



November 10, 2022

TO: School Board Members  
Division Superintendents

FROM: Gina G. Patterson, Executive Director  
Elizabeth E. Ewing, Director of Legal & Policy Services

RE: Virginia Freedom of Information Act  
Conflict of Interests Act  
Public Records Act

This is a reminder that division superintendents are required to provide copies of the Virginia Freedom of Information Act (FOIA), the State and Local Government Conflict of Interests Act, and the Virginia Public Records Act to newly appointed or elected and re-appointed or re-elected board members **within two weeks following election, re-election, appointment or re-appointment.** FOIA is found at *Va. Code § 2.2-3700 et seq.*, the Conflict of Interests Act is found at *Va. Code § 2.2-3100 et seq.*, and the Public Records Act is found at *Va. Code § 42.1-76 et seq.* All three Acts may be accessed from the Legal Services section of the VSBA website ([vsba.org](http://vsba.org)). **All public officials, including school board members, must read and familiarize themselves with the provisions of the three Acts.**

In addition, members of board committees who are not members of the school board must also be provided with copies of FOIA. And, persons who are not school board members but are required by a local policy to file Statements of Economic Interest must be given copies of the State and Local Government Conflict of Interests Act within two weeks of their employment or appointment. Anyone who is required to receive a copy of either Act is required to read and be familiar with the provisions of the Act.

If this information has not yet been provided to board members who were recently elected or appointed, it should be provided immediately. This requirement applies to board members elected in November and throughout the year as vacancies, appointments, and reappointments occur.

The VSBA publication "The Virginia Freedom of Information Act: A Guide for School Board Members and School Administrators", is also available on the VSBA website. After logging in (the password is "vsba06"), select "Resources", then select "Resources, Publications & Articles" and scroll down to "Resources and Links".

If board members think they may have even the slightest possibility of a conflict of interest, they should contact their local school board attorney, the City/County Attorney, or the Virginia Conflict of Interest and Ethics Advisory Council immediately.

Please call (1-800-446-VSBA) if you have any questions regarding this information.