



BYLAWS OF THE LIBRARY BOARD

Amended and re-enacted June 23, 2025

ARTICLE I: ESTABLISHMENT

The Library Board (“the Board”) is established under Title 42.1 of the *Code of Virginia* (1950), as amended. It is governed specifically by this Title and more generally by the laws of the Commonwealth of Virginia.

ARTICLE II: LIBRARIAN OF VIRGINIA

The Board appoints the Librarian of Virginia (“Librarian”) who serves at its discretion. The Librarian carries out the responsibilities defined in Article 2, Chapter 1 of Title 42.1 of the *Code of Virginia*, and any additional duties assigned by the Board. The Board may enter into an employment agreement with the Librarian. Each year, the Board will evaluate the Librarian’s performance according to its established policies and may award a discretionary bonus based on the results.

ARTICLE III: OFFICERS

1. The Board elects from its members each year a Chair and a Vice Chair.
2. The Chair is responsible for:
 - a. Presiding over the Board and Executive Committee meetings, identifying items for Board attention, serving as an ex officio member of all Board committees and of the Library of Virginia Foundation Board of Directors.
 - b. Arranging for annual financial audits of the Library, performed either by a certified public accountant or the State Auditor of Public Accounts.
 - c. Appointing all standing and special committees and naming their chairs (excluding the Executive Committee), with Board approval.
 - d. Acting as liaison between the Board and the Librarian of Virginia, sharing the Board’s views and receiving input from the Librarian on the Library’s needs and priorities.
 - e. If the Chair is unavailable, the Vice Chair will preside over meetings and assume other responsibilities as needed. The Chair may delegate specific tasks to the Vice Chair.

3. The Librarian of Virginia serves as Secretary of the Board. The Secretary maintains accurate records of all Board and committee proceedings and ensures that meeting notices are sent in a timely manner.
4. The Library's funds and securities are held by the appropriate state official, in accordance with Virginia law. Special funds may be managed separately by the Board or Executive Committee consistent with any terms attached to them.

ARTICLE IV: COMMITTEES

(See Addendum A for Committee Roles and Responsibilities)

1. With Board approval, the Chair appoints the following standing committees each year and selects their chairs:
 - a. Collections and Archives Committee
 - b. Bylaws Committee
 - c. Researcher and Public Engagement Committee
 - d. Government Relations and Finance Committee
 - e. Public Library Development Committee
2. The Executive Committee will appoint a Nominating Committee each year, with Board approval, and designate its chair.
3. The committee chairs must be Board members. While the Executive, Governmental and Finance, and Nominating Committees are composed only of Board members, other committees may include non-Board members. No committee shall have fewer than four members.
4. The Executive Committee consists of at least five members: the Board Chair (who also chairs this Committee), the Vice Chair, and additional Board members recommended by the Nominating Committee and approved by the Board. The immediate past Chair remains on the Executive Committee if still a Board member.
5. The Executive Committee may act on the Board's behalf between regular meetings, provided it does not conflict with any specific Board directive. Actions taken by the Executive Committee must be reported to the Board at or before the next meeting.

ARTICLE V: MEETINGS, ELECTIONS, AND QUORUMS

1. The Board holds a minimum of four and no more than twelve regular meetings each year. The number, dates, times and locations are determined by the Board.
2. The annual meeting of the Board takes place in June. The Executive Committee meets at the Chair's discretion or at the request of three of its members.

3. Special meetings of the Board may be called by the Chair or at the written request of five Board members.
4. Board officers and members of subsidiary or affiliated bodies are elected at the annual meeting, with their terms beginning at the end of the meeting. Those elected at special meetings serve until the next annual meeting or until successors are chosen.
5. As stated in the Library of Virginia Foundation Bylaws, the Chair and Vice Chair of the Library Board also serve on the Foundation Board of Directors. If either is unable to serve, the Chair of the Library Board, in consultation with the Librarian and the President of the Board of Directors of the Library of Virginia Foundation, will appoint another Board member to fill the vacancy. The Librarian of Virginia serves as ex officio member of the Foundation Board and its Executive Committee.
6. A quorum for Board meetings requires a majority of members. Committees also require a majority of their members to be present for a quorum.
7. Board meetings follow the Virginia Freedom of Information Act and be governed by the most recent edition of *Robert's Rules of Order*.

ARTICLE VI: POLICIES

1. The Board may designate certain statements as official policies, listed in Addendum B.
2. To designate, amend or revoke an official policy:
 - a. the proposal must be announced at or before the Board meeting preceding the meeting where the action is to be taken, and
 - b. notice must be sent to the Board at least ten days before the meeting, and
 - c. a quorum, as required for Bylaw amendments, must be present for any action.
3. If any Board policy is formalized through a regulation, it is subject to the Administrative Process Act and the Virginia Register Act, and this Article does not apply.

ARTICLE VII: AMENDMENTS

These Bylaws may be amended by a vote of at least two-thirds of the members of the Board then in office provided the proposed changes are sent to all members at least ten days before the meeting where the vote will take place.

LIBRARY BOARD BYLAWS ADDENDUM A:

COMMITTEE ROLES AND RESPONSIBILITIES

COLLECTIONS AND ARCHIVES COMMITTEE

The Collections and Archives Committee shall:

- (a) Collaborate with the Chief of Collections and Archives to assess the Library's needs related to collection development, preservation, conservation, digitization, access, processing and description.
- (b) Review the Library's Collection Development Policy and related policies recommend updates that support the Library's mission.
- (c) Identify appropriate funding levels for these programs and report recommendations to the Board for considerations during budget planning.
- (d) Promote public understanding of the importance and value of the Library's collections and archives.
- (e) Monitor conservation and preservation needs for archival and printed materials, artwork, newspapers, and other items in the Library's care.
- (f) Review and evaluate, the status of Library programs supported by Special Funds – such as the Circuit Court Records Preservation Program and the Virginia Newspaper Project – and provide regular updates to the Board.
- (g) Periodically assess compliance with the Virginia Public Records Act and suggest recommendations to the Library's records management policies and procedures.
- (h) Stay informed about technological developments that may affect how public records and collections are managed.
- (i) Oversee the physical conditions in which archival materials and records are stored.

BYLAWS COMMITTEE

The Bylaws Committee shall:

- (a) Review the Board's bylaws on a regular basis and recommend revisions as needed to ensure they remain effective and up to date.

RESEARCHER AND PUBLIC ENGAGEMENT COMMITTEE

The Researcher and Public Engagement Committee shall:

- (a) Work with the Chief of Researcher Engagement to evaluate the Library's public services including reference, research, interlibrary loan, and circulation, and advise on major policy updates in these areas;
- (b) Collaborate with the Senior Leadership Team to develop and implement strategies for reaching target audiences with Library content, programs, exhibits, and special events.
- (c) Review and provide input on educational outreach initiatives and help strategies to expand their reach and effectiveness across the Commonwealth.
- (d) Support efforts to enhance customer service and monitor user satisfaction with Library services on an ongoing basis.
- (e) Recommend adequate funding levels for education, outreach, and public service efforts and report these recommendations to the Board.
- (f) Track relevant changes in technology that could influence how the Library delivers services and engages with the public.

EXECUTIVE COMMITTEE

The Executive Committee shall:

- 1) Convene as directed by the Board or in response to urgent matters.
- 2) Evaluate overall operations at The Library of Virginia.
- 3) Conduct an annual performance review of the Librarian of Virginia

LIBRARY OF VIRGINIA FOUNDATION COMMITTEE

This two-person committee consists of Board Chair and Vice Chair, or their designees, who serve as ex officio members of the Library of Virginia Foundation Board of Directors.

GOVERNMENT RELATIONS AND FINANCE COMMITTEE

The Government Relations and Finance Committee shall:

- 1) Collaborate with the Librarian of Virginia and designated staff to shape legislative strategies and funding priorities that impact the Library or public libraries across the Commonwealth.
- 2) Assess the fiscal needs for the Library's programs and services and help establish appropriate funding levels.
- 3) When appropriate, meet with officials from the Executive and Legislative branches of state government, to advocate for legislation and funding that support the Library of Virginia and library services statewide.
- 4) Monitor technological developments that could influence the committee's area of responsibility.

PUBLIC LIBRARY DEVELOPMENT COMMITTEE

The Public Library Development Committee shall:

- 1) Work with the Chief of Library Development to identify trends in public library service and usage across the state.
- 2) Develop and maintain appropriate criteria for state aid to libraries and recommend action to the Board on requests for waivers to those requirements when appropriate.
- 3) Support state aid legislation for public libraries and communicate these efforts to the Government Relations and Finance Committee.
- 4) Recommend policies and strategies to the Board that encourage collaboration and networking among libraries.

ADDENDUM B: THE LIBRARY BOARD OFFICIAL POLICIES

POLICY REGARDING PUBLIC ACCESS TO THE INTERNET: NOTICE TO PATRONS REGARDING OBSCENITY AND CHILD PORNOGRAPHY

WHEREAS the possession and distribution of obscene materials (see *Code of Virginia*, Section 18.2-374 *et seq.*) and child pornography (see *Code of Virginia*, Section 18.2-374 *et seq.*) are both illegal in the Commonwealth of Virginia; and

WHEREAS such illegal materials may be available on the Internet and may be accessed by patrons at public library terminals; and

WHEREAS the *Code of Virginia*, Section 42.1-1(4) authorizes the Library of Virginia to furnish to Virginia's public libraries "assistance, advice and counsel as to the best means of establishing and administering such libraries and collections"; and

WHEREAS proper library administration requires that electronic access by library patrons to obscene materials and/or child pornography be in no way facilitated; therefore

BE IT RESOLVED that it is the policy of the Library of Virginia that local and regional libraries shall make available to patrons adequate notice through written policies or postings which remind patrons that no library terminal shall be used to access such illegal materials.

/S/ Nolan T. Yelich
Secretary to the Library Board
September 16, 1998

POLICY REGARDING ACCESS TO THE INTERNET IN PUBLIC LIBRARIES IN VIRGINIA AND PREVENTION OF HARM TO MINORS

WHEREAS there is an increasing concern in the public library community that minors may be harmed by materials available through the Internet; and

WHEREAS the public policy of The Commonwealth as stated in Section 18.2-390, *et seq.* of the *Code of Virginia* is to insulate minors from materials that may be harmful to them; and

WHEREAS it is the policy of the Library of Virginia to preserve for all patrons the right to read, while at the same time advancing the family's right in each library community to determine, for itself, what information may be age-appropriate for minors; and

WHEREAS most public libraries do currently or in the near future plan to furnish Internet access to adults and to minors alike; and

WHEREAS the *Code of Virginia*, Section 42.1-1(4) authorizes the Library of Virginia to furnish to Virginia's public libraries "assistance, advice and counsel as to the best means of establishing and administering such libraries and collections"; and

WHEREAS the issue of electronic access to the Internet by minors strongly implicates issues of collection development and proper library administration; and

WHEREAS the Library of Virginia Board is mindful that minors' access to electronic information is a controversial topic which implicates sensitive and important constitutional issues involving freedom of speech and fundamental parental prerogatives; and

WHEREAS unfettered access by minors to the Internet may subject them to materials which are harmful to minors (juveniles) within the meaning of Section 18.2-390 *et seq.* of the *Code of Virginia*, and that preventing such exposure in public libraries serves a compelling state interest; therefore

BE IT RESOLVED that it is the policy of the Library of Virginia that each local and regional library board shall adopt acceptable use policies for Internet access which minimize harm to minors by providing either for (a) parental consent before minors are furnished unfettered access to the Internet or (b) other measures which the local or regional library board determines are appropriate to minimize harm to minors.

/S/ Nolan T. Yelich
Secretary to the Library Board
September 16, 1998

POLICY ON ELECTRONIC PARTICIPATION IN LIBRARY BOARD MEETINGS

(Originally adopted September 28, 1998; amended and re-adopted February 5, 2025)

WHEREAS it is the policy of the Library Board that individual Library Board members may participate in meetings of the Library Board by electronic means as permitted by Virginia Code § 2.2-3708.2 and § 2.2-3708.3; and

WHEREAS this policy shall apply to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

THEREFORE, BE IT RESOLVED whenever an individual member wishes to participate from a remote location pursuant to this policy, the law requires a quorum of the Library Board to be physically assembled at the primary or central meeting location, and there must be arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location. A member who is unable to attend the meeting: 1) due to a medical condition or temporary or permanent disability as defined in § 51.5-40.1 and uses remote participation, counts toward the quorum as if the individual was physically present; 2) due to a family member's medical condition that requires the member to provide care for such family member thereby preventing the member's physical attendance and uses remote participation, or an individual member who is a caregiver for a person with a disability preventing the member's physical attendance and uses remote participation, count toward the quorum as if the individual was physically present; 3) a member's residence is more than sixty (60) miles from the meeting location identified in the notice and does not count toward the quorum; 4) or a personal matter and identifies with specificity the nature of the personal matter, may participate in the meeting electronically by notifying the chair of the Library Board and the Office of the Librarian of Virginia on or before the day of the meeting, and does not count towards the quorum.

BE IT ALSO RESOLVED that the Chair, or in the Chair's absence, the Vice Chair, is authorized to approve individual members' remote participation. Any request for remote participation that the Chair believes does not meet the criteria for remote participation shall be put before the Board for a vote. An individual member's approved or disapproved remote request must be identified and recorded in the meeting minutes with specificity.

BE IT ALSO RESOLVED that for any approved requests the reason that the member is unable to attend the meeting and the remote location from which the member participates shall be recorded in the meeting minutes. If the reason for the electronic participation is due to a personal matter (not a temporary or permanent disability or other medical condition) the nature of the personal matter must be identified with specificity. **BE IT ALSO RESOLVED** that such participation by a member due to a personal matter shall be limited to two meetings each calendar year.

BE IT ALSO RESOLVED that this policy shall apply to any committee, subcommittee, or working group established by the Library Board. Committees may have remote attendance with the consent of the Library Board chair as long as such attendance complies with all Code requirements. The Library Board shall at least once annually adopt a policy by recorded vote at a public meeting for all-virtual public meetings and remote attendance of Board members pursuant to § 2.2-3708.3

/S/ C. Paul Brockwell Jr.
Chair, Library Board

/S/ Dennis T. Clark
Secretary to the Library Board

February 5, 2025

POLICY ON ALL-VIRTUAL LIBRARY BOARD MEETINGS

(Originally Adopted September 19, 2022; Amended and Re-adopted February 5, 2025)

WHEREAS it is the policy of the Library Board that the Board may on occasion elect to hold an all-virtual meeting as permitted by Virginia Code § 2.2-3708.3 and shall at least once annually adopt a policy by recorded vote at a public meeting for all-virtual public meetings and remote attendance of Board members.

THEREFORE, BE IT RESOLVED that when the Board approves its yearly schedule of meetings, it will indicate on the schedule which, if any, future meetings are planned to be all virtual. At any point during the year after the schedule has been set, the Library Board chair may request that a meeting be changed from in-person to all-virtual, as long as public notice of this change is made at least three working days in advance of the meeting and complies with Code of Virginia § 2.2-3707. Unless the commonwealth is under a declared state of emergency, the Board may hold no more than two all-virtual meetings in a calendar year and those shall not be consecutive.

BE IT ALSO RESOLVED that the Library Board will comply with all Code requirements for all-virtual meetings of a public body. Every all-virtual meeting will be livestreamed, and the posted meeting agenda will provide information to the public for watching and listening to the meeting. A phone number will also be provided so that the public can report any problems they encounter with the livestream. The packet of meeting materials will be posted on the Library's website in advance of each meeting. The Library's website will also provide information about submitting written public comments in advance of an all-virtual meeting. Any comments received will be shared with all Library Board members in advance of the meeting and posted online with the meeting materials. Minutes of all-virtual meetings will be kept and made available as they are for all in-person meetings, with the minutes specifying the electronic communications means by which the meeting was held.

BE IT ALSO RESOLVED that this policy shall apply to any committee, subcommittee, or working group established by the Library Board. Committees may hold all-virtual meetings with the consent of the Library Board chair as long as the meetings comply with all Code requirements. Public notice of an all-virtual committee meeting will be posted at least three working days in advance of the meeting. Every all-virtual committee meeting will be livestreamed, and the posted meeting agenda will provide information to the public for watching and listening to the meeting. A phone number will also be provided so that the public can report any problems they encounter with the livestream. Committee meeting materials will be posted on the Library's website in advance of each meeting. The Library's website will also provide information about submitting written public comments in advance of an all-virtual committee meeting. Any comments received will be shared with all committee members in advance of the meeting and posted online. Minutes of all-virtual committee meetings will be kept and made available as they are for all in-person meetings, with the minutes specifying the electronic communications means by which the meeting was held. A committee may hold no more than two virtual meetings in a calendar year and those shall not be consecutive.

/S/ C. Paul Brockwell Jr.
Chair, Library Board

/S/ Dennis T. Clark
Secretary to the Library Board

February 5, 2025