

FOR THE RECORD

JANUARY/FEBRUARY 2008

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REDUCING PAPER... INCREASING PUBLIC ACCESS

A TALE FROM THE TRENCHES

by Lou Borie, Natural Resources Board

Act 250 files are stacked on top of overflowing filing cabinets. The legal community and the public are clamoring for more online access to permits. Agencies statewide are trying to reduce their carbon footprint and eliminate vehicle miles traveled by adopting paperless procedures.

The solution?

1. Scan more than 35 years worth of Act 250 permitting files (about 1.5 million documents), publish them online, and make them accessible through a searchable database.
2. Establish a process to insure that newly filed applications are added to the database on a timely basis.
3. Transfer the paper files to the State Records Center for eventual destruction.

The Natural Resources Board (NRB), in collaboration with ConnectVermont, DII and their Enter-

prise Project Management Office, and the Vermont State Archives, launched its Act 250 Imaging and Database Project nearly six months ago with the help of an outside consultant.

In the first phase, we are creating the new, online database and migrating our existing data. The goal of the second phase is to scan the contents of more than 25,000 Act 250 files sitting in (and on top of) filing cabinets in our five regional offices. Finally, in the third phase, we will publish all of this information, along with all new Act 250 applications, online using appropriate file format and metadata standards.

Though recent revenue projections may require a reevaluation of the timing and scope of our project, we have made great progress. We hope that our project will lay the groundwork for other similar state agency efforts that incorporate online document access, records management, and archival preservation strategies.

CONSOLIDATING RECORDS MANAGEMENT

Legislation to transfer the Division of Public Records, currently under the Department of Buildings and General Services, to the Office of Secretary of State is underway.

S. 351, *Consolidating Management of Public Records*, will consolidate the Division of Public Records and Vermont State Archives into a new agency, the Vermont State Archives and Records Administration

(VSARA), effective July 1, 2008.

At that time responsibilities for authorizing the destruction of public records and operating a records center, that includes an imaging program, will be transferred to the State Archivist.

The creation of VSARA provides greater opportunities for public agencies seeking records management advice, guidance and services. Vermont is one of the

last states to revise its responsibilities relative to records. Most agencies do not have comprehensive or up-to-date record programs.

Combined with iSTART, the consolidation also allows greater success in aligning agency record programs with industry standards for paper and digital recordkeeping, legal compliance, and business process improvement.

VERMONT HIGHLIGHTS

METADATA!

iSTART member Tanya Marshall is on the ARMA Metadata Taskforce, which is developing a national metadata standard for records/content.

VERMONT STATE ARCHIVES

Appraisal is the process in which the value of a record is determined. The appraisal value establishes the life cycle of a record and is the basis of a record schedule, also known as a retention policy.

Since appraisal is based on legal and administrative requirements, it is best to establish the value of a record when a new agency or mandate is created. Conducting

appraisals years after records have been created is a very difficult and labor intensive process.

The State Archives is developing a records appraisal program. The goal is to appraise active, contemporary records of agencies *and* 200-plus years of inactive, legacy records — many stored at the State Records Center or on-site in basements, attics, and overflowing file rooms.

To accomplish this feat we have many strategies. One strategy is the *Targeted Assistance Program* (TAP).

TAP offers a unique opportunity for agencies to partner with the State Archives to develop retention policies. TAP partners receive expedited appraisals and reviews of draft retention policies. More about TAP is available at: <http://vermont-archives.org/records/tap>

RECORDS ASSISTANCE

Agencies must have disposition orders (D.O.) on file to transfer records to the Records Center or destroy records.

No orders? Then TAP is the RIGHT PROGRAM for your agency.

DII'S ENTERPRISE PROJECT MANAGEMENT OFFICE

The DII Enterprise Project Management Office (EPMO) offers a Project Management Mentoring Program. We provide assistance to individuals or staff that are or will be managing information technology (IT) projects for their agencies.

Projects are becoming increasingly complex and expensive as new technologies hit the market and business demands evolve. A sound

project management (PM) process will increase your chances of successfully meeting the needs of project stakeholders.

Program participants are mentored by a more experienced project manager while pursuing a project in their agencies or one with state-wide (enterprise) impact.

Through weekly or bi-weekly meetings, a PM process is

established and implemented. The length of the mentorship varies but generally begins at the project inception and is followed until project closure.

We have limited resources with which to execute this program, so please coordinate within your chain of command. To get in the program queue, call EPMO at 828-1142!

MENTORING PROGRAM

Develop a sound process for your next IT project by working with an experienced project manager!

Contact EPMO at 828-1142 for more information!

BGS' DIVISION OF PUBLIC RECORDS

As noted on the previous page, there is a bill (S. 351) to consolidate the Division of Public Records (BGS) under the State Archives, Office of the Secretary of State. As of this publication the bill has passed the Senate and is in House Government Operations.

Consolidation will not immediately affect the services offered by both offices since our initial focus will be on the smooth transition of administrative services. Only after this transition has occurred will there be a sustained examination of current services and how they can be improved.

We will keep you informed of any changes, but for now Mark Reaves (828-1005) will remain as the contact for Division services.

Any questions on the proposed consolidation can be directed to State Archivist Gregory Sanford (828-2369).

DISTRICT RUN Wednesday, March 26

Paperwork Due:
March 5th

MARCH LOCATIONS:

- Brattleboro
- Hartford
- Rockingham
- Springfield



GETTING ON THE BUS: E-MAIL

The e-mail focus group met twice before the end of the year to discuss planned upgrades to the State's e-mail server hosted by DII.

At the meeting, Michael Morey, Vermont's Enterprise Architect, explained that the State would, for the first time, have a system designed specifically for managing e-mail in accordance with business and legal requirements.

Michael noted, however, that tools such as HIPAA compliance filtering, electronic discovery, and archiving capabilities, cannot function as planned without a clear understanding of agencies' business and legal requirements, including record retention.

The question presented to the group concerned what guidance, if any, was needed. This question led to a lively

discussion about both the gravity of the situation and the challenges of managing e-mail.

The e-mail focus group will be brought together again in March 2008 to further discuss e-mail management needs. The group will also assist iSTART in developing e-mail guidelines that will help agencies using the State e-mail system as well as agencies with their own systems.

WHO MAKES E-MAIL MANAGEMENT POLICY ANYWAY?

You've probably heard, and maybe you agree, information technology (IT) folks are the e-mail experts. Is that really the case?

Probably the most important thing for everyone, especially IT professionals, to understand about email management is they are not the policy makers. Ideally, this job is shared between business

leadership, legal and records personnel, and IT.

IT leadership takes on an advisory role in terms of the cost benefit equation of different policies. This helps the business, legal, and records staff to develop a policy that works for everyone.

Sound familiar? Like all IT projects, well articulated and

managed user requirements lead to a higher success rate on the implementation end. The State e-mail system is not any different.

A successful implementation of the State e-mail system requires a dedicated effort by the State's business, legal, records, and IT professionals.

LEGAL CORNER

The failure to have and comply with reasonable practices for records retention and retrieval can have a number of adverse consequences. Such failures can and do cause problems for parties that are attempting to defend themselves in litigation.

Large organizations that keep significant volumes of records, like corporations and

governments, are particularly vulnerable to these problems.

When organizations that have an obligation to preserve and retrieve records either destroy those records or cannot produce them, courts have tended to assume that such failure was intentional and to infer that the documents not retained

would be adverse to the party that failed to keep and produce the records.

Stated more directly, the court may actually assume that the records not produced would hurt the government and that can have an adverse impact on the outcome of a case.

See **Kronisch v. U.S.**, 150 F.3d 112 C.A.2 (N.Y.),1998.



Don't Get Hit!

Government agencies across the country are getting into legal trouble over the way they manage their e-mail. Getting onboard now will help reduce problems in the future.



The Legal Corner is offered by iSTART's legal advisor, Mike McShane, Office of the Attorney General.



MEMBERS

Gregory Sanford, State Archives
Tanya Marshall, State Archives
Darwin Thompson, DII
Angela Leclerc, BGS
Mark Reaves, BGS

Christine Hetzel, Project Manager
Mike McShane, Legal Advisor



R I G H T I N F O R M A T I O N . R I G H T P E O P L E .
R I G H T T I M E . E V E R Y T I M E .

IN THE NEWS

- A special report by the *Washington Post*, which was released in January 2008, states that “full Social Security numbers of untold numbers of Americans can be found in [government] file rooms and on web sites.” Access the report through the Government Technology website at: <http://www.govtech.com/gt/241040?topic=117673>
- The Property Records Industry Association (PRIA) released its white paper on producing preservation microfilm for digitized documents in December 2007. Written by PRIA’s Archival, Back-up, and Disaster Recovery Workgroup, the white paper is one of many tools and resources, including standards, offered to public agencies who create, receive or manage records and data concerning real property. To read the white paper or learn more about PRIA visit: <http://www.pria.us/archivalcomm.htm>
- Losing some of your records? Microsoft Office 2003 Service Pack 3 prevents the opening of files created in several older Microsoft file formats used for early versions of Word, Excel, and PowerPoint. Citing security concerns, blocking access to older file formats was intentional. This issue came to light in early 2008 after several organizations lost access to records that had been created in the earlier formats. *Information Week* offers more details about the latest service pack at: <http://www.informationweek.com/news/showArticle.jhtml?articleID=205920490>

About iSTART

iSTART is a volunteer collaborative group drawn from three public agencies with broad, cross-government responsibilities for the management of records and information technologies.

iSTART

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SPECIAL THANKS!

Dick Pecor of the Town of Colchester had to step down from iSTART at the end of 2007. We would like to take this opportunity to thank Dick for his contributions and hard work.

