

GUIDELINES FOR HOLDING VIRTUAL MEETINGS

What strange times these are. While the ability to meet virtually in worship or in meetings has been with us for a while, within a few short months it has become the primary way we connect with each other and continue to accomplish the mission and business of the church. The following guidelines are offered to help congregations hold meetings that are not only productive but in conformity with applicable law, polity and parliamentary process. This guide offers basic information that applies to all on-line meetings where official business is conducted. For specific information related to your context please call Mary Gaut (410-404-2161), Jack Carlson (410-978-1017) or email statedclerk@baltimorepresbytery.org.

LEGAL ISSUES:

1. The State of Maryland permits electronic meetings for non-profits unless your Bylaws specifically prohibit them. MD Corp & Assn Code § 2-409 (2018). A meeting conducted on ZOOM or other video conferencing platform meets the State and Parliamentary requirement that “all persons participating in the meeting can hear each other at the same time.”
2. It is strongly recommended that churches have their own electronics meeting policy in their Bylaws. You might start by looking at the provisions in the Presbytery Manual section 3.4. but craft rules that meet your purposes. Make the Bylaws provision as simple and broad as possible. If more specificity is needed, consider creating a Standing Rule.

PARLIAMENTARY ISSUES:

1. *Church Law and Tax* suggests the following “foundational rules:”
 - a. **State Law and Bylaw terminology must be followed.** Maryland law gives pretty broad latitude as long as simultaneous communication is assured.
 - b. **Whatever technology is used it must allow for “all members to hear each other simultaneously.”** Across the board the various parliamentary authorities such as Roberts Rules agree this is essential. Otherwise it is not a deliberative assembly. This means that, ordinarily, email votes do not qualify. You will note that the Presbytery Manual does include a provision for email decisions for routine matters and under certain conditions. Such decisions should be ratified in the next meeting. This is something you might want to think about if amending your bylaws to include electronic meetings provisions. For additional info on email voting see the FAQ at the end of these guidelines.
 - c. Members must be given **detailed information in the notice of the meeting including precise information on how to obtain access to the meeting**, log-in etc.
 - d. If and/or when your congregation might decide to Hold meetings in person but with virtual access permitted as well you will want to adopt **written provisions that state whether virtual attendance is a right and/or requirement.** This is a bit more esoteric but something to be considered going forward. *Church Law and Tax* says: “..a church should address from the outset whether virtual attendance will be automatically permitted for any and every meeting (e.g. members can choose whether to attend in

person or virtually) or whether the church retains the right to authorize virtual attendance on a meeting-by-meeting basis.” For most churches this second option will probably be more practical.

- e. **Special rules must be written and adopted.** This would include such things as how a quorum will be determined and how votes will be taken. In this new environment we find ourselves such rules have not been “adopted” at most of our virtual meetings so far. Rather, the methods have been included in the call of the meeting. But, as virtual meetings become more common this is something to pay attention to. Do NOT put such special rules in your Bylaws. Technology changes rapidly and you need the flexibility to adopt the rules to the technology.
2. Remember that virtual meetings have the same requirements for **establishing a quorum** and **recording the proceeds/taking minutes**.

TECHNOLOGY

Speaking of technology, this is where the rubber hits the road and where many of us are struggling. There is so much to learn! Most congregations are using the Zoom platforms (meetings or webinars.) Both Zoom platforms have advantages and disadvantages. Talk to other churches and find out what their experiences have been. There are, no doubt, other technologies other than Zoom which we have no experience with. But, no matter what you use, make sure as you set it all up that the legal and parliamentary issues are covered.

We offer the following advice as well:

1. Keep virtual meetings as simple as possible. Defer complicated issues to a time when they can be considered at an in-person meeting if possible!
2. Make sure your technology allows ALL participants to hear each other in real time.
3. Use “unanimous consent” when you can. Especially for simple and non-controversial matters the Moderator would say “Is there any objection (to the motion). If there is none the motion passes.
4. Decide on how you will handle voting and make sure that this is communicated well. You might use the zoom polling feature, the “raise hand” feature or the yes or no buttons. Make sure you know how these work and communicate this well at the start of the meeting.
5. Keep the meeting as simple as possible.
6. How will you recognize someone who wants to speak or make a motion?
7. Your mantra for virtual meetings should be “Keep it Simple!”
8. Do not expect the moderator of the meeting to keep track of all the technology allows (raised hands, questions asked in Chat, etc.) Assign the technology functions to others.
9. Avail yourselves of the tutorials available on YouTube etc.
10. Practice at least once before the meeting.
11. Did we mention **“Keep it Simple?”**

Do not expect perfection in these early days of virtual meetings. But recognize this is going to be part of our meetings landscape going forward so the more comfortable we can become with this technology the more prepared we will be to navigate this new era in the Church's life. Don't hesitate to seek out colleagues who have experience with virtual meetings. On average, the younger generation of church leaders knows more than those of us still find it all a bit mystifying but not always. Above all remember that this technology should be used in service to the mission of your congregation and to the building up of the Body of Christ. Blessings and good luck.

For additional information please see FAQs on the following pages

FAQs

(The questions and answers below will be updated as needed so please contact the Stated Clerks if you have a question that you think should be included)

1. Can a decision of a council or committee/commission be made by Email?

Any response must acknowledge that, under most parliamentary authorities, email decision making is decision making in the absence of a meeting. A meeting (see above) must allow for everyone to hear each other at the same time so that it is truly deliberative. This is not possible through email. That doesn't mean you can't do it in limited circumstances. In general, such decision making should be limited to one item of business of the kind that could be approved through unanimous consent. The presbytery rules for electronic meetings allow for this kind of decision making with procedures carefully outlined. Because you are making a decision without a meeting, any email vote should be ratified at the next meeting of the body. If you are amending your bylaws to include provisions for electronic meetings and email decision making you should be as explicit as possible about what is allowed to be considered by email. Also consider how you can attest that the person responding to the email question is the person to whom the email is addressed.

2. Who can call an electronic meeting?

The Book of Order G-3.0203 permits any two members of the Session to have the Moderator call a meeting of the Session, while G-1.0502 allows 1/4 of the active membership of the church to petition to have the Session to call a meeting of the congregation. While this is unlikely to happen in times such as a pandemic lockdown it is worth thinking about including something in your By-laws that say only the session can authorize an electronic or virtual meeting and other petitions for meetings would wait until meetings can be called in person. Presumably, the session would exercise wisdom in its decision making regarding whether the Mission of the Church was served by utilizing virtual technology for a meeting called under these circumstances.

3. Nominations from the floor

Under present circumstances most virtual congregational meetings being held in the Presbytery of Baltimore are for the purposes of elections. The question has been raised as to how nominations from the floor might be handled. This is more of a tech issue as parliamentary guidelines are clear that there should be an opportunity to do so. In most congregations it has been years since this has happened, but churches should be prepared to facilitate this.

- One option is to send the slate of nominees out in advance via email or postal mail inviting additional nominations be sent into the clerk of session. At the virtual meeting for the election of officers the nominations from the floor will be read by the moderator. This essentially ratifies nominations made apart from a meeting. You will then need to use the polling feature of zoom and have it set up ahead of time with the names of all nominees including those made "from the floor. If there are more than 10 vacancies to be filled for any group (session, deacons, trustees etc.) you cannot use the polling feature. It has been suggested that a link to google forms could be used. If you think your situation is going to go this route we will put you in touch with those who can explain how that works.

- In less complex settings where someone raises their hand at the meeting and makes a nomination you will still need to use the polling feature. It should be possible for one of your hosts to add a name to the poll before launching.
- Because our polity and parliamentary rules require the option for nominations from the floor to fill vacancies on boards and councils, elections should not be held exclusively by email. If you have done this, however, and not remedial complaints are filed within 60 days, you are fine.

4. Ordination and Installation of Officers in a Virtual Environment.

There is no easy or “one size fits all” answer for how to install and particularly ordain in a virtual environment. The act of laying on of hands is an ancient practice with deep significance in our tradition and among ecumenical colleagues. That act requires being physically present. Beyond that the following ideas may assist you in your decision making:

- One Presbytery (Chicago) said that they were recommending electing officers with the following attached to the motion: "Elders & Deacons are authorized to begin their term of service effective (date), with the service of Ordination and Installation to be scheduled as soon as possible." **This is the easiest of all the options and reflects the consensus that these times call for some flexibility.**
- Based on G-3.02(c) The Session has the responsibility to "train, examine, ordain and install those elected by the congregation as ruling elders and deacons. Additionally, W-4.0402 says that ordination and installation may take place in a *special service* (my emphasis). So you might consider having a service of ordination and installation outside with everyone appropriately distanced. The BoO has no requirement as to the size of the gathered congregation so you could limit to a size approved by the state and county as long as at least one current session member is present for the Laying on of Hands and a sufficient number of congregation members to provide integrity in answering the question posed to the congregation.
- There is also no requirement that ordination and installation be conducted at the same service. But elected officers are not members of the respective boards until they are installed. If an outdoor service of ordination were held, for instance, the installation service could be conducted virtually.
- Finally, one stated clerk in the conversation referenced Numbers 11:24-30 as an example of a "virtual ordination."