

THE LIBRARY BOARD COMMITTEE MEETING MINUTES

Library of Virginia

April 17, 2023

ARCHIVAL, COLLECTIONS, AND RECORDS MANAGEMENT SERVICES COMMITTEE

The Archival, Collections, and Records Management Services Committee met at 11:00 a.m. on Friday, April 7, 2023, virtually over Zoom. The following committee members were in attendance: Robert L. Canida II, *chair*; C. Paul Brockwell Jr., Carol G. Finerty, and Barbara Vines Little. Also in attendance were John D. Metz, Deputy for Collections and Programs; Kathy Jordan, Digital Initiatives and Web Presence Director; Greg Crawford, State Archivist and Director of Government Records Services; and Roger Christman, Senior State Records Archivist. Committee members Robert D. Aguirre, Peter E. Broadbent, Jr., Blythe Ann Scott and Leonard C. Tengco were absent.

Mr. Christman updated the committee on a change to the Virginia Public Records Act related to the confidentiality of certain archived records. The Library asked for this language change after the Office of the Attorney General discovered a loophole in the law's privacy protections. All permanent archival records deposited in the state archives at the Library must be open to the public unless otherwise restricted by law. Medical or student records transferred to the archives remain closed per HIPPA or FERPA but only if they are deposited in the archives directly from a covered entity, i.e., a state hospital or educational institution. When individuals share their own medical or educational information with a state agency or the Governor's Office the privacy protection is lost when those records come to the archives. Thus, information that an individual shared with the government under the expectation it would be private becomes public upon transfer to the state archives. The General Assembly passed, and Governor Youngkin signed, legislation to revise the Virginia Public Records Act to close the loophole. HB1844 codifies the privacy protection for sensitive records such as these to convey with the records when they are transferred to the archives for the same period they are protected when held by a covered entity.

Ms. Jordan reported that the Library is working with Ancestry to create an agreement to digitize and index several of the Library's large, important, and in-demand collections. Under the proposed agreement, the Library and Ancestry will agree on the collections to pursue and the indexing parameters of each project on a yearly basis. For the first phase of the project, the Library and Ancestry have agreed to the following collections, all of which meet the Library's needs, while also supporting strategic collection development for Ancestry: 1) Virginia Personal Property Tax Records, 1782-1927 (microfilm); 2) Birth and Death records, 1897-1911/12, for the cities of Richmond, Norfolk, and Portsmouth (original & microfilm); 3) Organization cards of the Virginia Department of Military Affairs, 1876-1947 (microfilm); and 4) Records of

Virginians killed, missing, or wounded in action during the Korean War (tentative, originals). Microfilmed records will be sent to Ancestry for digitization, but Ancestry staff will work at the Library or State Records Center when digitizing original material. All indexed images will be freely available to Virginians via the Ancestry for Virginians portal, and this access will continue as long as the materials are available online via ancestry.com. This agreement also supports the current free subscription to the Ancestry Institution that the Library currently offers onsite visitors and staff. The agreement should be finalized by May 2023.

Dr. Metz provided an update on the progress of the Diseased Microfilm Replacement Project. Since the project began, Imaging Services staff have pulled, inspected, and entered into Infolinx approximately 22,530 reels. To date, Imaging Services, has evaluated 11,633 reels to determine the need for duplication and determined that 8,144 of them needed replacement. We have sent a total of 7,534 reels from the Media Vault to Backstage for duplication, including 513 sent in December 2022 and 499 sent in February 2023. We have also prepared a shipment of 625 reels for replacement the second week of April, including a batch of 15 reels that were requested by Henrico County, since the requested film was acetate.

Dr. Metz also alerted the committee that the Board will asked to vote on potential draft regulations at their June 2023 meeting. The administration announced last year a statewide effort to ease the regulatory burden on the citizens of the Commonwealth. To that end, the Governor asked that each agency review their regulations and determine whether any could be eliminated or changed to achieve deregulatory goals. The Library has eight regulations listed in the Regulatory Town Hall. After a review of each regulation, it was determined that three could be modified to ease requirements in certain circumstances. Two of these relate to Library Development and Networking requirements for public libraries. A report on these two regulations will be presented by the Public Library Development Committee. One of the regulations falls under this committee. The Regulations Governing the Destruction of Public Records Containing Social Security Numbers currently requires an agency representative be on hand at the secure destruction of records containing privacy-protected information like social security numbers. This is redundant and, in some cases, unrealistic given that the entity retained to perform the secure destruction is already required to certify or provide written assurance of the destruction. The Library would like to eliminate this requirement and will be asking the Library Board support our moving forward with this change at the June Board meeting. Approved changes will be pursued through the Virginia regulatory process in FY 2024.