

Advisory on “Electronic Meetings” and “Electronic Decisions” from the Stated Clerk and Executive Presbyter of Donegal Presbytery

Increasingly, people are relying on electronic forms of communication to connect, share information, and talk with one another, and make decisions. There are a wide variety of ways to connect electronically – including email, web-boards, file sharing resources like Google Drive and Dropbox, online planning platforms like Smartsheet, Google Docs, Google Sheets, online learning platforms like Moodle and Blackboard, and social media such as Facebook, Twitter, Instagram. There are ways to communicate via conference telephone calls, Skype, Zoom, and other online video meeting capabilities. There are direct phone calls and there is texting. Many people are connected to these means of communication for much of their lives through smartphones and mobile tablets. This is also a rapidly changing context with multiple options and an array of possibilities.

Naturally, this means that groups have a wide variety of choices when it comes to using technology for decision making. Often these options are new and unfamiliar. Sometimes there are some members of a group that have access to these options and other members of the group that do not. When boards of a congregation such as the Session, Diaconate, and Trustees, committees of the congregation, and the commissions and committees of the presbytery prepare to make decisions, there are a number of factors to consider when using technology in the decision-making process.

1. In all of this we recognize that the Church is a community. We value relationships and strive to care for one another.

In our Foundations for Presbyterian Polity, we state that

The Church is the body of Christ. Christ gives to the Church all the gifts necessary to be his body. The Church strives to demonstrate these gifts in its life as a community in the world (1 Cor. 12:27–28):

The Church is to be a community of faith, entrusting itself to God alone, even at the risk of losing its life.

The Church is to be a community of hope, rejoicing in the sure and certain knowledge that, in Christ, God is making a new creation. This new creation is a new beginning for human life and for all things. The Church lives in the present on the strength of that promised new creation.

The Church is to be a community of love, where sin is forgiven, reconciliation is accomplished, and the dividing walls of hostility are torn down.

The Church is to be a community of witness, pointing beyond itself through word and work to the good news of God’s transforming grace in Christ Jesus its Lord.

(F-1.0301)

In the midst of the meetings that occur, we value the people who are involved and the different perspectives that people bring. We want to create systems that connect people and unleash creativity. We want to have decision making processes that connect us to the Holy Spirit's purposes, and we want to utilize technology in faithful and life-giving ways.

2. We are under the authority of the Book of Order when it comes to running meetings. The Book of Order states that:

Meetings of councils shall be opened and closed with prayer. Meetings shall be conducted in accordance with the most recent edition of Robert's Rules of Order Newly Revised, except when it is in contradiction to this Constitution. Councils may also make use of processes of discernment in their deliberations prior to a vote as agreed upon by the body. (G-3.0105)

The provision of Robert's Rules (when it comes to electronic meetings) is that there must be 'simultaneous aural communication.' (see below for the entire text from Robert's Rules). The goal is for the meeting to have the nature of a "deliberative body" so that the body can genuinely consider the decisions before it.

The Office of the General Assembly has released advice on this in the form of a "Constitutional Musing." It describes an action of the General Assembly where it is possible to take a vote on a matter electronically if there has been discussion beforehand.

Based on this information, we can provide the following advice.

1. It is important for the Session talk about its plans for decision making processes before a group is in the middle of making decisions. The Session should provide guidance for its own work and for groups within the congregation on how to utilize technology in their decision making.
2. You cannot conduct a **meeting** through email.
3. Groups can take actions between meetings but cannot hold discussions via text/email/others ways that do not contain "simultaneous aural communication." You also must make provision for this in your governing documents (by-laws or Manual of Administrative Operations).
4. If you make a decision via email, it is then noted in the next minutes. It is NOT ratified, as this would mean that the decision is not final until the session meeting, and this creates confusion about when the decision is actually made. Below are the Presbytery's rules in regards to these matters.
5. We advise against making anything but the most routine decisions via email. (And even this can be very tricky because what is "routine" to one person is not routine to another.)

6. In general, the more complex an issue, the more important it is to be face-to-face. (And what seems simple and obvious to one person can seem complex to another, which makes it very important to discuss communication and process before making decisions.)
7. File sharing and online platforms can be a great way to share resources and make sure that an entire group has access to the most up to date information. These can be an excellent place to gather suggestions and to track updates to a project.
8. It is possible for someone to participate in a meeting via phone, Skype, or other electronic means. Permission for electronic participation in meetings is required to be included in your by-laws or your Manual of Administrative Operations.
9. Conference call meetings are challenging and require a high level of skill from the moderator and participants.
10. The Presbytery of Donegal has a subscription conference call service. For brief session meetings (10 minutes or less), this can be used. For meetings longer than 10 minutes, the Presbytery will bill the session for the service.

Donegal Presbytery Rules regarding Electronic Meetings and Digital Decisions

The following rules regarding electronic meetings and digital communications are adopted for all presbytery committees, commissions, task groups and teams.

1. Every Presbytery Committee, Commission, Team and Task Group should decide on the methods by which they will conduct electronic meetings and digital communications.
2. Except where specifically prohibited, meetings of commissions, committees, teams, and task forces may be conducted as an electronic meeting, in whole or in part, without the participants being physically present in the same place.
3. Electronic meetings may be conducted via a phone conference call platform for voice communication or through Zoom, Skype or other video conference platform for voice and visual communication.
4. The presbytery maintains subscriptions to both aural conference call and video platform conference systems for the use of presbytery groups. These services are also available to congregations by prior arrangement with the presbytery office. The key factor that defines an electronic meeting is that all participants must have the opportunity for simultaneous communication.
5. Commissions, committees and teams, and task forces of the Presbytery of Donegal may take action required or permitted to be taken at a meeting with like effect between meetings of the entity, provided that every member is contacted either in person or via email and no member objects. If contacted via email, verification must consist of an email reply stating “no objection,” or words to that effect. If any member objects or wishes to have discussion on the motion, then a special face-to-face or electronic meeting is required to take the action. Discussion via email in lieu of a meeting is not sufficient. Action via email, if taken, shall be recorded in the minutes of the next meeting of the entity as an action taken by unanimous consent between meetings in accordance with the rules. Electronic meetings should be

conducted, rather than email, in order for a group to approve any actions that will be reported to the presbytery.

6. Training shall be provided for any digital tools in use by a committee (such as Smartsheet) or electronic meeting platforms. Electronic meetings are challenging and require a high level of skill from the moderator and participants. The presbytery staff are available to train groups and individuals.

Electronic Meetings from Robert's Rules

EXTENSION OF PARLIAMENTARY LAW TO ELECTRONIC MEETINGS. Except as authorized in the bylaws, the business of an organization or board can be validly transacted only at a regular or properly called meeting—that is, as defined on pages 81–82, a single official gathering in one room or area—of the assembly of its members at which a quorum is present.

Among some organizations, there is an increasing preference, especially in the case of a relatively small board or other assembly, to transact business at electronic meetings—that is, at meetings at which, rather than all participating members being physically present in one room or area as in traditional (or "face-to-face") meetings, some or all of them communicate with the others through electronic means such as the Internet or by telephone. A group that holds such alternative meetings does not lose its character as a deliberative assembly (see pp. 1–2) so long as the meetings provide, at a minimum, conditions of opportunity for simultaneous aural communication among all participating members equivalent to those of meetings held in one room or area. Under such conditions, an electronic meeting that is properly authorized in the bylaws is treated as though it were a meeting at which all the members who are participating are actually present.

If electronic meetings are to be authorized, it is advisable to adopt additional rules pertaining to their conduct (see Additional Rules for the Conduct of Electronic Meetings, below).

[page 98] TYPES OF ELECTRONIC MEETINGS. Various provisions for electronic meetings are possible, so that more than the minimum standard of an audioconference may be required. Thus, if the bylaws provide for meeting by videoconference (but not merely by "teleconference" or "audioconference"), the meeting must be conducted by a technology that allows all participating members to see each other, as well as to hear each other, at the same time. Provision may also be made for the use of additional collaborative technology to aid in the conduct of a meeting.

It is important to understand that, regardless of the technology used, the opportunity for simultaneous aural communication is essential to the deliberative character of the meeting. Therefore, a group that attempts to conduct the deliberative process in writing (such as by postal mail, e-mail, "chat rooms," or fax)—which is not recommended—does not constitute a deliberative assembly. Any such effort may achieve a consultative character, but it is foreign to the deliberative process as understood under parliamentary law.

ELECTRONIC MEETINGS IN COMMITTEES. As in the case of a board or any assembly, committees that are expressly established by the bylaws can hold a valid electronic meeting only if authorized in the

bylaws to do so. A committee that is not expressly established by the bylaws, however, may instead be authorized by a standing rule of the parent body or organization, or by the motion establishing the committee, to hold electronic meetings.

ADDITIONAL RULES FOR THE CONDUCT OF ELECTRONIC MEETINGS. If an organization authorizes its assembly, boards, or committees to hold electronic meetings, such a provision should indicate whether members who are not present in person have the right to participate by electronic means, or whether the body may choose to allow [page 99] or disallow such participation; and, conversely, whether there is required to be a central location for members who wish to attend meetings in person. The notice of an electronic meeting must include an adequate description of how to participate in it (for example, the telephone number to call for a teleconference must be provided). Various additional rules (in the bylaws, special rules of order, standing rules, or instructions to a committee, as appropriate) may also be necessary or advisable regarding the conduct of electronic meetings, such as rules relating to:

- the type of equipment or computer software required for participation in meetings, whether the organization must provide such equipment or software, and contingencies for technical difficulties or malfunctions;
 - methods for determining the presence of a quorum;
 - the conditions under which a member may raise a point of order doubting the presence of a quorum, and the conditions under which the continued presence of a quorum is presumed if no such point of order is raised;
 - methods for seeking recognition and obtaining the floor;
 - means by which motions may be submitted in writing during a meeting; and
 - methods for taking and verifying votes.
- In addition, depending on the character of the organization, it may be advisable to adopt provisions for ensuring that nonmembers cannot participate in meetings (unless properly invited to do so), especially during any meeting or portion of a meeting held in executive session