

State Board of Behavioral Health and Developmental Services

Bylaws

Article 1 - Name

The name of this body shall be the State Board of Behavioral Health and Developmental Services, hereinafter referred to as the Board.

Article 2 - Authority

Section [37.2-200](#) of the Code of Virginia establishes the Board as a policy board, within the meaning of § [2.2-2100](#) of the Code of Virginia, in the executive branch of government.

Article 3 - Members

- a. **Composition of the Board, Qualifications, Appointment, and Term of Office of Members** - The composition of the Board and qualifications, appointment, and term of office of Board members shall be as provided in § [37.2-200](#) of the Code of Virginia.
- b. **Orientation of New Members** - All new members appointed to the Board shall receive an orientation that includes information about the roles and responsibilities of the Board; the committee structure and bylaws of the Board; the roles and responsibilities of the Department of Behavioral Health and Developmental Services, hereinafter referred to as the Department, state hospitals and training centers operated by the Department, hereinafter referred to as state facilities, and community services boards and behavioral health authorities; [Title 37.2](#) of the Code of Virginia, which governs the operations of the Board and Department and the provision of mental health, developmental, and substance abuse services in Virginia; the [Virginia Freedom of Information Act](#); and the [State and Local Government Conflict of Interests Act](#).

Article 4 - Officers and Staff Support Provided to the Board

- a. **Officers of the Board** -The officers of the Board shall be the Chair and the Vice Chair. Officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the Board.
- b. **Nominating and Election Procedure** - The Board Chair shall appoint a Nominating Committee of three members at the spring regular meeting each year. Each year the Committee shall offer its slate of candidates at the first regular meeting following the beginning of the state fiscal year. Before the election, additional nominations from the floor shall be permitted. Officers shall be elected by the Board from among its membership at its first regular meeting following the beginning of the state fiscal year and shall serve for a period of one year. Officers shall be eligible for re-election.
- c. **Chair** - The Chair shall be the presiding officer at all Board meetings, shall appoint the

members of all standing and special committees, and shall be an ex-officio member of all standing committees. In any votes of the Board, the Chair shall vote last. Upon request of the Board, the Chair shall act as its representative.

The Chair shall perform any additional duties imposed on the office by an act of the General Assembly or direction of the Board. The Chair shall work with the Commissioner of the Department or his designee to determine the types of Board meetings, agendas, reports, communications, and involvement that will enable Board members to carry out their powers, duties, and responsibilities.

The Chair may:

- Appoint members to serve on various task forces, committees, and other bodies on which representation of the Board is required or would be beneficial;
- Direct the Policy Development and Evaluation Committee to develop drafts of proposed policies and circulate those drafts for field review on behalf of the Board; and
- Assign other duties or responsibilities to standing committees.

The Chair shall notify the Board and the Department of these actions, which the Board shall review and, where appropriate, approve at its next regular meeting.

The Chair, pursuant to § 37.2-200 of the Code of Virginia, shall submit to the Governor and the General Assembly an annual executive summary of the activity and work of the Board no later than the first day of each regular session of the General Assembly.

- d. **Vice Chair** - In the absence of the Chair at any meeting or in the event of the Chair's disability or of a vacancy in that office, all of the powers and duties of the Chair shall be vested in the Vice Chair. The Vice Chair also shall perform other duties imposed on him by the Board or the Chair.
- e. **Secretary** - Section 37.2-200 of the Code of Virginia authorizes the Board to employ a secretary to assist in its administrative duties, including maintenance of minutes and records. The Secretary shall be selected by the full Board in consultation with the Commissioner or his designee, but the Secretary shall not be a member of the Board. The compensation of the Secretary shall be fixed by the Board within the specific limits of the appropriation made therefore by the General Assembly, and the compensation shall be subject to the provisions of Chapter 29 (§2.2-2900 et seq.) of Title 2.2 of the Code of Virginia. The Secretary shall perform the duties required by the Board and the Commissioner or his designee.

The Secretary shall be a member of the Department's staff and shall report to the Commissioner or his designee; however, the Secretary shall be responsible to the Board. The Secretary shall be supervised in his daily responsibilities by the Commissioner or his designee. The Board and the Commissioner or his designee shall evaluate the performance of the Secretary annually.

- f. **Department Liaison to the Board** - The Commissioner shall designate a staff member to serve as the Department's liaison to the Board. The liaison shall coordinate the activities of

the Board; provide primary administrative, policy, and technical support to the Board; and orient new Board members.

Article 5 - Meetings

- a. **Regular Meetings** - In accordance with § 37.2-200 of the Code of Virginia, the Board shall meet quarterly and at such other times as it deems proper. The Board at its first regular meeting following the beginning of the state fiscal year shall adopt an annual meeting schedule. Other regular meetings of the Board shall be held at the call of the Chair or whenever a majority of the members so request; however, when possible, no meetings will be scheduled during January or February.
- b. **Special Meetings** - The Chair, the Vice Chair in the event of the Chair's disability or of a vacancy in that office, or any three members of the Board may call special or emergency meetings of the Board at the dates, times, and places specified in the call for these meetings.
- c. **Biennial Planning Meeting** - The Board shall hold a biennial planning meeting in the summer of the year in which the biennial budget is developed.
- d. **Notice of Meetings and Public Hearings on Proposed Regulations**
 - (1) Notice of the date, time, location, and remote location, if required, of all regular Board meetings and all committee meetings shall be announced in advance by posting the notice electronically on the Commonwealth Calendar, as required by § 2.2-3707 of the Code of Virginia, and by written notice to Board members at least three days in advance of the date of the meeting.
 - (2) Any notices of Board meetings shall state that public comments will be received at the beginning of the meeting.
 - (3) A notice of the date, time, location, and remote location, if required of all special or emergency meetings shall be posted electronically on the Commonwealth Calendar, as required by § 2.2-3707 of the Code of Virginia.
 - (4) When the Board determines that a public hearing on a proposed regulatory action is appropriate, the notice of the hearing shall be posted in accordance with the requirements of the Board's Public Participation Guidelines [12 VAC-35-12-100].
- e. **Quorum** - Five members shall constitute a quorum, as specified in § 37.2-200 of the Code of Virginia. The Board shall not conduct business without a quorum.
- f. **Attendance** - Each member shall be responsible for attending all Board meetings. Members shall notify the Chair or his designee of any anticipated absence, and if seeking remote participation, do so in accordance with the policy in Appendix A. If a member fails to notify the Chair or his designee more than twice during a fiscal year that he is unable to attend a meeting, the Chair shall notify the member of his non-compliance with this provision of the bylaws. With the approval of the Board, the Chair may notify the Governor and request that the Governor remove that member and appoint a new member to fill the vacancy, as authorized by § 37.2-200 of the Code of Virginia.

- g. Conduct of Business** - All meetings shall be conducted in accordance with the rules contained in the current edition of Robert’s Rules of Order Newly Revised, except as otherwise stated in these bylaws.
- h. Public Comment** - The agenda for each meeting of the Board shall indicate that public comment will be received at the beginning of the meeting. Each person giving public comment shall be limited to three minutes unless an exception is deemed appropriate by the Chair.
- i. Minutes** - Minutes shall be recorded at all regular and special or emergency Board meetings, as required by § [2.2-3707](#) of the Code of Virginia. The draft minutes shall be posted electronically on the Commonwealth Calendar as soon as possible but no later than 10 working days after the conclusion of the meeting. Final approved meeting minutes shall be posted within three working days of final approval of the minutes.
- j. Individual Member Participation in Electronic Meetings** - An individual member may participate in a meeting of the Board, or a public meeting of any committee or subcommittee established by the Board, through electronic communication from a remote location as permitted by § [2.2-3708.3](#) of the Code of Virginia by following the procedures outlined in Appendix A and when required, using the Member Request Form in Appendix B. The meeting must be properly noticed and meet requirements of the Virginia Freedom of Information Act (FOIA) (§ [2.2-3700](#) et seq. of the Code of Virginia), including that a quorum must be physically assembled at the primary or central meeting location and that the public body make arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location. Minutes shall reflect electronic participation as required in Subsection B of § [2.2-3708.3](#).
- k. All-Virtual Meetings** - The Board may hold all-virtual public meetings, provided that it follows the requirements for meetings in subsections C and D of § [2.2-3708.3](#) by following the procedures outlined in Appendix A for such meetings and all other FOIA requirements for public meetings.
- l. Electronic Meetings in a State of Emergency** - In accordance with § [2.2-3708.2](#) of the Code of Virginia and [Item 4-0.01.g-h](#) of the 2023 Special Session 1 Appropriation Act (Chapter 1), certain requirements shall not apply if a meeting is called when the Governor has declared a state of emergency.

Article 6 - Powers and Duties of the Board

Statutory Powers and Duties - The Board shall have the following powers and duties, as authorized by § [37.2-203](#) of the Code of Virginia:

- (1)** To develop and establish programmatic and fiscal policies governing the operation of state hospitals, training centers, community services boards, and behavioral health authorities;

- (2) To ensure the development of long-range programs and plans for mental health, developmental, and substance abuse services provided by the Department, community services boards, and behavioral health authorities;
- (3) To review and comment on all budgets and requests for appropriations for the Department prior to their submission to the Governor and on all applications for federal funds;
- (4) To monitor the activities of the Department and its effectiveness in implementing the policies of the Board;
- (5) To advise the Governor, Commissioner, and General Assembly on matters relating to mental health, developmental, and substance abuse services;
- (6) To adopt regulations that may be necessary to carry out the provisions of this title and other laws of the Commonwealth administered by the Commissioner or the Department;
- (7) To ensure the development of programs to educate citizens about and elicit public support for the activities of the Department, community services boards, and behavioral health authorities;
- (8) To ensure that the Department assumes the responsibility for providing for education and training of school-age individuals receiving services in state facilities, pursuant to § 37.2-312;
- (9) To change the names of state facilities;
- (10) To adopt regulations that establish the qualifications, education, and experience for registration of peer recovery specialists by the Board of Counseling;
- (11) To ensure that the Department develops specific goals and objectives for the delivery of services to individuals with mental illness, developmental disabilities, or substance use disorders by community services boards and behavioral health authorities that are consistent with the purposes set forth in §§ 37.2-508 and 37.2-608 and that would enable the Board to advise the Governor, Commissioner, and General Assembly on matters related to community behavioral health and developmental services; and
- (12) To monitor the Department's performance regarding its regular, ongoing monitoring of community services boards' and behavioral health authorities' compliance with the performance contract requirements set forth in §§ 37.2-508 and 37.2-608 and to make recommendations, as applicable, to the Department regarding improvement of such monitoring activities.

Prior to the adoption, amendment, or repeal of any regulation regarding substance abuse services, the Board shall, in addition to the procedures set forth in the Administrative Process Act (§ 2.2-4000 *et seq.* of the Code of Virginia), present the proposed regulation to the Virginia Addiction Recovery Council, established pursuant to § 2.2-2696 of the Code of Virginia, at least 30 days prior to the Board's action for the Council's review and comment.

- a. **Appointments by the Board** - The Board shall appoint members of the State Human Rights Committee, pursuant to § 37.2-204 of the Code of Virginia. The Board may appoint other committees as it deems necessary or appropriate.

Article 7 - Committees

- a. **Standing Committees** - The committee structure of the Board reflects the statutory duties of the Board. The standing committees of the Board shall be the:

- Policy Development and Evaluation Committee;
- Planning and Budget Committee; and
- Grant Review Committee.

Standing committees shall report at each regular meeting of the Board, unless there has been no meeting or no action to report. The Board Chair shall appoint standing committee chairs, unless they are designated otherwise in these bylaws.

(1) Policy Development and Evaluation Committee

- Composition** - The Policy Development and Evaluation Committee shall consist of the Vice Chair and at least two other Board members appointed by the Board Chair. The Board Vice Chair shall chair the Policy Development and Evaluation Committee.
- Powers and Duties** - The Committee shall draft and coordinate field reviews of draft revised or proposed new policies, compile and present summaries of comments received during field reviews, and report its recommendations and revised or proposed new policies to the Board, which shall take action thereon as it deems appropriate. The Committee shall maintain a Review Schedule of [all existing policies](#) on behalf of the Board. At the scheduled review time, any such policy will be circulated to Board members, CSBs, Department facilities and central office, advocacy groups and stakeholders for comment.

The Committee shall report its findings to the Board regarding its assessment of the effectiveness of Board policies in fostering the intended outcomes within the Department, state facilities, community services boards, and behavioral health authorities in carrying out those policies. The Board shall take action thereon as it deems appropriate, which may include making recommendations to the Department or the Secretary of Health and Human Resources.

- Staff Support** - The Department shall designate and provide staff to support the activities of the Policy Development and Evaluation Committee. Final policies will be maintained in a publicly accessible compilation on the Department's web site in the standard format for Board policies.

(2) Planning and Budget Committee

- Composition** - The Planning and Budget Committee shall consist of the Board Chair and at least two other Board members appointed by the Chair. The Board Chair shall chair the Planning and Budget Committee.
- Powers and Duties** - The Planning and Budget Committee shall participate in the identification of services and support needs, critical issues, strategic responses, and resource requirements to be included in long-range plans; work with the Department to obtain, review, and respond to public comments on draft plans; and monitor Department progress in implementing long-range programs and plans. The committee also shall provide updates on its planning activities to the full Board.

The Planning and Budget committee also shall work with the Department to assure that the agency's budget priorities and submission packages reflect Board policies and shall, through the Board's biennial planning retreat, review, and comment on major funding issues affecting the behavioral health and developmental services system, in accordance with procedures established in POLICY 2010 (ADM ST BD) 10-1, [Policy Development and Evaluation](#).

- c. **Staff Support** - The Department shall designate and provide staff to support the activities of the Planning and Budget Committee.

(3) Grant Review Committee

- a. **Composition** - The Grant Review Committee shall consist of two members appointed by the Chair.
- b. **Powers and Duties** - The Grant Review Committee, acting on behalf of the full Board to fulfill its duty to review and comment on all applications for federal funds and to enable the Department to respond to federal grant solicitations expeditiously, shall review all requests for federal funds before they are submitted to the soliciting federal agency.
- c. **Staff Support** - The Department shall designate and provide staff to support the activities of the Grant Review Committee.

- b. **Special Committees** - Special committees may be established at any time by action of the full Board or the Chair, acting on behalf of the Board. The Board Chair shall appoint special committee chairs. The Chair shall appoint members of any special committees and may appoint individuals who are not Board members to serve on these committees including individuals receiving services, family members, and other individuals as appropriate. When a special committee is established, its mission and the time within which it shall complete the task or accomplish the purpose for which it was created shall be specified.

Article 8 - Liaison Assignments

Pursuant to § 37.2-203 of the Code of Virginia, the Board shall ensure that programs to educate Virginians about and elicit public support for the activities of the Department, state facilities, community services boards, and behavioral health authorities are initiated by the Department.

The Board seeks to further the integration and coordination of services to individuals receiving services and to support, encourage, and build close working partnerships among community services boards and behavioral health authorities, state facilities, and the Department. The Board also seeks to enhance its knowledge and understanding of the wide diversity of community and state facility services across the state and to develop and maintain connections with various entities involved in the public behavioral health and developmental services system. The Chair, in consultation with Department staff, may develop a list for each board member of agencies and organizations with which the Board wishes to liaise, including state facilities, the Virginia Association of Community Services Boards, community services boards and behavioral health authorities, and the State Human Rights Committee.

The Chair shall appoint members of the Board to serve as liaisons with these agencies and organizations, recognizing the time constraints of members and that each member may fulfill Board liaison responsibilities in different ways. A Board member liaison shall serve as a channel for information between the Board and the agency or organization and enhance the Board's knowledge about and understanding of the agency or organization and the entire services system. Board member liaisons shall report successes, issues, and concerns to the Board at its regular meetings and to appropriate Department staff. Board member liaisons shall confer or meet regularly with groups to which they are assigned and report to the full Board as necessary.

**Article 9 - Board Evaluation, Bylaws Amendments and Reviews,
and Procedural Irregularities**

- a. **Board Evaluation** - The Board shall conduct an evaluation of its performance during the Board's biennial planning meeting with the process and outcomes noted in the minutes of that meeting and included as part of the Board's Annual Executive Summary for that year.
- b. **Amendments** - These bylaws may be amended at any regular or special meeting of the Board by an affirmative vote of at least five members of the Board, provided members were given the amendments in a special notice at least 30 days prior to the action. While the bylaws and any attached policy strictly conforms to the minimum requirements set out in the Code of Virginia, the Board has the liberty within its discretion to make changes to the bylaws as long as those changes do not exceed the limits set out in the Code of Virginia.
- c. **Bylaws Review** - The Board shall review its bylaws every four years in the fall of the first year of the new Governor's term and amend them as necessary. Bylaws shall be signed and dated to indicate the last amendment date.
- d. **Procedural Irregularities** - Failure to observe procedural provisions of the bylaws does not affect the validity of Board actions.


Article 10 - Conflicts

These bylaws shall not diminish or circumscribe the Board's statutory authority, duties, or powers, and any conflict between provisions in these bylaws and the Code of Virginia shall be resolved in favor of the statute.

Article 11 - Effective Date

These bylaws are effective on the 6th day of December 2023, and until subsequently revised.

State Board of Behavioral Health and Developmental Services



Elizabeth C. Hilscher, Chair



Board Liaison

Appendix A

POLICY: Electronic Meeting Participation in Meetings of the State Board of Behavioral Health and Developmental Services

I. Authority and Scope

This policy of the State Board of Behavioral Health and Developmental Services (“Board”) is adopted to comply with the requirements of § 2.2-3708.3 D of the Code of Virginia to allow its members to participate in public meetings through electronic means or hold an all-virtual public meeting as permitted in the Virginia Freedom of Information Act (FOIA) (§ 2.2-3700 et seq. of the Code of Virginia). It in no way limits or impacts the Board’s ability to hold an electronic meeting if permitted in accordance with any other provision of law.

This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor. Any meeting conducted by electronic communication means during a state of emergency declared by the Governor shall be governed by the provisions of § 2.2-3708.2 of the Code of Virginia.

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.

This policy applies to all committees and subcommittees of the Board.

II. Procedure

A. Individual Requests for Remote Participation:

1. It is the policy of the Board that individual Board members may participate in meetings of the Board by electronic communication means as permitted by § 2.2-3708.3 B of the Code of Virginia for the following reasons:
 - a. A temporary or permanent disability or other medical condition that prevents the member's physical attendance; or
 - b. A family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance; or
 - c. The member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or
 - d. A personal matter, which must be identified with specificity. When remote participation is due to a personal matter, such participation is limited by law to two meetings each calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.
2. Whenever an individual member wishes to participate from a remote location, a quorum of the Board must be physically assembled at the primary or central meeting location. In addition, there must be arrangements for the voice of the participant to be heard by all persons at the primary or central meeting location.

3. Requests for Individual Remote Participation - Approval Process:

- a. Requests for remote participation by a member of the Board shall be conveyed to the Chair (or the Vice Chair, if the requesting member is the Chair) of the Board using the Member Request Form in Appendix B of these bylaws. Such communication may include the Board staff liaison at the Chair's discretion; however, failure to notify the liaison shall not affect the member's ability to participate remotely if the Chair was notified directly.
- b. The requesting member is not obligated to provide independent verification regarding the reasons for not attending physically, including the temporary or permanent disability or other medical condition or the family member's medical condition that prevents attending physically at a meeting.
- c. Individual participation from a remote location shall be approved unless such participation would violate this policy or provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq. of the Code of Virginia). If a member's participation from a remote location is challenged, then the Board shall vote on whether to allow such participation. The Chair shall promptly notify the requesting member whether the request is approved or disapproved based on conformance with this policy.
- d. The request for remote participation shall be recorded in the minutes of the meeting. If the Board votes to disapprove of the member's participation because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity.

B. All-Virtual Public Meetings:

1. It is the policy of the Board that it may hold all-virtual public meetings pursuant to § 2.2-3708.3 C of the Code of Virginia. Such all-virtual public meetings are limited by law to two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. Additionally, an all-virtual public meeting may not be held consecutively with another all-virtual public meeting.

2. Statutory Requirements for Conducting an All-Virtual Public Meeting:

- a. An indication of whether the meeting will be an in-person or all-virtual public meeting must be included in the required meeting notice along with a statement notifying the public that the method by which the Board chooses to meet shall not be changed unless the Board provides a new meeting notice in accordance with the provisions of § 2.2-3707;
- b. Public access to the all-virtual public meeting must be provided via electronic communication means;
- c. The electronic communication means used must allow the public to hear all members of the Board participating in the all-virtual public meeting and, when audio-visual technology is available, to see the members of the Board as well;

- d. A phone number or other live contact information must be provided to alert the Board if the audio or video transmission of the meeting provided by the Board fails, staff must monitor such designated means of communication during the meeting, and the Board must recess until public access is restored if the transmission fails for the public.
- e. A copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of the Board for a meeting must be made available to the public in electronic format at the same time as such materials are provided to members of the Board;
- f. The public is afforded the opportunity to comment through electronic means, including by way of written comments, at those public meetings when public comment is customarily received;
- g. No more than two members of the Board are together in any one remote location unless that remote location is open to the public to physically access it;
- h. If a closed session is held during an all-virtual public meeting, transmission of the meeting to the public must resume before the Board votes to certify the closed meeting as required by subsection D of § 2.2-3712 of the Code of Virginia;
- i. The Board shall not convene an all-virtual public meeting (i) more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, or (ii) consecutively with another all-virtual public meeting.
- j. Minutes of all-virtual public meetings held by electronic communication means are taken as required by § 2.2-3707 and include the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held. If a member's participation from a remote location in an all-virtual meeting is disapproved because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity.
- k. Subject to the limitations set forth in this policy, a public meeting of any committee or subcommittee of the Board may be all-virtual whenever the applicable chair deems an all-virtual meeting necessary or convenient for that body of the Board.

C. Minutes Requirements:

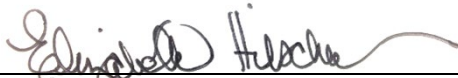
- A. The Board shall comply with the public meeting minutes requirements in §§ 2.2-3707 I, 2.2-3707.1, and 2.2-3708.3 of the Code of Virginia.
- B. If an individual member remotely participates in a meeting pursuant to §2.2-3708.3 B of the Code of Virginia, a general description of the remote location must be included in the minutes in a similar matter to the following: ["Member"] participated from their home in [locality]" or that "[Member] participated from their office in [locality]." The remote location does not need to be open to the public.
- C. If a member remotely participates due to a (i) temporary or permanent disability or other

medical condition that prevented the member's physical attendance or (ii) family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance, that fact must be included in the minutes. While the fact that a disability or medical condition prevents the member's physical attendance must be recorded in the minutes, it is not required to identify the specific disability or medical condition.

- D. If a member remotely participates because the member's principal residence is more than 60 miles from the meeting location, the minutes must reflect that fact.
- E. If a member remotely participates due to a personal matter, the minutes must include the specific nature of the personal matter cited by the member.
- F. As stated above, if remote participation by a member is disapproved because it would violate the participation policy adopted by the Board, such disapproval must be recorded in the minutes with specificity.

Effective Date:

This Board policy was reviewed and approved on December 6, 2023.



Elizabeth C. Hilscher, Chair



Board Liaison

Appendix B: Electronic Meeting Policy

MEMBER REQUEST FOR REMOTE PARTICIPATION

I, _____, hereby notify the Chair of my intent to, and do hereby
(Name)

request to, participate remotely from _____ using electronic communication
(Remote Location)

means during the public meeting of _____ scheduled on
(State Board of BHDS, or name of committee of the Board)

_____ for the following reason:
(Date)

- I have a temporary or permanent disability or other medical condition that prevents my physical attendance; or
- A medical condition of a member of my family requires me to provide care that prevents my physical attendance; or
- My principal residence is more than 60 miles from the meeting location; or
- I am unable to attend the meeting due to a personal matter, which is _____.¹
(Identify with specificity the nature of the personal matter)

This request is (for the Chair to select):

- APPROVED _____ (date)
- DENIED _____ (date)

This form constitutes the record of notice, request, and approval or disapproval required for remote participation pursuant to § 2.2-3708.3 of the Code of Virginia and shall be recorded in the minutes of the corresponding Board meeting, whether a meeting of the full board or a committee of the board.

¹ Remote participation based on a “personal matter” is limited to two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. Meetings of the full Board and meetings of each committee will be measured independently.