



# Operating Procedure

<b>Effective Date</b>	May 1, 2015	<b>Number</b>	025.1
<b>Amended</b>	4/8/15	<b>Operating Level</b>	Department
<b>Supersedes</b> Operating Procedure 025.1 (5/1/12)			
<b>Authority</b> COV §2.2-3700 et seq., §2.2-3800 et seq., §2.2-4000 et seq., Executive Order 36 (2006)			
<b>ACA/PREA Standards</b> 4-4019			
<b>Office of Primary Responsibility</b> Director's Office			

**Subject**  
**PUBLIC ACCESS TO HEARINGS, MEETINGS, AND PUBLIC RECORDS**

**Incarcerated Offender Access**  
Yes  No

**FOIA Exempt** Yes  No   
**Attachments** Yes  #1 No

## I. PURPOSE

This operating procedure ensures the right of members of the public to observe the instrumentalities of the government intended to serve and protect them by providing citizens with appropriate public access to hearings, meetings, and public records of the Department of Corrections, consistent with the laws of the Commonwealth, the proper and orderly administration of DOC facilities and programs, and the safety, security, and privacy rights of DOC employees, clients, and offenders.

## II. COMPLIANCE

This operating procedure applies to all units operated by the Department of Corrections (DOC). Practices and procedures shall comply with applicable State and Federal laws and regulations, Board of Corrections policies and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

## III. DEFINITIONS DONE

**Correctional Status Information (CSI)** - Records and data concerning each condition of a convicted person's custodial status, including probation, confinement, work release, escape, or termination of custody through expiration of sentence, parole, pardon, or court decision (Reference Code of Virginia [§9.1-101](#))

**Criminal History Record Information (CHRI)** - Records and data collected by criminal justice agencies on adult individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, information, or other formal charges, and any disposition arising there from. The term shall not include juvenile record information, criminal justice intelligence information, criminal justice investigative information, or correctional status information. (Reference Code of Virginia §9.1-101)

**Executive or Closed Meeting** - A meeting from which the public is excluded in accordance with COV §2.2-3711 and §2.2-3712

**Meeting** - The meetings including work sessions, when sitting physically, or through telephonic or video equipment pursuant to COV §2.2-3708 or §2.2-3708.1, as a body or entity, or as an informal assemblage of (i) as many as three members, or (ii) a quorum, if less than three, of the constituent membership, wherever held, with or without minutes being taken, whether or not votes are cast, of any public body. The gathering of employees of a public body shall not be deemed a "meeting" subject to the provisions of the Virginia Freedom of Information Act. (Reference Code of Virginia §2.2-3701)

**Official or Public Records** - All written or printed books, papers, letters, documents, maps, tapes, photographs, films, sound recordings, reports or other material, regardless of physical form or characteristics, including electronic records, prepared, owned, or in the possession of a public body or any employee, officer, or agent of a public body in the transaction of public business. Records that are not prepared for or used in the transaction of public business are not public records.

**Open or Public Meeting** - A meeting at which the public may be present

**Public Body** - Any legislative body, authority, board, bureau, commission, district or agency of the Commonwealth or of any political subdivision of the Commonwealth, boards of visitors of public

institutions of higher education; and other organizations, corporations or agencies in the Commonwealth supported wholly or principally by public funds. "Public Body" includes the Board of Corrections, Department of Corrections, and all organizational units.

**Public Hearing** - The opportunity for private parties or public agencies to submit factual proofs in formal proceedings in connection with the crafting of regulations or in connection with case decisions

**Public Record or Record** - 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.

For purposes of the Virginia Public Records Act, Public Record shall not include non-record materials, meaning materials made or acquired and preserved solely for reference use or exhibition purposes, extra copies of documents preserved only for convenience or reference, and stocks of publications.

**Virginia Freedom of Information Act (FOIA)** - COV §§2.2-3700 thru 2.2-3714; governs the provision of Department of Corrections public records to members of the public eligible to request such records, the procedures for requesting and providing records, the exclusions to the disclosure of certain records, and access of the public to meetings of the Board of Corrections and its committees.

#### IV. PROCEDURE

##### A. Access to Records

1. Except as otherwise specifically provided by law, all official records shall be open for inspection and copying by any citizen of the Commonwealth during regular office hours. This access includes representatives of all mass media publishing or broadcasting in or into the Commonwealth.
2. To ensure preservation and safe keeping of records, the copying of official records shall be accomplished by DOC staff and copies furnished to the requester.
3. The custodian of records may make reasonable charges for the copying and search time expended in supplying such records per the latest *Copy Charges Memorandum* (see Operating Procedure 050.1, *Offender Records Management*).
4. Requests from federal, state, and local legislators and executives for information about operations or specific offenders should be responded to promptly by DOC staff with due regard to privacy protection statutes and confidentiality policies. (4-4019)
5. Official records excluded from disclosure are detailed in COV §§2.2-3705.1 - 2.2-3705.8 §2.2-3706 and as otherwise specified by law.

##### B. Records of Adult Offenders

1. Information on adult offenders cannot be released except as follows: (see Operating Procedure 050.1, *Offender Records Management*)
  - a. Information as to the apprehension, arrest, release, or prosecution of an offender; the adjudication of charges or the correctional status of an offender, which is related to the offense for which the individual is currently within the criminal justice system
  - b. Certain information in the event of the escape, serious injury or illness, or death of an offender:
    - i. Name of the offender, but only after notification of next of kin in the event of a death.
    - ii. Current offense(s), current sentence(s), and time already served
    - iii. Release date and parole eligibility date of current sentence(s)
    - iv. Location of incident or escape
  - c. General information about an offender in order to:
    - i. Confirm his incarceration or parole supervision and location
    - ii. Provide a confined offender's mailing address for purposes of correspondence unless listed as

“Administrative Location” in VACORIS.

- (a) Any offender who has an undisclosed location code (previously referred to as 055 Administrative Verification) will have a red flag at the top of all VACORIS offender pages with the notation “Administrative Location.”
  - (b) Refer the person making the inquiry to the Central Classification Unit (generally the Interstate Compact Coordinator) for information regarding the offender.
  - (c) Do not give out any location information.
  - iii. Provide information concerning an offender's visiting and correspondence privileges
  - iv. Confirm the offender's projected release date at the time of inquiry
2. Reports and records on the following subjects are not open for inspection and information shall not be released:
    - a. Investigative information not connected with a criminal prosecution or litigation
    - b. Investigations of rule infractions in correctional institutions
    - c. Correctional information including counselor reports, diagnostic summaries, and other sensitive information not explicitly classified as correctional status information.
  3. Criminal History Record Information shall only be disseminated in accordance with COV §19.2-389, and Operating Procedure 050.1, *Offender Records Management*

#### C. Personnel Records

1. Information contained in employee records shall be made available only as authorized in Operating Procedure 057.1, *Personnel Records*, and Operating Procedure 057.2, *Employee Medical Records*.
2. Employees who have received disciplinary actions shall not be identified publicly. Information may be confirmed that an employee has been temporarily reassigned pending completion of an official investigation or audit or pending disposition of official charges.

#### D. Requests for Public Records under the Virginia Freedom of Information Act (FOIA)

1. Each Organizational Unit Head is responsible for ensuring that all FOIA requests received by or directed to their Unit are responded to in accordance with the provisions and requirements of FOIA.
2. Media inquiries should be managed in accordance with Operating Procedure 022.1, *Mass Media Relations*, and reported immediately to the Communications Unit in the Director’s Office.
3. The Director has designated a FOIA Coordinator within the DOC Professional Services Unit. The functions of the FOIA Coordinator are:
  - a. Act as a resource to units receiving FOIA requests for records by interpreting requirements and exclusions for release of records and providing guidance in appropriate responses.
  - b. The FOIA Coordinator should not be expected to respond to or draft responses to FOIA requests.
4. Information is available on the DOC Public Web Site FOIA Notice (see [The Virginia Freedom of Information Act, Rights and Responsibilities](#)) informing citizens of the process for requesting and obtaining DOC records through a FOIA request. This information should be printed and provided free of charge upon request to citizens inquiring about how to make a FOIA request.
5. The following are eligible to request records under FOIA:
  - a. Citizens of Virginia
    - i. Incarcerated offenders (federal, state, or local) are excluded by COV §2.2-3703(C)
    - ii. Offenders under probation, parole, or post release supervision in the community are eligible to submit FOIA requests.
  - b. Representatives of newspapers and magazines with circulation in Virginia
  - c. Representatives of radio or television stations broadcasting within or into Virginia
6. The requester should be required to provide their name and legal address.

7. FOIA only applies to requests for records or documents.
  - a. It does not apply to inquiries that simply ask questions.
  - b. A request for public records should identify the requested records with reasonable specificity.
  - c. The request need not make reference to the Freedom of Information Act to invoke all FOIA requirements, including time limits.
  - d. The requester may ask for electronic records (including databases and e-mail) in any format regularly used by the DOC.
8. FOIA requires that responses to requests for public records shall be made in writing within five working days of receipt of the request. "Day One" is considered the first working day after the request is received. The response shall be one of the following: (see Attachment 1 for *Sample Response Letters*)
  - a. The requested records are or will be provided.
  - b. The requested records are withheld in their entirety. (all applicable Code of Virginia sections authorizing the withholding of the records *must* be cited)
  - c. The requested records are provided in part and withheld in part. (citing specific Code of Virginia sections authorizing the withholding of those portions of the records that are exempt)
  - d. The requested records could not be found or do not exist.
    - i. FOIA does not require that a new document or record be created if it does not already exist.
    - ii. If the unit that received the request knows that another public body has the requested records, the response shall include contact information for the other public body.
  - e. It is not possible to provide the records or determine their availability within the five work days, in which case, the response must specify the conditions which make such response impossible and there will be an additional seven working days to provide one of the preceding responses.

Note: When a request comes from a person or entity that is not covered by FOIA and the agency decides to deny the request on that basis, the agency must still respond to the request within the statutory time limits stating the reason for denial. If the Department's response is that the records are being withheld in their entirety, you must identify or describe the records the DOC has that are responsive to the request along with the citation exempting them from disclosure.
9. Use of Exemptions
  - a. The general policy of the DOC is to invoke the personnel records exemption (COV §2.2-3705.1(1)) in those instances where it applies in order to protect the privacy of employees and officials of the DOC.
  - b. The general policy of the DOC is to invoke the offender records (COV §2.2-3706(A)(2)) and medical records exemptions (COV §2.2-3705.5(1)) where they apply in order to protect the privacy of offenders and to comply with applicable laws governing the release of certain criminal and health records.
  - c. The general policy of the DOC is to invoke the contract negotiations exemption (COV §2.2-3705.1(12)) whenever it applies in order to protect the DOC's bargaining position and negotiation strategy.
  - d. It is the general policy of the DOC to invoke exemptions regarding security records (COV §2.2-3705.2(6)) whenever they apply to protect the security of its facilities and operations, and the security and safety of staff, offenders and the community.
  - e. It is the policy of the DOC to invoke the exemptions concerning attorney-client communications (COV §2.2-3705.1(2)) and legal work product (COV §2.2-3705.1(3)) whenever they apply in order to protect the DOC's legal interests and strategy.
10. Exclusions to FOIA are contained in §§2.2-3705.1 through 2.2-3705.7 and §2.2-3706.
  - a. Other provisions of the law may prohibit the release or authorize the withholding of certain other public records not specifically mentioned in the exclusions listed in FOIA.

- b. The specific Code of Virginia section(s) prohibiting such disclosure must be cited when such records are denied.
- c. The exclusions that are most commonly applicable to requests received by the Department are the following:
  - i. Personnel records (COV §2.2-3705.1(1))
  - ii. Records subject to attorney-client privilege (COV §2.2-3705.1(2)) or attorney or legal work product (COV §2.2-3705.1(3))
  - iii. Vendor proprietary information software (COV §2.2-3705.1(6)) or agency software (COV §2.2-3705.1(7))
  - iv. Records relating to the negotiation and award of a contract, prior to a contract being awarded (COV §2.2-3705.1(12))
  - v. Engineering and architectural drawings, operational, procedural, tactical planning or training manuals, staff meeting minutes or other records, the disclosure of which would jeopardize the security of any governmental facility, building or structure or the safety of persons using such facility, building or structure (COV §2.2-3705.2(6))
  - vi. Records of the Commitment Review Committee concerning individuals subject to civil commitment as sexually violent predators and records identifying the victims of such persons (COV §2.2-3705.2(9))
  - vii. Medical and mental health records (COV §2.2-3705.5(1); COV §32.1-127.1:03)
  - viii. Confidential proprietary records related to a bid on a public construction project (COV §2.2-3705.6(10)) or to a proposal under the Public-Private Education Facilities and Infrastructure Act (COV §2.2-3705.6(11))
  - ix. The identities of persons designated to conduct an execution and any information reasonably calculated to lead to the identities of such persons (COV §2.2-3705.7(26); §53.1-233)
  - x. Records relating to a criminal investigation or prosecution (COV §2.2-3706(A)(2)(a))
  - xi. Records submitted in confidence to agents of the Department's Special Investigations Unit (COV §2.2-3706(A)(2)(i))
  - xii. Records of offenders incarcerated in correctional facilities (COV §2.2-3706(A)(2)(d))
  - xiii. Law enforcement records containing specific tactical plans, the disclosure of which would jeopardize the safety or security of law enforcement personnel or the general public (COV §2.2-3706(A)(2)(e))
  - xiv. Records of adults under investigation or supervision by state probation and parole services (COV §2.2-3706(A)(2)(f))
  - xv. Criminal history records (COV §19.2-389) and investigations and reports by probation officers (COV §19.2-299)
- 11. Commonly requested records that are exempt from disclosure, the applicable exclusions, and sample responses (to be used with the *Sample Response Letters*, see Attachment 1) are as follows:
  - a. Incarcerated offender record information
    - i. These are requests for information concerning individual offender records or other records or documents in which individual offenders are identified by name or offender number. This exclusion applies to the records of all incarcerated offenders including offenders incarcerated in Community Corrections detention and diversion center programs.
    - ii. This exclusion does not apply to aggregate data or statistical information or records containing incidental offender identifiers that can be redacted.  
Sample Response - The information you request is specifically excluded from disclosure under the Virginia Freedom of Information Act, §2.2-3706(A)(2)(d), which excludes "all records of persons imprisoned in penal institutions in the Commonwealth provided such records pertain to the imprisonment." Furthermore, the dissemination of Criminal History Record Information is governed by §§9.1-126 through 9.1-137 and §19.2-389 of the Code of Virginia. These sections do not authorize release of this information to you.  
Also, in accordance with §§ 9.1-133(B) and 19.2-299(A), "correctional information about an

offender including counselor reports, diagnostic summaries and other sensitive information” and pre-sentence investigations and reports are confidential and not subject to review.

b. Parolee record information

- i. These are requests for information concerning individual parolee records or other records or documents in which individual parolees are identified by name or offender number. This exclusion does not apply to aggregate data or statistical information or records containing incidental offender identifiers that can be redacted.
- ii. Sample Response - Same citations as incarcerated offender record information, above. Also: §2.2-3706(A)(2)(f) of the Virginia Freedom of Information Act, excludes from disclosure “all records of adult persons under ... (iii) investigation or supervision by state probation and parole services.”

Furthermore, in accordance with §2.2-3703(A)(1), the Freedom of Information Act does not apply to Parole Board records, including the supervision records of parolees; therefore, these records are excluded from disclosure.

c. Probationer record information

- i. These are requests for information concerning individual probationer records or other records or documents in which individual probationers are identified by name or number. This exclusion does not apply to aggregate data or statistical information or records containing incidental offender identifiers that can be redacted.
- ii. Sample Response - The information you request is excluded from disclosure. Specifically, §2.2-3706(A)(2)(f) of the Virginia Freedom of Information Act, excludes “all records of adult persons under ... (iii) investigation or supervision by state probation and parole services.”

Furthermore, the dissemination of Criminal History Record Information is governed by §§ 9.1-126 through 9.1-137 and §19.2-389 of the Code of Virginia. These sections do not authorize release of this information to you.

Also, in accordance with §§ 9.1-133(B) and 19.2-299(A), “correctional information about an offender including counselor reports, diagnostic summaries and other sensitive information” and pre-sentence investigations and reports are confidential and not subject to review. In addition, § 2.2-3706(A)(2)(a)(~~F~~)(1) excludes “complaints, memoranda, correspondence and evidence relating to a criminal investigation or prosecution.” (corrected 4/8/15)

d. Offender Medical, Mental Health, and Substance Abuse Records:

- i. These are requests for information contained in individual offender, probationer and parolee medical, mental health and substance abuse records or other medical records in which individual offenders are identified by name or number. This exclusion does not apply to the subject of the records or to persons authorized by the subject or by other provisions of the law to access his/her health records. (This exclusion does not apply to aggregate data/statistical information in which no individual offenders are identified or contain incidental offender identifiers that can be redacted).
- ii. Sample Response - The records you request are excluded from disclosure in accordance with §2.2-3705.5(1), of the Virginia Freedom of Information Act, which excludes “health records,” including medical and mental health records.

Furthermore, the dissemination of medical, mental health and substance abuse records is governed by §32.1-127.1:03 and §53.1-40.10 of the Code of Virginia. These sections do not authorize release of this information to you.

e. Incident Reports:

- i. Sample Response - These records are excluded in accordance with §2.2-3705.2(6), as they contain information, the disclosure of which would jeopardize “the security of any governmental facility, building or structure or the safety of persons using such facility, building or structure.”

In addition, as these documents contain information about individual offenders, they are further excluded from disclosure in accordance with §2.2-3706(A)(2)(f), which excludes “all

records of persons imprisoned in penal institutions in the Commonwealth provided such records relate to the imprisonment." (Also, cite §2.2-3705.5(1), which excludes "health records," and §2.2-3705.1(1), which excludes "personnel records", if applicable). Investigative Reports of the Special Investigations Unit:

- ii. All requests for these reports should be forwarded to the Director or his designee who must approve release of these reports.
  - iii. The Organizational Unit Head who receives such a request should respond in writing to the person making the request that their office is not the custodian of the record that is requested; therefore, the request is being forwarded to the Director's Office for response.
- f. Facility Security Procedures and Community Security Procedures (FOIA Exempt):  
Sample Response - These records are excluded in accordance with §2.2-3705.2(6), as they contain information, the disclosure of which would jeopardize "the security of any governmental facility, building or structure or the safety of persons using such facility, building or structure."
- g. Security Training and Tactical Manuals and Protocols, Engineering and Architectural Drawings and Blueprints of Correctional Facilities, Security Equipment Lists and Specifications, etc.:  
Sample Response - These records are excluded in accordance with §2.2-3705.2(6), as they contain information, the disclosure of which would jeopardize "the security of any governmental facility, building or structure or the safety of persons using such facility, building or structure."
- h. Employee Personnel Records:
- i. Note the following exceptions: In accordance with §2.2-3705.1(1) access to personnel records shall not be denied to the person who is the subject of the records. Also, pursuant to §2.2-3705.8(A), public access shall not be denied (i) to contracts between a public body and its officers and employees (except contracts settling employment disputes) and (ii) to records of position, job classification, official salary/rate of pay (over \$10,000), and allowances or reimbursements for expenses paid to any public official or employee.
  - ii. Sample Response - These records are excluded in accordance with §2.2-3705.1(1), which excludes "personnel records containing information concerning identifiable individuals."
- i. Advice and Communications with the Office of the Attorney General and Other Legal Counsel may be excluded for one or both of the following reasons:
- i. Sample Response - These records are excluded from disclosure by §2.2-3705.1(2), which excludes "written advice of legal counsel to state, regional or local public bodies or the officers or employees of such public bodies, and any other records protected by the attorney-client privilege."
  - ii. Sample Response - These records are excluded from disclosure by §2.2-3705.1(3), which excludes "legal memoranda and other work product compiled specifically for use in litigation or for use in an active administrative investigation concerning a matter that is properly the subject of a closed meeting under §2.2-3711."
- j. Governor's Working Papers
- i. Section 2.2-3705.7(2) narrowly defines "Governor's working papers" as those records prepared specifically by or for the Governor, his chief of staff, cabinet secretaries, and certain other officials as specified in this exclusion for that official's personal or deliberative use.
  - ii. No record that is otherwise open to the public shall be deemed exempt by virtue of its incorporation within any working papers.
  - iii. The designated public officials include the Secretary of Public Safety.
  - iv. Legislative Action Summaries (LAS) prepared by the DOC for the Secretary of Public Safety are an example of Governor's Working Papers.  
Sample Response – The records you request are Governor's working papers that are exempt from disclosure in accordance with § 2.2-3705.7(2), which excludes "Working papers and correspondence of the Office of the Governor..."
- k. Requests from private citizens who are not residents of Virginia:
- i. You may provide public records to private citizens who are not Virginia residents but you are

not required to do so.

- ii. You may deny the records based on the person's non-Virginia resident status.
- iii. If records are provided to non-residents, the requester should be required to pay for the records in advance.
- iv. Whether or not you choose to provide the records, you should respond to all requests from non-residents.

Sample Response - In accordance with §2.2-3704(A), the Virginia Freedom of Information Act only pertains to requests by "citizens of the Commonwealth" meaning citizens of the Commonwealth of Virginia and representatives of news media that have circulation in or broadcast in the state.

- 1. Records requested do not exist:

Sample Response

- i. The records you request are not maintained in the ordinary course of business. Per §2.2-3704(D), "no public body shall be required to create a new record if the record does not already exist."
  - ii. We do not have any records responsive to your request.
- m. Request for Database Information in a format not regularly used by the public body:
    - i. Nonexempt records maintained in an electronic database will be produced in any tangible medium identified by the requester, including delivering the records through an e-mail address, if that medium is used in the regular course of business.
    - ii. If the format in which the records are requested is not available, the person making the request should be contacted to notify them of the format(s) in which the records are available and to determine if they wish to receive the records in that format.

Sample Response - We do not have these records in the format you have requested. In accordance with §2.2-3704(G), "no public body shall be required to produce records from an electronic database in a format not regularly used by the public body."

- 12. Any person denied the rights and privileges conferred by FOIA can petition the courts for relief and the unit denying the records shall bear the burden of proof to establish an exemption to FOIA.
- 13. Readily available documents that are provided by electronic means should be furnished at no cost to the requester.
- 14. The following charges may be assessed for hard copy documents provided in response to a FOIA request:
  - a. Charge for each page or copy per the latest *Copy Charges Memorandum* (see Operating Procedure 050.1, *Offender Records Management*)
  - b. Handling charge - one dollar (\$1.00) plus any postage or shipping cost (cheapest available or as requested by recipient)
  - c. Reasonable costs, not to exceed the actual cost of labor for additional research required to locate and copy records that are not readily available for copying, such as records that are archived or are maintained on microfilm or computer databases. Cost of labor may be required if some of the information must be redacted due to part of the record being excluded from disclosure.
    - i. When calculating staff time, the equivalent hourly wage for the employee(s) performing the research or search should be used.
    - ii. The cost of employee fringe benefits shall not be included in the costs assessed.

Note: Any current operating procedures or record information on a currently active offender (except previous incarcerations under different numbers) is considered readily available and is not subject to additional charges for research.

- 15. If requested, the cost for providing the records will be submitted to the requester prior to supplying the records. In addition, if the estimated costs are likely to exceed \$200, an advance deposit (up to the total estimated cost) may be requested before continuing to process the request. If not paid in

advance, charges are due upon receipt of the records. A new request for records should not be processed until any amount owed for a previous request that is more than 30 days overdue has been paid.

#### E. Meetings and Hearings

1. Accessibility - Public meetings and hearings of the DOC shall be held, whenever possible, in buildings and facilities readily accessible to the public including disabled persons.
2. Notice of public meetings and notice of public hearings must be posted on the Virginia Regulatory Town Hall. Only authorized staff may post notices; contact the Office of the Director for assistance.
3. Notice of Public Meetings - Information on the date, time, and place of public meetings shall be published in the Virginia Register of Regulations. This information shall be furnished to any citizen or news organization that requests it.
4. Notice of Public Hearings - In the case of a public hearing on substantive regulations, general notice of opportunity for oral or written submittals as to that regulation shall be published.
5. Citizens may participate in the regulatory process by:
  - a. Contacting the Board of Corrections or the Department of Corrections directly
  - b. Signing up for the Virginia Regulatory Town Hall and posting comments on the public web site
  - c. Requesting to speak at a Public Hearing or at a Board of Corrections meeting
6. Executive or Closed Meetings - Executive or closed meetings may be held only for the purposes outlined and in compliance with COV §2.2-3711 and §2.2-3712.
7. Employee Meetings - The gathering of employees of a public body shall not be deemed a "meeting" subject to the provisions of the Virginia Freedom of Information Act or this operating procedure.

#### V. REFERENCES

Operating Procedure 057.1, Personnel Records

Operating Procedure 022.1, Mass Media Relations

Operating Procedure 050.1, Offender Records Management

Operating Procedure 057.2, Employee Medical Records

Virginia Regulatory Town Hall (<http://www.townhall.virginia.gov/>)

#### VI. FORM CITATIONS

None

#### VII. REVIEW DATE

The office of primary responsibility shall review this operating procedure annually and re-write it no later than three years from the effective date.

*Signature Copy on File*

Harold W. Clarke, Director

*2/25/15*

Date