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Vermont State Archivist

**State of Vermont
Office of the Secretary of State
State Archives & Records Administration**

Memorandum of Understanding

**Department for Children and Families
and
Vermont State Archives and Records Administration**

The Department for Children and Families (hereinafter called DCF) and the Vermont State Archives and Records Administration (hereinafter called VSARA) agree as follows:

- I. Act 96 of 2008 amends or adds:
 - a. 1 V.S.A. 317(a) to read 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."
 - b. 3 V.S.A. §117(a)(5) to read that a records schedule "means a manual, directive, or policy containing descriptions of and disposition instructions for retention, access, and management of all public records or public documents."
 - c. 3 V.S.A. §117(g)(2) to read that the state archivist shall "cooperate with the heads of state agencies or public bodies to establish and maintain a program for the appraisal and scheduling of public records."
 - d. 3 V.S.A. §218 to read that the "head of each state agency or department shall establish, maintain, and implement an active and continuing program approved by the Vermont State Archives and Records Administration for the effective management, preservation, and disposition of records, regardless of their physical form or characteristics, for which that head is responsible."
- II. DCF and VSARA's partnership under the Targeted Assistance Program will be based on the statutory authorities and mandates outlined in 1 V.S.A. §§315-320, 3 V.S.A. §117, and 3 V.S.A. §218.
- III. DCF will provide staff time and subject matter expertise to establish a comprehensive records schedule for all of the records of its Family Services Division (FSD).
- IV. VSARA will provide the tools and resources, in addition to guidance and assistance, to establish a comprehensive records schedule for all of FSD's records.
- V. The record schedule produced as part of the partnership will satisfy the requirements of 1 V.S.A. 317(a) and 3 V.S.A. §218(c)(10) once approved by the State Archivist.
- VI. During the term of the MOU, a party to the MOU may submit a written request to amend or modify this memorandum. When such a request is made, the parties shall meet without unnecessary delay to consider the proposed amendment.
- VII. This MOU will become effective on the date of the last signature for a period of one year and can be renewed by mutual consent.



Gregory Sanford
State Archivist

4/28/09
Date



Steve Dale
Commissioner, DCF

4/24/09
Date