

**VERMONT STATE ARCHIVES
ANNUAL REPORT
January 30, 2004**

3 V.S.A. §117(c): The secretary shall report annually to the governor and the general assembly on the state archives program.

Act #3 of the 2003 session went into effect on July 1, 2003. The act, incorporated into 3 V.S.A. §117, consolidated archival management under the secretary of state and created a framework for cooperation between the state archives within the secretary of state's office and the public records division of the department of buildings and general services.

To begin implementation both retrospective and prospective steps were initiated. Retrospectively, the archives staff, working with public records personnel, began identifying the archival holdings of both divisions. The information was entered into a database allowing, for the first time, a common view of the programs' holdings and providing a means to measure current levels of archival documentation across state government.

Prospectively, the archives and public records launched a joint project to survey the current framework for managing state government records. The initial focus is on reviewing and revising the recordkeeping practices of the secretary of state's office and the department of buildings and general services. This work includes developing uniform practices and schedules for records common to most government entities (financial and personnel records, for example).

Joint projects, combined with an exchange of staff visits, support the goal of better coordination envisioned by Act #3.

Performance measures for the archives, July 1, 2003 to January 1, 2004, can be found in Appendix A.

The impact of Howard Dean's presidential campaign

Efforts to implement the new law cannot be understood without reference to the impact of Howard Dean's presidential campaign on the archives' resources. Some measures of this impact can be found in Appendix B.

Recommendations:

Four long standing issues need immediate attention: the need for a new archive facility; the need to analyze the quality of current documentation; the need to help agencies better identify records with archival value; and the need to address electronic records with archival value.

1. There is a pressing need for a new State archival facility. The current facility in Redstone has inadequate capacity; is subject to leaks during spring run-off and inclement weather; and is inadequately designed for the security and use of archival records.

The archives has spent an average of \$40,000 a year since 1999 to free space by microfilming records, barely keeping pace with on-going acquisitions. As of January 1, 2004 there are only 100 feet of free vault space. This is approximately half the amount of free space available in 1991, suggesting not only the archives' success in making do (often at the expense of acquiring important records), but also the degree it is forced to manage space rather than records. The intent of Act #3, to improve archival management, is impossible to meet without a new facility.

Between May and November 2003 water from rain or Spring snow melt leaked into the rooms on either side of the vault eleven times. The possibility of mold developing is high and would require expensive restoration work.

Water pipes just outside the vault run between the foundation and interior walls where temperatures have been recorded as low as 23 degrees, raising the very real risk of burst pipes.

The original environmental control (HVAC) system for the vault died and a used system was installed in the vault, further limiting space and raising risks.

The researcher room is inadequate and can only accommodate six researchers.

The vault and researcher room are on different floors while the photocopiers are in different locations on the first and second floors. This creates inefficiencies in retrieving and re-filing boxes, making copies, and providing security for records.

Archives boxes weigh from 50 to 75 pounds; carrying boxes up and down stairs increases risk to the staff.

Limited research space compromises researcher confidentiality.

Lack of space forces the archives to store records off-site or decline important archival collections. The 145 boxes of closed Dean records had to be stored within the warehouse section of the record center. Though the archives has legal custody—and responsibility—for those records it cannot monitor their security.

The general assembly has appropriated tens of thousands of dollars since 1985 to study the problem. Those studies repeatedly confirmed the need for a new facility in Montpelier in order to be close to the primary users.

2. We must continue to analyze the quality and condition of current archival documentation.

The archives, working with public records staff, reviewed the 460 archival record series held by public records. Preliminary content analysis was done on 65 of the 460 series that lacked complete descriptive information. Forty-one of those sixty-five archival series lacked clear, or any, information about their creators and were simply designated “archival strays.” Organization of the sampled series varied; some were completely unarranged. Existing series descriptions did not consistently reflect record content, date ranges, or the filing system of the creating office. The condition of the records is varied and most need basic preservation.

As a result these series are largely inaccessible to the public and government. Even the two programs are generally unfamiliar with the content and research potential of these series.

A report on that analysis, compiled by Tanya Marshall, a professional archivist working with the archives staff, is available upon request.

3. There is a pressing need to help state agencies identify records that have archival value.

Archival documentation of government is uneven. The majority of agencies and departments have identified few, if any, archival records. Many existing archival series reflect episodic “file cleaning” rather than a systematic effort to document core functions and activities. The only identified archival records of the *agency of administration* consist of two volumes of staff meetings (1959-63) and one cubic foot of records from a 1961-1962 investigation of the state highway program. There are approximately 44 feet of *agency of transportation* archival records, 41 of which are photographs.

In some cases we know other records have been preserved, though not as archival. Further study is needed. Even with that caveat, it is clear that documentation of state government has been haphazard and inadequate.

Mark Reaves of public records is working with the archives to review the existing recordkeeping practices within the secretary of state’s office and within buildings and general services. The goal is to create models for agencies in identifying and managing their records (see Appendix C for a recommendation based on this work).

The initial survey has been very useful in identifying issues. These include:

- there is a hodgepodge of confusing, conflicting, or superceded series descriptions and disposition orders.

- there is a lack of coordinated management for records common to all agencies, including conflicting retention periods and different descriptive terms for the same records (personnel records are an example). In some cases different departments are spending resources to preserve identical records.

- existing series and disposition orders have not kept pace with changing legal mandates or the implementation of information technologies. Since offices traditionally created series when records overwhelmed office space, few schedule electronic records that consume little physical space.

Though the survey is not complete, several “permanent” series of the secretary of state’s office have been reappraised and given shorter retention periods. This helps alleviate demands on storage and filming costs.

One interesting preliminary finding is the impact of new information technologies on the creation of paper records. VISION, the centralized finance management system, not only lengthened (from three to six years) how long financial records must be retained by the creating agency, but also led agencies to print out and preserve electronic records (partly for legal reasons--some of the data entered into VISIONS comes from signed and dated paper records, partly because business managers wanted a complete paper trail for each transaction rather than rely on a system maintained by another department).

A key concern is how effectively agencies comply with the requirements of 3 V.S.A. §218 (including maintaining an inventory to all agency records and creating justifiable retention periods for those records), as well as the process for scheduling records set out in Chapter 11 of Title 22.

4. Electronic Records

Electronic records need special mention. The State spends an average of \$50 million a year on information technology without providing guidance on how to manage the records held within computer systems. The problem of preserving archival records is exacerbated by the rapid obsolescence of technology (three to five years) and the need to manage records across software and hardware generations. Efficiency of access and storage guide IT decisions, not the long term management of electronic records in compliance with record laws.

Currently there are few guidelines. Public records, for example, requires a hard copy for records retained more than ten years, but this policy cannot not address the growing number of records “born digital.” The archives is adapting Minnesota’s Trustworthy Information Systems tool for managing electronic records to Vermont law, but this work has not been sustained in the face of the Dean research (http://vermont-archives.org/records/electronic/er_trust.html).

The desire for guidance on electronic records is suggested by the archives’ website. The entry page to electronic records management section received 3,989 views from June 11, 2003 to January 14, 2004.

The on-going survey will include recommendations for managing electronic records.

APPENDIX A

Performance Measures: July 1, 2003 to January 1, 2004

- responded to 2,245 information requests between July 1st and December 17, 2003.
- received 460,280 hits on its web site between June 11 and December 24, 2003. Though number of hits does not indicate user satisfaction, it does suggest the broad interest in archival services and the archives' success in using the web to expand access.
- created a collection-level database combining the 460 archival record series at public records with the holdings of the archives. This allows, for the first time, a view of what government archival records have been identified and preserved.
- in coordination with public records, began to review and revise existing record schedules for the secretary of state's office and the department of buildings and general services. To date the secretary's office has shortened retention periods for three record series, creating long term savings by reducing burdens on storage and on public records microfilming program.
- re-arranged the 170 boxes of open Dean records in order to facilitate access. While not a full processing, this work provided savings in staff time in retrieving records through better arrangement and description.
- added a section on public records and the right to know to its web site (<http://vermont-archives.org/records/right-to-know/overview.html>). The site was put up in August 2003 and through December 24th had been visited 2,300 times.
- building on an earlier grant program, helped Rutland County's municipal clerks develop individual disaster mitigation and response plans. The ultimate goal is to have a cooperative county-level response plan.
- convened, and participated in, the study committee on municipal records.
- established a partnership with the Snelling Center on Government for the use of graduate student on archives-based projects. One product, based on an intern's research at the archives, was the historical data included in the report on compensating government officials.

APPENDIX B

Selected Performance Measures: Dean-Related Research

- 600 hours of staff time to physically combine related files within the Dean records; arrange and describe over thirty boxes of loose records; and create a finding aid.
- Dean-related research visits (exclusive of phone and e-mail requests) occurred on 70% of the workdays from July 1st to December.
- They occurred on 95% of the days since December 1st. –research is usually conducted by teams of two to twenty people, who stay from a few days to several weeks.
- daily photocopying requests range from a few dozen to over 3,000 copies, with over 7,000 copies being made in one three day period.
- written or e-mail requests for copies are for whole boxes (an archives box can hold up to 2,500 to 3,000 pieces of paper).
- security, as well as the volume of requests, requires two to six staff members to maintain line of sight control of the records while retrieving and re-filing boxes and making copies.

Beyond the numbers, the high stakes and competing interests of the teams introduce unusual security concerns. The archives received warnings from different teams and other archives with similar experiences about efforts to remove or insert documents. On several occasions staff had to intervene to stop inappropriate behavior. To further illustrate the unusual circumstances, a political website reported on which campaigns visited the archives on a particular day, what they looked at, and on conversations between researchers and staff.

On-going litigation over Governor Dean's use of executive privilege limits further comment at this time.

APPENDIX C

Recommendations For Improving Records Management

There is a pressing need to improve the resources available to public records' record management program. The public records program provides record management services to state and municipal government to assist in complying with recordkeeping mandates, such as 3 V.S.A. §218. Mark Reaves, the information specialist at public records, has done an outstanding job but must single-handedly cover all 246 towns and cities, 47 incorporated villages, special service districts (school districts, solid waste management districts, regional planning, etc), as well as all state agencies, departments, boards and commissions.

Since recordkeeping is often a low agency priority it is important to provide additional certified record managers to actively assist agencies in improving their recordkeeping. Additional professional staff could also support regular training for state records officers.

As the experience of the on-going record survey suggests, assistance in creating or revising record series could significantly reduce the pressure on record center space. The limited survey work done to date has removed about 100 feet of records that would have otherwise been stored or filmed by public records. Additional savings are likely if that work was extrapolated across government.

**Vermont Secretary of State
Office of Vermont State Archives**

SECOND ANNUAL REPORT

on

ARCHIVAL RECORDS MANAGEMENT

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Report of the State Archivist
2004

This is the second annual report of the State Archives as required by 3 V.S.A. §117(3)(c), as amended by Act #3 of 2003. It covers the Archives activities during calendar year 2004.

The past year was remarkably full, from responding to intense interest in Howard Dean's records, to dealing with a series of burst or leaking pipes, to addressing a range of opportunities provided by the 2003-2004 Legislature. These included mandates to preserve legislative records; test the scanning of municipal records; explore standards, training, and funding needed to implement e-government for municipalities; improve the management of court records; and to work with the Legislative Council in a study on public records, privacy, and electronic access.

During the year the staff responded to 5,066 information requests (up from 2,245 requests from 2003). Of these requests 2,071 were by phone and 1,769 by e-mail. Staff continued to build the Archives web site, which received 177,953 visits during the year.

The staff worked hard throughout the year and in May 2004 received a team public service award from Governor Douglas.

The Archives made substantial progress during the year in implementing the broader archival management authorities enacted as part the 2003 law. As a result the Archives is compiling measurable data on recordkeeping challenges and developing responses to better manage the State's archival records. The primary challenge remains the current inadequate archival facility. That and other challenges and responses are addressed in this report.

Respectfully submitted,

Gregory Sanford
State Archivist

PART I OVERVIEW OF THE STATE ARCHIVES

The state archives dates from 1782 when the general assembly directed the secretary of state to preserve “all public Acts, Papers and Records that belong to the State” and to “grant Copies of all Records when thereto requested, taking... reasonable fees.”

Over time the general assembly identified additional records to be deposited with the archives including gubernatorial records (1864), legislative committee minutes (1917), and court records (1975). The primary goal of these acts was to allow citizens and officials to review the actions of government in fulfillment of the accountability requirements of Chapter I, Article 6th of the Vermont Constitution.

Historically the archives was a passive repository, receiving only those records the creating agencies selected, without guidance, as archival. In 2003 (Act No. 3) the general assembly granted the archives authority to work more directly with government agencies in the identification and preservation of archival records.

Archival Records

Archival records are institutional records that have a continuing legal, administrative or historical value. Illustrations based on recent requests include: what happens if there is a vacancy in the lieutenant governorship (legal/historical); how standing committees of the house evolved (administrative); and what was the history of the 1993-94 special house sub-committee on health care reform (historical).

As a rule of thumb, only about 5% of all government records have a continuing value.

Archival Management

The key word in archival management is *management*. To be effective an archives must have authority and resources to actively work with agencies to ensure that archival records are created, identified, appropriately scheduled, and kept accessible and authentic over *time*.

In 2003 the general assembly recognized that a passive archival program does not work and cannot work with electronic records. It amended 3 V.S.A. §117 to clarify the management requirements of an archival program. Among the authorities granted are:

- cooperate with the heads of state agencies or public bodies to establish and maintain a program for the identification, scheduling, and preservation of archival records;
- analyze, develop, establish and coordinate standards, procedures and techniques for the creation, preservation, and access to archival records;
- analyze and identify archival records in state agencies; and
- take custody of archival records with the approval of the originating agency.

Publics Served

The archives is used by a broad spectrum of Vermonters. These include:

- Legislators and legislative staff tracing previous acts and studies of the general assembly.
- The executive branch researching past gubernatorial appointments, executive orders, studies, and other executive actions
- Government officials seeking to better understand changing mandates.
- Lawyers doing legislative history research.
- Reporters seeking evidence of government actions or context to current issues.
- Land surveyors tracing municipal boundaries.
- Citizens reviewing government actions or doing historical or family research.
- Historians, political scientists and other scholars.

Staff

The Archives has four staff members; two professional archivists and two administrative assistants. The administrative assistants also supervise Vermont notaries; provide clerical oversight of the Secretary of State's rulemaking responsibilities under the Administrative Procedures Act; and fulfill the Legislative Clerk duties as set out in 3 V.S.A. §106(4) and (5).

During 2004 two temps were hired to help with the backlog caused by the intense research within the Howard Dean records and a temporary professional archivist, funded through an appropriation to the court administrator, was hired to manage the judicial record project.

PART II 2004 PERFORMANCE INDICATORS

During 2004 the Archives continued analyzing current archival management practice, particularly within the judicial and legislative branches. Those analyses can be found in Part III, Challenges and Responses. A partial list of other performance indicators for 2004 includes:

Information Requests

Permit the public to inspect, examine, and study the archives (3 V.S.A. §117(g)(9))

- The Archives staff responded to 5,066 information requests, largely through telephone (2,071) and e-mail (1,769) contacts.
- During calendar year 2004 there were 177,953 visits to the Archives web page. The top documents visited were the electronic records management and access to public records pages, while the most downloaded document was the *Vermont Notary Guide*.
- Notices of proposed administrative rules became available through the Archives website on October 14, 2004. The administrative rules pages, including forms and guidelines, have received 9,292 views to date (<http://vermont-archives.org/apa/rules.html>.)
- In May 2004 the staff received a team Public Service Award from Governor Jim Douglas for its professionalism and grace, under national media scrutiny, in responding to the extraordinary volume of research in Governor Howard Dean's records (June 2003-February 2004)

Establish Archival Management Programs

Cooperate with agencies to establish archival management programs (§117(g)(3))

- The Vermont Judicial Records Program was initiated in cooperation with the Court Administrator's Office. All superior and probate court staff were interviewed and their records surveyed. Implementation of a comprehensive records management plan is slated to begin February 2005. Pre-1845 records were also entered in the Archives Collection Management database.
- Work on the legislatively-funded project to digitize analog tapes of committee testimony led to broader discussions with Legislative Council on the need for an archival management program for legislative records in general and digital recordings in particular.

Processing and Promotion of Archival Records

Arrange, describe and promote use of archival records (§117(g)(8))

- Arranged and described 41 cubic feet of Legislative Council records, including special study committee records.

- Arranged and described 15 cubic feet of legislative committee records.
- Arranged and described 11 cubic feet of election records.
- Entered over 40,000 index cards to the Archives 18th century records into the Collection Management database. Researchers will be able to search the index by name, town, document type, and date from the Archives' website beginning this spring.
- Updated state officer and election data presented on the Archives' web site.
- With the Vermont Historical Records Advisory Board held Vermont Archives Week in November celebrating Vermont teachers who use historical records in their curriculum. (<http://vermont-archives.org/boards/vhrab/archivesweek.htm>)
- The Archives collaborated with Vermont Landscape project at UVM. To date over 1,700 photographs from the Archives have been added to the project's web site. (<http://www.uvm.edu/perkins/landscape/menu.html>)

Identification and Analysis of Archival Records

Analyze and identify archival records in state agencies ((§117(g)(5))

- The Archives continued to review records held by Buildings and General Services that had been identified as permanent (traditionally few record schedules identify records as archival, using instead the designation of “permanent” or even “microfilm”). Since BGS's holdings cover a range of agencies it is the logical place to start the analysis of archival records. Within the BGS holdings designated as Public Records Acquisitions (PRA), and exclusive of court records, 1,980 cubic feet of paper records, 671 rolls of microfilm, and 51 bound volumes were initially identified as archival. In addition, 379 cubic feet of Legislative Council records held by BGS were appraised as archival.
- Descriptions of these records were entered into the Archives Collection Management database and non-government historical records were de-accessioned to the Vermont Historical Society and Special Collections at the University of Vermont.

Acquisition of Archival Records

Take into custody of archival records ((§117(g)(5))

- Took custody of 2003-2004 legislative committee records and original acts.
- Lack of space limited the Archives' ability to accept records. The Archives spent \$10,000 microfilming records, though the vault remains full.
- On February 16, 2004 (the Presidents' Day holiday) the Archives staff, with the help of volunteers and the Vermont Historical Society, responded to a burst water pipe that

flooded parts of the vault, damaging over 90 boxes and their contents. In May 2004 the staff had to salvage two cubic feet of photographs that were damaged by a leaking heating pipe.

- The Archives disaster response plan was updated and a cooperative emergency response phone list was coordinated with Public Records, the Vermont Historical Society, and the Department of Libraries.

Establish Standards

Analyze, develop and establish standards ((§117(g)(4))

- To assist agencies and municipalities planning digital imaging projects the Archives launched a web-based guide to document imaging. The guide came out of the Archives participation in the pilot scanning project for Vermont municipalities (http://vermont-archives.org/records/electronic/elec_rec.html)

Coordinate with State Institutions

Cooperate with and assist state institutions, etc ((§117(g)(10))

- Archives staff chair the Municipal Land Records Commission and created a website for the Commission (<http://vermont-archives.org/records/vtmlrc/index.htm>).
- The Archives assisted, by invitation, the National Governors' Association (NGA) and the Council of State Historical Records Coordinators (COSHRC) in revising the NGA's guide to managing gubernatorial records.

PART III CHALLENGES AND RESPONSES

During calendar year 2004 the Archives continued to analyze the current state of recordkeeping in general, and archival management in particular, as required by 3 V.S.A. §117. This analysis was augmented by a series of legislatively-mandated studies coming out of the last biennium.¹ In addition the Archives continues to evaluate the experiences associated with Howard Dean's presidential campaign and the substantial research interest in his gubernatorial papers.² Litigation over the management of the Dean records and the use of executive privilege continues.

The 2004 analyses allowed, for the first time, better tools for understanding the challenges confronting archival management and how to respond to them.

Of most direct concern to the Archives are the long-standing problems associated with the current inadequate archival facility. It is impossible to fully implement the new requirements of 3 V.S.A. §117 because of the lack of archival space.

Of equal concern, the current vault's environmental integrity is deteriorating. The most visible evidence of this was the partial flooding of the vault when a water pipe burst at Redstone during the Presidents' Day holiday on February 16, 2004, damaging over 90 boxes of records.

Beyond the physical barriers to establishing an archival program, it is clear that a quiet crisis is developing. Its cause is the historic lack attention to, and resources for, the management of public records.

Though quiet the crisis is real and touches all three branches of government as well as municipalities. And the quiet is being disturbed. Those disturbances are evidenced by growing litigation over access to and control of public records; by the increasing reluctance of some companies to insure land titles in municipalities with poor recordkeeping; by pressures to close traditionally open records in the interests of privacy and security; and, conversely, by concerns that new restrictions on access to records are weakening government accountability. The expanding use of information technologies exacerbates these problems. Examples of problems that emerged in the last biennium can be found in Appendix A.

Recordkeeping problems have existed for decades. They are not the result of individual failings, but rather of the systematic failure to create and sustain a record management program consistent with the State's legal and administrative requirements.

¹ These mandates included \$50,000 within the Budget Adjustment Act (Act# 80, 2004) to convert analog tapes of legislative committee testimony to digital form and a \$50,000 appropriation to the court administrator to begin the management of early court records found as Sec. 3 of Act #63 of 2003. In addition the Archives is involved in establishing five pilot municipal scanning projects authorized by Sec. 9 of Act#121 of 2004 and establishing municipal recordkeeping standards through Sec. 78a of Act #122 of 2004. The Archives also participated in the Legislative Council study of public records, privacy and electronic access authorized by Sec. 5 of Act #155 of 2004.

² Though the bulk of the Dean research occurred in 2003, heavy use continued up to the New Hampshire primary on January 27, 2004.

It is therefore impossible to address all issues simultaneously. The Archives is pursuing a phased approach. Each phase is largely shaped by the legislative directives from 2003-2004 and must resolve problems prospectively as well as retroactively.

For this report five specific challenges and responses are examined:

1. The need for a new archives facility
2. The need for additional professional staff to work with agencies and address electronic record issues
3. The need to manage court records
4. The need to manage legislative records, and
5. The need to re-examine 1 V.S.A. §316 of the Public Records Act

CHALLENGE 1: STATE ARCHIVES FACILITY

The Archives space needs have been continually studied since 1988 without result. Space restraints force the Archives to manage space at the cost of managing records. From 1999-2003 the Archives averaged \$40,000 a year on microfilming in order to free space; in 2004 an additional \$10,000 was spent. Yet the vault remains full.

The legislature's intent in creating a consolidated archival management program cannot be achieved without a new facility. The preliminary analyses of "permanent" records at BGS and of superior and probate courts records identified 4,000 cubic feet of archival records eligible for immediate transfer to the Archives.³ The current facility only has a capacity for 1,600 cubic feet and is full (Vermont has the smallest state archival facility in the country). The Archives lacks the space to accept or process these records.

The current facility cannot be easily adapted to become an electronic record archives. The 2004 Legislative Council report on Public Records, Privacy and Electronic Access correctly notes the need for an archival management program for electronic records as more and more public records are "born digital" or are being converted to digital form (such as the proposal to digitize legislative committee tapes and the current digital recording of testimony). A new facility is needed for electronic records.⁴

The environment of the current vault continues to deteriorate. On February 16, 2004 (a state holiday) a water pipe burst on the second floor of Redstone. Despite the vault's four hour fire rating, the water seeped through the re-enforced concrete ceiling, soaking over 90 boxes of records (primarily from the administrations of Governors Snelling and Kunin). The State Archives staff, with the help of volunteers and the Vermont Historical Society, quickly responded and no records were lost. Luckily the 1777 Vermont Constitution and other valuable records escaped damage.

A second episode occurred in May when a slow leak in a heating pipe soaked two cubic feet of photographs that were being processed. The staff was able to save most of the photographs, though some had to be discarded.

Water from heavy rains and Spring run-offs continues to seep into the processing room, the electrical room next to the vault, and into the vault itself (most recently on January 14, 2005 during a brief thaw). This raises the constant threat of mold developing in the vault and on records, necessitating expensive fumigation and repair.⁵ Examples of water intrusion can be found in Appendix B.

³ While the Archives' mandate is to permanently preserve and keep accessible archival records, BGS's mandate is to "maintain a record center to hold little used departmental records for disposition" (22 V.S.A.§(a)(11)).

⁴ Other states are moving to create archival facilities for electronic records. In 2004 Washington State opened the first state electronic archives facility. The 2004 Legislative Council Report on Public Records, Privacy and Electronic Access calls for an electronic management program; see pages 46-47, for example.

⁵ Since May 2003 there have been 14 such water leaks, not counting the burst pipe or heating pipe leak.

There is insufficient space to accommodate more than three or four researchers at a time or for the staff to process records. The volume of researchers during Howard Dean's quest for the presidential nomination overwhelmed the available research space. Up to 20 researchers at a time were at the Archives, often from competing candidacies and news media. There was no way to assure researcher privacy, while document security became a major problem as the Archives had to expand into, and monitor, two other rooms at Redstone.

While the volume of use was unique to the Dean campaign, the issues of providing adequate researcher space and privacy is not. With only space for a single table, multiple researchers lack room to research through boxes and folders of records. On occasion rival candidates or their representatives, lawyers or reporters are forced to share the researcher space (some leave rather than expose to opponents what records they are examining).

The researcher space is shared by the two to three staff members who are answering the phone, doing data entry, and processing records. While this helps maintain line of sight control of records, it puts further stress on the limited space. There is a processing room in the basement, which doubles as a storage space for bulky supplies and is subject to periodic water run-off.

Response:

The only response to these structural problems is a new facility. The vision is to create a *state government archives and research center* where government officials and the public may review, in one place, archival records documenting the essential functions and activities of government.

To achieve this vision the center should include a secure, environmentally controlled vault capable of meeting the State's archival needs for at least ten years (estimated 20,000 cubic foot capacity); a research area that can accommodate multiple users while protecting their privacy and capable of allowing access to the growing range of record media (electronic records, film/video; recorded testimony); and sufficient space for staff to process records. Act No. 121, Sec. 1(b)(9) of 2004 funded a study of the "consolidated office/archival space" needs for the Secretary of State's Office. That report is to be given to the two Institutions Committees. To prevent this becoming just the latest in the line of unrealized plans it is essential that money be appropriated for site selection and design by the 2005 session.

State Archives Comparisons

In 1996 the Council of State Historical Records Coordinators surveyed all the state archives. Surveys included archival vault capacities. The Vermont State Archives, with a vault capacity of 1,560 cubic feet, is the smallest of all the states.

Since the 1996 survey several states, including Delaware, Mississippi, Utah and Washington, have built new facilities. Of the next three smallest state archives vaults listed in 1996, Arizona (2,502 cubic foot capacity) appropriated \$2 million in 2004 for the design of a new building;

Delaware (7,000 cubic feet) built a new facility with a capacity of 95,000 cubic feet while Utah (9,600 cubic feet) has build a new facility with a 24,000 square foot vault.

Comparison of Archival Vaults
in Small States

Based on the 1996 survey the state archives in states with populations less than a million have the following vault capacities:

| State | Archival Vault Capacity (cubic feet) | 2000 Population |
|--------------|---|------------------------|
| Alaska | 22,000 | 626,932 |
| Delaware | 95,000* | 783,600 |
| Montana | 17,332 | 902,195 |
| North Dakota | 15,000 | 642,200 |
| South Dakota | 20,000 | 754,844 |
| Vermont | 1,560 | 608,827 |
| Wyoming | 34,000 | 493,782 |

* Archival space in new, post – 1996, facility. Figure supplied by Delaware State Archivist.

CHALLENGE 2: ADDITIONAL PERMANENT ARCHIVAL POSITION

A root cause of many of the problems cited in this report is the Archives' inability, with only two archivists, to work with agencies to identify and develop management plans for their archival records. As a result archival records are often not identified, managed, or sent to the Archives. Records that are sent often are too fragmentary to document key functions, include non-archival records, and often need extensive weeding and arrangement.

The value of having an archivist who can work directly with agencies is demonstrated by the court record project, originally funded by Act No. 63, Sec. 3 of 2003 (see #3, below for further details). In 2004 the Archives created a partnership with the court administrator to do the project, including hiring a professional archivist. As a result of having an additional archivist all superior and probate courts were visited; the court clerks were surveyed on their needs; and a database was started that allows, for the first time, a comprehensive view of all court records.

The surveys and interviews revealed that none of the clerks had copies of existing disposition orders for court records; there was no training on recordkeeping; and there was no overall management plan for court records.⁶ Consequently the clerks are reluctant to discard any records, leading to the long term preservation or microfilming of records that did not have a long term value. Survey results can be found in Appendices C and D.

The archivist has identified areas where thousands of dollars of savings can be achieved. Similar projects in other jurisdictions report a 15% to 80% reduction in the volume of court records being stored. These savings can be applied across the other branches of government if an additional archivist is added to the staff to work directly with agencies.

An additional archivist with some electronic record training will also help move toward an electronic record archives. Again, given the volume of records being born digital or being converted to digital form, it is essential to have the resources to develop management plans. This cannot be sustained with the current staffing.⁷

Response:

Add another permanent professional archival position in FY06. The position will help analyze records within their creating agency and help establish active management programs (including training) and will assist in creating guidelines for managing electronic records. Management plans will constantly be evaluated to track savings and sustainability.

⁶ In January 2005 BGS informed the courts that it would not accept any more records until a record management plan was adopted.

⁷ The 2005 Legislative Council report on Public Records notes the absence of, and need for, an electronic records program. See page 19, for example.

CHALLENGE 3: VERMONT JUDICIAL RECORDS PROGRAM.

Under Act No. 63, Sec. 3 of 2003 money was appropriated to the commissioner of buildings and general services for the court administrator to begin processing older court records. In 2004 the Archives began to work with the court administrator on the project and a professional archivist was hired to do the work under the joint supervision of the two programs.

The initial work quickly determined that while retroactive processing of older records was important, it is essential to create a management plan for current court records. The lack of a plan has created barriers to access, led to the long term preservation (including microfilming) of records eligible for destruction, and placed expensive burdens on the courts and the Middlesex record center to store unmanaged, and often inaccessible, records.

Response:

After the on-site interviews and surveys at the superior and probate courts, the project archivist, in consultation with the court administrator, developed a three-phase plan for managing court records.

- In Phase I the archivist will work with the superior and probate clerks and BGS to draft record schedules and disposition orders for court records. Disposition will include, for the first time, identification of archival records and allow for the regular, planned transfer of those records to the Archives.
- In Phase II the archivist will test the models developed in Phase I with one superior and one probate court; train court staff in implementing new schedules; and, with addition of another archivist, begin retrospective processing of court records in preparation of transferring them to the Archives (experience shows that without assistance the backlog of older records will not be done, placing a heavy burden on Archives' staff and space).
- In Phase III work will continue on the retrospective processing; all reference and professional services to archival court records will be consolidated under the Archives; and sampling and other techniques will be used to reduce voluminous files.

Phases I and II can largely be completed under the current appropriation. Phase III will need to be funded for three years until the backlog has been addressed and a sustained management plan is in place for current records.

The Archives and Court Administrator's Office support additional funding of the project through Phase III.

CHALLENGE 4: MANAGEMENT OF LEGISLATIVE RECORDS

Long standing concerns about the deterioration of legislative committee tapes resulted in a \$50,000 appropriation for the Archives to preserve the tapes by converting them to digital form.⁸ The initial analysis found that there were approximately 40,000 hours of post-1985 tapes.⁹

Consultation with audio/digital experts indicated that analog to digital conversion must take place in real time (that is, 40,000 hours) and that the low estimate for the conversion was \$757,760. The Legislative Council envisioned the project as converting the tapes to CDs, raising additional concerns about long term costs of preserving thousands of CDs (in addition to CDs created by the retrospective conversion of tapes, there are currently about 500 CDs created per biennium).

The problems, and costs, with retroactively converting the tapes derive from the failure to manage the records. No master/use copies were created meaning that if a tape deteriorates the information is permanently lost. There was no plan to systematically refresh the tapes (periodic rewinding or copying, for example) or to systematically migrate tapes to new media (for example, when reel to reel technology was replaced by cassettes).

Over the last two biennia the legislature converted its recording system to a digital (CD-based) system. This conversion took place without a sustainable management plan for the CDs, replicating the problems with the tapes.¹⁰ Since hardware and software “generations” tend to occur in five year cycles, the problems with the failure to management the CDs will surface more rapidly than they did with the analog tapes.

Therefore it is essential that the government operations committees, Legislative Council and Archives work together to create a management plan that deals prospectively with legislative records. The plan should embrace all legislative records, not just recordings.

Currently legislative records are scattered among the Legislative Council, the Archives and Buildings and General Services (and to a lesser degree in terms of records, the Department of Libraries). This creates duplication of effort and complicates access (there is no comprehensive index to legislative records and to do a legislative intent a researcher must visit at least three departments to trace a single bill). In other words, legislative records are not the tool they could be for defending legislative intent, drafting bills, reviewing past studies of current topics, or providing public access to the deliberations of the general assembly. As the Legislative Council reported in 2000, “a consolidated, long term record-

⁸ See for example, the 2000 Legislative Council Report on the Administrative Rule-Making Process which devotes several pages to concern over the deteriorating tapes; see pages 15-16 for example.

⁹ Tapes were no longer transcribed after 1985. The 40,000 hours does not include Joint Fiscal Office tapes that also date back three decades and have not been transcribed since the 1970s.

¹⁰ That recordkeeping is not generally considered in developing information technology for the legislature is illustrated by the National Conference of State Legislatures’ 2004 report, “Assessment of the Information Technology System in the General Assembly.” There is no mention of the legal or administrative requirements for recordkeeping in the report.

keeping approach [to legislative records] should be considered by the legislature.”¹¹ Given the inauguration of digital recording, it is important to act on this recommendation now.

Response:

The Archives and Legislative Council consulted with the Vermont Folklife Center (which is converting its analog tapes to digital form) and began to identify the basic elements of a management plan for digital recordings. During the 2005 session the Archives will seek the advice of the government operations committees on how to proceed with the current appropriation. As with the court record project a phased approach is envisioned that will address legislative records prospectively, as well as retrospectively. Following the conclusion of the 2005 session the Legislative Council and Archives should:

- identify what legislative records are created and what legal requirements govern their preservation and use (the Archives has already begun an analysis of Vermont case law on legislative intent).
- create new record schedules. For the first time all archival legislative records should be routinely scheduled for deposit with the Archives.
- create a unified database to all legislative records.
- develop a management plan for the general assembly’s electronic records, including cost benefit analysis of server-based storage of digitally recorded testimony, instead of the current CD-based practices.
- report to the general assembly on the management plan by January 2006.

¹¹ “Legislative Council Report on Administrative Rule-Making,” page 18.

CHALLENGE 5: OFFICIAL FEE SCHEDULE FOR PUBLIC RECORDS

Responses to the actual cost provisions of 1 V.S.A. §316 vary from agency to agency and town to town, with different interpretations offered by the attorney general and secretary of state offices over what are allowable charges for copies of public records.¹² As noted in Appendix A, citizens can confront charges of hundreds or even thousands of dollars when seeking public records request and are told there is no right of appeal. This creates an obvious barrier to the right to know. At the same time some public record requests place significant burdens on staff time.

The key point of confusion is what is meant by “the cost of staff associated with complying with a request for a copy.” Does that include time spent searching for and retrieving the requested records, or only that time actually spent copying the record (and, perhaps, time spent reviewing a record for exempt information)? Search and retrieval can be time consuming for the agency, but at what point do charges diminish a citizen’s right to know. In part this is a management issue since a good recordkeeping system should allow an agency to easily locate records, determine whether it is exempt, etc. In other words, high search and retrieval charges might reward bad recordkeeping.¹³

Response:

The general assembly should review the scope and intent of 1 V.S.A. §316 and, if necessary, clarify what are allowable charges. It should also look at the larger policy issues of how to prevent the costs of providing copies from becoming a barrier to access. The 2005 Legislative Council Report on Public Records, Privacy and Electronic Access provides a useful overview of the issue (see pages 10 and 11, for example).

¹² The Legislative Council’s January 2005 report on “Public Records, Privacy, and Electronic Access in Vermont” also identifies this confusion as a problem. See pages 9-10, for example.

¹³ On January 4, 2005 a citizen was told her public records request could cost up to \$16,400 because the department could not search its electronic files and would have to print out and read over 33,000 documents. The inability to electronically search the records serves neither the public nor the agency. If recordkeeping requirements had been addressed as part of the department’s system design electronic text searches should have been possible.

APPENDIX A; Recordkeeping Problems

Selected Examples of Recordkeeping Problems

Legal Risks and Costs

- There is on-going litigation over Governor Dean's use of executive privilege.
- An attempt by the State to charge Judicial Watch \$180,000 for complying with its suit to gain access to certain Dean gubernatorial records was rejected by the court. In May 2004 Judge Alan Cook wrote that "The State's view of "compliance" seems to include whatever may become involved in a response to an access request, including the cost of the expense of litigating the denial of access. Such an expansive interpretation could cripple cumbersome requests with unnecessarily high expenses. That the legislature could not possibly have intended; the [Public Records] Act is designed to encourage access, not thwart it."¹⁴
- The January 15, 2004 report of the Commission on Standards for Municipal Land Records included the finding that, "Insufficient training and staffing in town clerk's offices has led title insurers to seriously consider NOT insuring properties in a few Vermont towns. Without title insurance, banks will not lend money in those towns and properties will not be bought or sold."¹⁵
- In 2003 several municipalities unsuccessfully challenged a private vendor's request for their property tax assessment databases. The challenges expressed privacy concerns, but also touched on who should benefit from the potential commercial value of information contained in public records.¹⁶

Costs of the Right to Know

- Confusion over what is an allowable charge in complying with a public records request persists. In response to a challenge to a \$220 charge for complying with a public records request, the Attorney General's Office replied that "there is no provision in [the Public Records Act; 1 V.S.A. §316] which permits a requesting party to challenge the charges associated with copying. By its failure to adopt such a provision, the Legislature plainly determined that no such right was necessary."¹⁷
- The Department of Corrections, in a response to a request for specific public records generated in late 2004, estimated that it would cost between \$5,400 and \$16,400 to

¹⁴ "Decision re: Process for Adjudication and the State's Motion for Interlocutory Review," Judicial Watch, Inc v. The State of Vermont, et al, Washington County Superior Court Docket No. 656-12-03 Wncv, May 2004.

¹⁵ The report is at: <http://www.leg.state.vt.us/reports/04LandRecords/LandRecords.htm#REPORT>

¹⁶ QueVT v Town of Waterbury, Washington Superior Court, Docket No. 425-8-03, August 15, 2003; QueVT v Town of Colchester, Washington Superior Court, Docket No. 384-7-03 Wncv, October 28, 2003.

¹⁷ Assistant Attorney General Susan Harritt to Megan Price, December 22, 2004. .

comply. The charges were based, in part, on the inability to easily search 33,600 pages of electronic text. In addition the Department noted that requested e-mails were deleted when their author left their employ.¹⁸

Cost Benefit Issues

- An effort to retroactively preserve, through digitization, over 40,000 of analog tapes of legislative committee testimony encountered potential costs of over \$770,000. The analog tapes were never managed and are deteriorating, putting at risk the general assembly's ability to defend the intent of legislation and the public's ability to review legislative actions.¹⁹ The recently purchased digital recording system for testimony was implemented without a management plan, replicating the problems and potential costs experienced with the analog tapes.
- A review of the management of court records found that none of the probate or superior court clerks possess copies of the disposition orders governing the disposal of court records. Consequently clerks are reluctant to dispose of court records. The State record center currently houses almost 13,536 cubic feet of court records, some of which may be eligible for destruction. The volume of court records continues to grow; 182,000 cases were disposed of during FY2004, all of which became part of the court's inactive records. The estimated annual cost of storing court records is \$585,525.²⁰
- A total of 610 cubic feet of court report notes and tapes are currently kept for 23 years. It costs the State \$1,220 a year to store these records at Middlesex, or a total of \$28,000 over 23 years. Most other states retain these records for ten years or less.
- In the Middlesex record center there are 1,155 cubic feet of court records that were microfilmed. The paper can not be disposed of since the records arrived—and were filmed—out of order. This cost the State \$57,750 for the filming plus \$2,310 a year for storing the paper records. Lack of arrangement makes the records difficult to access.

Confused Mandates to Recordkeepers

- The legislative response to privacy concerns associated with Social Security numbers included four separate mandates, risking confusion among record custodians. These acts called for studies by two different entities, the addition of two sections to the exemptions to the Public Records Act in 1 V.S.A. §317(c), a general directive for government entities to take "all reasonable steps to redact any Social Security numbers" when responding to

¹⁸ Steven Gold, Commissioner, Department of Corrections to Laura Ziegler, January 4, 2005. It is unclear whether the e-mail was deleted in compliance with an approved disposition order as required by 22 V.S.A. §454.

¹⁹ As part of the 2004 supplemental budget \$50,000 was appropriated to the state archives to digitize the backlog of analog tapes.

²⁰ Study authorized by Act No. 63, Sec. 3 of 2003. The cost of storing the records is based on per cubic foot storage costs for office and record center space provided on the Department of Buildings and General services website.

public record requests, and a temporary exemption to the Public Records Act for any electronic records generated through a pilot project on the scanning of municipal records.²¹ The public records study mandated by Act, 158 of 2004 identifies the ad hoc proliferation of exemptions to the Public Records Act as a concern.²²

²¹ See Act No. 155, Act No, 158, Act No. 122, Sec.78c(8), and Act No. 121, Sec. 9(a).

²² “Public Records, Privacy, and Electronic Access in Vermont,” Legislative Council Staff Report, January 2005, pages 9-10. Another example of problems with addressing record issues in an ad hoc manner is provided by the requirement that a pilot scanning project involving five municipalities (Act 121, Sec. 9 of 2004) “be designed to ensure compatibility with any state electronic document storage system that maybe developed in the future.” That project is to be completed in 2005. Act 122 of 2004 established a municipal land records commission that must make recommendations on uniform standards for indexing land records (the prerequisite for the document storage system) by January 2006, a year after the scanning project is completed.

APPENDIX B; Facility Environment Problems at Redstone

Burst Pipe February 16, 2004

On February 16, 2004 (the Presidents' Day holiday) the Archives staff, with the help of volunteers and the Vermont Historical Society, responded to a burst water pipe that flooded parts of the vault, damaging over 90 boxes and their contents.



Figure 1:
Governor Snelling's records soaked in the vault



Figure 2:
More wet boxes of records



Figure 3:
Recovery: Folders were removed from damaged boxes, and indexed for re-filing.



Figure 4:
Recovery: Documents were hung to dry

Leaking Heating Pipe May 2004

In May 2004 the Archives staff discovered that a heating pipe had developed a leak in the library. The water soaked through the carpet and the bottom of two boxes of photographs. The water went undiscovered long enough to cause mold to form on some of the boxes and their contents. Some photos had to be discarded.



**Figure 5:
Hanging photographs to dry**

Seasonal Water Run Off

There has been water in the Archives workshop and the electrical room next to the vault at least 14 times in the last two years. The water run off occurs when the snow melts in the spring and when there are heavy rain storms.



Figure 6:
Regular drainage problems in the workshop.



Figure 7:
Regular drainage problems in the electrical room (next to the Vault).

Appendix C; Judicial Records Program Survey

Interviews with superior and probate clerks revealed the need for sustained training on the management of court records. Without knowledge or understanding of recordkeeping procedures, clerks are reluctant to dispose of any records, placing unnecessary burdens of storage space (see appendix D).

The table below was created through the Judicial Record Program, a collaborative effort of the court administrator's office and the state archives.

| Category | Prevalence | Key Issue |
|---|------------|--|
| <u>Records Management</u> | | <i>The current practice of “keeping everything” is the root of the courts’ records problem. A concise record retention and disposition schedule will lead to effective records management practices.</i> |
| Has general records management guide | 0 (100%) | |
| Has <i>Records Procedure Manual</i> | 29 (90.6%) | |
| Has copies of all disposition orders | 0 (0%) | |
| Fully adheres to procedures in the Manual | 0 (0%) | |
| Never adheres to procedures in the Manual | 15 (46.8%) | |
| Partially adheres to procedures in the Manual | 17 (53.1%) | |
| Finds Manual clear and easy to understand | 0 (0%) | |
| Would like a revised records procedure manual | 31 (96.9%) | |
| <ul style="list-style-type: none"> - None of the courts are actively destroying any records that the court creates, receives, or manages, which is causing significant records management problems. - Most courts have a copy of their <i>Records Transfer or Destruction Procedure Manual</i>, as issued by Public Records in 1999. However, the <i>Manual</i> does not contain copies of disposition orders. Only a few courts have copies of some disposition orders and none of the courts have copies of all their disposition orders. - All courts, even those without a copy of the <i>Manual</i>, expressed the need for a clear, concise records retention and disposition schedule. They feel that the current manuals and disposition orders do not adequately address the records or the records management needs of the courts: the record series, for example, were either too broad, outdated, or insufficiently described to be useful to the courts. Fiscal, personnel, and other operating records are not even included in the existing <i>Manual</i>. - All courts recognized that there is little need to keep everything that the court creates, received, or manages. Yet, no one feels comfortable disposing of valueless records. Moreover, without copies of their records’ disposition orders, they are unable to legally destroy any court records. | | |

Appendix D; Judicial Records Program Volume and Storage Costs

Vermonters regularly turn to the courts to resolve or clarify disputes and rights. This readiness is reflected in the volume of court records generated each year. Without a management plan the state incurs annual storage costs for all court records, not just those with a continuing value.

The table below was created through the Judicial Record Program, a collaborative effort of the court administrator's office and the state archives.

| | | |
|--|---|----------------------|
| Total Cubic Feet of Court Records in State Records Center in Middlesex: | | 13,536 |
| <i>** Includes 1020 cubic feet of filmed court records that were not disposed due to filming problems or concerns.</i> | | |
| Total Cubic Feet of Records at the State Records Center in Middlesex for: | Superior Courts: | 4,400 |
| | Probate Courts: | 1502 |
| | District Courts | 3962 |
| | Family Courts | 2509 |
| | Supreme Court | 63 |
| | Environmental Court | 40 |
| | Judicial Bureau | 0 |
| Total Estimated Cubic Feet for All Courts Through Approximately 2000: | | 37,955 ²³ |
| Estimated Total Cubic Feet of records stored at Middlesex and the Courthouses: | Superior Courts Through 1996: <i>** Includes case files, notes, etc., but does not include any docket or recording volumes. The estimate also does not include administrative or financial records. Some records reflected in this estimated total may have been filmed and destroyed.</i> | 11,011 |
| | Probate Courts through 1999: <i>** Includes estates, trusts, and guardianships only. Adoptions were not transferred to the Records Center and therefore could not be estimated. Also not included are wills for safekeeping, administrative records, and financial records.</i> | 8,022 |
| | District Courts through 2001: <i>**Includes municipal court records, case files, stenographer notes and tapes, and records that may have been filmed. Does not include administrative or financial records.</i> | 14,889 |
| | Family Court through 2000: | 4,033 |
| Annual Cost for Storage of All Court Records: | | \$644,899 |
| Annual Cost to store 13,536 cubic feet of court records at Middlesex ²⁴ : | | \$27,072 |
| Annual office space records storage costs ²⁵ : | Superior Courts: | \$230,764 |
| | Probate Courts: | \$142,331 |
| | District Courts: | \$238,536 |
| | Family Courts | \$33,268 |

²³ This estimated total includes records that may have been filmed. However, the cubic feet of filmed records are most likely equivalent to the total number of cubic feet of records created since 2000. Therefore, it is safe to assume that there are roughly 38,000 cubic feet of paper court records through FY 2004.

²⁴ Based on BGS' estimate of \$2.00 per cubic foot

²⁵ Based on BGS' estimate of \$21.83 per cubic foot

**Vermont Secretary of State
Office of Vermont State Archives**

**THIRD ANNUAL REPORT
on
ARCHIVAL RECORDS MANAGEMENT**

Deborah L. Markowitz, Secretary of State

D. Gregory Sanford, State Archivist

February 2006

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Report of the State Archivist 2005

This is the third annual report of the State Archives as required by 3 V.S.A. §117(3)(c). It covers the Archives' activities during calendar year 2005.

In 2003 Vermont became the last state to provide the statutory authorities necessary for successful archival management and during 2005 significant progress was made in improving the archives' programs. A new professional archivist position was added in order to help inaugurate the new authorities.

Recognition of the archives as a valuable service to government and the public led the legislature to direct the archives to work on several projects across the branches of government. The archives also experienced a growing number of requests for assistance on records issues.

The greatest barrier to success remains the current inadequate archival facility, though the legislature supported a project to select a site for a new archives and research facility, either as a stand alone effort or, preferably, as part of the consolidation of the secretary of state's office at a single location.

An effective partnership with the court administrator's office continued to grow and a new partnership was forged with the secretary of administration.

The following report provides a summary of our successes in 2005 and the challenges and opportunities we will address in 2006.

Respectfully submitted,

Gregory Sanford
State Archivist

PART I

OVERVIEW OF THE STATE ARCHIVES

While the secretary of state was first assigned archival duties in 1782, it was not until 2003 that the general assembly enacted the authorities necessary for effective archival management (Act #3, 2003; 3 V.S.A. §117). Vermont was the last state to enact such authorities.

Archival records are institutional records with a continuing legal, administrative or historical value. *Archival management* is the systematic identification and management of archival records to assure their authenticity and accessibility from point of creation to ultimate disposition. Disposition includes transfer to the custody of the archives.

Since the new provisions of 3 V.S.A. §117 took effect July 1, 2003 the archives has sustained a partnership with the court administrator's office to develop a judicial record program; developed, in partnership with the secretary of administration's office, a preliminary strategic management plan for executive agency records; and begun to create and implement tools to help government better manage public records in general and archival records in particular.

The archives' physical space remains inadequate both in terms of capacity and in providing a safe environment for the State's most valuable records. Without better capacity and security a professional archival management program cannot be implemented or sustained. A 2005 Capital Construction appropriation provided for site selection for a new archives and research facility.

Staff

With the addition of a new professional archivist position in August 2005 the archives has three professional archivists and two administrative assistants. The administrative assistants also supervise Vermont notaries; provide clerical oversight of the secretary of state's rulemaking responsibilities under the Administrative Procedures Act; and fulfill the Legislative Clerk duties as set out in 3 V.S.A. §106(4) and (5). During 2005 a professional archivist was hired under a limited service contract to help develop a preliminary strategic plan for executive agency records and two temporaries were hired for data entry into the archives' databases, as well as to assist in responding to information requests.

MISSION

Document the rights of citizens, the actions of government, and the history of public policy by:

- Supporting the efficient and effective management of essential government information;
- Appraising recorded information, regardless of format, for evidentiary and archival value;
- Systematically receiving a comprehensive, reliable, and authentic body of State archival records;
- Promoting and enhancing the use of the State's archival records by Vermont's government and citizens.

GOALS

- Advocate for openness and accountability in government.
- Ensure the preservation of, and access to, evidence of key government transactions through the development and implementation of a sustainable archival management program for all of state government.
- Provide expert advice and guidance on the principles and practices of archives, records, and information management.
- Support state institutions, political subdivisions, and individuals engaged in archival management and historical research.

AUTHORITY

The primary statutory authority for the state archives can be found in 3 V.S.A. §117 and in the broader accountability requirements of Article VI, Chapter I of the Vermont Constitution.

During 2005 the archives made significant strides toward creating the knowledge, partnerships and tools required for the effective management of State records and information. The addition of another professional archival position in August was crucial to this progress. The legislature's increased interest in record and information management, as evidenced by a series of mandates directing the archives' activities, was also valuable, though the range of mandates taxed staff and other resources.¹ While the year's accomplishments are too extensive to enumerate in detail, the following list of performance measures provides a sense of the progress made in 2005.

Archives and Research Facility

Take custody of archival records 3 V.S.A. §117(g)(7)

- The ability to take custody of archival records has long been stymied by the current inadequate archives' facility. On-going records appraisal has identified, to date, 15,000 cubic feet of archival records eligible for immediate deposit with the archives. The current archives' vault has a capacity of 1,500 cubic feet. Steps taken in 2005 to address this problem centered on working with the Department of Buildings and General (BGS) and the architectural firm of Truex Cullins and Partners to review and select a site for a new archives and research facility, preferably as part of a consolidated secretary of state office. The study, funded through the Capital bill, reviewed eight sites and reported to the general assembly in January 2006. There is a request in the current capital bill for building design.

Information Requests

Permit the public to inspect, examine and study the archives §117(g)(9)

- The archives staff responded to 5,608 information requests during FY05 (compared to 5,066 requests in FY04).
- The archives use is increasingly linked to information technology and 2,200 of the requests were made via e-mail (compared to 1,769 e-mail requests in FY04).
- The archives website was visited nearly 392,000 times between January and September 2005 (compared with 177,953 web visits in FY04). Visits lasted an average of sixteen minutes. Due to a change in the analysis tool, figures for web visits during calendar year 2005 are only for January to September.
- The managing electronic records web page received almost 20,000 visits.
- The access to public records web page received almost 16,000 visits; 8,400 visits were to the right to know/public records section.
- The notary public guide information section received 9,800 visits.

¹ Legislative mandates either carried forward from 2004 or enacted in 2005 included working with the department of buildings and general service (BGS) and an architectural firm on site selection for a new archives facility; working with the secretary of administration and court administrator to develop preliminary record management plans; participating in the social security and privacy commission chaired by the attorney general's office; serving on the municipal land records commission; participating in a municipal pilot scanning project; and working with the legislative council on digitizing legislative committee tapes. This work was in addition to the archives' on-going archival and reference work.

- Notices of proposed administrative rules, first put on-line in October 2004, were visited over 16,600 times.

Establish Archival Management Programs

Cooperate with agencies to establish archival management programs 117(g)(3)

- The archives continued to work with the court administrator's office to develop and implement the Vermont Judicial Records Program. After July 1st the partnership focused on complying with the legislative mandate to develop a preliminary comprehensive plan for managing judicial records (Section 96, Act #71, 2005). The archives created a web site for the Judicial Records Program at: <http://vermont-archives.org/records/vjrp/>. The court administrator submitted the preliminary plan to the general assembly in January 2006.
- In response to a legislative mandate (Sec. 5, Act #71, 2005) the archives worked with the secretary of administration's office in creating a preliminary comprehensive strategy for managing executive agency records. The report, by the secretary of administration and state archivist, was submitted to the government operations and appropriations committees of the general assembly in January 2006. The report ties record and information management to the executive branch's strategic enterprise initiative and report on government effectiveness. The report can be found at: <http://www.vermont-archives.org/LegReport06.pdf>.
- The archives continued to work with, and provide administrative support for, the Municipal Land Records Commission (Sec. 49(b), Act #66, 2003) to develop the systematic management of municipal land records. The archives maintains the Commission's website at: <http://vermont-archives.org/records/vtmlrc/>

Develop Standards

Develop and coordinate standards, procedures and techniques for archival records 117(g)(4)

- Published "Digital Imaging Guidelines" (http://www.vermont-archives.org/records/electronic/VSA_Imaging_Guidelines.pdf)
- Constructed a relational database for conducting functional analysis and appraising archival records. Database is currently being tested and refined. Once tested the database will be posted on the archives' web site where record creators can use it to better understand, and manage, their records and information. It will also support the consistent appraisal of records across government.
- Devised a six-step program for implementing comprehensive record schedules and completed some additional tools to assist in the process, including program survey forms, an archival appraisal worksheet, and guidelines for analyzing functions.
- Became state liaison for the National Digital Information Infrastructure and Preservation (NDIIPP) Workshop of the States for the development of national tools and data standards for preserving digital records. NDIIPP is a collaborative initiative of the Library of Congress.
- As a member of the Social Security Number and Security Breach Commission created by Sec. 54(b) of Act #71 (2005) the archives participated in discussion of

privacy protection standards. Commission was chaired by attorney general's office and reported its recommendations to the general assembly in January.

Recognition

Recognition of the archives as a service within government resulted in increasing requests for assistance on everything from managing records to right to know and access to public records questions.

The archives efforts have also attracted regional and national interest and the staff was invited to discuss gubernatorial records at the annual meeting of the Society of American Archivists and the judicial record program at the Fall 2005 meeting of the New England Archivists.

The archives' award winning web presentation on "continuing issues" received further notice during the National Archives and Records Administration's celebration of 20 years of independence (May 20, 2005). Archival consultant Rick Barry of Barry Associates highlighted "continuing issues" during his presentation at the event: *"[Gregory] Sanford and his colleagues put together historical perspectives using records of continuing interest and used Web technology to place such stories on the Vermont State Archives website...this is an excellent example of how technology may be used in ways not just to preserve history but also to tell and make history by helping to bring important historical precedent into current public discourse and policymaking...It takes an entrepreneurial, activist leader to envision the use of technology in ways to make an important difference."*

This past year was particularly productive as the archives continued to implement the new archival management authorities that went into effect on July 1, 2003. The archives' most pressing need, a modern archives and reference facility, was examined through a site selection process funded through the 2005 Capital Construction appropriation. Beyond the work on site selection the two key themes for the year were analysis and developing archival management tools.

Analysis

A major barrier to implementing a full archival management program for state government is the absence of any comprehensive analysis of government recordkeeping practices.

Aided by two legislative mandates to develop preliminary comprehensive strategic plans for managing judicial and executive agency records, during 2005 the archives began to gain a clearer picture of government recordkeeping. Additional information was gathered through a survey on privacy practices conducted through the social security number and privacy commission; a partial analysis of legislative records as part of the project to digitize tapes of committee testimony; and on-site visits to a few executive agencies.

The analysis revealed barriers to the effective management of government information including:

- Records and information are not managed as agency business assets.
- Records management is not viewed as critical to agency mission. It is either not incorporated into agency business processes, or not incorporated early enough, particularly as those processes are automated.
- Marginal support for records management has led to a lack of training, tools, and guidance for all staff within agencies.
- The records management and information technology disciplines are poorly integrated within agencies.

For the purposes of this report four examples of these barriers should suffice as illustrations:

- Of the records analyzed, approximately 30% to 65% are being stored after they no longer possess a legal, fiscal, or administrative value.² In some cases these records are filmed or scanned, incurring additional unnecessary expense. While this figure was most fully developed in terms of modern judicial case files, it appears to hold true, based on more limited analysis, for executive agency records as well.
- Based on two surveys of executive agency records it appears that the record keeping requirements of 3 V.S.A. §218 are not consistently understood or applied.³ The level of understanding can differ along reporting lines within a single agency or department. While half the agency heads who responded to our

² These figures apply to modern, post-1980 records.

³ 3 V.S.A. §218 requires agency and department heads to have approved records management program and enumerates basic requirements for approval.

questionnaire reported having comprehensive agency record schedules (as required by 3 V.S.A. §218), only a third of records officers from those agencies agreed.

- Record officers, appointed under 3 V.S.A. §218, receive little training other than how to ship records to the record center; are not positioned to assure that recordkeeping mandates are built into information technology systems; and receive little recognition for their work.
- Recordkeeping requirements are not consistently incorporated into IT system design decisions. A majority of the respondents to our survey did not have written policies for data security or destroy data according to approved disposition orders. Lack of faith in the trustworthiness of IT systems supports the retention of multiple formats of the same records/information. One office scanned 700 boxes of paper records, created a microfilm back-up—and then asked the record center to keep the paper records for seven years.

Tools

While the initial results of the analysis appear discouraging, they provide a better understanding of what tools are needed. “Tools” include guidelines, checklists for best practices, and workshops and on-site training partnerships. The use of tools can move toward common recordkeeping practices and understandings.

As noted the archives has begun to develop tools including guidelines for digital imaging; appraisal checklists; and a six-step program that agencies can use for implementing comprehensive record schedules (see Appendix A). These tools are now being tested in selected offices and revised. During 2006 they will be made available on the archives website.

The chief opportunity for developing and implementing better recordkeeping practices is the State’s commitment to a Strategic Enterprise Initiative (SEI). Based on the recommendations within the Vermont Institute on Government Effectiveness, Inc report (September 8, 2005), the SEI is a state government wide effort to examine every function and business process for its relationship to mission, its effectiveness, and its efficiency. Though the SEI originated in the agency of administration the judicial and legislative branches have expressed support for an enterprise-wide approach where appropriate.

The SEI’s examination of functions, businesses processes and workflows closely parallels the approaches necessary for developing a consistent recordkeeping system. The work on the preliminary strategic plan for managing executive agency records provided an opportunity to work with the agency of administration, including addressing ways to incorporate recordkeeping into the SEI efforts. The six-step management plan for records was one fruit of this partnership (see executive agency report at:

<http://www.vermont-archives.org/LegReport06.pdf>)

Costs of poor recordkeeping

While little hard data exist on the costs of poor recordkeeping, the archives' analyses of the past year began to suggest the expense of not effectively managing records.

- The Department of Buildings and General Services assesses the cost of office space at \$21 per cubic foot and record center space at \$7 per cubic foot. Our analysis indicates that a minimum of 30% of modern (post-1980) records currently being stored in offices or the record center no longer has a value to the State. We discovered that some of those records are being reformatted (filmed or scanned) as well as stored, incurring additional unnecessary costs.
- The most in-depth analysis was done with judicial records. Based on the BGS figures, it costs the State the equivalent of \$500,000 a year to store court records. Better recordkeeping could reduce that annual cost by at least one-third.
- Two issues addressed by the 2005-2006 legislature suggest the cost of trying to retroactively address recordkeeping problems. The legislature moved to address a backlog of 40,000 hours of tape-recorded committee testimony through digitization. The tapes are not only deteriorating but also tape technology is losing market support. Vendor estimates for digitizing the backlog were consistently in the \$770,000 range. While the legislature decided to do the work in-house, it will still take the equivalent of tens of thousands of hours of staff time to complete the conversion. The other issue was "ancient roads," that is legacy public rights of way that can no longer be easily documented. There is currently a proposed \$888,000 levy on the property transfer tax to help towns locate their ancient roads, primarily through research in municipal, county and state records.
- The lack of effective records management, combined with the archives' inability to physically accept archival records, requires state employees to perform reference services in addition to their own work; reference work complicated by difficulties in identifying records in response to public records requests. While no good figures exist for these costs, three recent proposed charges for complying with public records requests suggest the scope of the problem. In these three cases the custodians of the records estimated that it would cost their agencies \$180,000, \$16,000 and \$10,000 to locate and review the requested records.
- In addition state and local governments are increasingly absorbing the costs of litigation over access to records, from Judicial Watch's suit over access to the Governor Dean records to QueVt's suits to gain access to municipal records. Another, incalculable cost is in public perceptions that government is neither transparent nor responsive.

The solid progress made during 2005 has led to an increasing number of opportunities for the archives. While we maintain sufficient flexibility to take advantage of unanticipated opportunities, during 2006 we have identified four priorities:

- Take next steps toward construction of a new archives facility, preferably within a consolidated secretary of state's office.
- Continue to support comprehensive approaches to recordkeeping through use of the preliminary strategic management plans developed in 2005.
- Create and test common tools for managing information and records.
- Increase awareness and use of archival records.

Archives and research facility

The greatest challenge remains the inadequate archival and research space. The current space is not only a barrier to implementing an enterprise-wide archival management program, but also threatens the records already at the archives.

The current facility continues to deteriorate, putting the State's most valuable records at risk.

- On December 15, 2005 a sewer pipe broke twice in one day, causing leakage into a room directly over the vault. When a burst water pipe flooded that room in 2004 the water leaked into the vault (see 2004 annual report at: <http://www.vermont-archives.org/2ndAnnualReport.pdf>). Luckily the sewer pipe breaks occurred during work hours so repairs were made before the waste water penetrated the vault.
- The archives' processing and other basement rooms continue to experience water penetration during rains storms and snow melts, most recently on January 18 and February 3 and 5, 2006. While the water did not reach the vault, there continues to be the risk of mold blooms on records ranging from Vermont's 1777 Constitution to records of our more recent debates on health care, school expenses, and civil unions.

The lack of space undermines the archives ability to develop and implement more effective recordkeeping. The staff must focus on managing space not records in order to accept records mandated for regular deposit (primarily legislative and gubernatorial records).

This requires expensive item-level handling of large collections in order to arrange, weed, and otherwise prepare the records for reformatting. After fifteen years of focusing on keeping sufficient vault space free in order to accept mandated acquisitions, the archives is confronting an irreducible core of paper records. That is why the archives was only able to free up 30 cubic feet of vault space in 2005.

Processing and reformatting therefore is only applied to in-coming records. Experience suggests that we can reduce newly acquired records by up to 50% simply

by weeding out duplicates and non-archival material. The trade off is that this work requires time and resource-consuming item-level appraisal and handling.

Analysis of the reformatting work done over the last six years indicates that it costs, on average, \$400 to reformat a cubic foot of archival records. This is not only a drain on staff and budget, but also prevents the staff from working with the creating agencies so that records are appraised, arranged and weeded before coming to the archives.

It would be more effective to work with agencies to manage records from point of creation, rather than retroactively process the records once they arrive at the archives. As long as the archives has to focus on freeing vault space, however, it cannot sustain agency partnerships to prospectively manage records.

The scope of the space problem can be defined through comparison with other state archives. For example, the average state archives' vault capacity of the other six states with populations of fewer than one million people is approximately 38,000 cubic feet. The Vermont state archives has a capacity of 1,500 cubic feet.

To further illustrate the impact of an inadequate archival facility, an analysis of records *already appraised as archival* indicates that there are currently 15,000 cubic feet eligible for transfer to the archives. That figure does not include the largely unexamined records of executive agencies.

Vault space is only part of the issue. The current reference room can only accommodate up to six researchers at a time. Statistical analysis of use at other state archives suggests that if archival records were consolidated under the secretary of state we would need to accommodate an average of 19 researchers a day.

The opportunity for addressing this problem is the on-going interest of the two legislative institutions committees and the department of buildings and general services in finding a solution. As noted the 2005 legislature funded site selection for a new facility. The legislature and BGS are working from that report and there is currently money in the capital construction bill for site design.

A comprehensive approach to recordkeeping

The work of the archives, the secretary of administration, the court administrator's office and the Vermont Institute on Government Effectiveness consistently emphasized the need for comprehensive approaches to solving government issues, including recordkeeping. The archives' particular challenge is a government culture that does not consistently view records and information as integral to its functions. Sporadic efforts to address recordkeeping are usually done through an ad hoc, agency by agency approach.

The limitations of this ad hoc approach are exposed by two opposing realities. First, as government services become increasingly diverse and complex, records and information are often shared across bureaucratic boundaries. Second, the

introduction of information technology into offices has further decentralized the management of records and information by eroding traditional secretarial and clerical roles. Where once secretarial or clerical maintained centralized department records, now workers work from their own workstations and become, in effect, their own records managers. Idiosyncratic file naming, managing of draft versions, or disposal decisions make consistent record management impossible.

Our analysis found cases where identical records were unknowingly preserved or reformatted by different agencies; where confidentiality requirements of records were not always understood as the records crossed from one office to another and, in one case, where an agency destroyed its records unaware that another agency used them for federal reporting requirements.

The 2005 report of the Vermont Institute on Government Effectiveness confirmed these findings, noting that there was no global view of information; a persistence of agency information “silos” unknown or inaccessible outside the creating agency; and the lack of coordinated planning.

The key opportunity that comes out of the Institute’s report is the agency of administration’s commitment to a strategic enterprise initiative (SEI) to develop a more global understanding and approach to information technology and the work flow and business it supports. During 2005 the archives worked with the executive and judicial branches to incorporate a high-level records and information management function within the SEI. Part of that work envisioned intra-agency and inter-branch coordinating bodies to share information and practices on information and records management. Where appropriate the common practices would be developed across state government (See Appendix B).

In 2006 the archives will continue to work with the agency of administration and court administrator to establish these coordinating bodies and begin implementation of the preliminary strategic management plans developed during 2005.

Creating common tools for managing information and records

The lack of tools, guidance and training is both a cause and consequence of the current lack of support for information and records management. The absence of tools is notable even between the shared responsibilities of secretary of state (archival) and buildings and general service (records management programs). While a closer working relationship was established by Act #3 of 2003 (see 3 V.S.A. §218(a) and (b), for example), there were no common tools for identifying archival records or setting retention policies for all records..

Historically this meant that agencies requesting advice might receive different or even conflicting advice from the programs. Indeed, as agencies become more concerned about their records, often through implementing new IT initiatives, they do not know where to seek advice. As noted earlier, one digital imaging project sought advice from the attorney general’s office on the legal acceptability of scanned documents and from the Department of Information and Innovation (DII) on

technical questions (DII provided a copy of the archives' digital imaging guidelines). Only after the project was under way did the agency contact BGS about scheduling the paper records once scanned and the archives about whether all the records being scanned had a continuing legal or administrative value. In other words the agency made a good faith effort to do right but did not know who to contact when, or which questions to ask of each consulted department.

During 2005 various guidelines and tools were developed and are now being tested. During 2006 more guidelines will be put on-line and the archives, through its SEI partnerships and other opportunities, will begin providing records and information management training.

Increase awareness and use of archival records

A long standing challenge is that neither government nor the public has a good understanding of what archival records are available to them. Even the two State records programs have not been clear about each other's holdings. Consequently the records are underutilized.

Following Act #3 of 2003, which clarified the archives' administration of all State archival records, the archives began to develop a collection-level database to the archival holdings of the secretary of state's office and at the BGS record center. During 2005 the first phase of that database was completed. A goal for 2006 is to put the database on the archives' website.

Also in 2005 a database was created from the Nye Index, a name index to the archives' earliest records, and completed for 18th century entries. The database allows users to search by personal names, town, subject or date. A goal for 2006 is to put the database on the archives' website.

The above two efforts recognize the opportunity the Internet provides in allowing potential users to understand what collections and records are available without having to visit the archives. A next step will be to provide on-line texts of selected archival records. One project will be to provide online copies for all gubernatorial inaugurals.

CONCLUSION

Vermont is the last state to create statutory authorities for effective archival and information management. Significant progress was made in 2005 in laying the ground work for better management. The remaining challenges are great, driven in part by the State's increasing dependence on information technology, including the use of the internet for citizen to government and government to government communication and transactions.⁴ Therefore the archives' focus will remain on establishing prospective practices in order to address the issues associated with government's reliance on information technology. The retrospective management of

⁴ For example, managing web pages in accordance with the public records laws raises special challenges.

records and information can only be applied once the strategic enterprise approach has been implemented. The program outlined for 2006 is ambitious and relies upon continued high level support within the executive and judicial branches. A similar high level partnership remains to be established with the legislative branch.

The archives welcomes these challenges and acknowledges the strong support it has received from Deputy Secretary of Administration Steve Gold; Michael Pratt of the Court Administrator's Office and Mark Reaves from BGS.

STEPS FOR IMPLEMENTING A COMPREHENSIVE RECORDS RETENTION AND DISPOSITION POLICY

| STEPS | GOALS | METHODS | TOOLS | PRIMARY BENEFIT |
|---------------------------|--|--|---|--|
| Program Assessment | <ul style="list-style-type: none"> ▪ Understand current practice ▪ Recognize problems ▪ Assess needs ▪ Identify change elements⁵ | <ul style="list-style-type: none"> ▪ Interviews ▪ Observation ▪ Document analysis ▪ Cross-case analysis ▪ Narratives | <ul style="list-style-type: none"> ▪ Data collection form ▪ Analytical benchmarks ▪ Record inventories ▪ Statistics, studies, and reports ▪ Report to decision-maker | Recognition of specific records management problems and/or needs and stimulus for creating a records management program |
| Knowledge | <ul style="list-style-type: none"> ▪ Increase awareness of records management ▪ Explain benefits of records management ▪ Illustrate how RM can be used ▪ Link RM function to information flow | <ul style="list-style-type: none"> ▪ Publicize information ▪ Group discussion ▪ Cross-case analysis ▪ Information flow analysis | <ul style="list-style-type: none"> ▪ Website for Program ▪ Meetings ▪ Statistics, studies, and reports ▪ Report to decision-maker | Exposure to the concept of records management and tools that can facilitate the management process |
| Evaluation | <ul style="list-style-type: none"> ▪ Identify where records are generated ▪ Complete an initial archival appraisal ▪ Recommend retention periods ▪ Distribute an initial records schedule | <ul style="list-style-type: none"> ▪ In-depth function analysis ▪ Member checks ▪ Cross-case analysis ▪ Concept mapping | <ul style="list-style-type: none"> ▪ Appraisal database ▪ Meetings ▪ Statistics, studies, and reports ▪ Report to decision-maker | Illustrates the advantages of a records management program while also addressing questions of compatibility and complexity |
| Decision | <ul style="list-style-type: none"> ▪ Classification of all records ▪ Understand the legal requirements ▪ Understand work functions ▪ Comprehensive records schedule | <ul style="list-style-type: none"> ▪ Legal analysis ▪ Group discussion ▪ Workflow analysis ▪ Full archival appraisal | <ul style="list-style-type: none"> ▪ Appraisal database ▪ Meetings ▪ Initial records schedule ▪ Statistics, studies, and reports | Commitment to establish a records management program with greater understanding of records and management needs |
| Implementation | <ul style="list-style-type: none"> ▪ Systems compatibility ▪ Redesign and/or restructure where needed ▪ Gradual execution of RM tools ▪ Records management is incorporated as a regular activity | <ul style="list-style-type: none"> ▪ Systems analysis ▪ Workflow analysis ▪ Group discussion ▪ Trials ▪ Publicize information | <ul style="list-style-type: none"> ▪ Trustworthy systems checklist ▪ Statistics, studies, and reports ▪ Workshops ▪ Focus groups ▪ Website, manuals, etc. | Formalized adoption of a records management program |
| Confirmation | <ul style="list-style-type: none"> ▪ Records schedule is actively used ▪ Mechanism for keeping program current ▪ Oversight | <ul style="list-style-type: none"> ▪ Publicize information ▪ Group discussion ▪ Annual review | <ul style="list-style-type: none"> ▪ Website for Program ▪ Scheduled workshops ▪ Certification process | An active records management program that is regularly updated and evolving as needed |

⁵ Change elements can include any of the following: strategies, policies, processes, tasks, services, service delivery, staffing issues, financial resources, training and development, structure, collaborations, and culture.

Archival appraisal: Research method for identifying records of permanent value by appraising the complexity and relative importance of government functions, subsequent sub-functions, programs, activities, and tasks that the records support.

Concept mapping: Concept mapping is a technique to visualize the structure of information – how concepts are interrelated. Concept mapping can be used in various applications, including brainstorming ideas, designing a complex structure, analyzing processes, and communicating a multifaceted system.

Cross-case analysis: Cross case analysis enables the evaluation of multiple cases in many divergent ways, which would not be possible within a single case analysis. The case comparison can be made against predefined categories, in search of similarities, differences, or reoccurring patterns, or by classifying the data according to data sources.

Document analysis: Document analysis is the process of examining a set of documents that are used to support specific business goals and objectives. A document could be in any form, ranging from a technical manual used to support operations to a website or more formal publication to a specific record or even an e-mail message. Document analysis is generally applied with other research methods.

Function analysis: Analysis of related activities and/or projects that are part of a process for which an organizational unit is responsible. It is also the principle purpose a program is intended to serve. Function may also be referred to as a PROCESS.

Group discussion: A data collection method used to develop a deeper understanding of a particular issue, gather multiple viewpoints, and assess areas of consensus.

Information flow analysis: An analysis of how information (a record) is received, shared, stored, controlled, used, and transmitted by an organization.

Interviews: A data collection method used to develop a deeper understanding of a particular issue. Interviews can be structured, semi-structured, or unstructured.

Legal analysis: An examination of a record's legal and regulatory requirements, including any restrictions on use. Legal analysis is used to establish retention periods, limit restriction periods, and identify potential statutory changes.

Member checks: Member checks are used to confirm that the perceived findings from the in-depth records analysis are consistent with the creator's understanding of the records, their functions, or the manner in which they were created or are used.

Narratives: Recounting of an individual or organizational unit's particular experience.

Observation: A data collection method used to develop a deeper understanding of a particular issue within the context that it exists.

Systems analysis: Systems analysis is an explicit formal inquiry of everything from hardware to organizational structure that helps identify the best course of action and the best decision. Aspects of systems analysis include: feasibility, cost-effectiveness, risk-benefit, behavior modification and usability, and data/information structuring. Systems analysis is comparable to operations research.

Workflow analysis: Workflow analysis is a method used to examine a business process, in whole or part, during which documents, information or tasks are passed from one participant to another for action, according to a set of procedural rules.

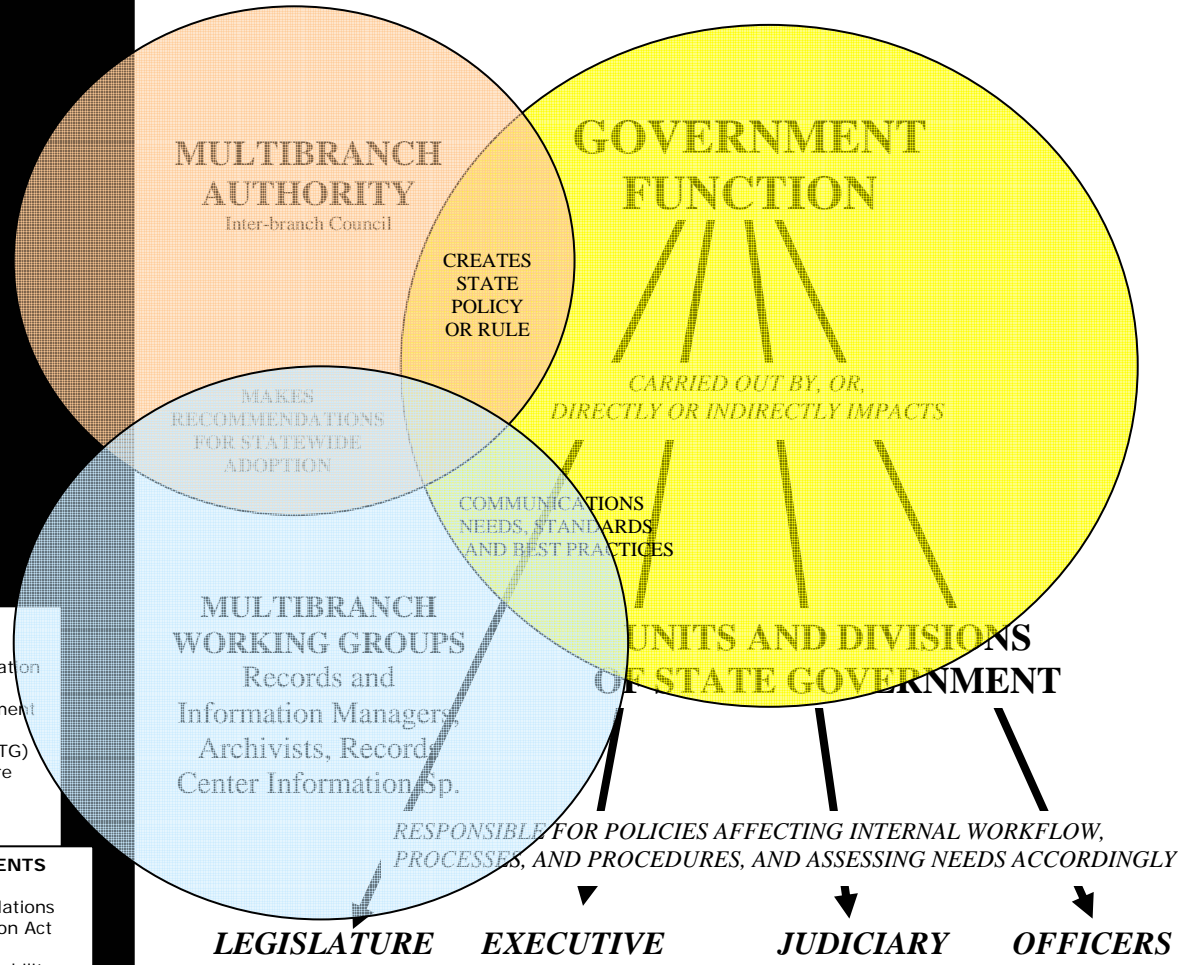
Standards, Professional Knowledge, and Resources

VERMONT STATE GOVERNMENT

- STANDARDS ORGANIZATIONS**
- American National Standards Institute (ANSI)
 - National Information Standards Organization (NISO)
 - Association for Information and Image Management International (AIIM)
 - International Federation of Library Associations and Institutions (IFLA)
 - National Map Accuracy Standards (NMAS)
 - International Standards Organization (ISO)
 - The Association for Information Management Professionals (ARMA)
 - Conference of State Court Administrators and the National Association for Court Management (COSCA/NACM)
 - National Institute of Standards and Technology (NIST)
 - Integrated Justice Information Systems (IJIS)
 - Dublin Core Metadata Initiative (DCMI)
 - Institute of Electrical & Electronics Engineers (IEEE)
 - American Association of Motor Vehicle Administrators (AAVMA)
 - Federal Records Administration (FRA)
 - State Records Administration (SRA)
 - Government Information Systems (GIS)
 - Technical Information Systems (TIS)

- BEST PRACTICES**
- National Archives and Records Administration (NARA)
 - The Association for Information Management Professionals (ARMA)
 - Center for Technology in Government (CTG)
 - National Digital Information Infrastructure and Preservation Program (NDIIPP)
 - World Wide Web Consortium (W3C)
 - United States National Spatial Data Infrastructure (NSDI)

- FEDERAL REQUIREMENTS**
- Code of Federal Regulations
 - Freedom of Information Act (FOIA)
 - Health Insurance Portability and Accountability Act (HIPAA)
 - Family Educational Rights and Privacy Act (FERPA)



Vermont Secretary of State
Office of Vermont State Archives

FOURTH ANNUAL REPORT
on
ARCHIVAL RECORDS MANAGEMENT

Deborah L. Markowitz, Secretary of State

D. Gregory Sanford, State Archivist

February 2007

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Report of the State Archivist 2006

This is the fourth annual report of the State Archives as required by 3 V.S.A. §117(3)(c). It covers the Archives' activities during calendar year 2006.

Records are the most valuable resource owned by the State. Government records document legal obligations, program development and service delivery, as well as economic, environmental, and social trends. This information can guide policy development and program measurement. It can inform citizens about the actions of their government and about economic, environmental and social realities and opportunities.

The State, however, has not consistently managed records and information in ways to achieve these results. Records are often difficult to locate and access within and across agencies and departments. The ability to develop longitudinal perspectives is retarded by this persisting lack of management. Citizens can be frustrated in trying to locate information.

There is growing concern about this lack of management. Act 132 of 2006 required analysis of current record and information management practices and of how government responds to public record requests. The Governor's strategic enterprise initiative for information management fostered studies on how workflow and business processes can be made more effective. The move by some agencies to implement content management systems forced understanding that such systems can only be effective if comprehensive and up to date record management programs are in place.

In 2006 the Archives developed working relationships with the records management program within Buildings and General Services and with the Department of Information and Innovation to better coordinate shared management responsibilities. We added additional agency and municipal partners, notably the Agency of Natural Resources, Human Resources, and the Town of Colchester. Through these and other partnerships the Archives continued to build tools to assist the development of comprehensive record management plans. Specific developments will be laid out in the following report.

Respectfully submitted,

Gregory Sanford
State Archivist

PART I

OVERVIEW OF THE STATE ARCHIVES

While the secretary of state was first assigned archival duties in 1782, it was not until 2003 that the general assembly enacted the authorities necessary for effective archival management (Act #3, 2003; 3 V.S.A. §117). Vermont was the last state to enact such authorities.

Archival records are institutional records with a continuing legal, administrative or historical value. *Archival management* is “the systematic identification and management of archival records to assure their authenticity and accessibility from point of creation to ultimate disposition” (3 V.S.A. §117(a)(1)). Disposition includes transfer to the custody of the archives.

Records management, which is not defined in Vermont statutes, is defined by the Federal government as the “managerial activities involved with respect to records creation, records maintenance and use, and records disposition in order to achieve adequate and proper documentation of the policies and transactions of the Federal Government and effective and economical management of agency operations” (36 CFR 1220.14).

While Vermont does not define records management it does require agencies to “establish, maintain, and implement an active and continuing program for the effective management, preservation, and disposition of records” (3 V.S.A. §218(b)) and assigns the commissioner of BGS and secretary of state authorities for approving components of those programs.

Appraisal, the analysis of records to determine how long they retain legal, administrative or informational values, is essential to both archival and records management. Authority to appraise records resides with the archives (3 V.S.A. §117(a)(3)).

As the above illustrates, Vermont fragments components of records management between the archives and BGS. The advent of information technology further diffuses the broad authorities over the management of records. The secretary of administration, for example, shall annually submit a technology plan to the general assembly. The plan shall address the “creation, collection, processing, storage, management, transmission or conversion of electronic data, documents or records” (3 V.S.A. § 2222((a)(10)(A)). In addition the agency of administration oversees the Department of Information and Innovation and has a director of strategic change responsible for the Strategic Enterprise Initiative. During 2006 the archives worked to improve communication and, where possible, coordination among these programs. It did so through partnerships and, in the case of BGS, through a memorandum of understanding to provide unified guidance on recordkeeping to agencies.

As in past reports, the overview must include reference to the inadequacy of the archives’ current physical space in terms of capacity and in providing a safe environment for the State’s most valuable records. Without better capacity and security a professional archival management program cannot be implemented or sustained. A 2006 Capital

Construction appropriation of \$650,000 provided for site assessment and final designs for a new archives and research facility.

Staff

The archives has three professional archivists and two administrative assistants. The administrative assistants also supervise Vermont notaries; provide clerical oversight of the secretary of state's rulemaking responsibilities under the Administrative Procedures Act; and fulfill the Legislative Clerk duties as set out in 3 V.S.A. §106(4) and (5).

MISSION

Document the rights of citizens, the actions of government, and the history of public policy by:

- Supporting the efficient and effective management of essential government information;
- Appraising recorded information, regardless of format, for evidentiary and archival value;
- Systematically receiving a comprehensive, reliable, and authentic body of State archival records;
- Promoting and enhancing the use of the State's archival records by Vermont's government and citizens.

GOALS

- Advocate for openness and accountability in government.
- Ensure the preservation of, and access to, evidence of key government transactions through the development and implementation of a sustainable archival management program for all of state government.
- Provide expert advice and guidance on the principles and practices of archives, records, and information management.
- Support state institutions, political subdivisions, and individuals engaged in archival management and historical research.

AUTHORITY

The primary statutory authority for the state archives can be found in 3 V.S.A. §117 and in the broader accountability requirements of Article VI, Chapter I of the Vermont Constitution.

During 2006 the archives continued to make significant strides toward creating the knowledge, partnerships and tools required for the effective management of State records and information. While the year's accomplishments are too extensive to enumerate in detail, the following list of performance measures provides a sense of the progress made this year.

Archives and Research Facility

Take custody of archival records 3 V.S.A. §117(g)(7)

- The ability to take custody of archival records has long been stymied by the current inadequate archives' facility. On-going records appraisal has identified, to date, 15,000 cubic feet of archival records eligible for immediate deposit with the archives. The current archives' vault, which is full, has a capacity of 1,500 cubic feet, the smallest capacity among all state archives. The 2006 Capital Construction Act included \$650,000 for site assessment and final designs for a new archives and research facility to be located on the "triangle" off of Dog River Road. Truex Cullins and Partners were awarded the contract and are working with BGS and the Archives. Construction funds will be sought during 2007.

Information Requests

Permit the public to inspect, examine and study the archives §117(g)(9)

(In 2006 the archives changed how it tracked requests making accurate comparisons to previous years totals impossible)

- The archives staff responded to approximately 3,000 information requests during 2006.
- Information requests are increasingly made via telephone or e-mail rather than onsite visits. Two-thirds of all requests were made by phone or e-mail.
- The archives website was visited 235,680 times between January and December 2006.
- Indicating the interest in guidance for managing public records, the managing records section of the archives web site received 38,312 visits during 2006.
- The online notary public guide information section received 13,991 visits between February and December 2006.
- Notices of proposed administrative rules, first put on-line in October 2004, were visited over 8,140 between July and December 2006.

Establish Archival Management Programs

Cooperate with agencies to establish archival management programs 117(g)(3)

- A focus in 2006 was to tighten cooperation with the Department of Buildings and General Services and the Department of Information and Innovation, the other two entities with broad, cross-government authorities for advising on recordkeeping. The goal was to create uniform, standards-based advice from all three programs. In September the archives signed a memorandum of understanding with BGS to coordinate advice. The archives, DII and BGS are

also working together on record management standards to guide agencies seeking to implement content management systems.

- In addition to partnerships established last year, the archives is working with Human Resources and the Agency of Natural Resources for the development of comprehensive record and information management plans. This builds on the 2006 joint report of the secretary of administration and archives on comprehensive record and information plans for executive agencies. The report is at: <http://vermont-archives.org/publications/legislative/pdf/LegReport06.pdf>
- The archives established a partnership with the Town of Colchester to assist with their efforts to create an e-municipal government model. The archives also worked with the towns of Guildhall and Wilmington and created a prototype database to help index municipal land records.
- The archives worked with the Legislative Council on the public records study mandated by Act 132 of 2006.
- The archives continued to work with, and provide administrative support for, the Municipal Land Records Commission (Sec. 49(b), Act #66, 2003) to develop the systematic management of municipal land records. The archives maintains the Commission's website at: <http://vermont-archives.org/records/vtmlrc/> Dick Pecor, Colchester's information technology specialist, was appointed the archives representative to the Commission. The Commission is working with the indexing database the archives developed as a possible model.

Develop Standards

Develop and coordinate standards, procedures and techniques for archival records 117(g)(4)

- The archives created a "managing records" section to its web page (go to: <http://vermont-archives.org/records/>). The section includes links to what standards exist, guidelines for managing records, and tools such as a database to Vermont's public records laws.
- As noted, the archives drafted a memorandum of understanding with BGS. The memorandum, which was signed in September, commits BGS and the archives to being "unified in their advice, assistance, and information to public agencies concerning archives, records and information management;" to adhering to industry standards; and to sharing resources (See Appendix C).
- The archives continued to build a relational database for establishing better controls over archival records and for assisting agencies in identifying and scheduling records. Key to the database is a controlled vocabulary so record types, business activities, functions, etc are consistently described across agencies. Tables within the database also help identify laws governing record requirements within agencies and across government; existing disposition orders issued by BGS over the years; and other information needed for establishing comprehensive record management plans. The database is being built through the partnerships with a goal of creating an online version accessible to agencies.

Recognition

Recognition of the archives as a service within government resulted in increasing requests for assistance on everything from managing records to right to know and access to public records questions. The “managing records” section of the archives web site, which includes the “right to know” database, received 38,312 visits since July

In July the archives received a certificate of appreciation from the Council of State Archivists for its contributions to a national guide on managing gubernatorial records.

This past year was particularly productive as the archives continued to implement the new archival management authorities that went into effect on July 1, 2003. The archives' most pressing need, a modern archives and reference facility, was examined through a site selection process funded by a 2005 Capital Construction appropriation. Consequently the 2006 legislature approved \$650,000 for site assessment and final design for a facility on the Dog River Road in Montpelier.

As noted in the third annual report the first efforts to implement the new archival authorities focused on analysis of the current recordkeeping practices across government and the identification and development of tools to assist agencies in managing their records (<http://vermont-archives.org/publications/annual/pdf/3rdAnnualReport.pdf>). That work continued in 2006 through more refined *analysis* of recordkeeping within our partners' organizations. This work contributed to further development of *tools* for managing records within the archives custody and within partner agencies. A third major effort in 2006 was to better *coordinate services* among the three entities with broad recordkeeping authorities, the archives, BGS, and DII. The final major effort was to *enhance access* to government records and information.

Analysis

During 2006 analysis focused on recordkeeping within three partner organizations: Natural Resource, Human Resources, and the Town of Colchester. All three had already embarked on their own analysis, primarily within the context of planning for new information technology (IT) systems. These established efforts provided opportunities for the archives to test the six step process developed for implementing comprehensive records retention and disposition policies (Appendix A). Analysis fell within the first three of those steps (program assessment, knowledge, and evaluation) and was greatly aided by the partners' ongoing record and information management analyses.

In each case analysis included the partner's current record program; what state and federal mandates governed the records; what businesses processes were in place and what record types each produced; and what internal and external information flows occurred. Since the organizational structures that produce records change over time some initial analysis was done on agency histories and functions (since functions are more stable than bureaucratic structures). An agency history, for example, allowed us to identify the changing administrative placements and titles of the executive branch planning office. Functional analysis allows views of a function, such as permitting, across agencies and over time.

Though on the surface the three partners were entirely distinct, analysis revealed commonalities. For example, Human Resources manages records such as personnel records that are common across agencies. To understand the mandates and processes used by Human Resources in managing personnel records will allow for the development of consistent statewide management practices and for ending duplication of efforts and costs. Similarly, working with ANR and Colchester gave understanding of how permitting information and records needed to be coordinated between municipal and state entities.

As legal mandates, record types, etc were identified within each partner's organization they were added to a database created by the archives. Using professional standards a thesaurus of record type names was developed so that each agency can use the same nomenclature to identify the same types of records.

Tools

As noted, information gathered from the analyses was entered by archives staff into a database. Where controlled vocabularies were established, such as with record types, the archives created drop down lists to facilitate entry of consistent information.

The database will allow the archives and its partners to run reports that can be the basis for comprehensive record schedules and for easily identifying information and records. The database will become a major tool for creating and sustaining such schedules (each agency, for example, can update changing mandates simply by updating the database and running new reports).

As the databases are populated and tested the archives will make them available as online tools that agencies can use to meet their record management responsibilities under 3 V.S.A. §218. Other online versions will enhance the accessibility of records by providing comprehensive views of public records, the information they contain, and any restrictions on access.

One database tool that did go online in 2006 was the archives database on right to know/public record laws. The database allows the user to search by agency or category in order to determine what records are exempt, or by extension, open. The database can be found at: <http://vermont-archives.org/records/access/database/index.htm>. This not only provides agencies with a view of some of their record mandates but also allows citizens to better understand what records are accessible.

The archives also began to provide guidance on managing records through its website (<http://vermont-archives.org/records/>). The desire for such advice is demonstrated by the 38,000 visits to this site since it was put up in July. As more guidelines are developed they will be added to the site.

Coordinate Services

Historically a barrier to effective record and information management has been the fragmentation of core functions among different entities. The first crucial step to effective record and archival management is appraisal. Under 3 V.S.A. §117(a)(3) the authority to appraise resides with the archives. Approval of agency record plans is shared by BGS and the archives. Providing guidelines and advice on records management, including rule making, is also divided between BGS and the archives.

Fragmentation has led to different or even contradictory practices and recommendations, confusing agencies about where to seek authoritative and consistent advice. Common in the 1930s, administratively distinct archival and records management services are now recognized as barriers to effective point of creation to ultimate disposition management. In 1985 records management was transferred from the federal General Services

Administration to the National Archives, creating the National Archives and Records Administration. Similar consolidation has occurred at the state-level and Vermont is now one of only twelve states that have not consolidated archival and records management (consolidation is usually, but not exclusively, under the archives). The January 2007 report of the Legislative Council on Public Records Requirements in Vermont noted the problems with fragmentation and called for consideration of uniting record and archival management under the secretary of state.

The advent of information technology has led to further fragmentation of responsibilities, with the secretary of administration having responsibility for electronic records (3 V.S.A. §2222((a)(10)(A)). This responsibility is primarily carried out by the Department of Information and Innovation.

While a long term goal remains of consolidating the record and information management functions of BGS and the archives, in 2006 a memorandum of understanding committed the two programs to coordinating their advice to agencies. One result was a general agreement to replace the old system of disposition orders issued by BGS with record schedules.

Disposition orders in large measure reflect the longstanding misidentification of records management as managing the physical volume of records. As records filled office space agencies would seek BGS's approval to transfer to the record center, microfilm, or destroy their records. The information value, legal mandates or business needs were not consistently applied. In addition a disposition order was often not sought until long after records were created, rather than established from the point of the record creation. Over the last 70 years some 11,000 separate disposition orders were created. Many were approved on an ad hoc, agency by agency basis. Consequently similar records within and across agencies were given different or conflicting disposition orders. Many agencies simply kept adding new records to old disposition orders, making it impossible to identify and retrieve records. In some cases agencies continue to apply 60 year old disposition orders though their business processes and mandates have changed significantly.

A record schedule, which is based on a comprehensive record inventory, focuses on the value of record content and develops a consistent way to incorporate mandates and business processes from the point of creation to final disposition. Record schedules are standard in most businesses and governments.

While a general agreement was reached switching the record schedules, the new system has not yet been implemented.

The third broad authority for managing records--the management of informational technology--should remain under the secretary of administration, but there must be similar coordination with the traditional records programs. IT systems, after all, are used to create, store, transmit, and manage records and information. Without comprehensive record and information programs the effective design and implementation of IT cannot occur.

To achieve coordination the archives and BGS began working with DII through a series of task forces. The umbrella group is the Record Management Task Force consisting of representatives from the archives, DII and BGS. This group participates with agency task forces already working on either strategic enterprise initiatives, analysis of their own record programs, or design of content management systems. The flow between these task forces and the umbrella task force provides essential information and feedback to all parties. This is a step toward the model of record management partnerships developed in the 2006 report by the state archives and secretary of administration (see Appendix B).

The goal of the task force is to identify and establish record management requirements that must be part of all IT design. Achieving that goal would allow all three record authorities to provide common advice and tools to agencies.

Enhance Access

Throughout 2006 the archives worked to enhance awareness of and access to archival records. Three efforts are noted below.

- The record series database. This is an online database on the archives website that allows people to discover what archival records have been preserved. The database allows a user to search by agency, series identification number, or series description. For example, a researcher could type “education” into the description field to find record series that include education in their title. The database is at: <http://vermont-archives.org/research/database/series.asp>
- The “Nye Index” database. This online database references the pre-1800 records held by the archives. A user can search by personal name (Ethan Allen, for example); keyword (petition or Williston, for example) or by date. The database is at: <http://vermont-archives.org/research/database/nye.asp>
- Gubernatorial inaugural and farewell addresses. This is an online, searchable presentation of the full text of all inaugural and farewell addresses. The value of the addresses is that governors usually address the same topics. This provides users with a longitudinal view of how we have defined and addressed education, taxation or other key issues. The texts are found at: <http://vermont-archives.org/govhistory/gov/govinaug/index.htm>.

The solid progress made during 2006 has led to an increasing number of opportunities for the archives. While we maintain sufficient flexibility to take advantage of unanticipated opportunities, during 2006 we have identified four priorities:

- Complete design and begin construction of a new archives facility.
- Continue to support comprehensive approaches to recordkeeping through use of the preliminary strategic management plans developed in 2006.
- Create and test common tools for managing information and records.
- Increase awareness and use of archival records.

Archives and research facility

The greatest challenge remains the inadequate archival and research space. The current space is not only a barrier to implementing an enterprise-wide archival management program, but also threatens the records already at the archives.¹

During 2007 design work should be completed for the facility and initial construction funds will be sought.

A comprehensive approach to recordkeeping

During 2007 the archives will continue to work through the Record Management Task Force and with its partners to complete all six steps within the Comprehensive Records Retention and Disposition plan (Appendix A). The work should result in a refined plan and actual comprehensive schedules for the partner agencies.

The archives will continue to develop tighter coordination among the three broad record authorities. While the goal remains consolidating the management authorities currently fragmented between BGS and the archives, immediate steps will focus on giving force to the memorandum of understanding. For example, the general agreement to replace the old disposition order approach with record schedules must be put into effect. To do so the archives is drafting a series of agreements to guide implementation of record schedules and other, more modern practices.

The archives will also seek better coordination with the strategic enterprise initiative. This is important since some of the information being generated through the initiative, such as agency analyses of their workflow, are crucial for developing comprehensive schedules.

Creating common tools for managing information and records

The experience and information gained through the work with the Records Management Task Force and other partners will continue to be added to the archives

¹ See the Third Annual Report for a fuller description of problems. The report is at: <http://vermont-archives.org/publications/annual/pdf/3rdAnnualReport.pdf>

appraisal databases and made available online. This will create an accessible tool for all agencies so they can come into compliance with their management plans as set out in 3 V.S.A. §218. The archives will also seek new partners to assist in the application of these tools.

Increase awareness and use of archival records

The archives will continue to add to the online record series database so users have consistent, basic information about what archival records are available.

Funding opportunities will be explored for adding post-1800 entries to the Nye Index.

The archives will identify current issues and, as records are processed, will add online presentations that can help inform public discussion and action on such issues. Two areas being explored, but not yet agreed on, are presentations of the archives map collections (to help with ongoing “ancient road” research) and records from previous State planning efforts (to better understand what past planners wanted to preserve or change and, consequently, provide context for current planning).

CONCLUSION

Vermont is the last state to create statutory authorities for effective archival and information management. Significant progress was made in 2006 in laying the ground work for better management. The remaining challenges are great, driven in part by the State’s increasing dependence on information technology, including the use of the internet for citizen to government and government to government communication and transactions.² Therefore the archives’ focus will remain on establishing prospective practices in order to address the issues associated with government’s reliance on information technology. The retrospective management of records and information can only be applied once the strategic enterprise approach has been implemented. The program outlined for 2007 is ambitious and relies upon continued high level support within the executive branch. We are grateful for the sustained support from BGS Commissioner Tasha Wallis; Robin Orr, the head of the BGS record management program; and Tom Murray and his staff at DII.

² For example, managing web pages in accordance with the public records laws raises special challenges.

STEPS FOR IMPLEMENTING A COMPREHENSIVE RECORDS RETENTION AND DISPOSITION POLICY

| STEPS | GOALS | METHODS | TOOLS | PRIMARY BENEFIT |
|---------------------------|--|--|---|--|
| Program Assessment | <ul style="list-style-type: none"> ▪ Understand current practice ▪ Recognize problems ▪ Assess needs ▪ Identify change elements³ | <ul style="list-style-type: none"> ▪ Interviews ▪ Observation ▪ Document analysis ▪ Cross-case analysis ▪ Narratives | <ul style="list-style-type: none"> ▪ Data collection form ▪ Analytical benchmarks ▪ Record inventories ▪ Statistics, studies, and reports ▪ Report to decision-maker | Recognition of specific records management problems and/or needs and stimulus for creating a records management program |
| Knowledge | <ul style="list-style-type: none"> ▪ Increase awareness of records management ▪ Explain benefits of records management ▪ Illustrate how RM can be used ▪ Link RM function to information flow | <ul style="list-style-type: none"> ▪ Publicize information ▪ Group discussion ▪ Cross-case analysis ▪ Information flow analysis | <ul style="list-style-type: none"> ▪ Website for Program ▪ Meetings ▪ Statistics, studies, and reports ▪ Report to decision-maker | Exposure to the concept of records management and tools that can facilitate the management process |
| Evaluation | <ul style="list-style-type: none"> ▪ Identify where records are generated ▪ Complete an initial archival appraisal ▪ Recommend retention periods ▪ Distribute an initial records schedule | <ul style="list-style-type: none"> ▪ In-depth function analysis ▪ Member checks ▪ Cross-case analysis ▪ Concept mapping | <ul style="list-style-type: none"> ▪ Appraisal database ▪ Meetings ▪ Statistics, studies, and reports ▪ Report to decision-maker | Illustrates the advantages of a records management program while also addressing questions of compatibility and complexity |
| Decision | <ul style="list-style-type: none"> ▪ Classification of all records ▪ Understand the legal requirements ▪ Understand work functions ▪ Comprehensive records schedule | <ul style="list-style-type: none"> ▪ Legal analysis ▪ Group discussion ▪ Workflow analysis ▪ Full archival appraisal | <ul style="list-style-type: none"> ▪ Appraisal database ▪ Meetings ▪ Initial records schedule ▪ Statistics, studies, and reports | Commitment to establish a records management program with greater understanding of records and management needs |
| Implementation | <ul style="list-style-type: none"> ▪ Systems compatibility ▪ Redesign and/or restructure where needed ▪ Gradual execution of RM tools ▪ Records management is incorporated as a regular activity | <ul style="list-style-type: none"> ▪ Systems analysis ▪ Workflow analysis ▪ Group discussion ▪ Trials ▪ Publicize information | <ul style="list-style-type: none"> ▪ Trustworthy systems checklist ▪ Statistics, studies, and reports ▪ Workshops ▪ Focus groups ▪ Website, manuals, etc. | Formalized adoption of a records management program |
| Confirmation | <ul style="list-style-type: none"> ▪ Records schedule is actively used ▪ Mechanism for keeping program current ▪ Oversight | <ul style="list-style-type: none"> ▪ Publicize information ▪ Group discussion ▪ Annual review | <ul style="list-style-type: none"> ▪ Website for Program ▪ Scheduled workshops ▪ Certification process | An active records management program that is regularly updated and evolving as needed |

Archival appraisal: Research method for identifying records of permanent value by appraising the complexity and relative importance of government functions, subsequent sub-functions, programs, activities, and tasks that the records support.

Concept mapping: Concept mapping is a technique to visualize the structure of information – how concepts are interrelated. Concept mapping can be used in various applications, including brainstorming ideas, designing a complex structure, analyzing processes, and communicating a multifaceted system.

Cross-case analysis: Cross case analysis enables the evaluation of multiple cases in many divergent ways, which would not be possible within a single case analysis. The case comparison can be made against predefined categories, in search of similarities, differences, or reoccurring patterns, or by classifying the data according to data sources.

³ Change elements can include any of the following: strategies, policies, processes, tasks, services, service delivery, staffing issues, financial resources, training and development, structure, collaborations, and culture.

Document analysis: Document analysis is the process of examining a set of documents that are used to support specific business goals and objectives. A document could be in any form, ranging from a technical manual used to support operations to a website or more formal publication to a specific record or even an e-mail message. Document analysis is generally applied with other research methods.

Function analysis: Analysis of related activities and/or projects that are part of a process for which an organizational unit is responsible. It is also the principle purpose a program is intended to serve. Function may also be referred to as a PROCESS.

Group discussion: A data collection method used to develop a deeper understanding of a particular issue, gather multiple viewpoints, and assess areas of consensus.

Information flow analysis: An analysis of how information (a record) is received, shared, stored, controlled, used, and transmitted by an organization.

Interviews: A data collection method used to develop a deeper understanding of a particular issue. Interviews are can be structured, semi-structured, or unstructured.

Legal analysis: An examination of a record's legal and regulatory requirements, including any restrictions on use. Legal analysis is used to establish retention periods, limit restriction periods, and identify potential statutory changes.

Member checks: Member checks are used to confirm that the perceived findings from the in-depth records analysis are consistent with the creator's understanding of the records, their functions, or the manner in which they were created or are used.

Narratives: Recounting of an individual or organizational unit's particular experience.

Observation: A data collection method used to develop a deeper understanding of a particular issue within the context that it exists.

Systems analysis: Systems analysis is an explicit formal inquiry of everything from hardware to organizational structure that helps identify the best course of action and the best decision. Aspects of systems analysis include: feasibility, cost-effectiveness, risk-benefit, behavior modification and usability, and data/information structuring. Systems analysis is comparable to operations research.

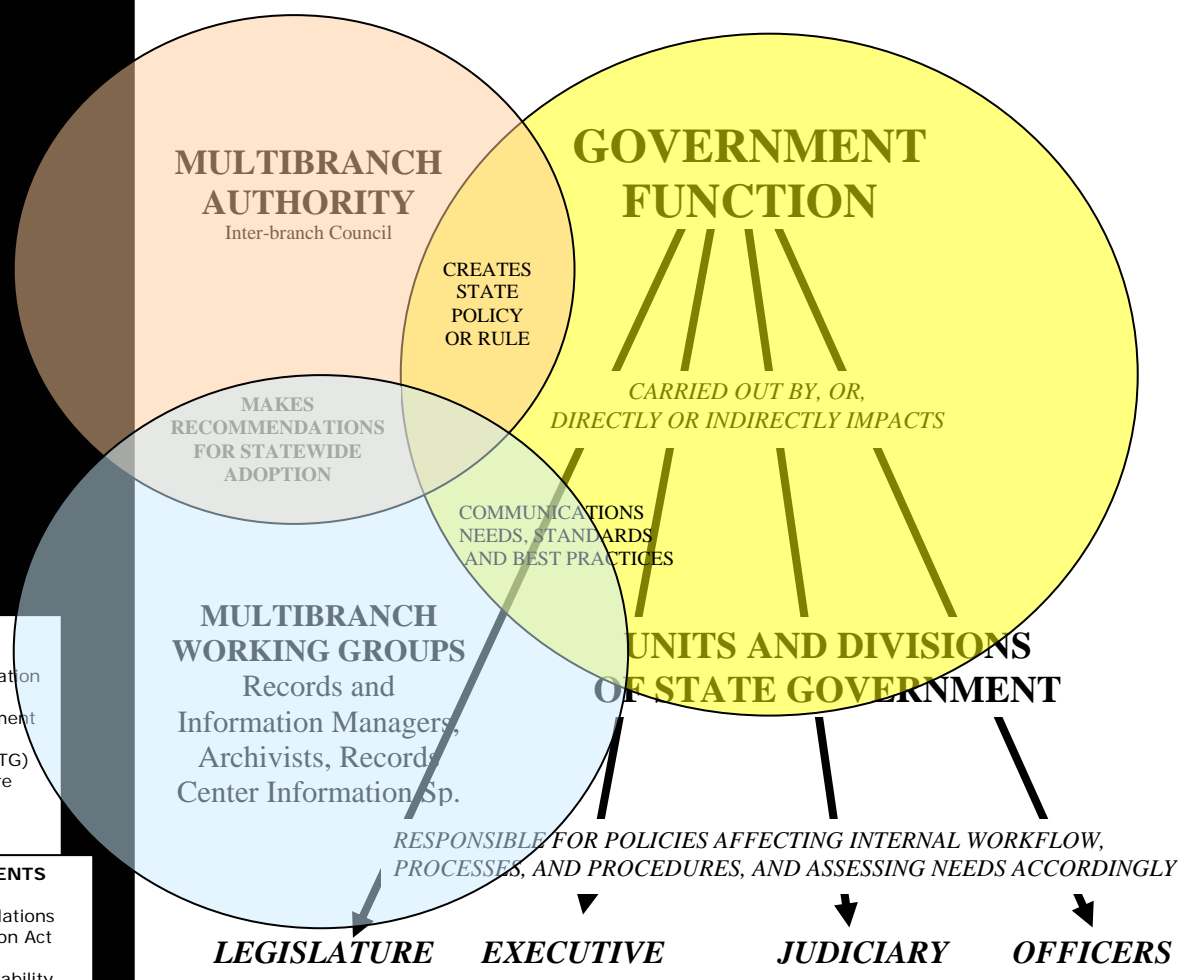
Workflow analysis: Workflow analysis is a method used to examine a business process, in whole or part, during which documents, information or tasks are passed from one participant to another for action, according to a set of procedural rules.

Standards, Professional Knowledge, and Resources

VERMONT STATE GOVERNMENT

- STANDARDS ORGANIZATIONS**
- American National Standards Institute (ANSI)
 - National Information Standards Organization (NISO)
 - Association for Information and Image Management International (AIIM)
 - International Federation of Library Associations and Institutions (IFLA)
 - National Map Accuracy Standards (NMAS)
 - International Standards Organization (ISO)
 - The Association for Information Management Professionals (ARMA)
 - Conference of State Court Administrators and the National Association for Court Management (COSCA/NACM)
 - National Institute of Standards and Technology (NIST)
 - Integrated Justice Information Systems (IJIS)
 - Dublin Core Metadata Initiative (DCMI)
 - Institute of Electrical & Electronics Engineers (IEEE)
 - American Association of Motor Vehicle Administrators (AAVMA)
 - Federal Records Administration (FRA)
 - State Records Administration (SRA)
 - Government Information Systems (GIS)
 - Technical Information Systems (TIS)
- BEST PRACTICES**
- National Archives and Records Administration (NARA)
 - The Association for Information Management Professionals (ARMA)
 - Center for Technology in Government (CTG)
 - National Digital Information Infrastructure and Preservation Program (NDIIPP)
 - World Wide Web Consortium (W3C)
 - United States National Spatial Data Infrastructure (NSDI)

- FEDERAL REQUIREMENTS**
- Code of Federal Regulations
 - Freedom of Information Act (FOIA)
 - Health Insurance Portability and Accountability Act (HIPAA)
 - Family Educational Rights and Privacy Act (FERPA)



Memorandum of Understanding (MOU)*Vermont Department of Buildings and General Services**and**The Vermont State Archives, Office of the Secretary of State*

The Vermont Department of Buildings and General Services (hereinafter called BGS) and the Vermont State Archives, Office of the Secretary of State (hereinafter called State Archives) agree as follows:

- I. This MOU is intended to facilitate all communication and collaborative initiatives between BGS and the State Archives for appraising, scheduling, and managing records (3 V.S.A. § 117 and 22 V.S.A. § 453); developing comprehensive records retention and disposition schedules (3 V.S.A. § 117, 3 V.S.A. § 218, and 22 V.S.A. § 454); and approving agency and departments records programs (3 V.S.A. § 218).
- II. All records, information, and data, regardless of format, must be systematically and consistently managed. BGS and the State Archives must be unified in their advice, assistance, and information to public agencies concerning archives, records, and information management including, but not limited to, the development of statewide policies, best practices, and standards.
- III. Comprehensive records retention and disposition schedules are the goal of every State records program. BGS and the State Archives must be unified in their advice, assistance, and information concerning the development of comprehensive records retention and disposition schedules and approval of said schedules.
- IV. The process of developing comprehensive records retention and disposition schedules must adhere to industry standards for appraising, scheduling, and managing records, regardless of format. BGS and the State Archives must be unified in requiring that public agencies devise schedules in accordance with national and international standards.
- V. This present MOU will be supplemented by Agreements for specific activities. Until other agreements are signed, the focus of this MOU will be on establishing a unified approach and process for:
 - a. appraising, scheduling, and managing records, regardless of format;
 - b. developing comprehensive records retention and disposition schedules in accordance with industry standards; and
 - c. approving State records programs.
- VI. BGS and the State Archives are committed to sharing resources and information in support of the efforts outlined in this MOU and agree to consult with each other on any initiatives or proposed changes in resource allocation.

Memorandum of Understanding (MOU)

- VII. This MOU will become effective on the date of signing for a period of one year and will be jointly reviewed and evaluated after one year from the effective date, and can be renewed by mutual consent.

| | | | |
|---------------------------|----------------|--|----------------|
| <u>D. Gregory Sanford</u> | <u>9/22/06</u> | <u>Tasha Wallis</u> | <u>9/22/06</u> |
| D. Gregory Sanford | Date | Tasha Wallis | Date |
| State Archivist | | Commissioner of Buildings and General Services | |
| <u>William Dalton</u> | <u>9/22/06</u> | <u>Robin Orr</u> | <u>9/22/06</u> |
| William Dalton | Date | Robin Orr | Date |
| Deputy Secretary of State | | Director of Internal Services, BGS | |

Vermont Secretary of State
Office of Vermont State Archives

FIFTH ANNUAL REPORT
on
ARCHIVAL RECORDS MANAGEMENT

Deborah L. Markowitz, Secretary of State

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January 2008

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Report of the State Archivist 2007

This report, required by 3 V.S.A. §117(3)(c), covers the Archives' activities during calendar year 2007.

It has now been four and a half years since Vermont enacted its first comprehensive archival management law. The law provided opportunities for managing thousands of cubic feet of public archival records not previously under the Archives control. During 2007 the Archives developed data entry standards and completed the initial work on an online database to all public records currently identified as archival, regardless of physical location. The database enhances awareness of what records are available and is complemented by a "Spotlight on Records" section of our webpage, which was also added in 2007. We are now appraising and managing these legacy archival series.

More importantly the law allowed us to establish partnerships within and across agencies for the prospective management of records and information. The need for such assistance is constantly re-enforced as a growing number of State and municipal entities contact us for help on everything from incorporating recordkeeping into new information technology systems to addressing traditional public record requirements.

One of the most positive steps during 2007 was the voluntary collaborative effort known as "Information Strategies: Archives, Records, and Technology" or *iSTART*. This collaboration among the Archives, the Department of Information and Innovation (specifically with its Enterprise Project Management Office), and the Department of Buildings and General Services is adopting policies and standards-based guidelines to help agencies manage their records and information. The collaboration is an essential tool for realizing an enterprise approach to managing records and information across agencies.

Vermont is at a crossroads. We have an opportunity to plan and implement record keeping systems that can truly make public records and information a resource to government and citizen alike. Or we can continue the tradition of only viewing information within the boundaries of individual agencies and of perceiving recordkeeping as distinct from our core legal and business requirements. The partnerships developed during 2007 promise to move us toward the better management and greater accessibility of public records.

Respectfully submitted,

Gregory Sanford
State Archivist

ARCHIVAL RECORDS MANAGEMENT

Archival records are institutional records with a continuing legal, administrative or informational value. *Archival management* is “the systematic identification and management of archival records to assure their authenticity and accessibility from point of creation to ultimate disposition” (3 V.S.A. §117(a)(1)). Disposition includes transfer to the custody of the archives.

Records management, while not defined in Vermont statutes, is defined by the Federal government as the “managerial activities involved with respect to records creation, records maintenance and use, and records disposition in order to achieve adequate and proper documentation of the policies and transactions of the Federal Government and effective and economical management of agency operations” (36 CFR 1220.14).

While Vermont does not define records management it does require agencies to “establish, maintain, and implement an active and continuing program for the effective management, preservation, and disposition of records” (3 V.S.A. §218(b)) and assigns the Commissioner of BGS and Secretary of State authorities for approving components of those programs.

Appraisal, the analysis of records to determine how long they retain legal, administrative or informational values, is essential to both archival and records management. Authority to appraise records resides with the Archives (3 V.S.A. §117(a)(3)).

The advent of information technology further diffuses the broad authorities over the management of records. The Secretary of Administration, for example, shall annually submit a technology plan to the general assembly. The plan shall address the “creation, collection, processing, storage, management, transmission or conversion of electronic data, documents or records” (3 V.S.A. § 2222((a)(10)(A)). In addition the Agency of Administration oversees the Department of Information and Innovation (DII) and, within DII, an Enterprise Project Management Office to assist with creating a unified approach to managing information technology systems.

As described elsewhere in the report, during 2007 the Archives continued to work toward improved communication and, where possible, coordination among programs with broad record and information responsibilities, as well as with public bodies working on information technology projects.

Such collaboration is essential, particularly as State and municipal governments turn toward information technologies for service delivery and administration. Too often the emphasis in planning is on the *technology*, not the *information*. According to the Chief Information Officer’s online technology strategic plans, over \$120 million was spent on information technology from FY 02 through FY 05 (this figure is exclusive of agencies that did not submit five year technology plans). There are 336 information technology positions in State government. In contrast, there are four record specialist positions (one in Public Records and three at the Archives) to offer guidance on integrating record management practices into IT development. While by law each public agency has a

records officer, these positions report a lack of training and authority for effectively implementing and sustaining record management practices.

As in the past, the overview must include reference to the inadequacy of the Archives' current physical space. Vermont lags far beyond the rest of the country in terms of the capacity to store archival records in an environmentally secure space. The Archives' current vault, for example, has a capacity to hold 1,500 cubic feet of records and is full. By comparison, North Dakota had the next smallest vault capacity at 15,000 cubic feet but added an additional 20,000 cubic feet of capacity during 2007. In the 2006 Capital Construction Act \$650,000 was appropriated for design of a new archives facility and in 2007 \$1.7 million was appropriated to begin construction. While several sites have been examined, design and construction have not begun.

STAFF

The Archives has three professional archivists and two administrative assistants. The administrative assistants also supervise Vermont notaries; provide clerical oversight of the secretary of state's rulemaking responsibilities under the Administrative Procedures Act; and fulfill the Legislative Clerk duties as set out in 3 V.S.A. §106(4) and (5).

MISSION

Document the rights of citizens, the actions of government, and the history of public policy by:

- Supporting the efficient and effective management of essential government information;
- Appraising recorded information, regardless of format, for evidentiary and archival value;
- Systematically receiving a comprehensive, reliable, and authentic body of State archival records;
- Promoting and enhancing the use of the State's archival records by Vermont's government and citizens.

GOALS

- Advocate for openness and accountability in government.
- Ensure the preservation of, and access to, evidence of key government transactions through the development and implementation of a sustainable archival management program for all of state government.
- Provide expert advice and guidance on the principles and practices of archives, records, and information management.
- Support state institutions, political subdivisions, and individuals engaged in archival management and historical research.

AUTHORITY

The primary statutory authority for the State Archives can be found in 3 V.S.A. §117 and in the broader accountability requirements of Article VI, Chapter I of the Vermont Constitution.

During 2007 the Archives continued to make significant strides toward creating the knowledge, partnerships and tools required for the effective management of State records and information. While the year's accomplishments are too extensive to enumerate in detail, the following list of performance measures provides a sense of the progress made this year.

CUSTODY OF RECORDS (3 V.S.A. §117(g)(7))

- *Archives and Research Facility*

The ability to take custody of archival records has long been stymied by the lack of physical vault space. On-going records appraisal has identified at least 15,000 cubic feet of archival records eligible for immediate transfer to the State Archives. The Archives' vault, however, is full. With a capacity of 1,500 cubic feet, it continues to be the smallest vault among all state archives.

Support for a new archives and research facility, including design funds appropriated in 2006 and initial site development and construction funds in 2007, continues. During much of 2007 the Archives assisted the Department of Buildings and General Services in exploring the Dog River Road site designated by the legislature as the site for the Archives and a new Department of Motor Vehicles building.

Concern about the costs of developing the Dog River Road site led, in November-December, to exploration of the current Department of Libraries location. Although much work was accomplished during 2007 as of December the site for the facility remains uncertain; designs have not been approved; and construction has not begun.

ACCESS TO RECORDS (3 V.S.A. §117(g)(9))

- *Research Requests*

In September 2006, the State Archives implemented a new tracking system to record research and administrative requests. Between December 1, 2006 and November 30, 2007, the archives staff responded to a total 1,294 individual research requests:

- 44% of all research requests were received by e-mail
- 41% of all research requests were received by phone
- 11% of all research requests were walk-ins
- 4% of all research requests were by mail

-

Online Research Services

In 2007, the archives staff increased the number of research services available on the Archives website by:

- Adding a database for digitized images of 244 land surveyor maps and lotting plans, all indexed by town name; and
- Expanding the Archives online records database to include scope statements for 678 record series and content descriptions for 3,028 boxes and 810 microfilm reels of archival records.

As a result, the archives website was visited in 2007 by 132,539 unique researchers, resulting in 1,806,429 hits to research sections available on the Archives' website.

- Researchers represent 53% of the Archives' total website visitors and use 87% of the Archives' website.
- Since February 2006, when the Archives first offered web access to an index of State Archival records, our online research community has increased by 18% and traffic to our website has increased by 61%.

MANAGEMENT OF RECORDS (3 V.S.A. §117(g)(3))

- *Enterprise Project Management Office (EPMO)*

The Archives is collaborating with the Department of Information and Innovation's Enterprise Project Management Office (EPMO) to assist several agencies with incorporating records management into their information technology activities, including:

- The Office of Professional Regulation within the Secretary of State's office and their new system for tracking licensees and regulatory actions; and
- The Natural Resources Board and their new system for documenting ACT 250 permits and providing online access to permit files.

- *Vermont Emergency Management*

Disaster mitigation and response is a crucial component of records and information management. In 2007 the Archives began cooperating with Vermont Emergency Management on its continuity of operations planning. The Archives, through the Council of State Archivists, has access to grant funds for training agency staff on identifying and protecting records necessary for continuity of operations in the event of a widespread catastrophe.

During 2007 the Archives also funded five disaster preparedness and response workshops for municipalities. The workshops were conducted by the Vermont Museum and Gallery Alliance.

- *eLegislature Initiative*

The Archives entered into a partnership with the Minnesota State Archives to develop a records management program for digital legislative records. The Legislative Committee on Information Technology will examine this possible partnership in January 2008 for the records of Vermont's General Assembly.
- *Department of Buildings and General Services (BGS)*

In September 2006 the Archives drafted a memorandum of understanding with BGS. The memorandum commits BGS and the Archives to being "unified in their advice, assistance, and information to public agencies concerning archives, records and information management;" to adhering to industry standards; and to sharing resources. A new MOU was presented to BGS in December 2007.
- *Information Strategies Taskforce: Archives, Records, and Technology (iSTART)*

The most significant development during 2007 was the work of the Information Strategies Taskforce: Archives, Records, and Technology (iSTART). This is a volunteer collaboration with the Department of Information and Innovation and the Department of Buildings and General Services to "provide a forum for identifying and addressing common concerns and to offer consistent advice on records and information management, including electronic records."

iSTART has issued two policies and one guideline to assist agencies in creating standards-based records and information management programs. A monthly newsletter keeps agencies apprised of iSTART's work and provides opportunities for comment on proposed policies and guidelines. More details about iSTART is available online at: <http://vermont-archives.org/records/iSTART>.
- *Record Appraisal and Scheduling*

The Archives continued to improve its system for appraising and scheduling records. Key to the system is the use of controlled vocabulary terms and definitions for record types, government functions, and business activities, which allows for an enterprise-wide approach to records management. The system also facilitates compliance by associating records with State and Federal laws and regulations; existing disposition orders issued by BGS over the years; agency histories, and other information needed for establishing comprehensive record management plans. The system is being tested through partnerships with other state agencies.
- *Consolidating Records Management Authorities under State Archives*

The Archives continued working with the Legislative Council on possible public records legislation based on the Council's study mandated by Act 132 of 2006. The Senate Government Operations Committee consequently drafted and approved a bill consolidating records management authorities under the Archives. The goal is to create a unified program that can offer consistent, standards-based guidance on managing records and information.

This past year was particularly productive in further developing the processes and tools necessary for modernizing Vermont's management of records and information. Many of the accomplishments of the year are cited in the performance measure section and elsewhere. Other highlights include:

Processing Procedures:

- The Archives began to test new processing procedures that have emerged from the archival community. The goal of accelerated processing is to provide potential users with enough information about record series to make informed choices about what records to use. It promises to shave hours from traditional processing procedures that required item level work. Though our test of this approach has been limited, it could help us address the immense backlog of archival records acquired as a result of the Archives law of 2003.
- A new processing manual was created to guide both our retroactive management of the archival records acquired as a result of the 2003 law and for addressing future acquisitions. The processing manual sets out the steps for accelerated processing and is supported by templates for consistent content entry for the linking tables within our databases.

Improved Access:

- Series descriptions were created for all archival records at the Archives and incorporated into our online database.
- A new section on town lotting plan maps, including images of the maps, was added to the website (<http://vermont-archives.org/lottingplans.asp>). These maps have multiple applications, including use in locating Vermont's "ancient roads."
- A new "Spotlight of Records" web offering provides for highlighting particular records for potential users.

Management Programs:

Three areas previously mentioned deserve further elaboration: *i*START, the Office of Professional Regulation, and the potential consolidation of the Public Records Division (BGS) with the Archives.

***i*START:** The mission of this unique, voluntary, cross-agency collaboration is, as noted: "to provide a forum for identifying and addressing common concerns and to offer consistent advice on records and information management, including electronic records." It is unique in bringing together programs with statewide responsibility for assisting in the development of information systems within an enterprise environment and with statewide responsibilities for managing public records and information.

The participants realized that their work often overlapped, though the programs did not have sustained opportunities for sharing and understanding their related responsibilities. Too often when agencies turned to the individual programs for advice that advice was not coordinated; on occasion it was inconsistent. After a series of initial meetings where

professional perspectives and related issues were discussed *i*START agreed on a mission and began to identify and craft coordinated policies and guidelines.

By working together participants learned how their respective professional perspectives could be integrated into a project management, business analysis, and records management approach to assist agencies in planning for new information systems. That integration, in turn, facilitates an enterprise approach so that like activities, generating like records, can be consistently identified and managed across agencies.

By partnering with the EPMO the records programs gained entry to agency information planning efforts beyond what had been possible in the past. Each new partnership provides experience that is formalized into policies, guidelines, and tools that continually enhance the efforts of each participant. This, in turn, creates awareness within agencies for the need to have current record management plans in order to effectively employ new technologies.

The Office of Professional Regulation: The Office of Professional Regulation (OPR) with the Office of the Secretary of State needed to upgrade its licensing databases. It became the first public agency to work with EPMO and the Archives from planning to purchase of an information system. Implementation will begin in December 2007. We hope to use the OPR project as a case study.

In addition the OPR project is the first to use business and functional analysis to identify record types; any legal or administrative needs associated with those records/activities; and to test a controlled vocabulary so activities and records are consistently described. This will allow the Archives to work with OPR to create general record schedules setting baseline retention periods for similar records across agencies (for example, other agencies with licensing or permitting responsibilities). Among the Archives' goals is to move the State from the existing system of thousands of individual disposition orders telling public agencies when various records can be destroyed to general schedules that establish common retention periods for similar records across agencies.

Consolidation of the Public Records Division with the Archives: At the end of the 2007 session the Senate Government Operations Committee voted out a bill consolidating Public Records with the Archives. This good government measure recognizes that records and archival management need to be combined in order to provide consistent professional guidance for all records from point of creation to ultimate disposition (including transfer to the Archives). This model has become common in other states and Vermont is one of only 12 states where the programs remained administratively fragmented. The proposal, which will be taken up by the full senate in 2008, is the logical outcome of years of work starting with Act 3 of 2003 which mandated coordination between the programs and continued by the 2006 memorandum of understanding between the Archives and BGS and the current collaboration with *i*START .

The solid progress made during 2007 has led to an increasing number of opportunities for the archives, while refining our understanding of the challenges before us. While we maintain sufficient flexibility to take advantage of unanticipated opportunities, during 2008 we have identified five priorities:

- Complete design and begin construction of a new archives facility.
- Support consolidation of the records programs and create an administrative structure for effective service delivery by the consolidated program.
- Continue to support comprehensive approaches to recordkeeping through the *iSTART* collaboration.
- Create and test common tools for managing information and records, including adoption of the first general record schedules.
- Increase awareness and use of archival records.

Archives and research facility

The greatest challenge remains the inadequate archival and research space. The current space is a barrier to implementing an enterprise-wide archival management program.

A site for the new facility should be confirmed; initial construction started; and additional construction funds necessary to complete the facility will be sought.

Support consolidation of the records programs

In order to create more effective management of government records and information, work with the general assembly to pass the consolidation bill and work with BGS for the smooth transition of Public Records to the Archives.

Continue to support a comprehensive approach to recordkeeping

During 2008 the archives will continue to work through *iSTART* to identify the recordkeeping needs of agencies and develop policies and guidelines to assist agencies in managing their records, including their digital records.

Create common tools for managing information and records

Continue to develop tools for the consistent appraisal, identification and scheduling of records. Initiate a new system of providing general record schedules so that common records are managed consistently across government. Provide training on using the tools.

Increase awareness and use of archival records

The Archives will continue to add to the online record series database so users have consistent, basic information about what archival records are available.

CONCLUSION

The increasing number of public agencies and municipalities contacting the Archives for assistance in managing their records is both a measure of the need for such assistance and our initial success in providing it. The challenges remain immense; indeed, our very success has become a challenge as we try to remain responsive to the growing number of public agencies seeking our assistance. The pace of information technology deployments within State and municipal governments is particularly challenging given the disparity between resources allocated for technology and those accorded to the Archives. The partnership with the EPMO and with individual agencies only partly mitigates that disparity.

It is only now becoming clear to agencies that information technologies, to be effective, must be built on a solid foundation of information management practices. The historic lack of consistent and current information management practices, however, has weakened that foundation.

Through consolidation and collaboration we can buttress that foundation. We look forward to continued improvement of our services during 2008.

**Vermont Secretary of State
Office of Vermont State Archives**

SIXTH ANNUAL REPORT
on
ARCHIVAL AND RECORDS
MANAGEMENT

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January 2009

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Report of the State Archivist 2008

This report, required by 3 V.S.A. §117(3)(c), covers the activities of the Vermont State Archives and its successor, the Vermont State Archives and Records Administration (VSARA), during calendar year 2008.

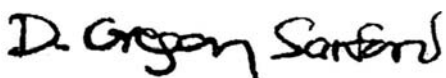
The past year brought significant and exciting changes to how Vermont state government manages its records and information. On July 1, 2008, VSARA was created by combining the Public Records Division within the Department Buildings and General Services (BGS) with the Vermont State Archives. The new administration, which brings Vermont into alignment with the majority of other states, creates a single authority that is responsible for administering and implementing a records management program for state government.

Much of 2008 was devoted to evaluating the records management services currently offered against professional recordkeeping principles and practices and the needs of public agencies. Crucial to this work was developing or building upon partnerships with agencies who have related mandates, such as the Department of Information and Innovation (DII). The results of those evaluations and partnerships will be outlined in the following pages.

The wonderful opportunities stemming from creation of VSARA have been complemented by the planning and initial construction of new archival and reference spaces at the Middlesex record center. After decades of managing around woefully inadequate vault and researcher space the start of construction adds to the excitement of this past year. Additional construction funds to complete the project will be sought in 2009.

Building a new program has entailed difficult choices. Still the initial steps are very positive from the addition of a new class of professional record analysts to the launch of records management workshops to increasing interest in our Targeted Assistance Program (TAP) among agencies. We look forward to building on this success in 2009.

Respectfully submitted,



D. Gregory Sanford
State Archivist

PART I

VSARA OVERVIEW

The Vermont State Archives and Records Administration (VSARA) is a division within the Office of the Secretary of State.

It is the mission of VSARA to:

- Advise and guide public agencies in records and information management.
- Appraise and schedule public records so they are preserved only as long as they have a legal or administrative value.
- Preserve and enhance access to the State government's archival records.
- Operate a secure State Records Center for non-permanent and inactive agency records.

To achieve this mission VSARA will establish and maintain partnerships with other public agencies and organizations, including the Department of Information and Innovation and its different units in order to effectively manage digital records.

The statutory authorities for VSARA are primarily within 3 V.S.A. §117 and 3 V.S.A. §218, which in turn support the requirements within Chapter I, Art. 6th of the Vermont Constitution for the accountability of public officials to the citizens they serve.

VISION STATEMENT

The Vermont State Archives and Records Administration will be widely acknowledged for its professional archival and records management expertise and role in supporting the effective and efficient management of public records within the State of Vermont.

GOALS

- The State of Vermont will have a professionally managed and accessible research facility that enhances access to the State's archival records.
- Public agencies will have the tools and resources necessary to manage their records and information in an effective and efficient manner.
- Constituents will receive professional and responsive administrative services.
- State agencies will have a low-cost, secure facility for storing records that must be maintained for a set period of time to meet audit, fiscal, legal, or administrative needs.

STAFF

VSARA has two professional archivists, three professional record analysts, three record center staff, three clerks, and two administrative assistants. The administrative assistants also supervise Vermont notaries; provide clerical oversight of the secretary of state's rulemaking responsibilities under the Administrative Procedures Act; and fulfill the Legislative Clerk duties as set out in 3 V.S.A. §106(4) and (5). The former state record officer position has been eliminated as will eight micrographic positions in early 2009.

During 2008 the Archives continued to make significant strides toward creating the knowledge, partnerships and tools required for the effective management of State records and information. While the year's accomplishments are too extensive to enumerate in detail, the following list of performance measures provides a sense of the progress made this year.

GOAL #1

The State of Vermont will have a professionally managed and accessible research facility that enhances access to the State's archival records. (3 V.S.A. §117(g)(7))

The ability to take custody of archival records has long been stymied by the lack of physical vault space. On-going records appraisal identified at least 15,000 cubic feet of archival records eligible for immediate transfer to the State Archives. The Archives' current vault, however, is full. With a capacity of 1,500 cubic feet, it continues to be, by far, the smallest vault among all state archives.

Research Facility

Following the merge with the Division of Public Records, the Middlesex Complex was identified as the most cost effective site for a new research facility. The 2008 Capital Construction Act provided money for design and initial construction. Actual construction work, including the laying of a foundation for the new archival vault and renovations to existing space, began in November 2008. The additional funds necessary to complete the project will be sought in the 2010 Capital Construction bill with a target of finishing construction by the end of 2009.

The new vault areas will create storage for approximately 25,000 boxes of the state's most valuable records. This will allow VSARA to not only accept legal and physical custodianship of more paper archival records, but also provide a controlled environment that can support their long-term preservation. This improvement will allow state agencies to systematically transfer archival records to the State Archives, thus relieving agency staff from storing and trying to manage such records on their own.

With the vault expansion, the newly renovated research room will provide public agencies and citizens a centralized location to inspect, use, and research millions of archival records, many of which were largely inaccessible in the past. Researchers will have access to professional reference staff, be able use VSARA's computers and equipment to view records in various formats, including electronic and microfilm, and bring their own laptops.

State Archives Accessions

During 2008 VSARA researched and compiled the administrative histories (including predecessor and successor agencies) for more than 231 public agencies. This information is being used to better understand the functions of Vermont's state and local governments and the context in which records were, and are, being created. More than 38 boxes of

archival records were accessioned into the State Archives this year and 18 series of records, totaling 112 boxes, were processed. In addition, descriptions to more than 23 record series were added to our online database.

2008 Highlight: Spotlight on Records

In 2008, VSARA staff expanded its online research services by adding a new feature: *Spotlight on Records*. *Spotlight on Records* highlights sets of records in the State Archives that are relevant to current events. For example, as the Joint Legislative Committee on Government Accountability and other entities examined government services, we scanned and provided online access to previous studies on the same issue. Additional highlights from this past year include records from:

- The Vermont Governor's Commission on Vermont's Future, which was established by Governor Kunin by Executive Order No. 50 in 1987.
- The "Little Hoover Commission," which led to a reorganization of state government in 1959.
- The Governor's Task Force on Wood as a Source of Energy, launched in response to the energy crisis of the mid-1970s.
- Vermont officials relative to the Dred Scott case.
- The Preamble to the Vermont Constitution, 1777.
- The Commission to Study State Institutions, which exposed the daily life within the State Prison at the beginning of the 20th century.

GOAL #2

Public agencies will have the tools and resources necessary to manage their records and information in an effective and efficient manner.

The most notable performance measure was the creation of VSARA through Act 96 of 2008. VSARA could not have been created without the active support of the Department of Buildings and General Services and the Public Records Division, which is a wonderful example of inter-agency cooperation in order to achieve a good government outcome. The performance measures enumerated below were achieved, in large part, by having, for the first time, a single, professional, authoritative voice capable of developing the tools needed to modernize the State's recordkeeping practices.

- *Information Strategies Taskforce: Archives, Records, and Technology (iSTART)*

During 2008 VSARA continued to develop record management tools through the Information Strategies Taskforce: Archives, Records, and Technology (iSTART). This is a volunteer collaboration with the Department of Information and Innovation's Enterprise Project Management Office and the Attorney General's Office to "provide a forum for identifying and addressing common concerns and to offer consistent advice on records and information management, including electronic records."

During 2008 iSTART issued one best practice and two guidelines to assist agencies in creating standards-based records and information management programs:

- Records Management Best Practice for All Public Agencies
- Imaging Guideline for All Public Agencies
- Recordkeeping Metadata Guideline for All Public Agencies.

Statewide guidance is not only an important resource for agencies establishing their own recordkeeping systems but also is essential to developing enterprise systems for the consistent management of information across agencies. A newsletter keeps agencies apprised of iSTART's work and provides opportunities for comment on proposed policies and guidelines. More details about iSTART are available online at: <http://vermont-archives.org/records/iSTART>.

- *Record Appraisal and Scheduling*

During 2008 VSARA created a class of record analysts to provide professional expertise for appraising and scheduling records. The work of the three record analysts is essential to VSARA's mission and goals, allowing us to actively assist agencies in managing their records from point of creation to final disposition. The records analysts facilitate compliance with public record laws by associating records with State and Federal laws and regulations; existing disposition orders issued over the years by the former Public Records Division; agency histories, and other information needed for establishing comprehensive record management plans.

Key to analysts' success is the sound application of professional records management principles and practices, which allows for systematic and standardized approach to records management. They work prospectively through partnerships with public agencies

and retrospectively by analyzing government functions, organizational structures, activities, and records dating from statehood in 1791 through present day.

- *Targeted Assistance Program (TAP)*

The Targeted Assistance Program (TAP), which replaced the Archives' Records Appraisal Program in January 2008, is designed to assist State and local government agencies in resolving issues and problems with their current records management policies and procedures. TAP embraces statewide strategies for managing records and offers agencies an opportunity to partner with VSARA and, where possible, its collaborators such as the Enterprise Project Management Office (EPMO) within the Department of Information and Innovation (DII).

Agencies, who must provide staff time and subject matter expertise, may request assistance in developing record schedules, customized records training, record taxonomies or file plans, and other records management related tools and resources.

Current TAP partners are the Department of Mental Health, the Agency of Natural Resources, the Labor Relations Board, the Public Service Department, and the Department of Disabilities, Aging and Independent Living.

- *Training*

In 2008, VSARA also partnered with the Summit program to provide training for state employees on record management. Previous training opportunities were, at best, sporadic and narrowly focused on how to transfer boxes to the record center. The *Got Records? Now What?* workshop addresses the larger concepts of records management, including statutory requirements that agencies must meet. The 2008 workshop was well received (VSARA filled four sessions) and increased awareness and interest in records management, TAP and other VSARA offerings.

2008 Highlight: eLegislature

The VSARA entered into a partnership with the Minnesota State Archives to explore methods of providing enhanced online access to legislative materials in digital form. This project is funded by the Library of Congress and its National Digital Information Infrastructure & Preservation Program (NDIIPP) and participating states also include California, Illinois, Mississippi, and Tennessee. Representatives from Minnesota briefed legislators and legislative staff on the project during 2008 and in December two VSARA staff members attended a project update session in Minnesota. The partnership provides information and tools that will facilitate our ability to work with the general assembly as it examines its own records and online services.

GOAL #3

State agencies will have a low-cost, secure facility for storing records that must be maintained for a set period of time to meet audit, fiscal, legal, or administrative needs.

The State Records Center has consistently provided low-cost storage for records that must be maintained for audit, fiscal, legal, or administrative needs, but are no longer used frequently enough to justify storing the records on-site, which is generally more expensive. Services of the State Records Center are available to all state agencies and include box pick-up, storage, retrieval, and destruction. Current practices and procedures are being evaluated and improvements are being made as needed.

- *Records Storage*

The State Records Center currently has 87,104 boxes of records and more than 73,000 reels of microfilm in storage on behalf of state agencies. In 2008, VSARA accepted 11,926 boxes of records from state agencies for storage at the State Records Center. In addition to boxes, 16,048 individual files processed and re- or inter-filed in their respective boxes.

Retention requirements for 8,293 boxes of records were also satisfied this year and VSARA effectively destroyed the records on behalf of the agencies using the State Records Center services. VSARA records analysts have also identified more than 20,000 boxes of records that had met their retention requirements prior to December 31, 2007; these boxes are under further review.

- *Record Retrievals*

For records stored in the State Records Center, both legal control and control of access to the records are retained by the agency until the records are either transferred to the State Archives or destroyed. Unless there is a formal agreement between the agency and the Vermont State Archives and Records Administration (VSARA), the State Records Center does not have the authority to release records to the public under any circumstances or respond to public record requests. Therefore, if a private citizen or staff member from another agency contacts the State Records Center to access records, they are referred to the appropriate agency Records Officer.

In 2008, Records Center staff fulfilled 23,336 requests from agency Records Officers to pull records from storage and return them to the creating agency. This number includes 770 requests for records that have been converted to microfilm. VSARA has consistently maintained a 24-hour turn around for this service.

- *Reformatting Services*

VSARA is shutting down its reformatting (microfilm and scanning) unit in early 2009. This was a difficult decision, but with increasing compliance requirements and limited

resources we feel that it is more important to focus on providing public agencies with more efficient and effective tools and resources for managing records. We also do not feel that any public agency will be negatively impacted by this change; most records were being reformatted based on disposition orders and policy decision that were issued decades ago and are no longer reasonable.

VSARA is actively assisting agencies by appraising the records, documenting recordkeeping requirements, and locating suitable vendors. In addition, the Department of Information and Innovation (DII) recently secured retainer contracts with several vendors, some of whom provide reformatting services. These vendors offer broader and more diverse services and are better equipped to meet national and international standards for reformatting records.

2008 Highlight: Improved Record Center Operations

In 2008, VSARA records analysts and record center staff began evaluating record center operations. Records center staff quickly identified areas they wished to improve and a number of changes have since been made, including:

- *Records Officer Program.* While required by law, records officer designations by agency and department heads were neither formal nor organized. A records officer program has been established and agency and departments are in the process of designating records officers.
- *Updated procedures and forms.* To date, almost all record center procedures and forms have been updated to reflect current practices and requirements.
- *Chain of custody.* Records are more efficiently tracked in the Center's recordkeeping system to reflect when records are checked out and to whom. Records officers are now supplied this information when receiving record disposition notification reports.
- *Records security.* Those wishing to view agency records must now have explicit permission from the agency records officer.

GOAL #4

Constituents will receive professional and responsive administrative services.

VSARA carries out the following administrative services: document authentication on behalf of the Vermont Secretary of State; vital record certification on the behalf of the Department of Health; and statutory filings for administrative rules, legislative acts and resolves, and State deeds and leases. With money provided through the 2008 Capital Construction Act, these services will soon be a carried out in a new renovated space, one that better serves our government constituents while also protecting the privacy of the citizens who rely on our services.

- *Document Authentication*

Pursuant to the *Convention of 5 Octobre 1961 Abolishing the Requirements of Legalisation for Foreign Documents* (Hague Conference on Private International Law), the Vermont Secretary of State is a designated competent authority to “certify the authenticity of the signature, the capacity in which the person signing the document has acted and, where appropriate, the identity of the seal or stamp which it bears” on documents originating from Vermont public agencies or notarized by Vermont Notaries Public. VSARA issued 2722 authentications, including Apostilles, in 2008.

To support document authentication, certificates of notary public appointments are dually filed and preserved in the office of the county clerk and the office of the Vermont secretary of state. Upon request, the Vermont Secretary of State may certify the appointment, qualification and signature Vermont notaries public. In 2008, VSARA processed 1503 notary applications or amendments.

- *Vital Records Certification*

VSARA shares the responsibility of certifying Vermont vital events such as birth, death, marriage, and divorce with the Vermont Department of Health (VDH). For events older than 5 years, this function is performed exclusively by VSARA. In 2008, VSARA issued more than 8,000 certificates to individuals seeking certified copies of vital records. On behalf of the Department of Children and Families (DCF), which is required under Federal law to verify birth certificates for individuals seeking State services, VSARA also confirmed more than 10,000 birth records for individuals born prior to 1980.

- *Statutory Filings*

Administrative Rules: The Vermont Secretary of State, Interagency Committee on Administrative Rules (ICAR) and Legislative Committee on Administrative Rules (LCAR) share the responsibility for carrying out administrative services pursuant to the Administrative Procedures Act (APA). The Secretary of State is required to accept proposed and final rules for filing; publish notices of proposed rules; and to keep open for

public inspection a permanent register of rules. In 2008, VSARA accepted, filed, published, and preserved 109 administrative rule filings.

Acts and Resolves: At the commencement of each legislative session the Secretary of State must appoint a legislative clerk. The duties of the Legislative Clerk are currently split between VSARA and the Division of Elections and Campaign Finance. In 2008, VSARA processed 137 acts and 248 resolutions, which includes indexing, certifying, and, where applicable, distributing certified copies as directed by the General Assembly

Land Conveyances: Under State law, all deeds, contracts of sale, leases, and other documents associated with conveying land or an interest therein to the State, with the exception of highway rights of way, leases, and conveyances, must be filed in the Office of the Secretary of State. VSARA accepted 651 instruments from state agencies and departments for filing in 2008.

2008 Highlight: Electronic Vital Records

There is increased need to control and manage vital information in a more efficient and effective manner. Therefore, in 2008, VSARA helped broker an agreement between the VDH and Ancestry.com (The Generations Network) to support the Federal requirement of having birth and death information in an electronic format by 2010. The result of this action not only positions VDH to effectively comply with Federal law but will also improve VSARA's ability to certify and verify Vermont vital events.

In addition, the agreement includes free access to Ancestry.com through VSARA's research room and free access to any Vermont records on Ancestry.com through the Vermont public library system. This will be a significant resource for those doing genealogical research in the State of Vermont.

The solid progress made during 2008 has led to an increasing number of challenges and opportunities for VSARA. For 2009 we have identified four main opportunities, each with its own set of challenges. Chief among these challenges, however, is the economic downturn and budget cuts that may affect some of our initiatives and programs.

1. Complete construction of the new archives and research facility in Middlesex and consolidate VSARA at one location.
2. Comprehensive records programs within Vermont public agencies
3. Low-cost, secure off-site records storage for state agencies
4. Efficient and effective administrative services

Archives and research facility

Funding is needed to complete construction at Middlesex. This will provide adequate space for VSARA to acquire and manage the State's archival records and to gain the efficiencies of being located in a single space. Failure to complete the construction of this new facility will have a negative impact on not only VSARA but also those who rely on our services such as state agencies and the public.

Comprehensive records programs within Vermont public agencies

The Targeted Assistance Program (TAP) and the tools associated with it have already proven successful as a step toward helping agencies develop current and comprehensive record management plans. As more agencies understand the benefits of records management, demands for statewide policies and procedures for records management are growing as are requests for agency-specific program support.

Low-cost, secure off-site records storage for state agencies

Efforts are already underway to streamline functions associated with providing off-site records storage for state agencies. VSARA is currently focusing on ensuring that records transferred to the State Records Center are managed in the most economical and secure way possible. To maintain and improve our service, we are examining basic operational costs and developing a reasonable price structure.

Efficient and effective administrative services

All of VSARA's administrative services overlap with functions within the Office of the Secretary of State and other public agencies. Following the merge with the Division of Public Records in July, we have identified several areas for improvement and will be actively working to become more efficient and effective.

CONCLUSION

This has been one of the most notable years in the history of the State's efforts to manage its records and information. Through collaborations such as *iSTART*, partnerships developed through TAP, and training through the Summit program significant steps have been taken toward creating a community within state government that values and practices sound recordkeeping. As that community grows we will continue to reduce the legal liabilities associated with poor recordkeeping; improve the use of information technologies; and enhance records and information as an important business asset for government and citizen. The challenges facing us in the unsettled economy of 2009 are significant, but the opportunities offered by cooperation and collaboration are great.

**Vermont Secretary of State
Vermont State Archives and
Records Administration**

SEVENTH ANNUAL REPORT

on

ARCHIVAL AND RECORDS
MANAGEMENT

Deborah L. Markowitz, Secretary of State

D. Gregory Sanford, State Archivist

January 2010

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Report of the State Archivist 2009

This report, required by 3 V.S.A. §117(3)(c), covers the activities of the Vermont State Archives and Records Administration (VSARA) during calendar year 2009.

Created July 1, 2008, VSARA continued designing and implementing a records management program for state government during 2009. Over twenty agencies/departments have become partners through our Targeted Assistance Program in order to develop current, standards-based records management programs. Two partners now have approved current record schedules while four general schedules, governing records common to many agencies, were approved in 2009. Every agency now has a records officer responsible for its records management; many record officers are supported by record liaisons responsible for records within agency subunits; and regular open houses for the officers/liaisons provide opportunities for learning about VSARA's operations and our evolving policies and procedures. We continued to work with the Department of Information and Innovation (DII) to incorporate recordkeeping practices into information technology systems, particular within DII's enterprise management initiative.

These efforts are integral to state government's ongoing search for improving the efficiency and effectiveness of programs and service delivery in an environment of reduced resources. Information technologies, on their own, can not provide efficiencies or improve effectiveness. We use those technologies to create, receive, manipulate and store records and information. Without consistent, standards-based records and information management, information technologies can only, at best, recreate current practices and problems. Good record and information management plans can help improve workflow; bring government into compliance with legal mandates governing public records; and allow government information to be viewed, and used, as a business asset to government and citizen alike.

Equally exciting, during 2009 funding was approved for, and construction begun on, Phase II of the work to improve VSARA's Middlesex facility. Construction is scheduled for completion in February 2010 and VSARA, which consolidated in Middlesex in March, will have expanded archival vault and processing space to complement the renovated reference and office space accomplished during Phase I.

This is a time of wonderful opportunities for VSARA and the government it serves. The dedication of VSARA's staff and of our partners make those opportunities attainable.

Respectfully submitted,



D. Gregory Sanford
State Archivist

The Vermont State Archives and Records Administration (VSARA) is a division within the Office of the Secretary of State.

It is the mission of VSARA to:

- Advise and guide public agencies in records and information management.
- Appraise and schedule public records so they are preserved only as long as they have a legal or administrative value.
- Preserve and enhance access to the State government's archival records.
- Operate a secure State Records Center for non-permanent and inactive agency records.

To achieve this mission VSARA will establish and maintain partnerships with other public agencies and organizations, including the Department of Information and Innovation and its different units in order to effectively manage digital records.

The statutory authorities for VSARA are primarily within 3 V.S.A. §117 and 3 V.S.A. §218. In addition VSARA fulfills other statutory responsibilities assigned the Secretary of State including supervising Vermont notaries; providing clerical oversight for the Administrative Procedures Act; and helping meet Legislative Clerk obligations.

VISION STATEMENT

The Vermont State Archives and Records Administration will be widely acknowledged for its professional archival and records management expertise and role in supporting the effective and efficient management of public records within the State of Vermont.

GOALS

- The State of Vermont will have a professionally managed and accessible research facility that enhances access to the State's archival records.
- Public agencies will have the tools and resources necessary to manage their records and information in an effective and efficient manner.
- Constituents will receive professional and responsive administrative services.
- State agencies will have a low-cost, secure facility for storing records that must be maintained for a set period of time to meet audit, fiscal, legal, or administrative needs.

STAFF

VSARA has two professional archivists, three records analysts, an administrative services coordinator, three records center staff, two clerks, and three administrative assistants. One archivist position is currently vacant due to the recent retirement of the incumbent. In January seven positions in the former reformatting unit were eliminated.

During 2009 VSARA continued to make significant strides toward creating the knowledge, partnerships and tools required for the effective management of State records and information. The following list of performance measures, while not inclusive, provides a sense of the progress made this year.

GOAL #1

The State of Vermont will have a professionally managed and accessible research facility that enhances access to the State's archival records. (3 V.S.A. §117(g)(7))

The Archives moved to the renovated Middlesex facility in March after a quarter century at Redstone in Montpelier, a lovely 19th century building that was inadequate for a modern archival program. The move accomplished the physical consolidation of the Archives with the former Public Records Division. Renovations to the Middlesex facility included an expanded reference room; a reception area where all visitors register and researchers can store their personal belongings before entering the reference room; and a suite of offices that provide both staff and visitors better privacy, particularly when non-archival services are being sought or delivered.

Research Facility

The Capital Construction Act passed in 2009 included funding for renovating the existing archival vault in the State Records Center; adding an additional archival vault and secure file rooms; renovating the former reformatting area for office, archival processing, and meeting space; upgrading fire suppression and other security issues; and addressing some deferred maintenance. Construction is scheduled for completion in February 2010.

The new vault areas will create storage for approximately 25,000 boxes of the state's most valuable records. This will allow VSARA to not only accept legal and physical custodianship of more paper archival records, but also provide a controlled environment that can support their long-term preservation. This improvement will also allow state agencies to systematically transfer archival records to the State Archives, thus relieving agency staff from storing and trying to manage such records on their own.

State Archives Activities

During 2009 VSARA focused most of its resources on creating a professional records management program for state government; day to day archival responsibilities were primarily carried out by the assistant state archivist who split her time between staffing the reference room and providing additional reference assistance for the archival records that remain at Redstone until construction is complete. Record analysts and other staff members also staffed the reference room and responded to requests for archival records.

Though archival research was not tracked until after the programs were combined at Middlesex, VSARA welcomed 839 researchers into its reference room between March 6, 2009 and December 31, 2009. And additional 808 researchers were assisted during the same time frame through our mail and e-mail services.

The record analysts' work has an archival component. Their analysis of agency records through the Targeted Assistance Program (TAP) provides a more comprehensive and consistent framework for identifying archival records. Appraisal decisions will help guide, and will be refined by, archival processing, including of legacy archival series that are often inadequately arranged and described.

Within the reality of limited resources the Archives achieved several successes. In the wake of the 2009 special session the Archives added a history of special sessions to our online presentation of "continuing issues" as well as updating previous presentations such as the section on the veto (<http://vermont-archives.org/govhistory/governance/index.htm>).

Additions were also made to the spotlight on records section of our web site (<http://vermont-archives.org/research/spotlight/records.htm>). "Spotlight" is used to highlight selected archival documents, particularly those that provide some context to an ongoing public dialogue. During 2009 Deane Davis's Governor's Commission on Environmental Control, 1970 (related to current discussions on Act 250 changes); the Vermont Emergency Relief Administration (a New Deal economic "stimulus" program); the 1931 Committee on the Costs of Health Care; and the 1944 Committee on Rural Policy post-World War II planning documents (which also touched on health care) were posted.

2009 Highlight: Christie Carter

On November 30, 2009, Assistant State Archivist Christie Carter retired. Christie worked at the Archives for over 21 years. In addition to her traditional reference and processing work Christie moved the Archives to the use of computer-assisted microfilm, which vastly improved access to the records while retaining microfilm's space and preservation strengths. Christie also helped design the Archives first Web page and helped manage its content.

Christie's career spanned the transformation of the State Archives into VSARA. She walked through a blizzard one night to check on an alarm that went off at Redstone; she helped marshal the response when the Redstone vault periodically flooded; and she survived the onslaught of opposition researchers and reporters during Governor Howard Dean's campaign for the Democratic presidential nomination. Christie helped process the records of Governors Kunin, Snelling and Dean and took particular interest in working with the Archives' photographs.

- We, as friends and colleagues, wish Christie well in her retirement and thank her for all her work over the years.

GOAL #2

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Public agencies will have the tools and resources necessary to manage their records and information in an effective and efficient manner.

- *Records Officer and Records Liaison Program*

Pursuant to 3 V.S.A. § 218, each agency and department head is required to designate an individual on his or her staff to serve as records officer and carry out the agency's records management program in accordance with State law. Although this law has been on the books for more than 30 years, there has never been a program or process for tracking records officer designations or providing records management training to designees.

In December 2008, VSARA launched its Records Officer and Records Liaison Program and made it available not only to agencies and departments required to designate records officers, but also to the offices of constitutional officers, the Vermont Judiciary, and the Vermont Legislature. The program provides structure and continuity to agency records management programs while also ensuring that best practices, recordkeeping requirements, and procedures are well communicated across State Government.

As of December 31, 2009, the State of Vermont has a network of 627 individuals who have been designated as records officers or liaisons for their respective agencies, departments, divisions, or units. VSARA provides informal training opportunities through its *Open Houses*, which are offered on the first Tuesday and last Thursday of every month.

- *Record Appraisal and Scheduling*

In 2009, VSARA started issuing record schedules to help agencies comply with 1 V.S.A. § 317a, which states that: [a] custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule approved by the state archivist pursuant to subdivision 117(a)(5) of Title 3.

To date, four (4) General Record Schedules (GRS) have been developed by VSARA to provide consistency in recordkeeping by Vermont public agencies for common functions and activities in the areas of administration, operations, contracting, and licensing. Any Vermont public agency may adopt any or all of the requirements in a general record schedule approved by the Vermont State Archivist. Adopting an approved GRS means that the agency agrees to implement, at a minimum, the retention and disposition requirements outlined in the GRS (where applicable).

VSARA also completed agency-specific record schedules for the Vermont Labor Relations Board and the Board of Professional Responsibility. Agency-specific record schedules are developed by VSARA and an agency through the Targeted Assistance Program (TAP). Like general schedules, agency-specific record schedules satisfy the requirements of 1 V.S.A. § 317a and also, where mandated, 3 V.S.A. § 218. They are subject to annual certification and may be amended by mutual consent at any time.

- *Targeted Assistance Program (TAP)*

The Targeted Assistance Program (TAP), which replaced the Archives' Records Appraisal Program in January 2008, is designed to assist State and local government agencies in resolving issues and problems with their current records management policies and procedures. TAP embraces statewide strategies for managing records and offers agencies an opportunity to partner with VSARA and, where possible, its collaborators.

Agencies, who must provide staff time and subject matter expertise, may request assistance in developing record schedules, customized records training, record taxonomies or file plans, and other records management related tools and resources.

Current TAP partners include: Department of Mental Health, the Department of Disabilities, Aging and Independent Living; Finance and Management Department; Department of Children and Families; Agency of Commerce and Community Development; Agency of Agriculture, Food and Markets; Vermont Clerks' and Treasurers' Association; Vermont Judiciary; Defender General's Office; and the Vermont Center for Crime Victim Services.

- *Information Strategies Taskforce: Archives, Records, and Technology (iSTART)*

During 2009 VSARA continued to develop record management tools through the Information Strategies Taskforce: Archives, Records, and Technology (iSTART). This is a volunteer collaboration with the Department of Information and Innovation's Enterprise Project Management Office to "provide a forum for identifying and addressing common concerns and to offer consistent advice on records and information management, including electronic records." The Attorney General's Office also participates when legal issues need to be addressed.

During 2009 iSTART issued two best practices:

- Electronic Messages Best Practice for All Public Agencies
- Information Security for All Public Agencies

Statewide guidance is not only an important resource for agencies establishing their own recordkeeping systems but also is essential to developing enterprise systems for the consistent management of information across agencies. A newsletter keeps agencies apprised of iSTART's work and provides opportunities for comment on proposed policies and guidelines. More details about iSTART are available online at:

<http://vermont-archives.org/records/iSTART>.

2009 Highlight: Archives and Records Management Handbook

The Handbook consists of the Records Management Procedures Manual and additional advice on issues concerning records and how to manage them in accordance with Federal and State laws and regulations and industry standards. Several additions to the Handbook were made in 2009, making it a great resource for public agencies. The Handbook is at: <http://vermont-archives.org/records/handbook/index.htm>.

GOAL #3

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State agencies will have a low-cost, secure facility for storing records that must be maintained for a set period of time to meet audit, fiscal, legal, or administrative needs.

The State Records Center has consistently provided low-cost storage for records that must be maintained for audit, fiscal, legal, or administrative needs, but are no longer used frequently enough to justify storing the records on-site, which is generally more expensive. Services of the State Records Center are available to all state agencies and include box pick-up, storage, retrieval, and destruction. Current practices and procedures are being evaluated and improvements are being made as needed.

- *Records Storage*

The State Records Center currently has 89,050 boxes of records and more than 78,000 reels of microfilm in storage on behalf of state agencies. In 2009, VSARA accepted 10,926 boxes of records from state agencies for storage at the State Records Center. In addition to boxes, 9,972 individual files were processed and re- or inter-filed in their respective boxes. Retention requirements for 8,082 boxes of records were also satisfied this year and VSARA effectively destroyed the records on behalf of the agencies using the State Records Center services.

- *Record Retrievals*

For records stored in the State Records Center, both legal control and control of access to the records are retained by the agency until the records are either transferred to the State Archives or destroyed. Unless there is a formal agreement between the agency and the Vermont State Archives and Records Administration (VSARA), the State Records Center does not have the authority to release records to the public under any circumstances or respond to public record requests. Therefore, if a private citizen or staff member from another agency contacts the State Records Center to access records, they are referred to the appropriate agency Records Officer.

In 2009, Records Center staff fulfilled 11,954 requests from agency Records Officers to pull records from storage and return them to the creating agency. This number includes requests for records that have been converted to microfilm. VSARA tries to maintain a 24-hour turn around for this service.

2009 Highlight: Operation Box

“Operation Box” is an ongoing VSARA effort for, investigating records stored in the State Records Center that have either been abandoned by their creating agencies or were kept longer than their retention requirements for no apparent reason. In 2009, State Records Center staff and the VSARA records analysts worked to identify and resolve issues with boxes of records that had already met their legal retention requirements but, for reasons unknown, had not been destroyed. Through this particular effort, which also involved relevant agency personnel, more than 2,400 boxes of records were destroyed.

GOAL #4

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Constituents will receive professional and responsive administrative services.

VSARA carries out the following administrative services: document authentication on behalf of the Vermont Secretary of State; vital record certification on the behalf of the Department of Health; and statutory filings for administrative rules, legislative acts and resolves, and State deeds and leases. The lobby and offices at Middlesex were designed so these administrative services are provided outside the Archives reference room providing privacy for those seeking such services while limiting distractions to those using archival records.

- *Document Authentication*

Pursuant to the *Convention of 5 Octobre 1961 Abolishing the Requirements of Legalisation for Foreign Documents* (Hague Conference on Private International Law), the Vermont Secretary of State is a designated competent authority to “certify the authenticity of the signature, the capacity in which the person signing the document has acted and, where appropriate, the identity of the seal or stamp which it bears” on documents originating from Vermont public agencies or notarized by Vermont Notaries Public. VSARA issued 2,117 authentications, including Apostilles, in 2009.

To support document authentication, certificates of notary public appointments are dually filed and preserved in the office of the county clerk and the office of the Vermont secretary of state. Upon request, the Vermont Secretary of State may certify the appointment, qualification and signature Vermont notaries public. In 2009, VSARA processed 1,238 notary applications or amendments.

- *Vital Records Certification*

VSARA shares the responsibility of certifying Vermont vital events such as birth, death, marriage, and divorce with the Vermont Department of Health (VDH). For events older than 5 years, this function is performed exclusively by VSARA. In 2009, VSARA issued 6,463 certificates to individuals seeking certified copies of vital records. On behalf of the Department of Children and Families (DCF), which is required under Federal law to verify birth certificates for individuals seeking State services, VSARA also confirmed 9,294 birth records for individuals born prior to 1980.

- *Statutory Filings*

Administrative Rules: The Vermont Secretary of State, Interagency Committee on Administrative Rules (ICAR) and Legislative Committee on Administrative Rules (LCAR) share the responsibility for carrying out administrative services pursuant to the Administrative Procedures Act (APA). The Secretary of State is required to accept proposed and final rules for filing; publish notices of proposed rules; and to keep open for public inspection a permanent register of rules. In 2009, VSARA accepted, filed, published, and preserved 153 administrative rule filings.

Acts and Resolves: At the commencement of each legislative session the Secretary of State must appoint a legislative clerk. The duties of the Legislative Clerk are currently split between VSARA and the Division of Elections and Campaign Finance. In 2009, VSARA processed 78 acts and 277 resolutions, which includes indexing, certifying, and, where applicable, distributing certified copies as directed by the General Assembly

Land Conveyances: Under State law, all deeds, contracts of sale, leases, and other documents associated with conveying land or an interest therein to the State, with the exception of highway rights of way, leases, and conveyances, must be filed in the Office of the Secretary of State. VSARA accepted 184 instruments from state agencies and departments for filing in 2009.

2009 Highlight: Vital Record Requests Web Portal

In 2009 VSARA began the process of updating its web portal for requesting vital records online. Patrons can go to a single web address to request vital records from both VSARA and Vermont Department of Health. The portal will appropriately route the requests based on the event year. There will be the option to request to have an apostille or authentication attached to the vital record. We will also be able to offer expedited shipping options for those needing fast delivery. These enhancements promote efficiency and improved customer service. This upgrade will be activated early in 2010.

The solid progress made during 2009 has led to an increasing number of challenges and opportunities for VSARA. As with all of state government the chief challenge is the economy and its impact on budgets and other resources. To the degree that economic issues create a willingness to re-examine government functions and activities there is also a remarkable opportunity for re-enforcing awareness that properly managed government records and information are important corporate assets. Effective recordkeeping is essential for being able to measure performance and results.

We have identified four main opportunities for 2010:

1. Link the development of comprehensive records programs within agencies to improving service delivery and performance measures.
2. Develop practical steps toward archiving digital public records.
3. Use archival records to understand why and how State services/programs have evolved.
4. Continue to build on the delivery of efficient and effective administrative services.

Link the development of comprehensive records programs within agencies to improving service delivery and performance measures.

The partnerships required by the Targeted Assistance Program and the products and tools produced by those partnerships help agencies develop a comprehensive understanding of their activities and what records they create, acquire, or manage. Understanding information flows provides agencies with opportunities to improve effectiveness and develop record-based performance measures.

Develop practical steps toward archiving digital public records.

With the retirement/transition of several state officers there are opportunities for developing procedures for transferring digital archival records. The partnership with the Department of Information and Innovation and the collaboration within iSTART can be used to understand what is required both to build and maintain a digital record center and a digital archives.

Use archival records to understand why and how State services/programs have evolved.

The pressing need to develop a professional records and information program has come at the cost of the archival management component of VSARA. During 2010 we will begin to redress this imbalance with a focus on making records and information on government services and programs more accessible. This not only dovetails with the work of the record analysts but also could provide contextual information to help the ongoing reexamination of government.

Continue to build on the delivery of efficient and effective administrative services.

In 2010 we hope to expand our ability to provide online and digital access to vital records and our other administrative services. We will continue to look to ways to streamline administrative services, reduce redundancies and paper, and make these services as accessible as possible to Vermonters.

This has been one of the most notable years in the history of the State's efforts to manage its records and information. Through collaborations such as *iSTART*, partnerships developed through TAP, and training through the Summit program significant steps have been taken toward creating a community within state government that values and practices sound recordkeeping. As that community grows we will continue to reduce the legal liabilities associated with poor recordkeeping; improve the use of information technologies; and enhance records and information as an important business asset for government and citizen. The challenges facing us in this unsettled economy are significant, but the opportunities offered by cooperation and collaboration are great.

Vermont Secretary of State
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Report of the State Archivist 2010

This report, required by 3 V.S.A. §117(3)(c), covers the activities of the Vermont State Archives and Records Administration (VSARA) during calendar year 2010.

On July 1, 2010 the Vermont State Archives and Records Administration (VSARA) celebrated the second anniversary of its creation. The new/renovated Middlesex facility was commissioned in June allowing us to consolidate our operations in one location and finally enjoy adequate space for the State's archival records.

We had an extended opportunity to help the Douglas Administration prepare its records for transfer to VSARA, including the first significant transfer of digital records. Almost 30 public agencies have partnered with us in our Targeted Assistance Program to improve their record and information management systems. These partnerships also allow our record analysts to generate schedules to help guide the management of records common to most agencies.

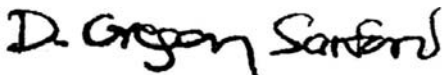
During 2010 we continued to explore ways to improve our services, from our web portal for the Administrative Procedures Act to bar coding to facilitate record/box management within the record center. These and other measures will be discussed in the following pages. The success we have experienced could not have been accomplished without the skills, commitment, and professionalism of VSARA's staff.

Progress was tempered by experience-based awareness of the work that remains to be done. Some of our TAP partners became inactive under the stress of staff reductions and the demands of meeting the Challenges for Change initiatives. There was continued faith that information technologies, by themselves, would create savings and improved services without adequately addressing information and record management. As 2010 drew to a close there were a number of high visibility public record cases before the courts, frequently leading to findings against the State.

We accept that there will be continuing challenges as we seek to improve the State's recordkeeping culture. We believe, however, that once the vast quantities of records and information controlled by the State are routinely managed as business assets the goals of improved government effectiveness and efficiency will be realized. While the challenges are great the long term benefits are important to government and citizen alike.

As 2011 begins we say goodbye to Secretary Deborah Markowitz who has been a strong and effective supporter of VSARA and we welcome Secretary Jim Condos

Respectfully submitted,



D. Gregory Sanford
State Archivist

The Vermont State Archives and Records Administration (VSARA) is a division within the Office of the Secretary of State.

It is the mission of VSARA to:

- Advise and guide public agencies in records and information management.
- Appraise and schedule public records so they are preserved only as long as they have a legal or administrative value.
- Preserve and enhance access to the State government's archival records.
- Operate a secure State Records Center for non-permanent and inactive agency records.

To achieve this mission VSARA will establish and maintain partnerships with other public agencies and organizations, including the Department of Information and Innovation and its different units in order to effectively manage digital records.

The statutory authorities for VSARA are primarily within 3 V.S.A. §117 and 3 V.S.A. §218. In addition VSARA fulfills other statutory responsibilities assigned the Secretary of State including supervising Vermont notaries; providing clerical oversight for the Administrative Procedures Act; and helping meet Legislative Clerk obligations.

VISION STATEMENT

The Vermont State Archives and Records Administration will be widely acknowledged for its professional archival and records management expertise and role in supporting the effective and efficient management of public records within the State of Vermont.

GOALS

- The State of Vermont will have a professionally managed and accessible research facility that enhances access to the State's archival records.
- Public agencies will have the tools and resources necessary to manage their records and information in an effective and efficient manner.
- Constituents will receive professional and responsive administrative services.
- State agencies will have a low-cost, secure facility for storing records that must be maintained for a set period of time to meet audit, fiscal, legal, or administrative needs.

STAFF

VSARA currently has twelve staff members, with a vacancy in the record analyst unit and another in the State Archives. The state archivist directs VSARA and there are four members of the administrative services unit; three record center staff; three record analysts; and one archivist. During the Fall Thomas Bradley, a student intern from St. Michael's College, assisted the archivist.

During 2010 VSARA continued to make significant strides toward creating the knowledge, partnerships and tools required for the effective management of State records and information. The following list of performance measures, while not inclusive, provides a sense of the progress made this year.

GOAL #1

The State of Vermont will have a professionally managed and accessible research facility that enhances access to the State's archival records. (3 V.S.A. §117(g)(7))

In June, the renovated Middlesex facility was commissioned and the remaining archival records at the old offices in Redstone in Montpelier were transferred to Middlesex. The State's archival storage capacity went from being the smallest state archival facility in the nation to one that is comparable to those of similarly sized states. In the design of the facility Buildings and General Services worked with Efficiency Vermont and the architects Truex-Cullins to create an annual savings on energy costs of \$17,500.

Research Facility

The new vault areas can hold approximately 25,000 boxes of the state's most valuable public records. This improvement allows state agencies to systematically transfer legal and physical custody of their archival records to the State Archives, thus relieving agency staff from storing and managing these records on their own. This is particularly timely in terms of the judiciary as it consolidates courts and makes arrangements for transferring old court records to VSARA's custody.

State Archives Activities

During 2010 VSARA focused most of its resources on creating a professional records management program for state government; day to day archival responsibilities were primarily carried out by a single professional archivist, who split his time between, processing records, staffing the reference room, and coordinating the transfer of the remaining archival records from Redstone to Middlesex. The archivist established reference room procedures, tracked use of the Archives and coordinated with the record analysts and other staff to cover the reference room and respond to requests for archival records.

During 2010 1,752 new researchers were registered, 654 of whom did so online. The 1,390 researcher visits to the reference room resulted in 2,408 records-related transactions. Of these 494 were related to archival records, while the rest related to agency and other records that are not under the legal custodianship of the Archives (waste-water permits, for example). In addition the reference room completed 2,546 genealogical requests for vital records.

The record analysts' work has an archival component. Their analysis of agency records through the Targeted Assistance Program (TAP) provides a more comprehensive and

consistent framework for identifying archival records. Appraisal decisions help guide, and will be refined by, archival processing, including of legacy archival series that are often inadequately arranged and described. The two primary examples of this collaboration are the transfer of the James H. Douglas Administration records on January 3, 2011 and the ongoing transfer of the physical and legal custodianship of certain court records.

Within the reality of limited resources the Archives achieved several successes. Through a partnership with the Department of Health and Ancestry.com Vermont's vital records back to 1909 were digitized, and linked to a database for retrieval. Vermonters visiting VSARA can access this information for free; by 2014 the information should also be available online free of charge (until then online access is available by subscription from Ancestry).

The archivist, Scott Reilly, wrote a grant proposal to the National Publications and Records Commission (NHPRC) to help process the immense backlog of court records. We will learn about whether the proposal is funded in May.

In light of interest in Vermont's public records law, a 1974 report on privacy and a 1975 bill creating a right to privacy were posted on our website in the "Spotlight on Records" section (<http://vermont-archives.org/research/spotlight/records.htm>). The 1975 bill did not pass but there are currently calls to revisit the need for privacy protection statutes.

2010 Highlight: Douglas Administration Records

Starting in the Spring of 2010 record analyst Rachel Muse worked with Susanne Young, legal counsel to Governor Douglas, on the transfer of his administration's records under 3 V.S.A. §4. Rachel helped identify record series; where possible match those series to record schedules; review existing indices/databases to the records); and arrange for the transfer of some of those databases to VSARA to enhance access to the records.

Thanks to this collaboration VSARA has received its first significant digital archives, including not only the databases but also digital copies of some of the Douglas Administration reports and of the administration's web site. In a separate but related action, the records of the secretary of administration were also transferred to the VSARA.

Building on this work VSARA has begun working with Governor Peter Shumlin's staff so his administration can systematically manage its records from the beginning.

GOAL #2

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Public agencies will have the tools and resources necessary to manage their records and information in an effective and efficient manner.

- *Records Officer and Records Liaison Program*

Pursuant to 3 V.S.A. § 218, each agency and department head is required to designate a records officer to carry out the agency's records management program in accordance with State law. Although this law has been on the books for more than 30 years, it was not until VSARA launched its Records Officer and Records Liaison Program in December, 2008 that there was a process for tracking records officer designations or providing records management training to designees. The program is open to constitutional officers, the judiciary, the legislature, and others not embraced under § 218.

As of December 31, 2010, the State of Vermont has a network of 869 individuals who have been designated as records officers or liaisons for their respective agencies, departments, divisions, or units. VSARA provides informal training opportunities through its *Open Houses*, which are offered on the first Tuesday and last Thursday of every month.

- *Record Appraisal and Scheduling*

VSARA is mandated to establish record schedules for compliance with 1 V.S.A. § 317a, which states that: [a] custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule approved by the state archivist pursuant to subdivision 117(a)(5) of Title 3.

General record schedules (GRS) provide consistency in recordkeeping by Vermont public agencies for common functions and activities in the areas of administration, operations, contracting, and licensing. Any Vermont public agency may adopt any or all of the requirements in a general record schedule approved by the Vermont State Archivist. Adopting an approved GRS means that the agency agrees to implement, at a minimum, the retention and disposition requirements outlined in the GRS (where applicable). There are now five general record schedules, covering administrative policy and managerial records, contracting records, professional services licensee files and transitory records. During the past year, VSARA records analysts have worked with several agency and department records officers on adopting and implementing general record schedules.

In 2010, VSARA also completed agency-specific record schedules for the Division for Historic Preservation, Vermont Life Magazine, Economic Services Division (DCF), and the Payroll Division within the Department of Finance and Management. Agency-specific record schedules are developed by VSARA and an agency through the Targeted Assistance Program (TAP). Agency-specific record schedules also satisfy the requirements of 1 V.S.A. § 317a and, where mandated, 3 V.S.A. § 218. They are subject to annual certification and may be amended by mutual consent at any time.

- *Targeted Assistance Program (TAP)*

The Targeted Assistance Program (TAP) assists State and local government agencies in developing and sustaining their records management policies and procedures. Agencies, who must provide staff time and subject matter expertise, may request assistance in developing record schedules, customized records training, record taxonomies or file plans, and other records management related tools and resources.

Most importantly, TAP embraces statewide strategies for managing records. This supports VSARA's goal of managing government records and information from an enterprise perspective. This supports understanding records as a common institutional resource and thus promises to breakdown the tradition of "information silos."

TAP partners in 2010 included: the Vermont State Hospital; Finance and Management Department; Department of Children and Families; Agency of Commerce and Community Development; Department of Liquor Control; Department of Forests, Parks and Recreation; Department of Environmental Conservation; Banking, Insurance, Securities, and Health Care Administration; Vermont Telecommunications Authority; Department of Human Resources; Burlington Telecom; and the Vermont Criminal Justice Training Council.

- *Information Strategies Taskforce: Archives, Records, and Technology (iSTART)*

During 2010 VSARA continued to develop record management tools through the Information Strategies Taskforce: Archives, Records, and Technology (iSTART) and issued the [Electronic Signatures Best Practice For All State Agencies](#). iSTART is a volunteer collaboration with the Department of Information and Innovation's Enterprise Project Management Office to "provide a forum for identifying and addressing common concerns and to offer consistent advice on records and information management, including electronic records." The Attorney General's Office also participates when legal issues need to be addressed.

VSARA and DII collaborated on the Governance Plan for the Enterprise SharePoint Environment and also several policies related to the use of enterprise systems and other technologies within the State of Vermont. More details about iSTART are available online at: <http://vermont-archives.org/records/iSTART>.

2010 Highlight: Professional Recognition

In October several noted archivists visited VSARA to learn more about the work of Tanya Marshall and the record analysts. Among these visitors was Terry Cook an internationally recognized archivist who has influenced archival thinking and practice from Australia to South Africa and beyond. After his visit, Dr. Cook wrote of Tanya's Vermont Functional Classification System (VCLAS), that it "is the best such system I've seen in the world and its implications for good governance is amazing..."

GOAL #3

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State agencies will have a low-cost, secure facility for storing records that must be maintained for a set period of time to meet audit, fiscal, legal, or administrative needs.

The State Records Center has consistently provided low-cost storage for records that must be maintained for audit, fiscal, legal, or administrative needs, but are no longer used frequently enough to justify storing the records on-site, which is generally more expensive. Services of the State Records Center are available to all state agencies and include box pick-up, storage, retrieval, and destruction. Current practices and procedures are being evaluated and improvements are being made as needed.

- *Records Storage*

The State Records Center currently has 94,039 boxes of records and security film. More than 58,000 reels of microfilm are stored on behalf of state agencies and 9,600 reels on the behalf of municipalities. In 2010, VSARA accepted 13,106 boxes of records from state agencies for storage at the State Records Center. In addition to boxes, 6,510 individual files were processed and re- or inter-filed in their respective boxes. Retention requirements for 7,432 boxes of records were also met this year and VSARA effectively destroyed the records on behalf of the agencies using the State Records Center services.

- *Record Retrievals*

For records stored in the State Records Center, both legal control and control of access to the records are retained by the agency until the records are either transferred to the State Archives or destroyed. Unless there is a formal agreement between the agency and the Vermont State Archives and Records Administration (VSARA), the State Records Center does not have the authority to release records to the public under any circumstances or respond to public record requests. Therefore, if a private citizen or staff member from another agency contacts the State Records Center to access records, they are referred to the appropriate agency Records Officer.

In 2010, Records Center staff fulfilled 12,925 requests from agency Records Officers to pull records from storage and return them to the creating agency. This number includes requests for records that have been converted to microfilm. VSARA tries to maintain a 24-hour turn around for this service.

2010 Highlight: New Bar Coding System

In 2010 a bar coding system was implemented that enhances the record center staff's ability to manage the location and retrieval of the 90,000 plus boxes under their care. Combined with Versatile, VSARA's record management database, bar coding eliminates several data entry steps and allows staff to identify where boxes are located, where there is shelf space for incoming boxes, and where boxes eligible for destruction can be found.

GOAL #4

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Constituents will receive professional and responsive administrative services.

VSARA carries out the following administrative services: document authentication on behalf of the Vermont Secretary of State; vital record certification on the behalf of the Department of Health; and statutory filings for administrative rules, legislative acts and resolves, and State deeds and leases. The lobby and offices at Middlesex were designed so these administrative services are provided outside the Archives reference room providing privacy for those seeking such services while limiting distractions to those using archival records.

- *Document Authentication*

Pursuant to the *Convention of 5 Octobre 1961 Abolishing the Requirements of Legalisation for Foreign Documents* (Hague Conference on Private International Law), the Vermont Secretary of State is a designated competent authority to “certify the authenticity of the signature, the capacity in which the person signing the document has acted and, where appropriate, the identity of the seal or stamp which it bears” on documents originating from Vermont public agencies or notarized by Vermont Notaries Public. In 2010 VSARA issued 2,212 authentications, including Apostilles.

On February 2011 all of Vermont’s 20,000 plus notaries public will need to register if they want to remain active. The administrative services staff have been looking at ways to improve this service, including linking images of the registration form to the existing notary database, This will allow the staff to verify notary signatures without having to retrieve the paper records. We hope to have this system in place early in the renewal process.

- *Vital Records Certification*

VSARA shares the responsibility of certifying Vermont vital events such as birth, death, marriage, and divorce with the Vermont Department of Health (VDH). For events older than 5 years, this function is performed exclusively by VSARA. In 2010, VSARA issued 5,148 certificates to individuals seeking certified copies of vital records. On behalf of the Department of Children and Families (DCF), which is required under Federal law to verify birth certificates for individuals seeking State services, VSARA also confirmed 9,625 birth records for individuals born prior to 1980.

- *Statutory Filings*

Administrative Rules: The Vermont Secretary of State, Interagency Committee on Administrative Rules (ICAR) and Legislative Committee on Administrative Rules (LCAR) share the responsibility for carrying out administrative services pursuant to the Administrative Procedures Act (APA). The Secretary of State is required to accept proposed and final rules for filing; publish notices of proposed rules; and to keep open for public inspection a permanent register of rules. In 2010, VSARA accepted, filed, published, and preserved 157 administrative rule filings.

Acts and Resolves: At the commencement of each legislative session the Secretary of State must appoint a legislative clerk. The duties of the Legislative Clerk are currently split between VSARA and the Division of Elections and Campaign Finance. In 2010, VSARA processed 108 acts and 250 resolutions, which includes indexing, certifying, and, where applicable, distributing certified copies as directed by the General Assembly

2009 Highlight: Web Portal Improvements

In 2010 the administrative services unit worked with VIC to update its web portal for requesting vital records online. Patrons can go to a single web address to request vital records from both VSARA and Vermont Department of Health. The portal will appropriately route the requests based on the event year. There will be the option to request to have an apostille or authentication attached to the vital record. We will also be able to offer expedited shipping options for those needing fast delivery. These enhancements promote efficiency and improved customer service.

In part through a Challenges for Change initiative the APA web portal was also updated to improve the rulemaking process and public access to that process.

When VSARA was created in July 2008 the challenges were great. The records management program had atrophied and morale was low. The archival management program had been trapped in an inadequate building for decades and lacked authority to work with agencies in identifying and preserving archival public records. Even as public agencies invested millions in new information technologies they continued to think in terms of managing paper-based records,

Daunting challenges also provided opportunities. As the amount of records, information and data proliferated in agencies awareness of the need to manage it grew. As report after report decried public records trapped in agency information silos there were calls for taking a broader view of information management. As fiscal constraints motivated efforts to improve service delivery there were opportunities to illustrate how better record and information management were essential to those improvements.

In the two and a half years VSARA has existed a new facility was created; morale improved; new authorities and understandings allowed partnerships to be forged with agencies in the management of their records; and a new, state government-wide approach was launched to not just break down the silos, but also to use public records as an important business asset.

This, it cannot be overemphasized, is just a beginning. It takes time to create a recordkeeping culture where none existed. In 2011 we see three great opportunities, each with embedded challenges:

- In 2010 growing concerns over access to public records occasioned by a series of legal challenges generated attention on the State's commitment to right to know requirements and on the need to protect the privacy of Vermonters whose personal information was often captured in public documents needed to provide public services.
- While the focus on accountability is appropriate, it can obscure the many other positive aspects captured in the vast amount of information captured in our public records. This information, if properly managed, can guide program development and become a tool for measuring program results.
- There are numerous upcoming events in 2011 that can lend themselves to demonstrating how archival records provide context and understanding to issues, public dialogues and public celebration. Chief among these opportunities are the preliminary work on re-apportioning the legislature and the national observances of the sesqui-centennial of the Civil War.

In response to the first point the Shumlin Administration has already announced its commitment to better managing public records. VSARA has met with Governor Shumlin's staff and hope to sustain a partnership that will allow our records and information management perspectives to be incorporated into the Administration's initiatives.

In terms of broadening awareness of the importance of public records beyond their core role in providing accountability, as the work products of the record analysts reaches a

critical mass we can better map how information flows within government. This information can improve information sharing and coordination among agencies and provide citizen and government alike with information to support business decisions. Some initial steps have been taken by the record analysts including rudimentary visualization tools that allow one to view functions and activities across bureaucratic boundaries.

Finally, we hope to provide online information from past apportionment efforts to provide context to the current re-apportionment work. We hope to provide online information on the evolution of our public records laws and the right to know. And we hope to provide online access to archival public records documenting Vermont's participation in the Civil War.

CONCLUSION

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The success of VSARA has many sources. A hard-working and dedicated staff has been essential. Our partners at the Enterprise Project Management Office within the Department of Information and Innovation have been key to our work with digital records. Former commissioners of Buildings and General Services Tasha Wallis and Gerry Myers valued good government over turf protection and were open to not only combining the records and archival management programs but also to creating the facility necessary for the program to thrive.

The House and Senate Government Operations Committees have long provided a fair forum for presenting our perspectives on records and information management and helped make some of those perspectives law. The House and Senate Institutions Committees saw the value of our work to the people of Vermont and supported our new facility.

Secretary of State Deborah Markowitz provided effective support for the archives during her 12 years as secretary. She broke decades-long deadlocks that had crippled both records and archival management, getting the parties together in mediation, bringing in outside experts for non-accusatory evaluations of program strengths and weaknesses, and she promoted the creation of VSARA as a good government measure. Throughout those efforts she—and VSARA—benefited from the negotiation skills and wisdom of Deputy Secretary Bill Dalton.

It has been a pleasure to work with all of you; what success VSARA has achieved would not have been possible without you.

Vermont Secretary of State
Vermont State Archives and
Records Administration

NINTH ANNUAL REPORT

on

ARCHIVAL AND RECORDS
MANAGEMENT

James C. Condos, Secretary of State

D. Gregory Sanford, State Archivist

January 2012

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Report of the State Archivist 2011

This report, required by 3 V.S.A. §117(3)(c), covers the activities of the Vermont State Archives and Records Administration (VSARA) during calendar year 2011. The report offers insights into the maturation and expansion of VSARA's services and partnerships.

During 2011 the state archives unit finally began to achieve the resources necessary to sustain improved services. This included adding a second professional archival position and receiving a two-year grant to begin processing a huge backlog of court records.

The record analyst unit continued working with agencies to better identify and management records and information. Their growing body of work is enhancing opportunities to manage records across bureaucratic boundaries and break-down information silos first identified, and bemoaned, back in 1959.

Having archival and records management combined under one authority improved the State's ability to manage records from creation to final disposition and to identify and preserve its archival records. Team work between the record analysts and archivists also bore fruit in the first significant transfer of digital records within gubernatorial records and in the transfer of court records to the archives' custody. The benefits of that integration can also be seen in outstanding record center services and with service delivery with the administrative services unit.

The past year brought reminders of where we need to improve. Irene underscored the need to better incorporate public records into disaster mitigation and response planning. Litigation over access to public records and inadequate responses to some of that litigation reminded us that much remains to be done in increasing awareness that good record management is essential to good government.

Still 2011 was a good year VSARA. The excitement that lead to VSARA's creation remains high, as does the appreciation for all those who worked to make VSARA possible. We look forward to meeting the challenges and opportunities of 2012.

Respectfully submitted,



D. Gregory Sanford
State Archivist

The Vermont State Archives and Records Administration (VSARA) is a division within the Office of the Secretary of State.

MISSION

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- Advise and guide public agencies in records and information management.
- Appraise and schedule public records so they are preserved only as long as they have a legal or administrative value.
- Preserve and enhance access to the State government's archival records.
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To achieve this mission VSARA will establish and maintain partnerships with other public agencies and organizations, including the Department of Information and Innovation and its different units in order to effectively manage digital records.

The statutory authorities for VSARA are primarily within 3 V.S.A. §117 and 3 V.S.A. §218. In addition VSARA fulfills other statutory responsibilities assigned the Secretary of State including supervising Vermont notaries; providing clerical oversight for the Administrative Procedures Act; and helping meet Legislative Clerk obligations.

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The Vermont State Archives and Records Administration will be widely acknowledged for its professional archival and records management expertise and role in supporting the effective and efficient management of public records within the State of Vermont.

GOALS

- The State of Vermont will use professional archival standards to manage and preserve its archival records and promote their use by public officials and the public.
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- Constituents will receive professional and responsive administrative services.
- State agencies will have a low-cost, secure facility for storing records that must be maintained for a set period of time to meet audit, fiscal, legal, or administrative needs.

STAFF

VSARA currently has fourteen staff members: the state archivist, who directs VSARA; four members in the administrative services unit; three record center staff; four record analysts; and two archivists.

During 2011 VSARA continued to make significant strides toward creating the knowledge, partnerships and tools required for the effective management of State records and information. The following list of performance measures, while not inclusive, provides a sense of the progress made this year.

GOAL #1

- **The State of Vermont will use professional archival standards to manage and preserve its archival records and promote their use by public officials and the public (3 V.S.A. §117(g)(3); (6); and (7)).**

Facility

Archival records are public records that have a continuing legal, administrative or historical value to the State of Vermont. Archival records at VSARA are those whose legal and physical custody has been transferred to us by public agencies.

The commissioning of VSARA's Middlesex facility in June 2010 was a crucial first step toward achieving the goal of preserving and administering archival records. The facility can hold approximately 25,000 cubic feet of archival records in secure, environmentally-controlled space (the previous vault only accommodated 1,500 cubic feet of records). The new facility allows VSARA to accept and better manage archival records.

VSARA's work with the Judiciary illustrates one benefit of the new facility. Probate court consolidations in 2011 required moving records from facilities being closed or altered. The record analyst unit's ongoing collaboration with the Judiciary and the availability of the new archival space allowed the affected courts to transfer their archival records to VSARA. That could not have happened with the old archival facility.

Staff

Going into 2011 the state archives unit consisted of a single professional archivist with record analysis and administrative services staff helping provide reference services. During the year another professionally trained archivist was added. This freed staff from reference room coverage and expanded the time for making archival records more accessible.

Scott Reilly, the head of the state archives' unit, wrote a successful grant application to the National Historical Publications and Records Commission (NHPRC) to hire two additional archivists to preserve and make accessible court records from Caledonia, Lamoille, and Orleans counties. The two-year project will also allow developing practical models for making records broadly known and available as quickly as possible. The court record project archivists started in January 2012.

Acquisitions

The Vermont State Archives currently has 7,804 boxes and 10,399 microfilm reels of archival records. As noted, during 2011 VSARA improved its ability to help agencies identify, and where appropriate, transfer their archival records to our custody. This is a vast improvement over the old "system" where only a few records, such as gubernatorial

records, were transferred to state archives under statutory authority. Non-statutory acquisitions tended to be idiosyncratic and fragmentary. VSARA's goal of coordinating archival and records management will lead to a more comprehensive and useful archival record of state government.

2011 acquisitions include:

- Governor James H. Douglas records, 2003-2011
- Secretary of State Deborah Markowitz records, 1999-2011
- Legislative Committee Records, 2009-2010
- Original Acts and Resolutions, 2009-2010
- Windsor District Probate Court recording books and case records, 1787-1965
- Fair Haven District Probate Court recording books and case records, 1787-1993
- Marlboro District Probate Court recording books and case records, 1781-1997
- Westminster District Probate Court recording books and case records, 1781-1996
- Franklin District Probate Court recording books and case records, 1780-1956
- Bennington District Probate Court case records, 1780-1945
- Caledonia County Court Records, 1791-1946
- Orleans County Court Records, 1800-1974
- Campaign Finance Records, 2009-2010
- Lobbyist Records, 2009-2010
- Weeks School Records, 1911-1979
- Department of Corrections inmate registers, 1800-1984
- Vermont Film Commission Records, 1996-2007
- Vermont Military Department armory plans, 1922-2002
- Conveyances to the State of Vermont, deeds and leases, 2009-2011

As records are acquired they are added to an online database of archival record series at <http://vermont-archives.org/research/database/series.asp>.

Research and Reference Services

The archives unit, with support from other VSARA units, provides research and reference services. In 2011, VSARA registered 1,500 new researchers. Four hundred seventy-eight of the new researchers registered by visiting the reference room and an additional 1,072 researchers registered by mail. For those doing onsite research via the reference room, staff recorded a total of 2,306 records transactions. The archives unit also processed 133 requests for copies of records in the Vermont State Archives and answered 696 requests for information.

Outreach

During 2011 the state archives unit continued to expand its web offerings, beyond updating the record series database. Two new entries were made to the "continuing issues" section to help inform public dialogues on ongoing issues of governance. Continuing issues is at <http://vermont-archives.org/govhistory/governance/index.htm>. One is an overview of legislative reapportionment, including records from past reapportionment plans. The other provides a legislative history of Vermont's public

records law including links to original acts and committee testimony that show, among other things, the origins of the definitions and various exemptions found in 1 V.S.A. §317.

The “Spotlight on Records” section, which links individual archival records to current issues, was updated to include documents on the right of assembly; the food self-sufficiency movement inspired by OPEC oil embargo of the 1970s; and the original bottle bill (<http://vermont-archives.org/research/spotlight/records.htm>). A state highway map detailing major flood damage to Vermont’s roads in bridges in 1927 was also put online for comparison with flood damage caused by Irene. The state climatologist, working with VSARA, Vermont Emergency Management, and others subsequently submitted a grant proposal to the National Science Foundation with a goal of using historical data to identify persisting areas of serious flooding.

In response to the Civil War sesquicentennial the archives unit posted a Guide to the Civil War Records in the State Archives http://vermont-archives.org/research/civil_war/.

During 2011 previous publications of the State Archives were scanned and put online (<http://vermont-archives.org/research/database/index.htm>). The Records of the Council of Censors were also put online. The Council was the sole body that could propose amendments to the Vermont Constitution prior to 1870 and consequently is a valuable resource on our constitution’s first century of amendment and interpretation. Go to http://vermont-archives.org/publications/publicat/pdf/Council_of_Censors.pdf.

Throughout the year the archives staff, primarily Scott Reilly, gave presentations at the conferences of various stakeholder groups, including geographic information professionals, librarians, genealogists, and social studies educators. Gregory Sanford delivered the keynote speech at the annual Fall meeting of the New England Archivists.

2011 Highlight: State Archivist Receives Recognition

In February the Vermont Press Association honored Gregory Sanford for his lifetime commitment to the First Amendment and the right to know. His work also was recognized by the legislature in R-252. Those recognitions were, by extension, celebrations of the entire VSARA staff for their work on improving the management and accessibility of public records.

GOAL #2

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Public agencies will have the tools and resources necessary to manage their records and information in an effective and efficient manner.

- *Records Analysis and Policy Development*

The Records Analysis and Policy Development (RAPD) Unit within VSARA develops records retention schedules (required by law for the destruction of records or transfer of records into the State Archives) and records management guidelines and standards, including the Vermont Functional Classification System¹. The RAPD unit also coordinates the Records Officer and Records Liaison (RO/RL) Program, sets policies and requirements for using the State Records Center for inactive records storage, and collaborates with DII for managing records and information in enterprise systems. The unit is headed by Tanya Marshall.

- *Records Officer and Records Liaison Program (RO/RL)*

Pursuant to 3 V.S.A. § 218, each agency and department head must designate a records officer to carry out the agency's records management program in accordance with State law. Although this law was enacted in 1975, it was not until VSARA launched its Records Officer and Records Liaison Program in December, 2008 that there was a process for tracking records officer designations or providing records management training to designees. VSARA created the record liaison position to assist record officers who must fulfill their record management duties in addition to their regular work responsibilities. The program is open to constitutional officers, the judiciary, the legislature, and others not embraced under § 218.

There are sixty-seven record officers supported by 629 record liaisons across state government. VSARA records analysts provides them with informal training opportunities through its *Open Houses*, which are offered on the first Tuesday and last Thursday of every month. Seminars, such as "Got Records? Now What?" are offered on a periodic basis through the Summit and by agency request. During 2011 VSARA offered five of these seminars and provided support for similar training offered by the Governor's Office on the requirements of the public records act and by Secretary of State Jim Condos as part of his statewide "transparency tour." Finally the record analysts keep record officers informed through a quarterly newsletter that can be found at: <http://vermont-archives.org/publications/records/index.htm>.

- *Record Appraisal and Scheduling*

VSARA is mandated to establish record schedules for compliance with 1 V.S.A. § 317a, which states that: [a] custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule approved by the state archivist pursuant to subdivision 117(a)(5) of Title 3.

¹ VSARA applies professional archival, records, and information management principles and practices, such as Generally Accepted Recordkeeping Principles (GARIP[®]) and International and national records management standards.

General record schedules (GRS) provide consistency in recordkeeping by Vermont public agencies for common functions and activities in the areas of administration, operations, contracting, and licensing. Any Vermont public agency may adopt any or all of the requirements in a general record schedule approved by the Vermont State Archivist. Adopting an approved GRS means that the agency agrees to implement, at a minimum, the retention and disposition requirements outlined in the GRS (where applicable).

Four general record schedules were issued by VSARA in 2011 to support recordkeeping in the following functional areas: accounting; grants management; land use and related permits; and public utilities. Through VSARA's Targeted Assistance Program (TAP), the Department of Economic, Housing, and Community Development (DEHCD), the Department of Liquor Control, and the Corporations Division of the Office of the Secretary of State adopted new agency-specific record schedules for their records. The Vermont State Hospital also adopted a new record schedule for patient records.

Record schedules, whether general or agency-specific, give the record custodian a level of certainty that had not existed previously. Uncertain whether various records needed to be retained there was a tendency to hold onto everything beyond any possible legal, administrative or fiscal need. One public agency that adopted and then applied a schedule was able to dispose of all but eleven of 345 boxes it had been holding onto.

- *Targeted Assistance Program (TAP)*

The Targeted Assistance Program (TAP) is designed to assist State and local government agencies in resolving issues or problems with their current records management programs. It is also the program used by the Vermont State Archives and Records Administration to inventory, appraise, and schedule public records in accordance with [1 V.S.A. § 317a](#) and [3 V.S.A. § 117](#).

TAP embraces statewide strategies for managing records and offers a unique opportunity for agencies to partner with VSARA and, where possible, its collaborators, such as the EP MO. Since July 2008, more than thirty state agencies participated in TAP. Agencies must provide staff time and subject matter expertise and may request assistance in developing record schedules, customized records training, record taxonomies or file plans, and other records management related tools and resources.

The Natural Resources Board, the Department of Motor Vehicles, and the Agency of Transportation initiated TAP projects in 2011. VSARA records analysts continue to work with existing TAP partners, such as the Department of Environmental Conservation, Department of Forests, Parks, and Recreation, Department of Liquor Control, and Agency of Commerce and Community Development, to help modernize their records management programs.

- *Information Strategies Taskforce: Archives, Records, and Technology (iSTART)*

iSTART was formed as a collaborative group to identify and address common concerns and offer consistent advice on records and information management, including electronic records. Presently, iSTART consists of members of DII and VSARA with the Attorney General's Office providing legal advice as needed.

iSTART strives to define authorities, responsibilities, and accountabilities for information technology and records and information management (RIM). With support from the Secretary of Administration and Secretary of State, iSTART develops and distributes information management standards and guidelines that are well-received and widely used by all public agencies. These standards also are included in all IT Requests for Proposals (RFPs) and contracts.

One iSTART goal is to streamline the management and preservation of digital records and information by including applications and tools to support electronic records management in the State's Enterprise IT infrastructure. Through iSTART, VSARA and DII continue to collaborate on the Governance Plan for the Enterprise SharePoint Environment and have initiated similar information governance activities for other systems. iSTART also provided guidance and advice to the Secretary of Administration for his report on whether a single "electronic documents management system for the creation, management, archiving, redaction, and confidential designation of records produced or acquired by state agencies...should be implemented by state agencies" (Sec. 13 of Act 59 (2011)).

In 2011, iSTART also evaluated an electronic records preservation system as a state partner under the *Preserving Legislative Records in the Digital Age* project lead by the Minnesota Historical Society. The State of Vermont's evaluation, lead by iSTART, relied heavily on standard evaluation criteria for content management systems (CMS) but with an emphasis on functions that are consistent with archival principles and practices for accessioning, preservation, and access. The project was funded by the National Digital Information Infrastructure and Preservation Program (NDIIPP) as part of its *Preserving State Information* initiative.

2011 Highlight: Professional Recognition

Growing professional appreciation of VSARA's work was evidenced, in part, by requests for staff members to contribute to a variety of books on archival and records management and serve on professional committees. Gregory Sanford contributed chapters to Larry Hackman, editor, **Many Happy Returns: Advocacy and the Development of Archives** (Society of American Archivists, 2011) and Terry Cook, editor, **Controlling the Past: Documenting Society and Institutions** (Society of American Archivists, 2011). Tanya Marshall was asked to submit a pmodel, based on the Vermont Functional Classification System (VCLAS), for Pat Frank's upcoming book on records and information management. Tanya also serves on the **Master's in Archives Records Administration (MARA) Program Advisory Committee** at San José University and on the **Finance Committee** of Council of State Archivists (CoSA).

GOAL #3

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State agencies will have a low-cost, secure facility for storing records that must be maintained for a set period of time to meet audit, fiscal, legal, or administrative needs.

The State Records Center, supervised by Chris Flora, consistently provides low-cost storage for records that must be maintained for audit, fiscal, legal, or administrative needs, but are no longer used enough to justify expensive, onsite storage. Records Center services are available to all state agencies including box pick-up, storage, retrieval, and destruction. Practices and procedures are constantly being evaluated and improved.

- *Records Storage*

The State Records Center currently has 98,674 boxes of records and security film. More than 58,000 reels of microfilm are stored on behalf of state agencies and 9,700 reels on the behalf of municipalities. In FY2011, VSARA accepted 11,487 boxes of records from state agencies for storage at the State Records Center. In addition to boxes, 10,739 individual files were processed and re- or inter-filed in their respective boxes. Retention requirements for 6,058 boxes of records were also met this year and VSARA destroyed the records on behalf of the agencies.

- *Record Retrievals*

Agencies retain legal control and control of access over their records the Records Center, until the records are either transferred to the State Archives or destroyed. Unless there is a formal agreement between the agency and the Vermont State Archives and Records Administration (VSARA), the State Records Center does not have the authority to release records to the public. If a citizen or another agency contacts the Records Center to access records, they are referred to the appropriate agency's Records Officer.

In 2011, Records Center staff fulfilled 9,013 requests from agency Records Officers and Liaisons to retrieve records from storage and return them to their creating agency. This number includes requests for records that have been converted to microfilm. VSARA tries to maintain a 24-hour turn around for this service.

2011 Highlight: New Procedure for Re-Filing and Interfiling Records

Working with the Records Analysis and Policy Development Unit, the State Records Center introduced a new procedure for re-filing and interfiling records into existing boxes in the State Records Center. One goal is to educate records officers and liaisons on how to monitor files when they are requested and returned to the agency. Another goal is reduce the number of records submitted for re-filing or interfiling that had already met their record retention requirements. The procedure also emphasized the use of an interfile cover sheet to facilitate filing. Since implementing the new procedure in March 2011, the process of re-filing and interfiling records has become more efficient.

GOAL #4

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Constituents will receive professional and responsive administrative services.

VSARA carries out the following administrative services: document authentication on behalf of the Vermont Secretary of State; vital record certification on the behalf of the Department of Health; and statutory filings for administrative rules, legislative acts and resolves, and State deeds and leases. The lobby and offices at Middlesex are designed so these administrative services are performed outside the Archives reference room providing privacy for those seeking such services while limiting distractions to those using archival records. Nancie Austin-Bradley supervises the administrative services unit.

- *Document Authentication*

Pursuant to the *Convention of 5 Octobre 1961 Abolishing the Requirements of Legalisation for Foreign Documents* (Hague Conference on Private International Law), the Vermont Secretary of State is a designated competent authority to “certify the authenticity of the signature, the capacity in which the person signing the document has acted and, where appropriate, the identity of the seal or stamp which it bears” on documents originating from Vermont public agencies or notarized by Vermont Notaries Public. In 2011 VSARA issued 2,446 authentications, including Apostilles.

In anticipation of the renewal of 20,000 plus notaries public starting in February 2011 the administrative services staff acquired a new database. All notary applications were scanned, making it possible for staff to verify signatures without having to retrieve paper records. This saved customer and staff time.

The Notary handbook was updated to reflect changes.

- *Vital Records Certification*

VSARA shares the responsibility of certifying Vermont vital events such as birth, death, marriage, and divorce with the Vermont Department of Health (VDH). For events older than 5 years, this function is performed exclusively by VSARA. In 2011, VSARA issued 4,689 certificates to individuals seeking certified copies of vital records. On behalf of the Department of Children and Families (DCF), which is required under Federal law to verify birth certificates for individuals seeking State services, VSARA also confirmed 8,473 birth records for individuals born prior to 1980.

- *Statutory Filings*

Administrative Rules: The Vermont Secretary of State, Interagency Committee on Administrative Rules (ICAR) and Legislative Committee on Administrative Rules (LCAR) share the responsibility for carrying out administrative services pursuant to the Administrative Procedures Act (APA). The Secretary of State is required to accept proposed and final rules for filing; publish notices of proposed rules; and to keep open for public inspection a permanent register of rules. In 2011, VSARA accepted, filed, published, and preserved 149 administrative rule filings.

Acts and Resolves: At the commencement of each legislative session the Secretary of State must appoint a legislative clerk. The duties of the Legislative Clerk are currently split between VSARA and the Division of Elections and Campaign Finance. In 2011, VSARA processed 111 acts and 232 resolutions, which includes indexing, certifying, and, where applicable, distributing certified copies as directed by the General Assembly

2011 Highlight: Reference Research Database

A new database was developed by merging our existing obsolete SQL database with our existing Access database. This created clear reporting methods for deposit reconciliation and data tracking. This replaced the older system which required data to be entered into two separate databases.

When VSARA was created in July 2008 the challenges were great. The records management program had atrophied and morale was low. The archival management program had been trapped in an inadequate building for decades and lacked authority to work with agencies in identifying and preserving archival public records. Even as public agencies invested millions in new information technologies they continued to think in terms of managing paper-based records, if they thought of record management at all.

Daunting challenges also provided opportunities. A review of our annual reports reveal opportunities realized, challenges that persisted, and evolving opportunities and challenges (see: <http://vermont-archives.org/publications/annual/index.htm>). The first annual report was mandated in 2003 prior to the creation of VSARA. In that and subsequent annual reports certain challenges persisted:

- the need for a new archives facility;
- the need to coordinate archival and records management;
- the need to create better tools and resources for agencies to manage their records; and
- the need to address electronic records.

From the vantage point of 2011 we have

- a new archives and records facility;
- we not only coordinated but combined archives and records management;
- we created a record analyst unit that helps agencies manage their records and has developed a wide range of online tools at <http://vermont-archives.org/records/>;
- we sustained and were immeasurably aided by a partnership with the Department of Information and Innovation and its Enterprise Project Management Office; and
- we established a presence with many of the groups working on enterprise solutions, web portals, and other digital initiatives.

While we can take satisfaction in our successes, challenges and opportunities persist and evolve. In 2012 familiar challenges continue: demonstrating the values of good record and information management; translating that awareness into sustained support; and positioning record officers so they have the necessary skills and authority to perform their duties.

Some new opportunities are already discernible. Will support for records management grow in light of repeated law suits over, and accompanying bad publicity about, access to public records? Will the impact of Irene encourage better integration of records and information management into disaster mitigation and response planning? Other issues remain cloudy; if the vital records bill (H. 454) passes, for example, what impact will it have on our vital record services and traditional genealogical users?

For 2012 there are opportunities to test and implement RIM within the more controlled arena of the secretary of state's office. Similarly the court records project will allow the testing of archival processing and outreach models. A second grant will allow us to plan with other Vermont record custodians to provide statewide services, perhaps including disaster planning. Secretary of State Jim Condos' interest in reviewing all the statutory filings mandated for his office will be an opportunity to re-think administrative services.

The Secretary's interest in improving the office's IT support could produce many benefits for all of VSARA. The opportunities we will pursue most vigorously include:

- Secretary Condos, in fulfillment of his transparency interests, is promoting consistent and comprehensive RIM plans for the Office. This will allow VSARA to further build and refine RIM models by testing them within the Secretary's Office and with his championship.
- Secretary Condos' desire to improve IT support and enhance web-based delivery of services will allow VSARA to better fulfill its government-wide mandates and explore ways to better interact with current and potential users.
- A recently awarded grant will allow VSARA to work with the Vermont Historical Records Advisory Board to create a strategic plan for assisting municipal clerks, local historical societies and other record curators in the management of their records.
- The court records project will not only allow us to test making the greatest number of records accessible as quickly as possible but will also unlock previously inaccessible court records to allow better insights into Vermont's economic, political and social evolution.

None of this means VSARA will turn inward to the exclusion of existing partnerships; those will continue. It does mean that we can develop and test tools for that larger mission "closer to home."

We continue to be excited by the opportunities the creation of VSARA opened up and remain humbled by the hard work of all those who saw, and continue to support, the benefits of good information management.