



Pocahontas Building
900 E. Main St., 8th Floor
Richmond, Virginia 23219
(PHONE) 804-698-1810
ethics@dls.virginia.gov

G. Stewart Petoe, Executive Director

MEMORANDUM

To: Virginia Conflict of Interest and Ethics Advisory Council

From: Stewart Petoe, Executive Director

Date: November 29, 2022

Re: Policy on Individual Participation in Ethics Council Meetings by Electronic Means under § 2.2-3708.3

The Virginia Conflict of Interest and Ethics Advisory Council staff recommends that the Council adopt the following policy regarding remote participation in Ethics Council Meetings:

It is the policy of the Ethics Council that individual members of the Ethics Council may participate in meetings of the Ethics Council by electronic means as permitted by Virginia Code § 2.2-3708.3.

This policy shall apply 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.

Whenever an individual member wishes to participate from a remote location, the law requires a quorum of the Ethics Council to be physically assembled at the primary or central meeting location, and arrangements will be made for the voice of the remote participant to be heard by all persons at the primary or central meeting location. The reason that the member is unable to attend the meeting and the remote location from which the member participates will be recorded in the meeting minutes.

When an individual's participation through electronic communication means is due to a personal matter, such participation is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

Individual participation from a remote location shall be approved unless such participation would violate this policy or the provisions of the Virginia Freedom of Information Act. If a member's participation from a remote location is challenged, then the Council shall vote whether to allow such participation. If the Council votes to disapprove of the member's participation because such participation would violate this policy, such disapproval will be recorded in the minutes with specificity.