

Dear Mr. Coleburn, Mr. Conrad, Mr. Potter, Mr. Rives, Mr. Seltzer, and Mr. Wade,

As elected women leaders, we urge you to approve the codification of authority for public bodies to address any subject throughout an emergency declared by the Governor, while meeting electronically.

We also urge you to vote this year to remove the Commonwealth-imposed limit on individual electronic participation by members of a public body during in-person meetings.

It is incredibly important to us to encourage greater participation in public service, so that we may achieve more representative, effective public policy. The law applies not only to ourselves, but to our residents who serve on advisory boards. We want our governmental bodies to reflect the diversity of voices and lived experiences within our communities and firmly believe that the public benefits when their government reflects its population.

[§ 2.2-3708.2](#) of the Code of Virginia requires: a physical quorum in the room; the public body to have adopted an electronic participation policy; and the inclusion in the minutes of the specific nature of the personal matter cited by the member and the location from which they participate. These requirements serve to ensure that the meeting is still open and accessible to the public and to hamper any potential excessive use of this policy. Voters retain their power to remove us and hold us accountable for the actions of those we appoint. Additionally, the public body must have a written electronic participation policy “allowing for and governing participation.” Thus, public bodies do not have to allow electronic participation and they already have the authority to govern electronic participation in align with what they believe is appropriate for their unique circumstances and community.

We appreciate the value of meeting in-person; however, we also appreciate the value of affording flexibility in recognition of life circumstances and experiences. Members of public bodies have families, including children or aging parents, who may need care. We note that many of us are considered “part time” officials and need other employment in order to be able to afford to live. Similarly, our advisory bodies are generally uncompensated. We fail to see how the public is well-served when someone who represents them is barred from participating in a meeting because they cannot physically attend.

The law as it stands creates barriers to participation. It especially serves to negatively impact the participation of women given the well-documented fact that women continue to shoulder the burden of caretaking in our society.¹

A majority of states allow individual electronic participation without restrictions. This includes all of our neighboring states (Tennessee, Kentucky, West Virginia, North Carolina, and Maryland) and 30 more.² We believe it is time to join them.

Please help us move Virginia forward by voting to delete the last sentence of § 2.2-3708.2 (A)(1)(b) “Participation by a member pursuant to this subdivision is limited each calendar year to two meetings.”

¹ Some examples: <https://www.usatoday.com/in-depth/news/nation/2019/05/09/working-moms-motherhood-stress-parenting-good-mom-childcare-daycare-costs-maternity-leave-gender-gap/3586366002/>; <https://www.nytimes.com/2019/08/29/business/economy/labor-family-care.html>;

<https://www.nytimes.com/interactive/2020/03/04/opinion/women-unpaid-labor.html>

² Alaska; Arizona; Arkansas; California; Colorado; Connecticut; Idaho; Iowa; Kansas; Kentucky; Maryland; Michigan; Mississippi; Missouri; Montana; Nevada; New York; North Carolina; North Dakota; Oregon; Pennsylvania; South Carolina; South Dakota; Tennessee; Texas; Utah; Vermont; Washington; West Virginia; and Wisconsin all allow without restrictions or qualifications imposed by the state. Illinois; Massachusetts; New Mexico and New Hampshire allow electronic participation if it is difficult or not practical to attend in person. Florida’s AG has opined with similar language. Indiana requires members to physically attend at least one meeting per year. Only Virginia, Georgia, and Minnesota place a numerical limit on electronic participation.

We have seen public participation increase since moving to virtual meetings and we also encourage you to study in 2021 how flexibility could be increased for electronic meetings outside of an emergency, especially for regional and advisory bodies.

Thank you for your consideration.

Sincerely,

The Honorable Meagan Alderton, School Board Member, Alexandria City Public Schools
The Honorable Cindy Anderson, School Board Chair, Alexandria City Public Schools
The Honorable Andrea Bailey, Board Member, Prince William County
The Honorable Elizabeth Bennett-Parker, Vice Mayor, City of Alexandria
The Honorable Laura Jane Cohen, School Board Member, Fairfax County Public Schools
The Honorable Lauren Colliver, Council Member, Town of Blacksburg
The Honorable Marybeth Connelly, Vice Mayor, City of Falls Church
The Honorable Dr. Lorita Copeland Daniels, School Board Member, Spotsylvania County
The Honorable Michelle Davis Younger, Mayor-Elect and Council Member, City of Manassas
The Honorable Laura Downs, School Board Member, Falls Church City Public Schools
The Honorable Margaret Franklin, Board Member, Prince William County
The Honorable Ramee Gentry, School Board Member, Alexandria City Public Schools
The Honorable Jacinta Greene, School Board Member, Alexandria City Public Schools
The Honorable Letty Hardi, Council Member, City of Falls Church
The Honorable Rachna Sizemore Heizer, School Board Member, Fairfax County Public Schools
The Honorable Debbie Hiscott, Council Member, City of Falls Church
The Honorable Amy Jackson, Council Member, City of Alexandria
The Honorable Shannon Litton, School Board Member, Falls Church City Public Schools
The Honorable Andria McClellan, Council Member, City of Norfolk
The Honorable Melanie Meren, School Board Member, Fairfax County Public Schools
The Honorable Lisa Merkel, Mayor, Town of Herndon
The Honorable Selonia Miles, Council Member, Town of Dumfries
The Honorable Janice Miller, Council Member, City of Fairfax
The Honorable Cydny Neville, Town of Dumfries
The Honorable Monaé Nickerson, Vice Mayor, Town of Dumfries
The Honorable Veronica Nolan, School Board Vice Chair, Alexandria City Public Schools
The Honorable Jennifer Passey, Former Council Member, City of Fairfax
The Honorable Dalia Palchik, Board Member, Fairfax County
The Honorable Stella Pekarsky, School Board Vice Chair, Fairfax County Public Schools
The Honorable Dr. Michelle Rief, School Board Member, Alexandria City Public Schools
The Honorable Pamela Sebesky, Council Member, City of Manassas
The Honorable Heather Thornton, School Board Member, Alexandria City Public Schools