

## Conducting Congregation Business Over ZOOM

### Can we conduct congregation business over ZOOM?

1. **Determine whether the relevant state law permits it.** The relevant state law is the law of the state in which the entity (congregation) is incorporated, not where the meeting or office is. The vast majority of congregations are incorporated in their home state. The state will typically permit remote meetings as long as the constitution and by-laws of the congregation do not prohibit them.
  - a. Georgia, Tennessee, Alabama, Mississippi – all the states in the Southeastern Synod allow for remote meetings *unless* the governing documents of your congregation forbid it.
2. **Check your constitution.** Make certain the following provisions have not been modified or deleted:
  - a. Model Constitution C12.13 states: “The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference and, to the extent permitted by state law, notice of all meetings may be provided electronically.”
  - b. Model Constitution C10.08 states: “This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically.”
    - i. This provision was added in 2019. If your constitution is up to date, you’ll likely will have it.
    - ii. If your constitution is silent on remote meetings and does not have C10.08, since our states in the Southeastern Synod allow remote meetings, you can hold one.
3. **Check your bylaws** to ensure that there is nothing which contradicts C12.13 or C10.08.

### What notification do we have to give for a remote meeting?

1. You must give the same notification normally required by your constitution and bylaws for that type of meeting.
2. For example, if your constitution requires that notice be given by mail or electronically a certain number of days before a meeting, and that it be announced at two consecutive Sunday worship services, you would still need to comply with those requirements. If you are streaming worship services, you will need to announce the meeting during those services, just as you would normally do.

### How do we certify who is in attendance? There are several ways:

1. During a ZOOM meeting the host can click “Manage Participants” at the bottom of the screen and see a full list of who is present.
2. After the meeting ends, the host can use ZOOM functionality to create a report for up to 30 days. A good tutorial is at: <https://loyola.screenstepslive.com/s/17190/m/84386/l/1016056-how-do-i-review-a-zoom-attendance-report>

- a. If more than one person is attending over a single connection, i.e. a family shares a login, the ZOOM report will only count this as a single attendee. You must account for this in your attendance report.
- b. The attendance report will indicate who attended based on their login. If they appear in ZOOM as a phone number, this is what will be reported.
  - i. When you schedule a meeting, use Meetings / Settings to give those attending the ability to rename themselves then encourage those attending to change their own names by right clicking their name in the video box, click rename, then enter the new name.
  - ii. Or the host can change the name. Right click on the name in the video box, click rename, then enter the correct name. Or the host in “Manage Participants” can right click and rename.
3. OR do a low tech roll call with each attendee stating that they are present.

### How do we vote?

1. Legally,
  - a. the host must do everything under their power to ensure that the meeting is “fair”.
  - b. attendees must be able to hear and be heard in the meeting
2. If you expect the vote to be contentious, it’s wise to consider waiting to hold this meeting and vote until the congregation can again gather in person.
3. If the vote is not required to be anonymous (and most votes aren’t), do a voice vote. Unmute everyone then ask those in favor to say “Aye” and those opposed to say “No”.
  - a. If it is clear whether the motion has passed or not, you’re done.
  - b. If not clear, you can manually poll attendees and then count the votes. This works much better in a small meeting.
4. If not anonymous, you could always hold up red and green cards instead of speaking. This works only if all attendees are using the video option.
5. For a larger attendance, ZOOM has a polling feature. A tutorial is available at: <https://support.zoom.us/hc/en-us/articles/213756303-Polling-for-Meetings>
  - a. When you set up your meeting make sure that you allow polling.
  - b. Again, if there are multiple people using a single login to ZOOM, the number of votes won’t match the number of people attending. Encourage each one attending to login separately.
6. If you constitutionally MUST do a confidential vote,
  - a. consider using a tool called Election Runner.
    - i. [https://electionrunner.com/?fbclid=IwAR3igOXxBIANt3RQ2uoRNAUTQwjDmMgINF4F78pt6bPxW7-demy1K2jp\\_2o](https://electionrunner.com/?fbclid=IwAR3igOXxBIANt3RQ2uoRNAUTQwjDmMgINF4F78pt6bPxW7-demy1K2jp_2o)
    - ii. There is a small cost associated with the tool, plus it requires remote access by all, which may or may not be possible.
  - b. ZOOM has the ability to poll anonymously.

**How do we accommodate someone without a smart phone or a computer?** The objective here is to go as low tech as possible.

1. Have someone to sit with this individual (great opportunity for a visit, assuming they aren't quarantined)

2. Provide a paper ballot which can be snail mailed if needed both directions.
  - a. The challenge is if the motion is changed during the meeting. If so, the paper ballot will have to be recreate with the new motions.
3. Have someone call or SKYPE this individual on the phone. Then that same individual will login to ZOOM over a computer, put the phone on speaker so that it will pick up the sound from the ZOOM meeting so the person will hear the ZOOM meeting and also be able to participate in any voice votes.

### **Can I record the meeting?**

1. First, check the state law. In most states it is considered a crime to secretly record a conversation or meeting. You must provide sufficient notice to ensure consent.
2. When you schedule the meeting, inform members that you will be recording the meeting.
3. When you begin the meeting, state "This meeting is being recorded"
4. You might also consider putting something on each slide to indicate that the meeting is being recorded.

### **Best Practices**

1. Send out as much information as you can via email before the meeting. This includes slide decks, motions to be voted on, and explicit directions on how to use ZOOM. Some people will login with no video or won't be able to get their video working. By providing materials before the meeting, they'll still be able to fully participate.
2. Practice. A lot.
  - a. Make sure that the host is very familiar with the technology, especially if you plan to conduct large business over ZOOM, i.e. a congregational meeting
  - b. Provide the ZOOM directions to someone not familiar with the program. Can they be followed? What challenges do they encounter? Gather their feedback then tweak the instructions.
3. Mute by default. Give the host access to mute and unmute the attendees.
4. As mentioned, if you expect to have a contentious vote, unless required by your constitution and bylaws, see if the meeting can be delayed until you can be together physically again.
5. If your congregation is taking a vote to call a rostered minister, at times like these, please invite the synod staff to be part of this meeting.