



# Draft Project Charter

<b>TITLE</b>	Public Records Requests and Management Project
<b>SPONSORS</b>	Gina Zejdlik, Senior Policy Advisor, Governor's Office; and Barry Pack, Chief Administrative Officer, Office of the Chief Operating Officer
<b>PROJECT MANAGER &amp; BUSINESS LEAD</b>	Kat Silva, Project Coordinator, Office of the Chief Operating Officer Matt Shelby, Communications Strategist, Office of the Chief Operating Officer
<b>PROBLEM STATEMENT</b>	<p>Providing timely and cost effective access to public records is inconsistent across state agencies. Depending on which agency is approached and the complexity of the request, individuals requesting records experience different levels of communication, timeliness of responses and costs related to production of requested records. Members of the media and general public have the perception that state government deflects its responsibility, lacks transparency and blocks access to public records by arbitrarily:</p> <ul style="list-style-type: none"><li>• applying fees;</li><li>• delaying production; and</li><li>• invoking exemptions within the public records law.</li></ul> <p>The variation experienced by the media and general public is due to a lack of:</p> <ul style="list-style-type: none"><li>• statewide policies and guidelines particularly with regard to record types created by emergent technology;</li><li>• a standardized fee structure;</li><li>• automated processes and procedures, making record retention and retrieval arduous and subject to individual employee interpretation; and</li><li>• staff training related to both records management and responding to public records requests.</li></ul> <p>In addition, the volume of records subject to search and potential legal review significantly impact the ability for an agency to respond in a timely manner. Concern over accidentally destroying pertinent records, in addition to the lack of employee training, has resulted in a multitude of records being kept beyond the mandated retention schedule. Seemingly inexpensive storage of electronic records has also made it easier to perpetuate the practice of keeping all records indefinitely.</p>
<b>PROJECT PURPOSE</b>	<p>The purpose of this project is to improve accessibility to public records and therefore government transparency by:</p> <ol style="list-style-type: none"><li>a) Implementing the Governor's Executive Order No. XX-XXXX and recommendations outlined in the recent Secretary of State (SOS) audit (Report No. 2015-27: <i>State Agencies Respond Well to Routine Public Records Requests, but Struggle with Complex Requests and Emerging Technologies</i>);</li></ol>



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- b) Developing and implementing statewide standards and guidelines;
  - c) Streamlining (or automating) processes and procedures; and
  - d) Implementing new records management programs and systems where and when feasible.
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The scope of this project includes retention schedules, administrative rules, statewide policy guidance and recommendations for state agencies regarding:

- internal processes and procedures for response to public records requests, records retention and management including roles, responsibilities and employee training;
- standardized fee-structures and payment mechanisms; and
- the feasibility of enterprise-wide records management solutions.

The project also includes the identification of potential options for statutory changes to keep up with the impacts of changing technology on retention and facilitate improved records management identified during the project.

**The scope does not include:**

**SCOPE**

Specific policy questions will need to be addressed regarding agency responses to public records requests (e.g. whether agencies should be required to compile specific data-sets and/or analyze data to respond to a request or if it is sufficient to provide the raw data only). Policy decisions regarding these issues, although heavily related to this project, are outside the project scope.

Public records management practices and retention for the Legislative and Judicial branches.

Exemptions within the public records law; which is being taken up by a separate task-force.

Implementation strategy is in scope, but actual implementation is out of scope for this project.

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### PROJECT APPROACH

#### **WORK-STREAM 1:**

##### **ENTERPRISE PUBLIC RECORDS POLICIES**

- Identify the necessary teams to support the project.
- Develop an internal communications strategy concerning project progress and training opportunities.
- Develop an external communications strategy that may include a project website and email listserv for interested parties.
- Develop DAS enterprise policy for emerging technology related to the new Telephony/MUSIC contract with IBM including text and social media.
- Data-gathering and development of statewide standards for agency fee-structure and guidelines for charging policies/practices with a mechanism for tracking implementation and monitoring to ensure alignment with policy goals.
- Data-gathering and development of statewide policy guidance aimed at assisting agencies in resolving barriers to effectively responding to non-routine, complex requests.

#### **WORK-STREAM 2:**

##### **ENTERPRISE RECORDS MANAGEMENT**

- Conduct a market analysis to identify leading Electronic Records Management System (ERMS) products.
- Develop a strategy for testing electronic records management systems across agencies with careful attention paid to vendor capability to comply with retention schedule requirements.
- Conduct a feasibility study for statewide implementation of records management system and work with State Chief Information Officer (OSCIO) on possible technology solutions.

#### **WORK-STREAM 3:**

##### **IMPLEMENTATION STRATEGY**

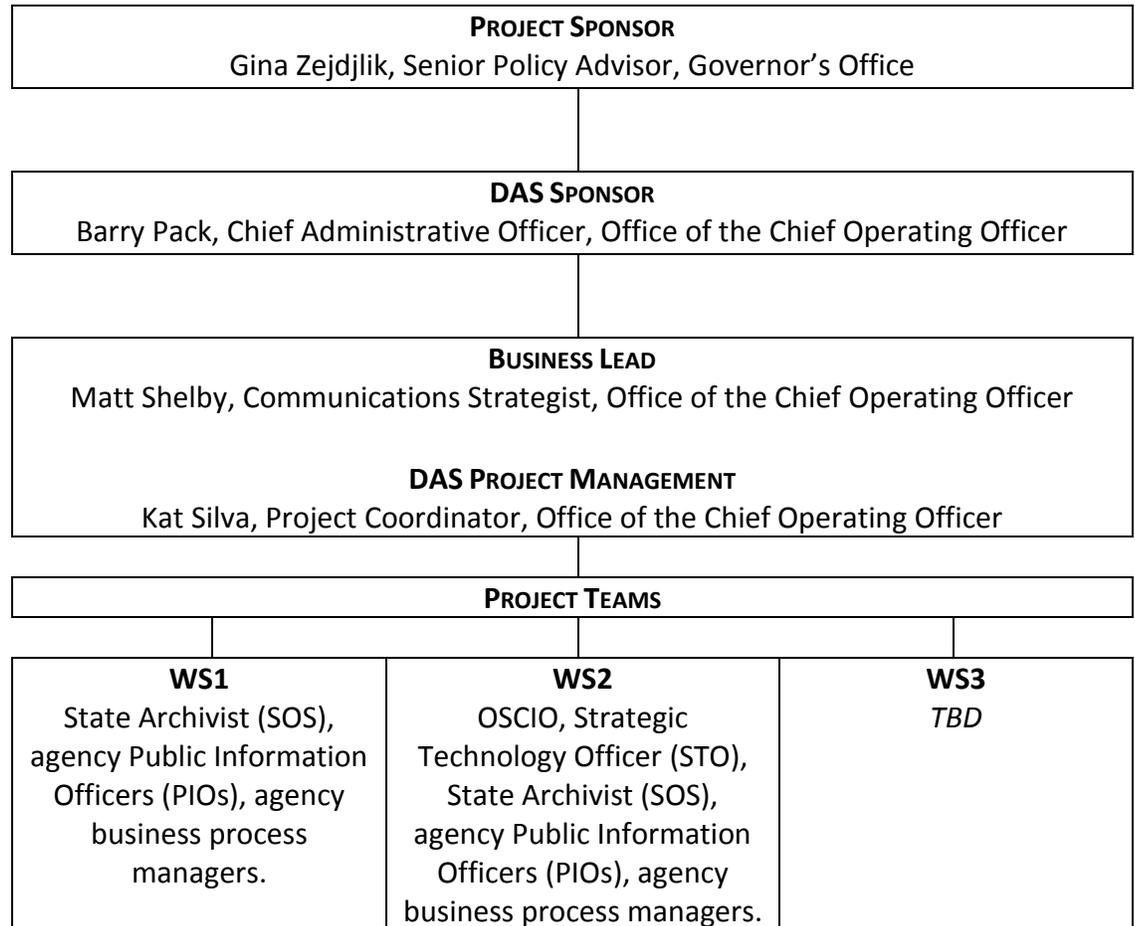
- Develop implementation recommendations for the Governor's office that include:
  - Options for ERMS products;
  - Roll-out/implementation plan;
  - Budget; and
  - Timeline.
- Develop training and strategy for agency implementation to ensure alignment with new statewide guidelines.
- Develop mechanisms for tracking efficiencies gained and effectiveness of implemented records management programs.



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*Proposed governance structure:*





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### EXPECTED OUTCOMES

- Enterprise-wide standards and approach to responding to public records requests that are timely, fair and reasonable with the goal of increasing accessibility and fostering a positive perception of state government transparency.
- Records management program with built-in flexibility to account for the unique business needs of state agencies and built-in accountability measures to ensure consistent and effective responsiveness.
- Roadmap for the future regarding public records retention, including potential changes to retention schedules and software solutions identified throughout the project.
- Statewide employee education and training on roles and responsibilities related to public records including record types created by emerging technology.
- Better understanding of public records request processes for state employees, the public and the media by setting the standard for reasonable responses to public records requests.
- Recommendations for implementation strategy

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### CUSTOMER IMPACT

Customers include members of the media and the general public as requesters of public records.

State agencies and agency staff are also customers in this project. Agency public information officers, staff and management, will participate in training and regular agency communications as part of the outcomes of this project. Implementation of new and updated internal policies and procedures and employee training will create an increased workload initially, but once procedures are integrated into records retention practices there should be improved efficiencies in responding to public records requests. The same applies to implementation of a new records management system where and when feasible.

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### KEY STAKEHOLDERS

Key stakeholders include the agency public information officers and business manager personnel, members of the media, Labor, Secretary of State (SOS) Audits Division, the Oregon News Publishers Association (ONPA), American Civil Liberties Union (ACLU) of Oregon, League of Women Voters (LWV) of Oregon, and other state or legislative policy making bodies.

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### ENGAGEMENT PLANNING

The project team will need to engage with state legislators regarding project progress and any recommended statutory changes to involve and inform them. Agency personnel will be engaged through training and communications on policy guidance to expand understanding of the impact policy changes will have on the roles and responsibilities of individual employees.

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The SOS Audits Division and SOS Archives Divisions will be engaged throughout the project as strategic partners in the effort.

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### FUNDING & RESOURCES

Project management staffing is being provided by the Office of the Chief Operating Officer. Project team membership, including subject matter experts will be funded within existing agency resources. If the project team makes a recommendation having a large fiscal impact, an implementation budget will be developed and additional resources would be requested for implementation.

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### MAJOR PROJECT RISKS

Inability to standardize agency responses to public records requests across the enterprise due to differences in the types of records created by agencies, state or federal exemptions to public records disclosure, personnel capabilities, lack of consistent training and agency resource capacities.

Complexity of engaging with three elected offices each with distinct constitutional roles and responsibilities, to identify desired outcomes that are in alignment. Careful coordination and tracking throughout the work effort will be undertaken to ensure that appropriate progress is being made and that expected outcomes are achievable and move the needle on consistent, timely and accurate responses to requests for public records.

Data sovereignty and ownership will need to be established as part of any potential solution. A project team coordinated under the Office of the State Chief Information Officer (OSCIO) has embarked on a parallel work effort to examine the feasibility of moving toward a software as a service (SaaS) platform while maintaining appropriate levels of data sovereignty and ownership. We will be careful to coordinate with that project team to ensure our expected outcomes align.

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### RISKS OF NOT DOING THE PROJECT

An increasingly negative perception of government transparency will continue if changes aren't made enterprise-wide.

Records will continue to be kept past the retention period, resulting in process delays and potential liability for state agencies.

Complex, non-routine public records requests will continue to be the most damaging to the reputation of state government.



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**SPONSOR**  
**APPROVAL**  
**SIGNATURE**

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Gina Zejdlik, Governor's Office

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Date

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Barry Pack, Office of the Chief Operating Officer

\_\_\_\_\_  
Date

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## Approved Project Change Requests:

<i>Change #</i>	<i>Date</i>	<i>Person</i>	<i>Change Description</i>
####-####	Mm/dd/yy	<requestor>	<Leave this table blank for future project change requests>

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