TEMPORARY PROTOCOL FOR VIRTUAL CONGREGTIONAL MEETINGS
DURING THE COVID-19 PANDEMIC
WHITE PAPER – PART 2

This document is part 2 of a white paper that describes temporary protocols for congregational meetings in the Diocese of Southwestern Virginia. It specifically outlines protocols for holding a **virtual** congregational meeting.

Holding a virtual meeting is one of three legal options for holding an annual congregational meeting during the COVID-19 pandemic. The other two options include delaying a congregation's annual meeting and holding an in-person meeting with appropriate safety measures outlined by the Governor of Virginia and the Bishop of Southwestern Virginia. All three options are consistent with Governor Northam's Second Amended Executive Order No. 67 (September 3, 2020) and the Regathering Guidelines promulgated by the Diocese of Southwestern Virginia.

General Requirements of Annual Parish Meetings:
Our Diocesan Canons require action by a congregational meeting for several purposes, including vestry elections. Canon 11, Sections 1-8, which deals primarily with the election of vestry members, generally states the requirements for a congregational meeting, namely that (a) all adult communicants in good standing are entitled to vote, (b) voting in the election of vestry members shall be by ballot, in person, and (c) there shall be no voting by proxy (however, certain specified categories of individuals are permitted to submit an absentee ballot pursuant to the Canonically-mandated procedure).

Virtual Meeting Considerations:
Holding a virtual congregational meeting must comply with the provisions of Canon 11. However, a virtual meeting **conducted via a technology/meeting platform must allow all persons present to hear each other speak.** That requirement may be satisfied by use of a conference call or a video conference program like Zoom meetings, but *would not* be satisfied by an electronic format or program like YouTube or a webinar in which most participants can only hear a speaker but cannot speak themselves and be heard by the other attendees. (This is not to say that most participants cannot be muted by the host for portions of the meeting, such as presentations, but all participants cannot be muted by the host for discussions and debates.)

The meeting will need to be accessible to all adult communicants in good standing and, if necessary and appropriate, reasonable accommodations would need to be made for all adult communicants in good standing to attend the virtual meeting. To ensure the validity of the meeting, parishes should utilize the following checklist:

- There should be an attendance list of the attendees who are qualified to vote to determine the presence of a quorum and to be able to verify who voted. The rector or priest-in-charge should create this list based on qualifications listed in Canon 11.5. In the absence

of a rector or priest-in-charge, the senior warden should generate this list. However, it is advisable that the senior warden seek the assistance of other vestry members should this take prove difficult or cumbersome.

- After calling the meeting to order and establishing a quorum, the presiding officer should ask if there is any objection to the meeting proceeding electronically rather than in person, and the meeting minutes should reflect that there was unanimous consent of those present to proceed with a virtual meeting. (If there is in fact a substantive objection raised to proceeding electronically, then the presiding officer will need to declare that the meeting cannot proceed virtually absent unanimous consent, and that the meeting will therefore need to be adjourned until a later date to be established by the Vestry or if unduly delayed, by the Bishop.)

- Voting on resolutions may be done orally. It is the simplest was to proceed on a virtual platform. However, it is advisable given nature of virtual platforms that the presiding officer first ask for those opposed. This gives a clear moment to hear the voices of those opposed. However, in addition asking for those opposed, the presiding officer should ask for those in favor. Hearing and publicly declaring an election outcome from those in favor is essential. If the result of an oral vote is not clear, resort to the election process below.

- Elections of vestry members must be by ballot by those present at the virtual meeting, with no proxy voting (and absentee ballots only as expressly permitted by Canon 11.7). Regular, "in-person" ballots may be submitted during the meeting by electronic means and the voter will need to be identified to the election judges so that the voter's qualifications to vote can be determined.

- A voting program such as Poll Everywhere, Election Buddy, OpaVote, Simply Voting may be used or, especially for smaller congregations, an informal voting process such as voting by text or e-mail may be used provided that the election judges can determine who the voter is and whether the voter is qualified to vote and was in attendance at the meeting.

- If your congregation is using Zoom, the Zoom polling feature may be helpful. However, the election judges will need to validate results, therefore the Zoom host should NOT share the poll results during the live Zoom meeting. Instead, results should be exported, credential, and counted before a winner or winners is declared. Results from Zoom that can only be exported after a Zoom meeting has been ended. It may take Zoom 5-10 minutes after the conclusion of the meeting for the platform to generate a polling results for export. Patience is advised.

- After receiving results, the presiding officer or if appointed per Canon 11.8, election judges will credential those who voted by comparing the list of those qualified to vote with the exported list of those who voted from the electronic voting platform. After counting the

votes of all qualified voters, the presiding officer or if appointed, the election judges will declare the winner or winners. The presiding officer will then be responsible to publish in a public manner only the names of the winners to the congregation.

- Provisions will need to be made for any subsequent ballots for the vestry election. Appropriate and reasonable accommodations should be made for those without ready access to the electronic voting system.

- To confirm the integrity of the virtual meeting, documentation of the notice of the meeting, the processes used to conduct the meeting, the list of attendees and the voting results, including the election judges' procedures for verifying who voted and the tabulating of vote (but not the identity of who voted for whom), should be filed with the meeting minutes.

A successful virtual congregational meeting should involve detailed planning and communication, not only to those who are technically challenged but to all of the congregation. The processes for recognizing those who qualified to speak, how questions may be asked, how voting works, and other procedural issues should all be thought through and communicated in advance of the meeting.

Questions and comments may be directed to:

The Rev. Canon Mark Furlow, Canon to the Ordinary & Chief Operating Officer
Phone: (540) 342-6797
E-mail: mfurlow@dioswva.org
or
Mark D. Loftis, Chancellor
Phone: (540) 983-7618
E-mail: loftis@woodsrogers.com

These practices and procedures will be a learning process and we encourage you to discuss your plans and experiences with virtual congregational meetings with us so we can improve or adjust the protocol as appropriate.

*These guidance materials are adapted from materials prepared for the Diocese of Virginia by its Chancellor, J. P. Causey, which are used with his permission.