



November 12, 2020

Submitted via email to foiacouncil@dls.virginia.gov

Dear Members of the FOIA Council Electronic Meetings Subcommittee:

On behalf of the American Association of University Women of Virginia (AAUW-VA), we are advocating that the Virginia General Assembly, in the upcoming session, amend restrictive state law concerning meetings of public bodies held by electronic communication means, including advisory boards composed of regular citizens.

AAUW-VA is one of more than 1000 branches nationwide of the American Association of University Women – a nonpartisan, nonprofit organization founded in 1881. Our mission is to advance gender equity for women and girls through research, education, and advocacy, and our vision embraces equity for all. We have been a presence in Virginia since 1909, and currently represent over a thousand members in 24 branches in all regions of the Commonwealth.

The work of AAUW builds upon responsible public participation at the local, state, national, and international levels. We advocate public discussion to ensure enlightened decisions on matters of public import. We work to increase the number of women and other underrepresented populations in policy- and other decision-making positions and strive for our work to be inclusive and intersectional, collaborating with diverse allies and coalitions to achieve equity for all.

Section 2.2-3708.2 of the Code of Virginia limits electronic participation by members of a public body to two times per calendar year, regardless of how many times the body meets. The only exception allowed is if the member has a medical condition that is sufficiently severe to prevent their presence at the meeting. This narrow approach is unrealistic. There are other bona fide reasons that make it difficult or impossible for a member to attend a meeting in-person and these should qualify for electronic participation. Most clearly, the narrow limitation overlooks member responsibility for the health of another family member as a valid reason for an exception. We also believe that women particularly are adversely impacted because they often are the working parent that must balance the demands of work, both inside and outside of the home, with caring for children and aging parents. Moreover, many people have to travel as a requirement of their job. Others have lengthy daily commutes to and from their jobs and often rely on public transportation.

For these reasons, we believe that the restrictions on participation in meetings of public bodies by electronic communications are antiquated and ignore the life circumstances and experiences found in the diverse population, limit citizen participation to the privileged few, and adversely impact participation by single parents, women and other underrepresented populations. In particular, we are concerned that it is likely these restrictions limit the ability of otherwise highly



qualified persons to serve on public bodies, which would benefit the residents of the Commonwealth.

There is little dispute that the COVID-19 pandemic has been devastating to our country and to the functioning of government at all levels. Therefore, we applaud our state government's quick embrace of virtual public meetings. This has been a "win-win" by enabling not only the continuity of government business in a transparent manner, but also electronic participation by members and regular citizens representing the diverse community. However, the state government's recognition of the advantages of virtual public meetings should not end when the pandemic has been resolved.

When the Virginia General Assembly convenes in January, we urge our lawmakers to remove the state law limit on how often a member can participate electronically in in-person meetings of a public body and also allow public bodies to hold meetings virtually for all members when appropriate.

Sincerely,

A handwritten signature in black ink that reads "Suzanne Rothwell".

A handwritten signature in black ink that reads "Leslie Tourigny".

Suzanne Rothwell and Leslie Tourigny

Co-Presidents, AAUW of Virginia

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