges of having to find caregivers who can support them at in-person meetings. We know without virtual accommodations, fewer disabled Virginians are agreeing to volunteer appointments to boards and advisory groups, and many are stepping down. These unintentional consequences are silencing the voices of our disabled citizens.

REV UP Virginia has the same concern for parents and/or caregivers who do not have a viable backup option for someone to provide care for their loved ones with a disability. Though this is not the case for all parents and caregivers, it is for many. By virtue of the time and effort they spend each day providing care and navigating complex public systems of support, their expertise is often what we need "in the room." That perspective and experience are lost to us when they are told there are no available caregivers for their loved ones; consequently, preventing them from volunteering their time in our state, local, and regional governmental workgroups, boards, and commissions.

In the interest of, and importance for, a diverse, inclusive, and representative open government, we hope to see recommendations from the FOIA Council that include:

- Ensuring people with disabilities **and** their parents and/or caregivers can fully participate remotely – as needed because of the disability – and they count towards a quorum and can vote.
- Supporting voting for individuals participating remotely.
- Supporting changes to quorum requirement for individual remote participation.
- Supporting bills like HB2050 and SB1351 (2023) that would increase flexibility for local advisory and regional bodies to hold all virtual meetings, while retaining guardrails and guidelines to ensure public access, and ensure this flexibility is also permitted in state advisory bodies and subcommittees.

REV UP Virginia greatly appreciates the opportunity to comment and the FOIA Council's consideration of these comments, and respectfully urges the Council to take action that ensures equal access and participation so all voices and perspectives in the disability community are heard and counted.

Yours truly,

Helena Berger and Susan Lydick

Helena Berger & Susan Lydick
Co-founders and Co-chairs
REV UP Virginia