

THE LIBRARY BOARD

Meeting Agenda & Materials

Monday, September 14, 2026



The Library Board of the Library of Virginia
Monday, September 14, 2026, 10:30 am
800 East Broad Street, Richmond, Virginia 20219

AGENDA

1. Call to Order and Welcome
2. Approval of Agenda
3. Consent Agenda
 - a) Approval of Library Board Minutes of June 22, 2026
 - b) Approval of 2026-2027 Board Committee Slates
 - c) Approval of Personnel Act Exemptions
4. Report from Partner Organizations
 - a) Friends of the Virginia State Archives
5. Presentation by Eric Johnson, VA250 Ideas and Action Project Coordinator
6. Committee Reports
 - a) Collections and Archives Committee
 - b) Governmental Relations and Finance Committee
 - i) Approval of LSTA Funding
 - c) Library Development Committee
 - d) Researcher and Public Engagement Committee
 - e) Library of Virginia Foundation
7. Report of the Librarian of Virginia, Dennis Clark
8. Report of the Library Board Chair, Bo Trumbo
9. Other Business and Adjournment

Optional: After-lunch Tour of the Expanded Art Cage (4th Floor Stacks), with Deputy State Librarian Meg Guthorn and Interim Director of Manuscripts and Special Collections Dale Neighbors

Board Members

Malfourd Trumbo, *Chair*
Betsy Fowler, *Vice Chair*
Peter Broadbent
Paul Brockwell
Carol Finerty

Mary Prentice
Blythe Scott
Chelle Davis
Samuel Hayes III
Nancy Rodrigues

Kimberly Dove
Barbara Vines Little
Suzy Szasz Palmer
Laura Blevins
Stanley Reid



The Library Board of the Library of Virginia
Committee Meetings on Monday, September 14, 2026
800 East Broad Street, Richmond, Virginia 23219

Collections and Archives Committee

Conference Room A at 8:30 am

Peter Broadbent, *Chair*
Samuel Hayes III, *Vice Chair*
Kimberly Dove
Carol Finerty

Suzy Szasz Palmer
Mary Prentice
Barbara Vines Little
Conley Edwards (President, Friends of the
Virginia State Archives), *Ex Officio*

Staff Liaisons: Meg Guthorn, Deputy State Librarian and Chief of Collections; Dale Neighbors, Interim Director of Manuscripts and Special Collections; and Greg Crawford, State Archivist and Director of Government Records Services

1. Call to Order and Welcome
2. Virginia Untold Update
3. Grants Update
4. Overview of Interim Guidance for AI Records Management
5. Other Business and Adjournment

Public Library Development Committee

Orientation Room at 8:30 am

Betsy Fowler, *Chair*
Paul Brockwell, *Vice Chair*
Laura Blevins
Chelle Davis

Stanley Reid
Nancy Rodrigues
Blythe Scott
Rose Dawson (President, Virginia Public
Library Directors Association), *Ex Officio*

Staff Liaison: Diana Price, Chief of Library Development

1. Call to Order and Welcome to New Board Members – Betsy Fowler
2. Updates from the Virginia Public Library Directors Association (VPLDA) – Rose Dawson, VPLDA President
3. Library Development Updates – Diana Price
 - a) Lunenburg County Public Library System State Aid Update
 - b) LSTA Evaluation Updates
 - c) Upcoming Directors' Meeting
 - d) International Partnership Updates

- e) Library Development Department Updates and Yearly Statistics
- 4. Other Business and Adjournment

Governmental Relations and Finance Committee

Conference Room A at 9:30 am

Malfourd Trumbo, *Chair*
Betsy Fowler, *Vice Chair*
Paul Brockwell
Peter Broadbent

Carol Finerty
Samuel Hayes III
Blythe Scott

Staff Liaisons: Dan Hinderliter, Chief Operating Officer; and Aubrey Hobby, Director of Governmental and External Relations

1. Call to Order and Welcome
2. Review of Statement of Financial Condition – Dan Hinderliter
3. Budget Decision Briefs – Dan Hinderliter
4. 2027 Agency Legislation Overview – Aubrey Hobby
5. LSTA Proposed Budget – Dan Hinderliter
6. FY28 LSTA Proposed Timing Changes – Dan Hinderliter
7. Clarity on Custodianship of Governor’s Records for Movement Across Administrations – Meg Guthorn, Deputy State Librarian
8. Other Business and Adjournment

Researcher and Public Engagement Committee

Orientation Room at 9:30 am

Chelle Davis, *Chair*

Suzy Szasz Palmer

Kimberly Dove, *Vice Chair*

Mary Prentice

Laura Blevins

Nancy Rodrigues

Stanley Reid

Barbara Vines Little

Staff Liaison: Sarah Falls, Chief of Researcher Engagement

1. Call to Order and Welcome
2. Committee Mission and Purpose, 2026-2027 Goal Setting
3. LVA Internships Presentation – Catherine Fitzgerald Wyatt and Rachel Murphy-Weast
4. Virtual Reading Room by Demographics
5. Questions
6. Other Business and Adjournment



LIBRARY BOARD MEETING MINUTES

Monday, June 22, 2026

9:30 a.m. Meeting Room 2M.020

800 East Broad Street | Richmond, Virginia 23219

Board Members Attending: Malfourd “Bo” Trumbo (Chair), Peter Broadbent Jr., C. Paul Brockwell Jr., Preston Bryant Jr., Chelle Davis, Suzette Denslow, Carol Finerty, Betsy Fowler (Vice Chair), Samuel Hayes III, Barbara Vines Little, Shelley Murphy, Mary Prentice, Nancy Rodrigues and Blythe Scott.

Board Members Absent: Kimberly Dove

LVA Staff Attending: Dennis T. Clark, Librarian of Virginia; Meg Guthorn, Deputy State Librarian and Chief of Collections & Archives; Kim Armentrout, State Grants & Data Coordinator, Cindy Church, Continuing Education Consultant; Roger Christman, Governors’ Records Archivist; Greg Crawford, State Archivist and Director of Government Records; Sarah Falls, Chief of Researcher Engagement; Angela Flagg, Chief Communications Officer; Daniel Hinderliter, Chief Operating Officer; Dale Neighbors, Interim Director of Special Collections; Diana Price, Chief of Library Development; Abigail Gump, Assistant Attorney General and Board Counsel.

LVA Foundation Board and Staff Attending: Pia Trigiani, President of the Board; Scott Dodson, Executive Director and Elaine McFadden, Director of Development.

I. Call to Order and Welcome: Chair Trumbo called the meeting to order at 9:30 a.m. and noted the presence of a quorum. He welcomed recent appointees to the Board, including returning Board member Barbara Vines Little and new member Nancy Rodrigues. He also introduced Kate Maxlow, Assistant Secretary of Education.

II. Approval of Agenda: Upon motion duly made and seconded, the Board approved the agenda.

III. Approval of April Library Board Meeting Minutes: Upon motion duly made and seconded, the April meeting minutes were approved with an amendment noted to correct the Legislative and Finance Committee section to reflect Mr. Bryant – not Mr. Prentice – delivered the report. Barbara Vines Little and Nancy Rodrigues abstained from the vote.

IV. Public Comment: There were no members of the public wishing to offer comments.

V. Report from Partner Organizations: Peter Broadbent provided a brief report on behalf of Conley Edwards, president of the Friends of the Virginia State Archives. He announced that Judy G. Russell will deliver the 26th annual Slatten Lecture on Nov. 7 and invited all to attend. Mr. Broadbent also reported that the Friends have continued to help the Library acquire local history and genealogical volumes. In total, they have expended \$17,000 for more than 500 volumes. Mr. Edwards’ written report also noted the induction of Peter Broadbent as a Fellow of the National Genealogical Society at that group’s recent meeting.

VI. Committee Reports:

A. Collections & Archives Committee: Mr. Broadbent provided the Collections & Archives Committee report. State Archivist Greg Crawford provided an update on digital conservation projects associated with Virginia 250 and conservation efforts for Revolutionary War documents including the commission which investigated the burning of Norfolk, Virginia.

B. Government Relations & Finance Committee: Mr. Bryant provided a summary of the Commonwealth's budget development and current status. Dan Hinderliter shared the Library's Statement of Financial Condition. A brief period of questions and answers followed.

C. Library Development Committee: Ms. Fowler reported that the Committee reviewed, discussed, and voted to recommend several sets of technical or non-technical waiver requests and reported these motions to the full Board for consideration. She also noted a planned vote would not be taken on State Aid allotments due to the delay in the state finalizing its budget. She invited Kim Armentrout, State Grant & Data Coordinator, to present the waiver request motions on behalf of the committee..

1. Technical Waivers: Technical waivers are triggered by decreases in local expenditures due to normal business fluctuations. The committee approved technical waivers for following systems: Alexandria Library, Amherst County Public Library, Bland County Public Library, Buchanan County Public Library, Chesapeake Public Library, Clifton Forge Public Library, Culpeper County Library, Eastern Shore Public Library, Essex Public Library, Hampton Public Library, Heritage Public Library, Highland County Public Library, James L. Hamner Public Library, Lancaster Public Library, Madison County Public Library, Mathews Public Library, Pamunkey Regional Library, Rappahannock County Public Library, Richmond County Public Library, Roanoke Public Library, Smyth County Public Library, Washington County Public Library.

Hearing no questions or discussion, Ms. Fowler restated the committee motion and the board approved the technical waivers.

2. Non-Technical Waivers: The committee moved the following non-technical waivers by as individual motions. After a brief period of discussion, the Board unanimously approved the following motions non-technical waivers:

- A motion to extend the certification deadline for Halifax-South Boston Public Library Director, who is completing the degree program required.
- A motion to approve state aid waivers for the following systems who have not filed audits or financial reports, with the caveat that release of state aid be contingent on submission of all required statements: Amherst, Augusta, Blue Ridge, Buchanan, Caroline, Clifton Forge, Colonial Heights, Craig, Eastern Shore, Halifax-South Boston, Jefferson-Madison, King & Queen, Lancaster, Manassas Park, Pamunkey, Petersburg, Portsmouth, Pulaski, Radford, Richmond County, Roanoke city, Russell, Tazewell.
- A motion to approve nontechnical waivers for libraries that failed to meet the requirement of having two-thirds of their local operating expenditures from taxation or endowment: Heritage Public Library and Richmond County Library

waivers approved with Five-Year Plans initiated for both; Radford Public Library waiver approved with existing Five-Year Plan.

The Board considered the Lunenburg Public Library's failure to meet several requirements to qualify for state aid and approved a motion finding that Lunenburg did not qualify for state aid. The Board was apprised of the various challenges, and members acknowledged that regretfully this is the action, while rare, is the best course it has to encourage positive progress toward meeting the state aid requirements.

Paul Brockwell shared the concern about FY27 state aid allotments needing to be expeditiously approved after the State Budget is finalized by the General Assembly and Governor. Given the composition of the Executive Committee includes many of the Public Library Development Committee members, Mr. Brockwell moved that the Board authorize the Executive Committee to approve the FY27 state aid allotments as soon as practical following completion of the state budget. The motion was seconded, and the Board approved it.

D. Researcher & Public Engagement Committee: Ms. Davis shared the Library's new part-time internship coordinator, Rachel Murphy-Weast, is supporting five summer interns from VCU, Hampton University, William & Mary, and Norfolk State University through mentoring, community building, and program assessment. She also noted that the Virtual Reading Room continues to receive strong patron feedback, expanding access for researchers who may not otherwise be able to visit Richmond.

E. Nominating Committee: Ms. Scott presented the slate of officers and executive committee members for 2026-27 and moved the Board's approval of the slate:

Board Officers:

Chair: Malfourd W. "Bo" Trumbo

Vice Chair: Elizabeth "Betsy" Fowler

Executive Committee Members: Paul Brockwell Jr. (Past Chair), Peter E. Broadbent Jr., Samuel Hayes III, and Blythe Ann Scott

Hearing no additional nominations or discussion, the Board approved the slate of officers and members of the Executive Committee.

F. Library of Virginia Foundation: Board President Pia Trigiani thanked Board members for their continued advocacy on behalf of the Library, announced the appointment of six new Foundation Board members effective July 1, and invited members to attend the annual 1823 Council reception that evening. Executive Director Scott Dodson reported that Foundation managed assets totaled approximately \$11.66 million, with year-to-date net revenue of \$937,196 as of May 31. All were encouraged to attend the Virginia Literary Awards on September 19.

VII. Report of the Librarian of Virginia: Mr. Clark provided updates on upcoming programming, staffing changes, strategic partnerships, and facility projects. He announced a September 28 event featuring David Brooks, focused on civic dialogue and presented in partnership with VCU. The program is the beginning of a new initiative created by the Baldacci gift to the Library of Virginia and VCU.

Mr. Clark shared staff updates, including Aubrey Hobby's new responsibilities as board liaison and Tracy Molnar's expanded responsibilities within the Office of Librarian of Virginia.

Updates were also provided on the State Records Center project, with shelving installation planned as the next phase. The renovation plans for 800 E. Broad Street are focused on creating flexible, modern spaces that better support current needs on the first two floors. The Board also discussed the availability of recordings for public programs.

VIII. Report of the Library Board Chair: Chair Trumbo provided remarks recognizing Board members Peter Broadbent, Preston Bryant, and Shelley Murphy for their years of service. He noted that although these members are transitioning from time as a member of the board, they will continue to support the Library and its mission.

IX. Report of the Executive Committee: The Board entered closed session pursuant to Virginia Code § 2.2-3711(A)(1), (A)(8), and (A)(11) to:

- *Discuss and consider the performance evaluation of the Librarian of Virginia;*
- *Consult with legal counsel regarding specific legal matters requiring legal advice; and*
- *Discuss awarding or potential awarding of honorary degrees.*

The motion to enter closed session was approved by roll call vote: Ayes – Brockwell, Broadbent, Bryant, Canida, Davis, Denslow, Hayes, Little, Prentice, Rodrigues, Scott, and Trumbo; Nays – none; Abstentions – none.

Certification of Closed Session: The Executive Committee re-entered open session. Ms. Fowler moved, and it was seconded, that the Library Board certify by roll call vote that, to the best of each members' knowledge:

- *Only public business matters lawfully exempted from open business meeting requirements under this chapter, and*
- *Only such public business matters as identified in the motion by which the closed meeting was convened were here, discussed or considered in the meeting.*

The motion to certify closed session was approved by a roll call vote: Ayes – Brockwell, Broadbent, Bryant, Canida, Davis, Denslow, Hayes, Little, Prentice, Rodrigues, Scott, and Trumbo; Nays – none; Abstentions – none.

Mr. Trumbo reported three motions from the Executive Committee:

1. Librarian Performance Bonus: Ms. Fowler presented a motion from the Executive Committee that the Library Board award Dennis Clark a 5% performance bonus pursuant to Section 4-6.01(D)(2)(b)(1) of the Appropriations Act, based on his highly favorable annual performance assessment. The Board unanimously approved the motion. The bonus is in addition to the salary listed in the Appropriations Act and will not be incorporated into the Librarian's base rate of pay.

2. Librarian Employment Agreement and Foundation MOA: Mr. Brockwell presented a motion from the Executive Committee that the Board authorize the Chair to begin negotiations with the Librarian and the Office of the Attorney General regarding renewal of the Librarian's employment agreement. The committee further moved that the Board authorize the Chair and Librarian begin discussions with board counsel, the President and Executive Director of the Library of Virginia Foundation regarding revisions to the Memorandum of Agreement between the Library and Foundation. The Board unanimously approved the motions.

3. Honorary Patron of Letters Degree: Mr. Broadbent presented a motion on behalf of the Executive Committee. He moved that the Board award the Patron of Letters degree to the individual discussed. The award will be presented during the Library's annual Literary Awards on Sept. 19. Hearing no questions or discussion, the Board unanimously approved the motion with thanks to Mr. Broadbent for his outreach to this year's honoree.

X. Other Business and Adjournment: Upon motion duly made and seconded, the Board approved the proposed meeting dates provided in the board packet. There being no further business, the meeting was adjourned at 11:45 a.m.

DRAFT



Executive Committee Meeting Minutes
Wednesday, 8 July 2026
Electronic Meeting at 1:00 p.m.

Committee Members present:
Malfourd Trumbo (*Chair*)
Betsy Fowler (*Vice Chair*)
Paul Brockwell Jr.

Peter Broadbent Jr.
Samuel Hayes III
Blythe Scott

Also present: Dennis Clark, Librarian of Virginia; Aubrey Hobby, Director of Governmental & External Relations; Diana Price, Chief of Library Development; and Kim Armentrout, State Grants and Data Coordinator

1. **Call to Order:** Chair Trumbo called the meeting to order at 1:00 p.m. and acknowledged that a quorum was present.
2. **Approval of FY27 State Aid Allocations:** Kim Armentrout provided an overview of the proposed FY27 state aid allocations to local library systems and answered questions from Committee members regarding allocation differences from previous years.

Paul Brockwell motioned to approve the allocations as presented. The motion was seconded by Blythe Scott and approved by roll-call vote:

Ayes: Trumbo, Fowler, Brockwell, Broadbent, Hayes, and Scott

Nays: none

Abstentions: none

3. **Lunenburg Library Update:** Diana Price provided an update on the Lunenburg Library system following the Board's June 22 determination that the library would not be eligible to receive state aid in FY27 due to its failure to meet multiple eligibility requirements. Ms. Price reported that the local library board chair, representatives of the Lunenburg County municipal government, and the library director had all been notified of the Board's decision. She further noted that the Library of Virginia's Library Development team is working with the local library board and municipal representatives to address questions and assist the library in meeting eligibility requirements should they wish to seek funding next year.
4. **Adjournment:** Hearing no additional business, the committee adjourned at 1:12 p.m.

STATEMENT OF FINANCIAL CONDITION
As of Jun 30, 2026

SOURCE	BUDGET	PAYROLL	OPERATIONS	SUBRECIPIENTS	TOTAL EXPENDITURES	AVAILABLE BALANCE	PERCENT SPENT
General Fund	\$ 54,435,631	\$ 10,850,596	\$ 11,838,332	\$ 27,429,726	\$ 50,118,654	\$ 4,316,977	92%
Federal Funds	\$ 4,573,731	\$ 1,326,575	\$ 2,782,367	\$ -	\$ 4,108,942	\$ 464,789	90%
Special Funds	\$ 1,852,638	\$ 609,900	\$ 1,242,738	\$ -	\$ 1,852,638	\$ 0	100%
CCRP Funds	\$ 5,500,000	\$ 988,808	\$ 241,373	\$ 1,781,501	\$ 3,011,682	\$ 2,488,318	55%
Total	\$ 66,362,000	\$ 13,775,878	\$ 16,104,810	\$ 29,211,227	\$ 59,091,916	\$ 7,270,084	89%

***Includes appropriation and expenses for Inventory Control
Project \$5,154,313 & FY25 Carryforward Amount

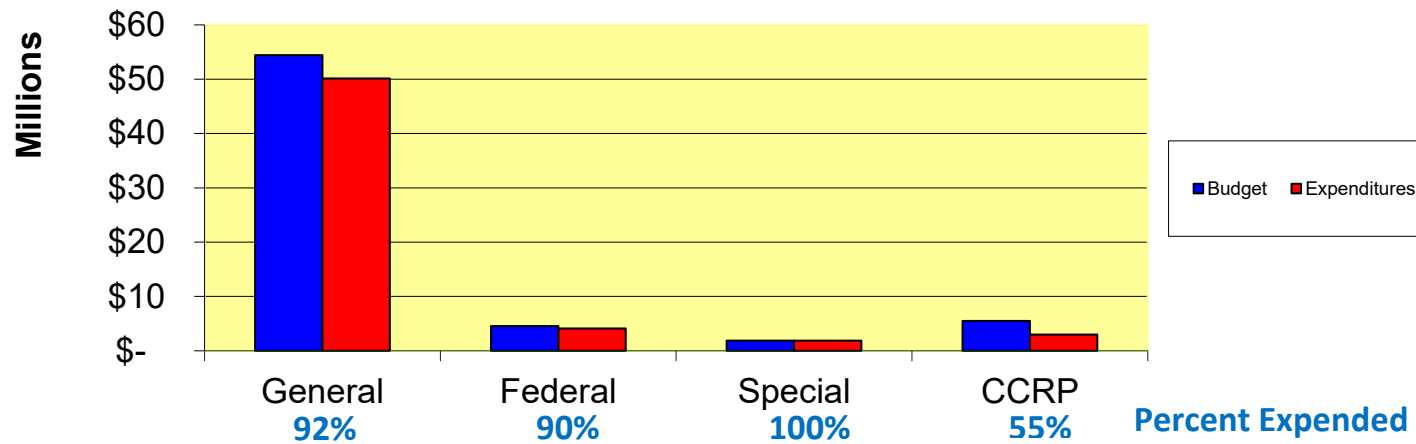
STATEMENT OF FINANCIAL CONDITION
As of June 30, 2025

SOURCE	BUDGET	PAYROLL	OPERATIONS	SUBRECIPIENTS	TOTAL EXPENDITURES	AVAILABLE BALANCE	PERCENT SPENT
General Fund	\$ 50,818,004	\$ 11,048,166	\$ 6,117,502	\$ 26,797,584	\$ 43,963,252	\$ 6,854,752	87%
Federal Funds	\$ 4,573,731	\$ 1,412,296	\$ 3,022,804	\$ -	\$ 4,435,100	\$ 138,631	97%
Special Funds	\$ 1,849,000	\$ 621,519	\$ 962,021	\$ -	\$ 1,583,540	\$ 265,460	86%
CCRP Funds	\$ 5,500,000	\$ 980,203	\$ 319,118	\$ 3,155,174	\$ 4,454,495	\$ 1,045,505	81%
Total	\$ 62,740,735	\$ 14,062,183	\$ 10,421,445	\$ 29,952,758	\$ 54,436,386	\$ 8,304,349	87%

STATEMENT OF FINANCIAL CONDITION
YTD COMPARISON 06.30.25 to 06.30.26

SOURCE	BUDGET	PAYROLL	OPERATIONS	SUBRECIPIENTS	TOTAL EXPENDITURES	AVAILABLE BALANCE	PERCENT SPENT
General Fund	\$ 3,617,627	\$ (197,570)	\$ 5,720,830	\$ 632,142	\$ 6,155,403	\$ (2,537,776)	-6%
Federal Funds	\$ -	\$ (85,721)	\$ (240,437)	\$ -	\$ (326,158)	\$ 326,158	7%
Special Funds	\$ 3,638	\$ (11,619)	\$ 280,717	\$ -	\$ 269,098	\$ (265,460)	-14%
CCRP Funds	\$ -	\$ 8,605	\$ (77,746)	\$ (1,373,672)	\$ (1,442,813)	\$ 1,442,813	26%
Total	\$ 3,621,265	\$ (286,304)	\$ 5,683,365	\$ (741,530)	\$ 4,655,530	\$ (1,034,265)	-2%

The Library of Virginia Budget to Expenditures Comparison as of June 30, 2026



STATEMENT OF FINANCIAL CONDITION As of June 30, 2025

SOURCE	BUDGET	PAYROLL	OPERATIONS	SUBRECIPIENTS	TOTAL EXPENDITURES	AVAILABLE BALANCE	PERCENT EXPENDED
General Fund	\$ 54,435,631	\$ 10,850,596	\$ 11,838,332	\$ 27,429,726	\$ 50,118,654	\$ 4,316,977	92%
Federal Funds	\$ 4,573,731	\$ 1,326,575	\$ 2,782,367	\$ -	\$ 4,108,942	\$ 464,789	90%
Special Funds	\$ 1,852,638	\$ 609,900	\$ 1,242,738	\$ -	\$ 1,852,638	\$ 0	100%
CCRP Funds	\$ 5,500,000	\$ 988,808	\$ 241,373	\$ 1,781,501	\$ 3,011,682	\$ 2,488,318	55%
Total	\$ 66,362,000	\$ 13,775,878	\$ 16,104,810	\$ 29,211,227	\$ 59,091,916	\$ 7,270,084	89%

As of June 30, 2026, the financial condition of the Library of Virginia is in accordance with the Appropriation Act and the intent of the General Assembly.

Dan Hinderliter
Chief Operating Officer

LIBRARY OF VIRGINIA
LSTA INTERNAL BUDGET REQUEST
10/1/2026 - 9/30/2027
Project Number: 0000129046

LSTA Task	Project Name	MASTER R/	Amount of Funding Required		SLT Allocation
			Lowest Funding	Highest Funding	
FIVA	Find it Virginia	1	1,684,108.00	1,879,108.00	\$1,879,108
YSC	Youth Services Consultant	2	175,639.00	188,139.00	\$129,639
PLI	Public Library Infrastructure	3	177,635.00	179,635.00	\$179,635
21WS	21st Century Work Skills	4	129,981.00	132,981.00	\$132,981
PLD	Public Library Data	5	44,511.00	44,931.00	\$44,931
ITS	Information Technology Support	6	454,185.00	454,185.00	\$454,185
LSD	Leadership and Stakeholder Development	7	77,486.00	77,986.00	\$77,986
ASC	Adult Services Consulting	8	23,282.00	24,782.00	\$24,782
EROD	Electronic Records and Open Data	9	17,000.00	17,000.00	\$17,000
CHAE	Cultural Heritage Access and Engagement	10	7,800.00	21,550.00	\$14,675
LLP	Lifelong Learning	11	3,250.00	6,600.00	\$3,250
NP	Newspaper Program	12	75,000.00	80,000.00	\$80,000
DBANK	Document Bank of Virginia	13	750	1,000.00	\$-
ILL	Interlibrary Loan	14	12,000.00	15,000.00	\$15,000
ERATE		15	2,500.00	2,500.00	\$2,500
			2,885,127	3,125,397	3,055,672
			Unallocated		(\$69,225.00)

\$4,308,973.00 Available Grant Funding per NOA
(\$1,322,526.00) Less: LSTA FY27 Salary Estimate
\$2,986,447.00 Available Grant Funding - Operating

AI Guidelines

Official Guidance

Records created by Artificial Intelligence (AI) and all interactions with AI chat features performed to accomplish public business are public records that must be maintained per the appropriate retention schedule and records series.

According to the Virginia Public Records Act ([COV 42.1-77](#)), a “public record” is format-agnostic. This means that something can be a public record regardless of the format it was created in, paper or electronic. If the record was created to conduct government business, it is a public record.

Government entities should assign AI-generated records and the files associated with their development, AI chats, and AI prompts to the records series that their content best fits. For example, if you were querying the AI about budget records, you will retain the resulting prompt, chat, and any AI-generated records as GS-02 or GS-102's “Budget Records: Working Files”.

If you are using AI for personal business, the resulting prompt, chat, and any AI-generated records would not be public records. Public records are only those that are “produced, collected, received, or retained” when conducting government business.

The Library of Virginia discourages government entities from using public AI platforms for which the government entity does not have a private instance. The Library encourages government entities to develop internal policies regarding acceptable AI platforms and use in business.

The Library of Virginia encourages government employees to exclusively use agency-approved and -monitored AI tools when conducting government business. Further, the Library reminds government employees that public records created on or using unapproved or unmonitored AI tools are still public records and it is the employee's responsibility to transfer the subsequent records to an appropriate format for storage, retention, and disposition.

Helpful Definitions from the Virginia Public Records Act

"Electronic record" means a public record whose creation, storage, and access require the use of an automated system or device. Ownership of the hardware, software, or media used to create, store, or access the electronic record has no bearing on a determination of whether such record is a public record.

"Public record" or "record" means recorded information that documents a transaction or activity by or with any public officer, agency, or employee of an agency. Regardless of physical form or characteristic, the recorded information is a "public record" if it is

produced, collected, received, or retained in pursuance of law or in connection with the transaction of public business. The medium upon which such information is recorded has no bearing on the determination of whether the recording is a "public record."

AI FAQs

Are my AI chats/prompts/-generated records public records?

Possibly. If you used AI to conduct government business, then yes, the resulting chat, prompt, and AI-generated records are public records. If you used AI to ask personal questions that are not relevant to government business, then no, these would not be public records. **What your interaction was about** and **what you were attempting to accomplish** determines whether the interaction is a public record.

The same is true for other formats, such as email. If you are responding to a customer, you have created a public record that you must now retain. If you are sending a 'happy birthday' message to your spouse, you created a non-record.

How long should I retain my AI chats/prompts/-generated records?

You should retain your AI records based on their **content**, just like with all other records. Use the Library of Virginia retention and disposition schedules to determine where your AI records best fit. Reach out to your assigned Records Analyst, should you have any questions.

My agency doesn't have an approved AI tool. Can I still use AI for my work?

The Library does not recommend using unapproved and unmonitored AI tools. If you decide to use an AI tool for your work, you are responsible for transferring it into an appropriate format for retention purposes.