

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

SIXTH ANNUAL REPORT
on
ARCHIVAL AND RECORDS
MANAGEMENT

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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.