

# State of Vermont Natural Resources Board



<b>ISSUED BY:</b>	Vermont Natural Resources Board
<b>TITLE:</b>	Records Management Policy
<b>POLICY NO.</b>	1
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## TABLE OF CONTENTS

I. PURPOSE.....	1
II. POLICY STATEMENT.....	1
III. SCOPE.....	2
IV. RELEVANT LAWS, REGULATIONS, STANDARDS, AND PROCEDURES.....	2
V. RECORD SCHEDULES.....	2

### I. PURPOSE

All Natural Resources Board (“NRB”) members, NRB employees, and District Commission Members are responsible for creating, maintaining, and disposing of public records in accordance with state and federal law, including Vermont’s Access to Public Records law. 1 V.S.A. §§ 315-320. All state agencies and departments must adopt a program approved by the Vermont State Archives & Records Administration (“VSARA”) for the effective management, preservation, and disposition of public records. 3 V.S.A. § 218. In addition, custodians of public records may not dispose of public records unless specifically authorized by law or under a record schedule that has been approved by the Vermont State Archivist. 1 V.S.A. § 317a. The NRB has adopted this policy to: (1) fulfill its obligations under 3 V.S.A. § 218; and (2) set forth the records schedules pursuant to which NRB employees may dispose of public records pursuant to 1 V.S.A. § 317a.

### II. POLICY STATEMENT

Consistent with the policies of the State of Vermont, the NRB recognizes that:

[P]ublic records are essential to the administration of State and local government. Public records contain information that allows government programs to function, provides officials with a basis for making decisions, and ensures continuity with past operations. Public records document the legal responsibilities of government, help protect the rights of citizens, and provide citizens a means of monitoring government programs and measuring the performance of public officials. Public records provide documentation for the functioning of government and for the retrospective analysis of the development of

Vermont government and the impact of programs on citizens. Public records in general and archival records in particular need to be systematically managed to preserve their legal, historic, and informational value, to provide ready access to vital information, and to promote the efficient and economical operation of government.

3 V.S.A. § 218(a). *See also* 1 V.S.A. § 315(a) (containing substantially similar provisions). As a result, the NRB adopts as its own the following two policies from 1 V.S.A. § 315. First, that NRB employees shall provide for free an open examination of records consistent with Chapter I, Article 6 of the Vermont Constitution and Vermont's Access to Public Records law. 1 V.S.A. §§ 315-320. Second, that all people have a right to privacy in their personal and economic pursuits, which ought to be protected unless specific information is needed to review the action of a governmental official. This means that public records that are exempt under Vermont's Access to Public Records law may not be available for public inspection.

### III. SCOPE

This policy applies to all public records in the custody and control of the NRB and its employees. Public records include "any written or records information, regardless of physical form or characteristics, which is produced or acquired in the course of public agency business," 1 V.S.A. § 317(b).

### IV. RELEVANT LAWS, REGULATIONS, STANDARDS, AND PROCEDURES

1. [Vermont State Constitution, Chapter 1, Article 6](#)
2. [1 V.S.A. §§ 315-320: Access to Public Records](#)
3. [3 V.S.A. § 117: Vermont State Archives and Records Administration](#)
4. [3 V.S.A. § 218: Agency/Department Records Management Program](#)
5. [04 000 CVR 002: Uniform Schedule of Public Record Charges for State Agencies](#)
6. [VSARA's Forms & Procedures Resource Page](#)
7. [10 V.S.A. Ch. 151: Act 250](#)
8. [10 V.S.A. Ch. 201: Administrative Environmental Law Enforcement](#)
9. [10 V.S.A. Ch. 220: Consolidated Environmental Appeals](#)

### V. RECORD SCHEDULES

The NRB and its employees shall create, maintain, and dispose of its public records in accordance with the following record schedules and with any additional records management manual, which the NRB may in its sole discretion adopt. These schedules set forth the minimum retention requirements for the documents referenced therein. The NRB and its employees may, in their discretion, retain such documents for a longer period. However, it is the NRB's expectation that NRB employees will dispose of Public Records at the earliest time authorized by the NRB's Record Management Policy unless good cause, which does not include administrative convenience, exists to retain it for a longer period of time. Any NRB employee deviating from this expectation must be able to articulate the good cause supporting his or her decision.

#### General Record Schedules

VSARA has issued several General Record Schedules that the State Archivist has approved. On May 6, 2011, the NRB completed a Notice of Adoption in which it announced its intent to develop and enact a policy to adopt certain General Record Schedules. Through the various versions of this policy, the NRB has adopted several General Records Schedules all of which are enumerated below.

1. [GRS-1000.1002: Accounting Records](#)
2. [GRS-1000.1102: Administrative Policy Records](#)
3. [GRS-1493.1004: Appointment Records](#)
4. [GRS-1000.1007: Audit Records](#)
5. [GRS-1000.1012: Budget Records](#)
6. [GRS-1000.1126: Contract Files](#)
7. [GRS-1000.1062: Marketing Records](#)
8. [GRS-1000.1063: Monitoring Records](#)
9. [GRS-1000.1103: Operational/Managerial Records](#)
10. [GRS-1009.1103: Payroll Management Records](#)
11. [GRS-1304.1103: Personnel Files](#)

#### Specific Records Schedules

In collaboration with VSARA, the NRB has developed the following agency-specific records schedules, which the NRB adopts through this Records Management Policy:

1. SRS-1185.1033: Act 250 Enforcement Records
2. SRS-1185.1000: Natural Resources Board Transitory Records

Copies of these agency specific records schedules are attached to this policy. The NRB has elected not to adopt a records schedule for land use permit records. As a result, all public records contained in land use permitting files must be retained indefinitely unless they are a duplicate of the official copy of the record or their disposition is governed by another records schedule, such as SRS-1185:1000: Natural Resources Board Transitory Records. The NRB is in the process of developing specific records schedules to address the maintenance and disposition of litigation records related to enforcement, land use permit appeal records, and records related to the NRB's participation in Public Utility Commission cases. Once such schedules are developed and approved by VSARA, the NRB will update this Records Management Policy.