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*Susanne R. Young, Secretary*

## MEMORANDUM

**TO:** Executive Branch Agency and Department Heads  
**CC:** Tanya Marshall, State Archivist & Director  
**FROM:** Susanne R. Young, Secretary of Administration *so*  
**RE:** Public Records Request System  
**DATE:** February 4, 2019

### ANNOUNCING THE NEW PUBLIC RECORDS REQUEST SYSTEM

In accordance with [1 VSA § 318a](https://legislature.vermont.gov/statutes/section/01/005/00318a) (<https://legislature.vermont.gov/statutes/section/01/005/00318a>) the Agency of Administration and the Executive Branch are responsible for cataloguing public record requests in the Public Records Request System.

The original system developed in 2006 has been replaced with a new system created in SharePoint Online. Effective January 1, 2019, the new Public Records Request System is the sole site used to record public records requests. The new system is available to anyone with a ‘...@vermont.gov’ email address. All state employees charged with recording public record requests only need to sign into the system to obtain access. Other quasi-state Boards, Commissions, etc., without the requisite email address may contact ADS Support to set up their unit by entering a [LANDesk](https://itsupport.vermont.gov) service ticket at <https://itsupport.vermont.gov> or by calling 802-828-6620, option 1.

The new [Public Records Request System](https://vermontgov.sharepoint.com/sites/prr) will be available beginning today, February 4, 2019, at <https://vermontgov.sharepoint.com/sites/prr>. Historic and [current data](https://vermontgov.sharepoint.com/sites/prr) will continue to be published monthly on the Agency of Administration website at <https://aoa.vermont.gov/statewide-public-record-requests>.

Please consult the attached instructions and FAQs before initial system log-in. Additional assistance is available by entering a [LANDesk](https://itsupport.vermont.gov) service ticket at <https://itsupport.vermont.gov> or by calling 802-828-6620, option 1.

**Please forward this, along with the corresponding email and documents to those responsible for handling Public Records Requests within your agency or department.**

# Public Records Request System – Instructions

## New Request Entry

1. Open the Public Records Request SharePoint site (<https://vermontgov.sharepoint.com/sites/PRR>).
2. Click “New Request” tab.
3. Click on the “New” icon to add new request.
4. Complete the following fields:
  - a. Status: This field defaults to “Open”.
    - i. For new requests pending response, status should remain “Open” until a response has been issued.
    - ii. If you are logging a new request where a response has already been issued, change the status to “Closed”.
  - b. Date Received: Enter date the request was received.
  - c. Requestor First Name: Enter first name of the individual who submitted the request.
  - d. Requestor Last Name: Enter last name of the individual who submitted the request.
  - e. Requestor Email Address: Enter requestor email address.
  - f. Requestor Contact Information: Enter any applicable information as available.
  - g. State Entity: Enter the State entity which received the request (once you start typing the system will auto-populate with all possible selections).
  - h. Type of Request: Select the format in which the request was submitted.
  - i. Request Description: Provide a description of the request received (can copy and paste full request if desired).

***\*If you are not ready to close the request at this time, proceed to step 5.***

***\*If you are ready to close out the request, proceed to step 4(j).***

- j. Action Taken: Select the appropriate action taken from the dropdown.
  - k. Second Level: For ‘Action Taken’ other than “Fulfilled in whole”, select the appropriate explanation from the “Second Level” dropdown box.
  - l. Statutory Exemption: If “Statutory exemption” was selected under “Second Level”, select and add all applicable statutory exemptions.
  - m. Date Closed: Click on the calendar icon and select the date the response was issued.
  - n. Hours: Enter the whole number of hours it took to complete the request. Additional minutes beyond the whole number of hours should be entered in the “Minutes” field below. (Example: If it took 3 hours and 47 minutes to fulfill this request, you will enter ‘3’ in the “Hours” field and ‘47’ in the “Minutes” field).
  - o. Minutes: Enter the number of minutes it took (beyond whole hours) to complete the request. (Example: If it took 3 hours and 47 minutes to fulfill this request, you will enter ‘3’ in the “Hours” field and ‘47’ in the “Minutes” field).
  - p. Amount Billed: Indicate amount billed to requestor (if nothing was billed, enter ‘0.00’).
  - q. Comments: Enter any information relevant to the request which has not been identified in any other areas of this form.
5. Click “Save” once you have completed all necessary fields.

## Editing/Closing and Existing Entry

1. Open the Public Records Request SharePoint site (<https://vermontgov.sharepoint.com/sites/PRR>).
2. Click on the “My Open Requests” tab from the home screen
3. Find the request you would like to edit/close and click on the edit icon under the “Edit” column.
4. Once the request opens, you can edit any fields as necessary. If you would like to close the request, proceed to step 4(a). If you are making edits to the entry but are not ready to close the request, proceed to step 5.
  - a. Status: Select “Closed” from the dropdown.
  - b. Action Taken: Select the appropriate action taken from the dropdown.
  - c. Second Level: For ‘Action Taken’ other than “Fulfilled in whole”, select the appropriate explanation from the “Second Level” dropdown box.
  - d. Statutory Exemption: If “Statutory exemption” was selected under “Second Level”, select and add all applicable statutory exemptions.
  - e. Date Closed: Click on the calendar icon and select the date the response was issued.
  - f. Hours: Enter the whole number of hours it took to complete the request. Additional minutes beyond the whole number of hours should be entered in the “Minutes” field below. (Example: If it took 3 hours and 47 minutes to fulfill this request, you will enter ‘3’ in the “Hours” field and ‘47’ in the “Minutes” field).
  - g. Minutes: Enter the number of minutes it took (beyond whole hours) to complete the request. (Example: If it took 3 hours and 47 minutes to fulfill this request, you will enter ‘3’ in the “Hours” field and ‘47’ in the “Minutes” field).
  - h. Amount Billed: Indicate amount billed to requestor (if nothing was billed, enter ‘0.00’).
  - i. Comments: Enter any information relevant to the request which has not been identified in any other areas of this form.
5. Click “Save” once you have completed all necessary fields.



✓ Answer

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**4 Title : Do I have to publish the actual documents provided in the Public Records Request response? (1)**

No. The tracking system is established to track compliance with the Public Records Act. It tracks the facts of compliance rather than the subject matter of the request. If you've created a major database as a result of the records request that may be of value to many citizens, you may post it on the Open Data Portal. Please contact Harry Bell, [harry.bell@vermont.gov](mailto:harry.bell@vermont.gov) for more information.

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**4 Title : Do I record requests which are transferred to another department? (1)**

Yes. Any request you receive must be recorded. Change the status to closed and complete all necessary fields. Under "Action Taken" you would select "Not Fulfilled", and under the "Second Level" dropdown you would select "Not the Custodian". Any additional notes can be captured in the "Comments" field (i.e. which State Entity the requestor was referred to).

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**4 Title : Does the public have access to the Public Records Request System? (1)**

No. The public does not have direct access to the Public Records Request System. However, they do have access to the data contained therein through the Agency of Administration website, located at: <http://aoa.vermont.gov/statewide-public-record-requests>.

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**4 Title : How do I enter data for Agencies and Department vs. Boards and Commissions (etc.)? (1)**

- a.) All Executive Branch Agencies and Departments are already included in the master drop-down list.
- b.) Do not use Division names; only the appropriate Agency or Department name. Division names may be referenced in the comments box, should you wish to do so.
- c.) Elected Offices and a limited number of Boards and Commissions are pre-loaded in the master list.

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**4 Title : How do I login to the new system for the first time? (1)**

- a.) Login to: <https://vermontgov.sharepoint.com/sites/PRR>.
- b.) First time login: enter your email address and network password.
- c.) For instructions on entering requests, click on the "Print Instructions" option from the site's homepage.

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**4 Title : How often do I need to enter Public Records Requests into the System? (1)**

Users should enter Public Records Requests into the SharePoint Online system by the last business day of every month. The System will update the Open Data Portal and the Agency of Administration website monthly.

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**4 Title : May I charge the requestor for time and copying expenses? (1)**

Yes. Under 1 V.S.A. § 316(d), the Secretary of State maintains a Uniform Schedule of Records Charges for State Agencies at: <https://www.sec.state.vt.us/archives-records/certifications-fees/uniform-fee-schedule.aspx>

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**4 Title : May I deny a Public records Request? (1)**

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✓ Answer

There are several legal exemptions to disclosures under the Public Records Act. A list is maintained by the Secretary of State at: <https://www.sec.state.vt.us/archives-records/records-management/legal-requirements/right-to-know/all-exemptions.aspx>. When logging requests, there is a list of statutory exemptions readily available for selection and you have the option of selecting multiple exemptions.

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🔪 **Title : May I deny the request of someone who refuses to pay the charges? (1)**

You may hold the records until the requestor agrees to pay, but you may not deny the request outright. Assuming the requestor later agrees to pay, you then provide the records requested. The requestor may also file a grievance to your agency's appointing authority. For tracking purposes, if the request is pending payment you will select "Pending Requestor Response" from the "Action Taken" field, and select "Request for Payment Pending" from the "Second Level" field.

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🔪 **Title : Must the requestor reference the Public Records Act in their request? (1)**

No. The requestor does not have to reference 1 V.S.A. § 315, etc., use the term "Public Records", nor the term FOIA (the federal Freedom of Information Act) to make a request.

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🔪 **Title : What if I have an "OPEN" Request record in the old system? (1)**

All 2018 entries left open as of 12/31/2018 were transferred to the new system to enable closure when resolved. Questions may be addressed by entering an ADS service ticket through LANDesk or by calling 802-828-6620, option 1. You can view historic and current data at the Database Listing of Statewide Public Records Requests (<https://aoa.vermont.gov/statewide-public-record-requests>).

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🔪 **Title : What if I have questions, or technical issues with the system? (1)**

- a.) Question about interpreting the Public Records Act should be brought to your assigned Assistant Attorney General or the Attorney General's Office;
- b.) General questions not answered through these FAQs maybe addressed to the Secretary of Administration's Office at 802-828-3322;
- c.) An ADS service ticket should be entered through the LANDESK system for technical issues with the System. <https://itsupport.vermont.gov> or by calling 802-828-6620, option 1.

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🔪 **Title : What if management wants to publish the actual response documents? (1)**

Departments who choose to publish request responses may do so, outside the Public Records request tracking System. However, doing so does not relieve the department's responsibility for using and tracking all requests in the Public Records Request System.

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🔪 **Title : What if my Board or Commission (etc.) is not listed? (1)**

If your Board, Commission, Committee, Council, etc. is not listed, you will need to contact ADS Support to set up your unit, either by entering a Landesk service ticket at: <https://itsupport.vermont.gov> or by calling 802-828-6620, option 1.

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🔪 **Title : What is a Public Record? (1)**

A Public Records Request is a "public record" or "public document". Public record or public document means any written or recorded information, regardless of physical form or characteristics, which is produced or acquired in the course of public agency business. Individual salaries and benefits of and salary schedules

✓ Answer

relating to elected or appointed officials and employees of public agencies shall not be exempt from public inspection and copying.

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🔪 **Title : What is a Public Records Request?** (1)

A request to inspect or copy a "public record" or "public document".

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🔪 **Title : What is the Public Records Act** (1)

The Public Records Act is 1 V.S.A. §§ 315 – 318a. All Public Records Officers and Liaisons must familiarize themselves with the requirements of this Act.

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🔪 **Title : Who has access to the Public Records Request System?** (1)

Anyone with a state email address ([@vermont.gov](mailto:@vermont.gov)) has access to the public records request System via SharePoint Online. <https://vermontgov.sharepoint.com/sites/PRR>

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🔪 **Title : Why must we record Public Record Requests?** (1)

- a.) 1 V.S.A. § 316. Access to public records and documents allows for "Any person may inspect or copy any public record of a public agency..."
- b.) 1 V.S.A. § 318a requires the Secretary of Administration to provide a Public Records Request System (a.k.a. "tracking" system) for all Executive Branch units to record information and disposition of each individual public records request.