



Vermont State Archives and Records Administration

Office of the Secretary of State

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DESIGNATING RECORDS OFFICERS

Effective Date: January 1, 2009; Last Revised: November 19, 2021

(Procedure VSARA0004)

I. OVERVIEW/DESCRIPTION

Records officers fulfill a critical role within Vermont state government and their work is essential for sustaining effective records and information management programs within their respective public agencies. Records officers are also responsible for the processing of public record requests in accordance with the Vermont Public Records Act.

Pursuant to 3 V.S.A. § 218, the head of each state agency or department shall establish, maintain, and implement an active and continuing records management program approved by the Vermont State Archives and Records Administration (VSARA) and designate a member of his or her staff as records officer, notifying the Vermont State Archives and Records Administration in writing of the name and title of the person designated.

While 3 V.S.A. § 218 applies specifically to executive branch agencies and departments, elected state officers, state board and commission chairs, and senior leadership in the legislative and judicial branches are encouraged to establish, maintain, and implement active and continuing records management programs as a best practice and designate records officers accordingly.

For all branches of state government, designation of a records officer is required to use an enterprise repository or system managed and operated by the Vermont State Archives and Records Administration (VSARA) or the Agency of Digital Services (ADS) and records officers serve as the primary contact for their respective public agencies' records and information, regardless of physical form or characteristics, in all enterprise repositories and systems.

This procedure outlines steps for designating records officers. Moreover, it defines the roles and responsibilities of a records officer and offers guidance to inform the selection process.

II. AREAS OF RESPONSIBILITIES

Legal Custodian: Designates a member of his or her staff to serve as records officer for his or her respective public agency and notifies VSARA, in writing, of the selection.

Records Officer: Oversees the records and information management program for his or her respective public agency and the processing of public record requests in accordance with the Vermont Public Records Act.

Records Liaison: Carries out records and information management functions, as delegated by a records officer, within a division or district office of a public agency.

Records Officer and Records Liaison Program Coordinator: Coordinates Records Officer and Liaison Program.

III. DEFINITIONS

Enterprise repositories and systems: Low-cost, secure repositories and systems for public records, regardless of format, made available at an enterprise or statewide level and managed and operated in a manner that supports compliance with generally accepted record-keeping principles, industry standards, best practices, the Public Records Act, the Statewide Records and Information Management Program, and, where applicable, 3 V.S.A. § 218 (3 V.S.A. § 117).

Legal custodian: Head of a public agency (1 V.S.A. § 318).

Public agency: Any agency, board, department, commission, committee, branch, instrumentality, or authority of the State or any agency, board, committee, department, branch, instrumentality, commission, or authority of any political subdivision of the State. (1 V.S.A. § 317).

Public record: Any written or recorded information, regardless of physical form or characteristics, which is produced or acquired in the course of public agency business (1 V.S.A. § 317).

Records and information management: The efficient and systematic control of the creation, receipt, maintenance, use, and disposition of public records, including the processes for capturing and maintaining evidence of, and information about, public agency business activities and transactions in the form of public records (3 V.S.A. § 117).

Records liaison: An individual appointed at the division level by a records officer to carry out records and information management functions, as delegated, within a division or district of a public agency.

Records officer: An individual designated as records officer to oversee the records and information management program for his or her respective public agency and the processing of public record requests in accordance with the Vermont Public Records Act.

Record schedule: A policy issued by the Vermont State Archives and Records Administration and approved by the State Archivist governing the life cycle management, retention, and disposition of public records. (3 V.S.A. § 117).

Statewide records and information management program: Program administered by the Vermont State Archives and Records Administration for all public agencies in accordance with generally accepted record-keeping principles and industry standards and best practices. (3 V.S.A. § 117).

IV. GUIDELINES

Records officers, for their respective public agencies, are responsible for overseeing the establishment, maintenance, and implementation of effective records and information management programs in accordance with 1 V.S.A. § 317a, 3 V.S.A. § 117, and, where applicable, 3 V.S.A. § 218 and the processing of public records requests in accordance with 1 V.S.A. § 318.

On behalf of their respective public agencies within Vermont state government, designated records officers are expected to:

- Establish and maintain accurate inventories of all records and information, regardless of physical form or characteristics.
- Keep legal custodians informed on compliance with records and information management requirements and the status of their records and information management programs.
- Facilitate the development and implementation of policies and procedures related to records and information management.
- Implement and sustain record schedules issued by the Vermont State Archives and Records Administration and approved by the State Archivist governing the life cycle management, retention, and disposition of their agency's records and information.
- Advise legal custodians on records and information management matters and provide guidance and training to employees on the management of agency records and information.
- Evaluate the overall effectiveness of their records and information management programs.
- Oversee and administer the storage, management, and retrieval of records and information in enterprise repositories and systems.
- Administer the destruction of records and information in accordance with record schedules.
- Appoint and supervise records liaisons as needed to carry out the daily activities of the agency's records management program within the agency's divisions and district offices.
- Oversee the processing of public record requests in accordance with the Vermont Public Records Act.
- Work in close partnership with the Statewide Records and Information Management Program administered by the Vermont State Archives and Records Administration.

A legal custodian may designate any individual in his or her public agency to serve as records officer provided that the individual can perform these duties. It is recognized that records officers may fulfill these duties in addition to other responsibilities within their respective agencies.

Each legal custodian shall designate only one records officer. With respect to executive branch agencies and departments, it is recommended that a Secretary designate a records officer to only oversee his or her state agency's central office rather than the entire state agency, including departments. Instead, a Commissioner should designate a records officer to oversee the records and information management program for his or her respective state department.

Annually, the legal custodians will be asked to verify the status of their designated records officers. *If an individual serving as a records officer is suddenly unable to perform the requisite duties, the legal custodian must designate a new records officer immediately and notify VSARA, in writing, of the new designation.*

V. PROCEDURE STEPS/CHECKLIST

A. Legal custodian:

1. Understands the role and responsibilities of the designated records officer in establishing, maintaining, and implementing an active and continuing records and information management program for his or her agency.
2. Identifies a member of his or her staff who has the appropriate skills, resources, time, and support to fulfill the role of records officer and informs the member of his or her designation.
3. Completes and signs the "Records Officer Designation Form" (VSARA-01) and has his or her designated records officer sign the form.
4. Includes his or her official seal or stamp on the "Records Officer Designation Form" in the event the Secretary of State's Office is asked to authenticate public records certified with the legal custodian's official seal or stamp.
5. Submits completed form to sos.rim@vermont.gov (preferred) or
Vermont State Archives and Records Administration
Attn: Records Officer and Records Liaison Program
1078 US RTE 2, Middlesex
Montpelier, VT 05633-7701
Fax: (802) 828-3710
6. Immediately informs VSARA of any changes in the designation of a records officer and designates an individual to fill a vacant position as necessary.
7. Upon request, verifies the status of his or her designated records officer.
8. Posts on the agency's website the name and contact information of his or her designated records officer.

B. Records Officer:

1. Understands the role and responsibilities of being a designated records officer.
2. Signs the "Records Officer Designation Form" (VSARA-01).
3. Informs legal custodian if, and when, he or she is no longer able to fulfill the duties of designated records officer.
4. Informs VSARA of any changes in his or her status as designated records officer and/or of any changes to his or her contact information.
5. Appoints up to two individuals per division or district office to act as records liaisons and informs the individuals of their appointments.
6. Ensures records liaison appointees have the appropriate skills, resources, time, and support to perform their assigned roles and responsibilities.
7. Completes and signs the "Records Liaison Appointment Form" (VSARA-02) and has each appointed records liaison sign the form.

8. Submits completed form to sos.rim@vermont.gov (preferred) or

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9. Immediately informs VSARA of any changes in the appointment of a records liaison and appoints an individual to fill a vacant position as necessary.

10. Upon request, verifies the status of his or her records liaison appointments.

11. Posts on the agency's website his or her name and contact information.

C. Records Officer and Records Liaison Program Coordinator

1. Advises legal custodians about designating records officers and provides the appropriate form for designating a records officer.
2. Advises designated records officers about appointing records liaisons and provides the appropriate form for appointing a records liaison.
3. Processes completed "Records Officer Designation" and "Records Liaison Appointment" forms and maintains a register of legal custodians, records officer designations, and records liaison appointments.
4. Annually requests legal custodians to verify the status of their designated records officers.
5. Annual requests records officers to verify the status of their appointed records liaisons.
6. Promptly notifies enterprise repository and system administrators within the Vermont State Archives and Records Administration and the Agency of Digital Services of record officer designations and records liaison appointments.

VI. GETTING HELP

The Vermont State Archives and Records Administration (VSARA) provides training, assistance and services to public agencies, legal custodians, designated records officers, and appointed records liaisons.

Contact the Records Officer and Records Liaison Program Coordinator at sos.rim@vermont.gov or 802-828-3700 for assistance.

VII. APPLICABILITY AND AUTHORITY

The State Archivist and Chief Records Officer is the statutory authority for the Statewide Records and Information Management Program and this procedure for designating records officers. This procedure was first approved by the State Archivist and Chief Records Officer on December 20, 2008, and last reviewed and approved by the State Archivist and Chief Records Officer on November 19, 2021. The next review date is November 2023, or sooner at the discretion of the State Archivist and Chief Records Officer.

VIII. REVISION HISTORY

Date	Revisions
2021-11-19	General changes to language to reflect legislative actions in the 2017-2018 and 2019-2020 sessions related to legal custodians, records officers, the Statewide Records and Information Management Program, and enterprise repositories and systems.
2018-03-18	Updated email address for Records Officer and Records Liaison Program Coordinator and removed Records Analyst from "Area of Responsibility."
2015-04-17	General changes to language throughout procedure, corrected typo from 3 V.S.A. § 213 to 3 V.S.A. § 218. Updated title of Chief Records Officer and added Records Analyst in "Area of Responsibility," and in "Procedure Steps/Checklist," updated links. Updated title in "Getting Help" section.
2012-05-21	General changes to language throughout the procedure and updated process to allow for annual confirmation rather than re-designating Records Officers.
2010-10-12	Updated contact information in "Getting Help" section.
2008-12-20	Procedure approved by Vermont State Archivist.