[Virginia Public Schools Records Consortium (PSRC)](#)

Chair: Nicholas Minor MinorN@pwcs.edu (Prince William County)

Library of Virginia, 800 E. Broad St. Richmond, VA 23219
Tshawna Threat, Records and Information Management Analyst
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PSRC Meeting Minutes
Wednesday, April 30, 2025
10:00 AM-1:00pm
Meeting format: Hybrid (In-Person & Virtual)

Agenda:
1. Welcome and introductions
2. Access to Public Records under Va FOIA
3. Library Tour
4. Technology and Records Management 2025 & Beyond

Welcome and introductions: (in attendance)

Name	Organization	Name	Organization
Alan Gerhard	Virginia FOIA Council	John Riordan	Harvest Technology Group
Amy Heaton	Glouscester	Julie Taylor	Galax City
Angela Flowers	Portsmouth	Katina Keener	Glouscester
Audra White	Stafford	Laura Beth Mattson	Virginia Beach City
Aura Testerman	Prince William	Lisa Martin	Virginia Beach City
Barbara Rypkema	Lynchburg City	Mandy Zayatz	Manassas City
Bliss Cruz	Culpeper	Mary Fisher	King George
Camm Taylor	Fredericksburg City	Meade Harris	Albemarle
Charles Costner	Warren	Melanie Terrell	Hanover
Cheryl Tibbs	Manassas City	Melissa Sexton	Bedford
Crystal Jones	Hampton City	Michelle Brittgan	Albemarle
Cynthia Hurley	Tazewell	Nicholas Minor	Prince William
David Baker	Roanoke City	Nivia Wukovich	Prince William
David Lyon	Manassas Park City	Pam Stewart	Loudoun
Dawn Mason		Patty Massengill	Dinwiddie
Deyrni Harlan	Montgomery	Renee Honaker	
Holly Cobb	Hampton City	Rhonda Reid	Montgomery
Jackie Gibson	Prince William	Ron Decker	Chesterfield
Jamie Foreman	Albemarle	Sara Morand	Culpeper
Jason Wheeler	Buena Vista City	Susan Gardner	Williamsburg-James City
Jean Harper-Smith	Frederick	Tammy Norman	Stafford
Jeff Wick	Caroline	Teshawna Threat	LVA
Jennifer Ross	Galax City	Tiffany Miller	Hanover
Jennifer Test	York	Tracey Beaver	Prince William
Jenny Weaver	Prince William	Tracy Ferguson	Lynchburg City

Scheduled 24-25 Meetings. (Four meetings per school year)
In-person physical meeting location:
Library of Virginia, 800 E. Broad St. Richmond, VA 23219

- The meeting format will include Virtual Access (Online) at all meetings and Hybrid to include on-site as agreed for each meeting.

- Meetings are from 10am to 1pm with the Library of Virginia room scheduled until 2pm.

Meeting Chair:
   Nicholas Minor, Prince William County Schools
Meeting Coordinator - Planning & Speaker Outreach:
   Pam Stewart, Louden County Schools
Minutes:
   Meade Harris, Albemarle County Schools

Schedule
October 9, 2024   (Hybrid Format)
December 11, 2024   (Hybrid Format)
February 12, 2025   (Hybrid Format)
April 30, 2025   (Hybrid Format)

PSRC notes and agendas will be shared via the Library of Virginia PSRC website: https://www.lva.virginia.gov/agencies/records/psrc/
for 2024-25 Meetings, look under Past Meetings for the audio file.

Nicholas Minor introduced the two volunteers/nominations to assume leadership for the next school year and asked for a motion to accept.   Teshawna Threat from the Library of Va made a motion to appoint the nominees Laura Beth Matt Laura Beth Mattson and Meade Harris. Holly Cobb from Hampton City seconded the motion, and it was approved without objection.

School Year 2025-26 meeting recommendation.

The next item for business was to confirm the planned meeting schedule for next year. This will be confirmed once the meeting format and resources have been coordinated with the Library of Va.

>October 8, 2025
>
>December 10, 2025
>
>February 11, 2026
>
>April 29, 2026

PSRC Chair Nicholas Minor stated he was stepping down from leadership of the PSRC and thanked everyone for participating. After COVID, Nicholas was instrumental in reestablishing the PSRC after it had gone dormant for several years.   Nicholas noted that of the approximately 130 school divisions in Virginia we had 70 school divisions participate which was over half. The virtual option provided an opportunity for more people to attend.   He also thanked Pam Stewart and Meade Harris for their help in running the PSRC over the past 2 years.

Nicholas also brought up the statewide organization "Virginia Association of Government Archives and Records Administrators" (VAGARA) who promotes records management best practices and provides resources similarly to the PSRC but on a broader scale. This was mentioned because the annual conference is coming up soon if anyone is interested in joining. You can search online for additional information.

The next item was to begin presentations. The first presentation was from Alan Gerhard, Executive Director of the Virginia FOIA Advisory Council.   The recorded presentation is available from the April 30, 2025 PSRC meeting folder where these minutes are archived.   Please see link on page 1 of these minutes.

After the FOIA presentation, the on-site attendees were provided a guided tour of the Library of Virginia facilities.   We thank Teshawna Threat and the entire staff at the Library of Virginia for providing this informative and fascinating tour.

The second and final presentation was by John Riordan of Harvest Technology Group.   Harvest provided breakfast for those in attendance. Harvest is currently working with Albemarle County Public Schools. This recorded presentation can be viewed in the previously referenced meeting link.

The chat referenced in the recorded meeting are attached.

Chat from the April 30, 2025 recorded meeting:

10:03:14 So I am beginning the recording now.

10:03:22 I'll start over. I'm Nicholas Minor from Prince William County Schools, current chair of the PSRC.

10:03:30 And we're going to go around and do introductions in the room and then I will called the list of people that are joining us online. Thank you.

10:03:41 Me at Harris, Albemarle County Public Schools, and also Jamie Foreman, Admiral Clinic County Public Schools is here.

10:03:49 Michelle Burdigan, Albemarle County Public Schools.

10:03:56 Crystal Jones Hampton City Schools. Holly Cobb, Hampton City Schools.

10:04:04 Ron Decker, Chesterfield County Public Schools.

10:04:10 Jeff Wick, Caroline County. Tisha, I thread at the Library of Virginia.

10:04:19 John Reardon with Harvest Technology Group.

10:04:27 So we're going to move on to those online. And we're going to start with Lisa Martin. If you all could unmute yourself.

10:04:37 Sure. I'm Lisa Martin. I'm with Virginia Beach City Public Schools.

10:04:35 Introduce yourself.

10:04:46 Laura Beth Mountson. I am also with Virginia Beach City Public Schools.

10:04:44 Laura.

10:04:52 Jean Harper Smith.

10:04:56 Jean Harper Smith, Frederick County Public Schools.

10:05:01 Tiffany Miller.

10:05:04 Hi, I'm Tiffany Miller. I'm with Hanover County Public Schools.

10:05:09 Jennifer Test.

10:05:12 Hi, Jennifer Test. I'm the FOIA officer for York County School Division and the records manager.

10:05:21 Hi, I'm Pam Stewart, the record supervisor for Loudoun County Public Schools.

10:05:20 Pam Stewart.

10:05:28 C. Costner.

10:05:30 Hi, I'm Charles Costner with Warren County Public Schools.

10:05:35 Cam Taylor.

10:05:38 Hi, I'm Kim Taylor, Registrar for Fredericksburg City Schools.

10:05:43 Sarah Moreland.

10:05:45 Hi, I'm Sarah Moran, Culpepper County Public Schools.

10:05:51 David Baker.

10:05:53 David Baker, Roanoke City Public Schools.

10:05:59 Barbara?

10:06:03 Hi, I'm Barbara Reichama. I'm with Lynchburg City Public Schools.

10:06:08 Tracy Beaver.

10:06:10 Tracy Beaver with Prince William County Public Schools.

10:06:15 Melanie Terrell.

10:06:17 Melanie Terrell, Hanover County Public Schools.

10:06:22 Audra White.

10:06:27 Hi, Audra White, Stafford County Public Schools.

10:06:32 Julie Taylor.

10:06:41 Jason Wheeler.

10:06:45 Jason Wheeler, Buena Vista City Public Schools.

10:06:49 David Lyon.

10:06:52 Manassas Park Saving Schools.

10:07:01 Henderson?

10:07:03 Hi, I'm Dearney Harlan with Montgomery County Public Schools, and I also have Rhonda Reed with me.

10:07:11 Patty Massengill.

10:07:22 Susan Gardner.

10:07:26 Hi, I'm Susan Gardner with Waynesburg James City County Public Schools.

10:07:32 And Tracy Ferguson.

10:07:44 So if you… Didn't have your mic or weren't able to speak when we were doing introductions, if you could please put your name and school division in the the chat for us so we can document it for later for the minutes.

10:08:06 All right, so going on. To approval of the March meeting minutes.

10:08:14 We sent those out and invite and they are on the PSRC site the draft copy So we do need a motion to approve those minutes.

10:08:28 And so we can get the final version out there for everyone.

10:08:38 Can I get a motion from someone? Okay, so Meet Harris from Aemarle County. Motion that we approve the minutes. Do we have a second?

10:08:50 So Jeff Wakes from Caroline is a second. Do we have any… Objection?

10:08:58 Okay, so the minutes are passed and they will be available with the recording and everything on the PSRC.

10:09:05 Website.

10:09:10 So I want to make a quick announcement about leadership for the PSRC for the next school year.

10:09:18 We do have two people that have stepped up. That is Laura Beth Madsen from Virginia Beach.

10:09:25 City schools as the chair And Meet Harris, who has served.

10:09:33 In leadership team. He is going to remain on as taking the minutes and he's going to be also the deputy chair.

10:09:43 And any... So they right now have a two-person leadership team. If anyone is interested in joining that team, helping with planning the meeting.

10:09:55 The meetings or if you want to provide any other assistance to PSRC.

10:10:00 Please feel to reach out to Laura Beth or mead and Let them know how you'd like to help.

10:10:07 And I'm going to give them the floor just to each the floor for a moment just to introduce themselves.

10:10:13 Tell us whatever they would like to say. So Laura Beth, you've got... The floor.

10:10:21 So sorry I'm not there in person today. Unfortunately, I couldn't make it, but I'm Laura Beth Mattson. I work with Virginia Beach City Public Schools.

10:10:30 My official title is the Intergovernmental Affairs and Constituent Services Specialist.

10:10:36 So I do FOIA, I do policy stuff, records. I'm kind of a catch-all, I feel like. I've been here for about two years now and so Just definitely want to get involved even more and make sure that I have a good background on record stuff here.

10:10:54 And wanted to get involved with the state stuff as well so Yeah, feel free to reach out to me if you have any questions or just want to say hi i'm pretty friendly. So anytime you need me, I'm going to be available.

10:11:12 Meade Harris, Albemarle County Public Schools. I've been involved with the PSRC before.

10:11:18 Pre-covid and Nicholas stepped up to take it on last year.

10:11:26 Reorganized last year. And restarted the PSRC.

10:11:35 Served as note taker for the past year. And I have... Michelle Brittigan here with me also who is a records analyst and between the two of us, we pretty much handle all student record requests that come in for Albemarle County.

10:12:08 Is there anyone that's come in in the last few minutes that would like to introduce themselves.

10:12:13 I think we've had maybe five or six more people join.

10:12:17 Since we did introductions.

10:12:25 And if you don't want to do a verbal introduction, just put your name and school division in the chat so we can document it for the records.

10:12:34 So I'd like to make a motion. Since we only had two volunteers, there's no need for us to take a vote on the leadership for next year, but we do want to make a motion and approve the leadership.

10:12:47 So can I get someone to... Introduce a motion so we can get the new leadership in place for next year.

10:12:58 Teeshawn emotions. Okay, so Tisha on a threat from the Library of Virginia has a motion that we appoint Laura Beth Manson and Meet Harris and leadership team.

10:13:13 Do we have a second? Okay, Holly Cobb from Hampton City seconds.

10:13:19 So without objection, the leadership team is in place. We do have, let me share my screen real quick. When we met.

10:13:32 Give me just a second.

10:13:48 Okay, so usually at the last meeting we try to announce the potential scheduled dates.

10:13:56 They're not confirmed yet because we haven't confirmed them with the library, but we do have Let me make this larger, maybe.

10:14:07 We basically kept the same schedule. And just move the dates around to keep them on Wednesdays.

10:14:14 So we have four meetings. Scheduled for October.

10:14:18 December, February, and April, basically the same around the same time frame we did the meetings this year.

10:14:25 Just move the dates to keep them all on Wednesdays as we Adam Scheduled.

10:14:32 And we will follow up with you once we have these dates confirmed.

10:14:36 But just so for planning purposes you can have these to document for your calendar.

10:14:50 Turn my share off. Give me just a second.

10:15:04 And… Since this is my last meeting as chair, I just wanted to take a moment to thank everyone.

10:15:11 It's been a joy and an honor to serve as chair.

10:15:15 Bringing the PSRC back after COVID. It was dormant for a few years.

10:15:19 And I want to thank everyone for your participation. And the meetings, come into the library and online as well.

10:15:28 I did a little bit of… statistics just to see how many school divisions across Virginia we had participating in PSRC.

10:15:38 And within the year and a half that I've chaired. We've, out of the 130, odd school divisions, we had about 70 participate in the PSRC. Not every meeting, but over those meetings.

10:15:50 So that's about half. So I think that's good. And I think… having the virtual option has opened it up for a lot more people to attend.

10:16:01 Than we had previously when we had previously We just met here at the library.

10:16:07 And I want to also thank Pam Stewart for her work as uh planning coordinator for the meetings and for Meade and all his great work with the minutes and also he assisted with planning and we all just kind of worked together to get the job done. So I want to thank them

10:16:26 And give them a hand for their hard work.

10:16:33 Pam, would you like to say anything since this is your last meeting is uh Planning.

10:16:38 I was trying to get unmuted and video camera on. Thanks again. Yes, I appreciate that, Nicholas.

10:16:45 The year has flown by, and as you said, it was great to get the PSRC up and running again.

10:16:51 So happy to be a part of that and look forward to the new leadership and meeting new people and collaborating with this group, which has always been a tremendous resource.

10:17:04 I find it very helpful. So thanks again for all you've done, Nicholas and Mead.

10:17:08 I think you've done the bigger the brunt of the work.

10:17:14 Thank you, Pam.

10:17:19 So we're running a little early. I do want to, I was thinking about it when I was coming down And I know the PSRC is a good organization for all of the public school divisions to be a part of.

10:17:32 But I did want to take a minute to promote a state organization for all records manager, which is Vega.

10:17:42 If you look them up, it's V-A-G-A-R-A.

10:17:48 They are all public records in Virginia, not only schools, but a lot of the school divisions do participate in it.

10:17:58 To join the organization, I think it's a $35 membership fee and they typically have a conference Every October. So since we're not

meeting again until October, I wanted to let everybody know about that organization.

10:18:12 So if you wanted to look at that and consider joining.

10:18:17 And going to the conference in October, just wanted to put a little plug in there for that.

10:18:24 Okay. So let me pause for just a minute and I want to see if... Alan is ready to go.

10:18:32 And then we'll come right back.

10:18:46 Okay, so we're all set. So... We have... a presentation from a presentation from Alan Gerhardt, the executive director of the Virginia FOIA advisory council and he can introduce himself and tell you a little more about him.

10:19:05 But I'm getting ready to turn the floor. Over to Alan.

10:19:11 Testing. Ooh. Hi. All right.

10:19:16 Did we load a PowerPoint? I don't think we did. Good.

10:19:23 Everybody loves PowerPoints, right? You want to go to sleep? Oh, I have several. We don't need them.

10:19:29 Nah, no worries. Let me ask, is anybody online or here not familiar with FOIA?

10:19:37 Like it's brand new to you? Okay, we got one who admits it.

10:19:42 Anyone else? No, that's fine. Because the PowerPoint is records, basics is what we would go through.

10:19:50 Which I think everybody probably knows. So what I'm thinking is I will run through some basics.

10:19:56 And when that triggers something in your head, ask me questions.

10:19:59 Then we have a conversation and that draws out what you really need to know.

10:20:05 But let me ask the first thing, there's a question for Nicholas. I know you were taking role in everything. I have everybody introduced themselves.

10:20:11 Will you have an attendance sheet for me? Or a list? Okay. So how many people are records FOIA officers?

10:20:19 For their division. I know I heard at least one online said they were Just so you know, since this is a training by FOIA Council staff, this would count as your biannual training as a FOIA officer.

10:20:30 If you need a certificate, just let us know, send us an email.

10:20:35 And we can get you a certificate for today's training. Because it counts. Okay.

10:20:40 That said, I'm Alan Garnhardt. I am. Here's the long title.

10:20:45 Executive Director of the Virginia Freedom of Information Advisory Council and a senior attorney with the Division of Legislative Services.

10:20:51 Which means call me Alan. And I work across the street over in the General Assembly building when I'm in the office. Most of the time I telework these days.

10:20:58 But, you know, we're in the office sometimes. That's where it'll be.

10:21:03 For FOIA and records, let me just start by asking people online, feel free to chime in.

10:21:09 Why do we have FOIA? What's the point?

10:21:14 And I call on people so you can't hide. Go ahead.

10:21:19 So parents can ask us, how about more broadly? And parents, just parents accessing student records.

10:21:30 To make the agency accountable for taxpayer dollars. Transparency on the work yeah The simplest expression I've ever heard So the people can see what government's got cooking.

10:21:42 Yeah, we get to find out what our government's doing. I like since, especially since this is an educational kind of atmosphere, right?

10:21:50 Who wrote the Declaration of Independence? We're going back to basic civics here.

10:21:54 Thomas Jefferson and something he wrote in there that I personally love.

10:21:58 He talked about government by consent of the governed. It's one of the lines in there. That was a new concept back then.

10:22:04 Now, let me ask you, has anybody ever gone to the doctor?

10:22:09 No? Yes. Yeah, okay. All right. Dr. Ever run some tests and say, oh.

10:22:14 We need to do something. I tell you he wants to give you some medicine, do a procedure.

10:22:19 Maybe it's surgery, maybe it's physical therapy, maybe it's drugs, whatever. He wants to do something.

10:22:25 Right. What if the doctor said, oh, wow, this is really bad.

10:22:28 Test results are bad, but I can fix it. I'm going to put you under general anesthetic for a few hours. I'll fix it, and you'll be better.

10:22:36 Just sign here. Anybody going to sign that?

10:22:41 No, of course not. Why not? What's missing? What's he going to do? What's the information? What's actually going on?

10:22:48 So in order for that consent to actually be valid. It has to be informed consent, right?

10:22:54 So apply the same concept to what Jefferson was saying about government by consent of the governed.

10:23:00 Well, if we're giving our consent to run our own government and for the government to do things in a representative capacity in our name.

10:23:07 Don't they have to have our consent and doesn't that mean we have to know what they're doing?

10:23:10 There's got to be that information. For it to be a functioning.

10:23:16 The best description I've heard is a constitutional representative democratic republic.

10:23:21 Is our form of government, something like that. Yeah, so... It all kind of boils down to that. But guess what? We didn't have FOIA in Virginia until 1968.

10:23:31 We went hundreds of years without a specific law on it.

10:23:34 But then, you know, now it's actually codified in the code of virginia.

10:23:38 What are the rules for access to government records and meetings?

10:23:42 Part of it conceptually is also to think about, you know, FOIA is a procedural act.

10:23:47 Believe it or not, it's not designed to trip you up.

10:23:50 It is designed to help you just go through the procedure. Someone asks for records, this is what you do. Okay, here, done.

10:23:56 That's the concept. The reality, of course, can be a little bit different because it gets very complicated.

10:24:02 This is where I want to talk a little bit about what I do and what I don't do.

10:24:06 As staffed to the FOIA Council, we do all things FOIA. We advise people. We do educational presentations. We publish guidance documents, advisory opinions, all that kind of stuff.

10:24:17 You can always call us. You can always email us with questions. We're happy to answer all the FOIA questions in the world as best we can.

10:24:25 But your guys jobs are tougher than that. And I was going through to remind myself of a few things before this presentation.

10:24:32 How many of you regularly consult with your school attorneys? Good. I'm always going to encourage you to do that on a number of levels.

10:24:41 Because I'm limited to FOIA and student records laws are not all in FOIA.

10:24:47 You've got FOIA as your base for all government records, and it does apply to scholastic records, personnel records, other things like that. There are rules for it there.

10:24:56 You guys also have a number of things. I assume everybody's K through 12.

10:24:58 Here? Okay. So Title 22.1 has a section all about pupils, and it talks in there as an article about student records.

10:25:07 If I remember right, it's around The big stuff is like 22.1-287 through I forget, 292 or something like that. But there's a number of subsection subdivisions and stuff in there.

10:25:20 And they start from a different point than FOIA. Foia starts with a policy statement saying.

10:25:25 Every public record is open to the public. Unless there is a specific exemption.

10:25:30 That allows you to withhold it from them. The default rule is someone comes in, asks you for something that's about public business. Yeah, sure, here.

10:25:37 Did you want to just look at it or do you want to copy?

10:25:40 Their choice. Here you go. You give it to them.

10:25:44 When we get to scholastic records about individual students. And you go out to, well, first, in FOIA, you've got multiple layers of exemptions, and I'll get to that in a second.

10:25:53 But outside of FOIA, there's a general prohibition in Title 221 that says you don't give it out except to certain people.

10:25:59 And it's a very limited group. Then we have to layer in FERPA, federal law.

10:26:05 Family Educational Rights and Privacy Act, which again, I don't do FERPA.

10:26:08 So if you ask me a FERPA question, I'm going to tell you you're going to have to talk to your own attorney.

10:26:11 I don't do 22.1. I'm aware of them. I will point at what I do know.

10:26:17 Then I'm always going to tell you, talk to your own attorney because they're going to be the experts on those.

10:26:22 So yeah, there's always multiple layers. So with FOIA, Again, general rule, always release whatever you've got if it's the transaction of public business.

10:26:33 Other stuff may or may not be exempt. So you have to look at the specific exemptions. If the exemption applies, you can withhold it. And sometimes you have to. Sometimes there's a prohibition like the one in 221.

10:26:44 So what is a public record? That's always the next question.

10:26:48 What kind of public records do you guys have? Throw out some examples. I'm a parent, so I know.

10:26:58 Special ed. I'm a special needs parent too. There you go. I have two kids in public school. One's about to graduate.

10:27:05 Seeing her she's going to UVA, so good for her. And the other one is a nonverbal.

10:27:10 A nonverbal nine-year-old in the Autism Day program. So yeah, I get both ends of that.

10:27:16 But yeah, if you think about the stuff you do for work, I mean, student records.

10:27:20 Personnel records. Financial records, procurement records, right? I mean, there's going to be a ton of different things.

10:27:29 The better question is probably what isn't a public record? You know, somebody get a list of jokes somebody sent in their email Or I always used to use that. I don't think this is quite as common anymore.

10:27:40 But a picture of a little kitten with some funny caption like jazz hands.

10:27:44 Something like that. Are those public records? Not really. So the definition of what is a public record. This is code 2.2-3701.

10:27:54 Public records means all writings and recordings consisting of words, letters, numbers, and their equivalents set down by Then we have a laundry list. I haven't memorized the laundry list, but it's handwriting, photo static, video imaging, audio, every type of record you can imagine.

10:28:10 However stored, regardless of physical form or characteristics. Prepared by, owned by, or in the possession of a public body, its officers, employees, or agents in the transaction of public business.

10:28:21 And thank you. That's a quote. So I've been doing this since 2004. I do this a lot.

10:28:29 Yeah, easily. All right. I'm just kidding.

10:28:35 But yeah, I break that down into three things. All writings, recordings, words, letters, numbers, they're equivalent, blah, blah, blah. We have a laundry list of types.

10:28:42 That just means it's got to be a record. That has some consequences too. What about things that aren't records?

10:28:48 This is where I ask, is anybody recording us right now?

10:28:50 Are we recording this meeting? Yes. Yes, we are. So is this a public record?

10:28:58 Is your group a public body? Are we doing public business? Yeah.

10:29:03 So yeah, so it's a public record. So someone from the general public comes in asks.

10:29:07 Hey, can I get a copy of that FOIA training you did?

10:29:10 The default answer is yes, nothing exempt about it. Sure, here you go. Here's a copy.

10:29:16 On the other hand, if you weren't recording it. Can I get a copy of that FOIA training?

10:29:22 Unless somebody's taking notes or something. There's no record to give. It doesn't exist. So we talk about the consequence of choice.

10:29:28 And this is not a good, bad, right, or wrong kind of decision.

10:29:32 This is just be aware of the consequences. Number one, if you create a record, it's about public business, it may be subject to further disclosure under FOIA.

10:29:41 This is things to be aware of when you do stuff like Oh, a conference, public meetings.

10:29:47 You have a school board meeting and people sign up to be public speakers, things like that.

10:29:52 You may want to tell them on those sign-up sheets Don't put anything down unless you're willing for it to be further disclosed.

10:29:58 Because there's no exemption for sign-up sheets. Those kinds of things are wide open.

10:30:02 Let me ask, here's a fun question How many school divisions that you know of use the Raptor system to check IDs when you go through the door.

10:30:12 Yeah, here's the one that I... people don't like. There's no exemption for the things entered into that Raptor system.

10:30:19 Other than like Scholastic Records, if it's a student id Or something. If I go to my schools.

10:30:26 Now, I actually know my school division attorney professionally And I know he'll tell me, no, I don't want to give you that.

10:30:32 But we had this issue. It's from Prince William. Gentleman asked Prince William Schools years ago.

10:30:40 I want all the records of the IDs entered into The Raptor system for the school where his kid was in attendance.

10:30:47 And they said no at first. I cited a bunch of exemptions.

10:30:50 We went to an opinion and we said we went through the exemptions and we said, other than the ones that are scholastic.

10:30:55 Or you can identify a student from it. There's really no exemption for that stuff.

10:31:00 And I believe, I think that might have gone to court. I don't know. I can't remember now if... This was when Mary McGowan was your attorney, but I think he did eventually get that stuff.

10:31:10 And... Subsequently, there was a request to the General Assembly. They put a bill in to make that stuff exempt.

10:31:18 And the General Assembly, I remember in committee meeting, I specifically remember One of the members saying, well, you should have thought of that before you bought the system.

10:31:25 We're not going to pass this bill. And they didn't do it.

10:31:27 So that stuff is still not exempt. So things like that, you kind of look between the cracks and You know, there are some, I don't know if illusions is the right... word misconceptions about FOIA.

10:31:41 I hear all the time, well, that's PII. I can't release PII.

10:31:45 Why not? Default rule, everything is open unless you can point to an exemption.

10:31:51 There is no blanket exemption for PII. There is no blanket exemption for just personal information.

10:31:58 There are lots of very specific exemptions. Scholastic Records, personnel records, health records, other stuff.

10:32:04 So PI is usually exempt. But like I said, they put in a sign-up sheet entered into the Raptor system?

10:32:12 They don't have an exemption for that stuff. Okay. So that's the scare story.

10:32:16 Get to work on your legislative package for next year. If you don't like what I just said.

10:32:21 But that's the current state of the law and has been for, I think it's over a decade now.

10:32:25 With that stuff. Another distinction to make is between an exemption and a prohibition.

10:32:33 In FOIA, we have, for example, an exemption for scholastic Records.

10:32:37 That says almost all of these have prefatory language. Stating the following records are exempt from mandatory public disclosure but may be disclosed by the custodian in his discretion unless otherwise prohibited by law.

10:32:49 So you have the general one for Scholastic Records that identify a student or a person applying for admission.

10:32:55 And maintained by an educational institution or person working on behalf of the institution.

10:33:00 That's your basic scholastic records exemption. So we go public records.

10:33:05 Is a student, you know, a student's transcript. Is that a public record?

10:33:10 The answer is yes by definition under FOIA. It is a public record, but is exempt from disclosure because it's a scholastic record.

10:33:17 So you don't have to release it. We can then factor in 22.1 and FERPA and stuff.

10:33:21 Who's going to release a student transcript to anyone but the student or their parent?

10:33:24 Pretty much nobody. I mean, nobody Maybe if they're transferring schools or something, you know, there are specific circumstances when you do The general rule, you don't release it to the public.

10:33:34 Under FOIA, that's still an exemption, not a prohibition. Back in 2017, you may have seen a change in the law if you were doing this stuff back then.

10:33:43 Where people, it was a get out the vote kind of group went around and they asked Colin.

10:33:49 And universities for their student directories. They want to get everybody's cell phone number and the ones that gave it to them, they

then sent politically oriented text messages to all the students cell phones about we think you should vote this way. Please support these candidates, that kind of stuff.

10:34:03 It doesn't really matter what side they're on politically. There was a big reaction that people said, wait a second.

10:34:09 About half the Virginia public schools and universities and colleges and all released information and about half didn't.

10:34:15 What goes on here? What's happening? And the answer was, under federal law.

10:34:20 Some of them considered that directory information and some didn't. And that was fine.

10:34:24 Because apparently, and we talked to the feds about this, so I'm just relaying what they said.

10:34:29 Ferpa allows a school to determine what is going to be considered director information.

10:34:33 You can include more than your neighbor does or less. That's up to you. And each school makes its own decision.

10:34:40 In this case, they included cell phone numbers, email addresses, home addresses in some of these.

10:34:45 And that was the director of information. Now, I see you shaking your head and I see you nodding.

10:34:49 Who thinks this stuff should be open? Who thinks it shouldn't be open?

10:34:55 I was going to say it's not my call.

10:35:03 Yeah. And that…

10:35:08 Right. And so the people online, it depends on what they knew and whether they gave their permission, basically.

10:35:14 And that's how the new exemption was worded, which is actually a prohibition.

10:35:19 So we have kind of three layers now in Virginia FOIA. You have your default rule. If it's a public record, it's open.

10:35:24 You then have, wait, but scholastic records are exempt if they're about individual students, persons applying for admission.

10:35:31 Maintained by the institution or persons working for the institution. But then the third layer, they added a separate prohibition about student contact information, specifically phone number, email address, and home address.

10:35:44 And I'll tell you something we observed. This is just a general observation.

10:35:49 With my old boss, Maria and I, looking at how things have changed over time.

10:35:54 If I show you my high school directory. It's got names, addresses, and phone numbers.

10:35:59 Nobody had email. But that was from the 80s. Everybody was in the phone book, too. We all had phone books.

10:36:05 You want to know where one of your classmates lives? Look it up right there. There it is.

10:36:10 The yearbook. Everybody could look up the yearbook. There's nothing secret about that back then.

10:36:15 Nowadays, everybody's like, no, you can't share my email address. You can't share my phone number.

10:36:21 The concept of what is private changes over time. That's kind of the message there.

10:36:26 As technology progresses, we're seeing it change. More and more. I've met people that Well, yeah, you can show a picture of me passed out drunk at a party. I don't care about that, but don't give someone my email address.

10:36:39 I was like, wait, what? My generation goes, that's crazy. But okay, up to you what you want to share, what you don't.

10:36:46 As far as the permission part of it. Normally, my understanding of director and information, again, this is Outside of FOIA, this is stuff that's in both 221 and FERPA.

10:36:56 Is that you have to give the person a chance to opt out.

10:36:59 You say, this is what we're going to include. And it's usually in the student manual, which nobody actually reads.

10:37:04 And it says somewhere in there about if you don't want us to release this stuff, let us know.

10:37:09 And you can opt out of having your information released. So at least they're on some sort of notice.

10:37:14 They did the opposite with the prohibition and FOIA. If you want to release it, they have to opt in. They have to give you written permission to release.

10:37:22 Their email, their address. Their email address, their home address, and their phone number.

10:37:27 Otherwise, you cannot release it unless you have affirmative. Permission. So again, three layers.

10:37:33 Broad stroke public records are open. Scholastic records are exempt but may be disclosed.

10:37:40 Directory information is generally disclosed, but they have the chance to opt out.

10:37:44 Student contact information. Cannot be disclosed unless they opt in.

10:37:50 Now, that's Virginia, too. Other states can choose to do it differently from us.

10:37:55 So be aware of that. I'm sorry, it all gets very complicated, I know.

10:38:00 Returning to some basics. Let me ask, who can make a FOIA request in Virginia?

10:38:08 I love that answer. It is wrong, but I love that answer.

10:38:12 Anyone. Citizen? Citizen, anybody else?

10:38:18 Media is the other group. So technically.

10:38:22 Virginia FOIA grants rights to citizens of the Commonwealth representatives of newspapers and magazines with circulation in the Commonwealth.

10:38:30 Representatives of television and radio that have broadcast in or into the Commonwealth.

10:38:38 That language dates back to 68, right? Who's noticeably missing there?

10:38:42 Where do y'all get your news? Anybody get it from the physical paper?

10:38:48 How many people still watch 6 o'clock news every night on TV?

10:38:54 Got a couple. How many people listen to it on the radio in their car?

10:38:58 I listen to the news. I want the traffic and the weather mostly, but yeah.

10:39:02 So yeah, I mean, those are kind of the Old school media sources, they're still around.

10:39:08 But online. How many people go to something.com to find news?

10:39:13 Yeah, almost everybody. And that's not really accounted for in Virginia FOIA.

10:39:18 And then we also have, you know, it's limited to citizens of Virginia. So you get somebody like a citizen from North Carolina.

10:39:24 Or D.C? West Virginia. Let's see, North Carolina, D.C, West Virginia, Pennsylvania.

10:39:31 Who else? Kentucky, Tennessee. In Delaware. I think those are the seven that actually border Virginia.

10:39:38 Right? Yeah, they do. There's one little corner of the state that twirls around.

10:39:44 You have to leave Virginia to come back into Virginia. Did you all know that?

10:39:49 That's Tennessee, Kentucky, if I remember right. Little spiral thing. Anyway.

10:39:54 All of those people, if they make a request and you say no, what happens?

10:40:03 They say, I get my cousin. My friend, my coworker, my college buddy.

10:40:07 Now they're going to make the request and you've got to go through it twice.

10:40:11 Because they know somebody in Virginia, don't they? If they're bordering on the state and they're asking us questions about it?

10:40:16 They almost definitely know somebody. And that's the case most of the time. I talked to a lawyer yesterday in North Carolina.

10:40:23 It was about, oh, I need to ask these for these police records. And I warned him, hey, we're limited to Virginia citizens, so you may need to get a Virginia.

10:40:29 Citizen to make that request for you. He's like, no problem. I'm already associated with the Virginia attorney in the case. He'll do it.

10:40:36 This is why anyone is the correct answer on practical terms.

10:40:41 We encourage you to respond to anybody and everybody. If you don't, they're just going to get a Virginia citizen.

10:40:47 If they don't know one already, they can hire one. Yeah, there's people out there who do it for free. There's people who do it for a fee.

10:40:54 There's lots of places where they can find somebody to do it.

10:40:57 So you're going to end up doing it almost every time.

10:41:00 Now, I will say I have heard some people say that it didn't happen.

10:41:06 Usually when you say no because someone's out of state and they actually go away, in my experience from talking to people.

10:41:12 It is big like corporate requesters who are asking for massive databases and it's going to be very expensive and they don't want the additional charge of having somebody else do it for them.

10:41:20 So they're just not going to pay it. It's usually a financial thing.

10:41:24 The other thing about it is if you do respond to somebody who's out of state, technically they don't have FOIA rights.

10:41:31 They cannot enforce FOIA against you. So all the procedural rules we talk about don't actually apply.

10:41:36 Really, you're just making a deal with them. It's like, oh, you're from Kentucky?

10:41:40 And you can tell them, you're not a citizen of Virginia. I don't have to do this, but I'm willing to.

10:41:45 And here's the terms. And you can do that, and it's okay.

10:41:50 Usually the big fights over money. We see people say, you know, I don't want to have to try to collect 25 bucks out of state because that means I'm paying more in court fees.

10:41:58 To get a judgment here than to get that judgment recognized there, then a collection agency, it's just not worth it.

10:42:04 And well, the answer there is, okay. Tell them you need the 25 bucks up front.

10:42:08 You can do that when they're out of state. You can't when they're in state, but you can when they're out of state.

10:42:13 Any questions about dealing with out-of-state folks?

10:42:19 So you're saying someone that's out of the state, they can make a request But in state, they have the option to fulfill that request or not

10:42:33 If somebody's out of state. They can ask for whatever they want. You don't have to give it to them under FOIA.

10:42:41 But you can make a deal to do it. And we encourage you to make that deal.

10:42:44 Because if you say, oh, you're out of state, no, not going to do it.

10:42:47 Okay, I'll get my friend. I'll get my buddy. I'll go to muckrock.com.

10:42:53 I will hire FOIA professionals. These are real things. They will go somewhere and get somebody. And then you end up doing it twice because you already said no first time.

10:43:01 Now you have to do it because they got a Virginia citizen making the same request.

10:43:05 And technically, you're dealing with that Virginia citizen now. But here's another thing about FOIA. Once somebody gets records legally, they can do whatever they want with them as long as they're not using them to break the law, commit fraud or something else.

10:43:17 They can share them as much as they want. They want to get your public records from the school board meeting minutes or something.

10:43:22 Post them on their Facebook page, plaster them up with flyers.

10:43:26 Sure, they can do whatever they want. And that's where people have made a business out of making FOIA requests for others.

10:43:33 And then giving them the records. All right. Any other questions about that?

10:43:39 You mentioned payment. And you said something about you can't withhold the records for payment. Can you expand on that a little bit? Yeah, sure.

10:43:50 So payment rules. You all are probably familiar with a few years ago They said, you cannot charge for Scholastic Records to the student or their parent. So if they ask for it, y'all are not allowed to charge.

10:44:05 That said, everything else in FOIA does allow charges. It has to be reasonable charges limited to the actual cost incurred.

10:44:14 In accessing, duplicating, searching for, and supplying the records. So that is your top bar is whatever the actual cost is in doing those things.

10:44:23 There are also rules about estimates and advance deposits. If somebody asks for an estimate, you have to provide that. When you do, it stops the clock on the response time, which is normally five working days.

10:44:35 Once they respond to your estimate, clock starts right back up. So it's really a pause and it does not reset. That's, I don't know.

10:44:42 Misconception we hear sometimes that it resets to another five days. It does not it just reset to wherever it was. So if you respond on day two.

10:44:50 You have three days left when they get back to you with whatever their response to the estimate is.

10:44:55 With advanced deposits, you can only get that if it's $200 or more.

10:44:59 So if you're likely to exceed $200, you can ask for the money up front.

10:45:03 If it's under 200, you're not allowed to. So also that pauses the clock as well when you send the advance deposit demand.

10:45:12 So there's two ways to stop the clock there. One, if they ask for an estimate. Two, if it's going to be over $200.

10:45:18 Notice that leaves a gap. If it's under 200 and they do not ask for an estimate.

10:45:22 You just give them the records and you bill them. Now, if that bill goes unpaid.

10:45:28 For 30 days or more, you do not have to respond to new requests from that person until they pay the outstanding balance.

10:45:34 But that's only if they don't pay it. Normally, also... This goes back to the definition of public records.

10:45:41 I'm going to give you a hypothetical. Let's say my daughter has a field trip coming up.

10:45:48 And Daddy, Daddy, I want to go to the field trip. It's going to be fun.

10:45:51 I lost the permission slip. Oh no. Drive her to school the next morning, go into the office. Hey, can I get another copy of that?

10:45:59 Field trip permission slip, please. They say, yeah, sure, here, here it is.

10:46:02 Say thank you. Is that FOIA?

10:46:13 Show of hands. Who says, no, that's not a FOIA request?

10:46:19 Show of hands who says, I don't know. Show hands of who says, yes, it is.

10:46:27 Yeah, it is. Think about the definition. Is that permission slip something you've got in the transaction of public business that was prepared, owned, and possessed by the school?

10:46:36 Yeah, did I come in and ask for a copy? Yeah, my Virginia citizen? Yeah.

10:46:39 Foia says you don't have to mention FOIA for FOIA to apply.

10:46:43 So be aware. They don't have to say FOIA. They don't have to sign anything.

10:46:48 There's really not much placed on the requester. It's one, be a citizen or media technically, or get someone who is. So respond to everybody.

10:46:57 Two, they have to identify the records they want with reasonable specificity.

10:47:01 Can I have the permission slip for that field trip? You know what I want, right? Good enough.

10:47:07 Three would be you can require requester to provide their name and legal address. There are no anonymous requests in Virginia.

10:47:16 This never used to be a problem. We all had COVID, right?

10:47:21 Post-covid, suddenly we had people protesting. I think a lot of people went a little bit kind of stir crazy a little bit during COVID. But After COVID, we've had people protest about, I don't want to give you my name.

10:47:32 I don't want to give you my address. I want to make an anonymous request.

10:47:36 I've had one person say. Well, it says name and legal address, so I don't have to give you my legal name.

10:47:41 I'm going to tell you I'm Mickey Mouse, but here's my address.

10:47:46 I mean, just some weird stuff. Well, only one court's looked at it that I know of. It was a circuit court.

10:47:50 And they said, if you, the requester, refuse to provide your name and legal address after the public body requires it.

10:47:56 You've not made a request yet. They asked the question of, you know, do we toll the time while we're waiting for them to provide it? The answer is no, it doesn't toll. It just doesn't even start the clock.

10:48:06 Because they haven't really made a request. And I will tell you, I had a different attorney in North Carolina a couple of years ago.

10:48:14 Argue with me about, well, they can ask for it, but they can't require it.

10:48:18 I had to tell him, no, sir, the statute says require.

10:48:21 And it is. Literally, it says the word, you may require them to provide it.

10:48:25 So if you do that, they have to provide it. And if they don't.

10:48:28 No request. Last thing we were just talking about is charges.

10:48:34 So for the requesters, be a citizen or basically anybody. Ask for what you want in a way that you can tell what they want.

10:48:42 Give name and legal address. Pay the fee if there is one.

10:48:46 That is all the responsibilities placed on the requester. So I like to stop and pause and just ask.

10:48:52 How can a requester violate FOIA? In the process of making requests.

10:48:59 I'll stop right there because that's the right answer. There is no way they can do it. They can't violate FOIA.

10:49:04 How can we violate FOIA? Lots of ways, right? The procedural rules apply to us on the government side.

10:49:10 There's very little placed on the requester. We can violate FOIA. We can get in trouble.

10:49:15 So this is where I remind people, FOIA really is a procedural law. It's not meant to be an adversarial process. It's not the same as litigating in court.

10:49:23 It's not meant to be a fight. It's not meant to be people butting their heads against each other or getting angry or any of that stuff.

10:49:29 I used to ask, and I'll risk it. How many people have told a FOIA requester go away?

10:49:35 And they actually left. Normally, I've had a few people say yes.

10:49:43 But the answer was always yeah. And then they got a bunch of other people who were disgruntled and they came back and called themselves the citizens group for transparency.

10:49:51 They came back in a group and made everything worse for me. It sucked.

10:49:54 You know, I hear that. I have had one person I'll admit since we're in the right context here at the library.

10:50:00 He was like, yeah, I did. I told one person to go away and they left and they didn't come back.

10:50:06 But I was in a private library. I was the director and I told him I'd get a trespass order against them if they did come back.

10:50:13 Okay, that's different from being in the public sector, you know, in government, you can't necessarily do that all the time.

10:50:20 So... they can't violate FOIA by making requests. They can request as many things as they want. And unfortunately, we do know that sometimes requesters use FOIA as a weapon.

10:50:32 That is something the Foreign Council has studied in the past, and we've been directed to study it again this year. So we're going to take a look at it.

10:50:37 To see if there's any solution. I'll just tell you that the problem traditionally has always been If you give government a mechanism to stop a requester.

10:50:46 Because they're making vexatious requests or they're harassing the public body.

10:50:50 That same mechanism could be used against a requester who's making legitimate requests.

10:50:55 And it'll have its chilling effect. Which defeats the whole purpose of FOIA, remember?

10:50:59 We get to know what government's doing, right? And if we tell you, yeah, you can ask what we're doing, but I might sue you.

10:51:06 I might get an injunction against you. I might take you to, I mean, how many people want to ask for that permission slip now?

10:51:13 I mean, that's pretty routine, so you probably go ahead and do that.

10:51:16 I want all the school board minutes concerning transgender bathrooms. How many people have gotten that request?

10:51:24 Anybody? That used to be a very popular one a few years ago, I know.

10:51:28 There are a lot of things. I mean, schools are going through a lot of controversy. That was a big one.

10:51:34 You know, and that's the kind of stuff. People are entitled to know and they want to know.

10:51:39 So we don't want to shut that down. At the same time, we know there are people who use FOIA as a weapon, unfortunately.

10:51:45 And there's not a whole lot you can do other than process it as routinely as possible. Just follow the procedures.

10:51:51 So with that in mind, and again, schools in mind. Could everybody here raise their hand? And if you're online, please raise your hand at home.

10:51:59 I need to count your fingers and ask you a couple questions about movies.

10:52:04 So, has everyone seen The Princess Bride? No one hears the six fingered man, right?

10:52:12 All right. You all have homework. You need to go watch The Princess Bride. It is a hilarious movie. It includes a six fingered man.

10:52:21 I say this to remind you, you have five fingers, right?

10:52:24 This means you have a cheat sheet built into your body on FOIA's multiple choice tests.

10:52:29 Because how many days are there to respond to a request?

10:52:33 Five, how many responses are there to choose from? Five, yeah. So literally, your hand is your cheat sheet.

10:52:39 All right. Isn't everybody glad it's multiple choice and you get to cheat?

10:52:43 So five working days. Will anyone admit they watch Love Island?

10:52:50 How about just British TV in general? Anybody watch British TV? No.

10:52:54 The British and the Australians have a great expression that I love.

10:52:58 Day dot. What is day dot?

10:53:02 Day zero, right? The day the request arrives is day dot.

10:53:08 Day one to respond is the following day. Count out the work days. Usually there's an intervening week weekend. Most people don't work the weekends.

10:53:16 So seven days after it's received is the time to respond.

10:53:19 One week later. That's your... five working days is usually a calendar seven days.

10:53:26 If there are other intervening holidays when schools are closed. Snow days when schools are closed, that kind of thing. It can be longer.

10:53:34 I will say with snow days, we kind of differentiate Some snow days I know the students stay home.

10:53:39 But the staff comes in and works, that would still be a working day.

10:53:42 Others, everybody stays home. That's not a working day. So you got to just pay attention to who's actually working and who's not.

10:53:48 I used to joke about it. What color is George Washington's white horse?

10:53:54 Wait, what's a working day? That you're working. Exactly.

10:54:02 After that, if the five working days is not enough. You are allowed to invoke, and this is one of the responses, seven additional days. So if you respond within the first five, you respond in writing, and you specify why you can't get it done.

10:54:15 In those first five, you can invoke up to seven more.

10:54:17 And I'm kind of limited in my hand math here, but usually it's five.

10:54:22 Plus 7 equals 12. So 5 plus 7 equals 12, you get 12 total working days, skip weekends, holidays, other days the offices are closed for business.

10:54:31 That's your total time. If that is not enough, the next step is to negotiate with the requester.

10:54:37 And this is something FOIA always allows you to do. You can always talk to the requester and make a deal.

10:54:42 Sometimes the default rules just don't work for a particular transaction. And so the best thing to do is talk to the person.

10:54:47 Make a deal with them. 99% of the time that works, probably actually more than 99% of the time.

10:54:54 I have heard of a handful of occasions now where you somebody has to go to the next step, which is petitioning a court.

10:55:01 So if you've invoked your additional seven on top of the five, you've got your 12, You try to make a deal. They're not willing to make a deal with you or you just can't come to terms. Your next step is to go to court. If you do that.

10:55:13 Obviously involve your attorney and then it's in the judge's hands. They'll tell you how much time you get.

10:55:19 Any questions about the timing? Okay, let's talk about the five responses.

10:55:25 What do you think number one is? Do I have that permission slip?

10:55:30 Yes, there you go. So yes, here, have the record. That's your easiest one. I want to talk about consequence of choice again, though.

10:55:37 Sometimes I have people say, well, don't you have to, you know, if they like request by email, you respond by email.

10:55:42 And say, or prepare a cover letter if it's a physical request or something and you say, you have asked for xyz hereby see enclosed or attached or something like that.

10:55:54 Do you have to sign it, you know, blah, blah. All right, answer to that. If you create that record in response to the FOIA request.

10:56:00 That's fine. But the consequence of that choice is You've created a public record because doing FOIA is part of your public business.

10:56:08 Now, we said before, be aware of the consequence. Somebody else could come in and request that public record.

10:56:14 And there's no exemption for FOIA request records. Those are open as a general rule.

10:56:19 The other side of the consequence of choice is what they do here at the library is they set all your record retention schedules, right?

10:56:26 I happen to know records of FOIA requests are to be kept for three years after the last action. So if you write that cover letter, you send that response email, you have to keep it for three years. Again, not good or bad, right or wrong. This isn't ethical decision making.

10:56:42 This is just be aware. If you do it, you send it.

10:56:45 You keep it. Three years. Anybody else comes in and asks for it, sure, here it is.

10:56:49 You write the cover letter to theirs. You're keeping that for three years.

10:56:54 So just be aware of these things. As a general note, you all do records, right?

10:57:00 I assume you're already familiar with the library record retention schedules.

10:57:05 Public Records Act. Okay. So I don't do that. If you have questions about it, I always direct you over to their records management section.

10:57:11 And yeah. I'll leave that there. Back to the FOIA responses. So we had number one is yes. What do you think number two is?

10:57:20 No. Yeah. We're not going to give it to you. Anytime you say no, you're going to have to cite whatever law either allows you to withhold it if it's an exemption or requires you to if it's a prohibition.

10:57:32 You have to identify the subject matter of what you're withholding.

10:57:37 And if you're withholding the stuff entirely, you have to give the approximate volume.

10:57:42 And that's something that can vary depending on the type of record. So a 25 megabyte file a 30-page report, a two-hour video. There's different ways to identify volume.

10:57:54 We have yes, we have no. What's number three? I'll get back to you. I like that. That's funny.

10:58:03 Usually people say maybe, and I love that one. Hey, can I have a permission slip for the field trip tomorrow?

10:58:10 Maybe. Does that work for anybody? No. So the real number three is the mixed yes and no I'll give you the record, but not all of it. I'm going to redact portions of it.

10:58:21 You know, whether it's here is a department-wide report on math scores But we have appendices with individual student scores in the back and I'm pulling those individual student scores because obviously Scholastic records.

10:58:33 But the generic statistical data, yeah, we'll show you that. With that one, difference between the entire no and the partial no.

10:58:43 Is about the volume. Both of them require you to cite the law that lets you withhold it or requires you to withhold it.

10:58:50 Both of them require you to identify the subject matter. But you only have to identify volume if you're withholding things entirely.

10:58:56 If you're giving them part of it, you do not have to identify volume.

10:59:01 Next one is everybody's favorite. We don't have it.

10:59:06 Can I have this? I don't know. We don't have it. I can't give it to you.

10:59:12 The technical term is that record cannot be found or does not exist.

10:59:16 Could be a number of different things going on here. Do you have the statewide SOL scores at your local school?

10:59:22 No, we don't have that go to DOE. Doe has it.

10:59:26 Right? Something like that. Can I see nationwide statistical trends on student data post COVID?

10:59:32 Well, probably from the U.S. Department of Education, but not here locally necessarily.

10:59:36 Maybe you have local ones, but not nationwide. And that's the kind of thing where it says, if you don't have it, you tell them you don't have it.

10:59:44 If you know that some other public body does have it, you let them know the contact information for the other body.

10:59:50 So pretty easy there. The problem we were seeing is people weren't responding at all sometimes.

10:59:56 For things that they didn't have. And FOIA also says that failure to respond is deemed to be a denial and a violation of FOIA So somebody would call me up and say, yeah, I made this request three months ago, and I followed up.

11:00:08 Two months ago, and I fought up again a month ago and they just never responded to me. What do I do?

11:00:14 Foia says that's deemed to be a denial and a violation. Your remedy is to go to court. You can petition in circuit court or in general district court. That's your choice.

11:00:21 I'd have to tell them that and then somebody would go to court.

11:00:24 And the public body's attorney would show up and say, Your Honor.

11:00:27 That's not our record. We didn't respond because we just didn't have it.

11:00:31 You know? Wait a second. Are we really legislating common courtesy to tell someone we don't have the thing you asked for?

11:00:39 Yeah, they did, basically. So now you have to tell them that.

11:00:43 Other than that, it's the timing one we already discussed. So we've got yes, no, mixed yes and no.

11:00:49 We don't have it, and we need more time. Those are your five responses.

11:00:55 Sometimes it's kind of something else. Like if you're in the process of negotiation and you may be going over the five normal days.

11:01:03 If that happens, make it part of your negotiations. The things we see the most fights about are money and time.

11:01:09 So whenever you negotiate a deal with a requester, make sure to be explicit this is the time frame we're going to follow.

11:01:16 These are the charges we're going to do and be upfront and make it clear and make sure they agree.

11:01:21 Because it's misunderstandings on that that usually lead to court. Any questions about that stuff?

11:01:29 Right. How are we doing on time?

11:01:36 We had a half an hour. Cool. So let me ask you, does anybody have questions?

11:01:41 Because there's a lot more stuff we can discuss, but what do you want to discuss?

11:01:54 Is FOIA specific to the states? Or is there any federal guidance or legislation that governs FOIA?

11:02:03 Each state has their own FOIA. Federal government has its own FOIA.

11:02:08 They're all different. I will note that some federal laws apply to the states.

11:02:16 Some do not. I'm going to give you a real example to discuss with your attorneys sometime.

11:02:22 Because I'm hearing different things. For example, that FERPA allows, I think, 45 days to respond to a request, where FOIA has the five plus seven, et cetera.

11:02:31 And so I've heard some schools have been responding to requests saying, well, that's not really FOIA, it's FERPA, therefore we get 45 days.

11:02:43 That's a relatively new interpretation that I've only recently heard in the last couple of years.

11:02:48 I'm not going to say it's necessarily wrong, but I will say about 15 years ago.

11:02:54 I remember hearing about a case in another jurisdiction that was a federal case on FERPA.

11:02:59 Where DOJ took the position FERPA does not set out requirements for anything.

11:03:06 Ferpa conditions your receipt of federal money on whether your state records laws comply with FERPA.

11:03:13 But you have to follow your state records laws, whatever those are.

11:03:16 And if those put you outside FERPA, The consequence is you lose your federal money.

11:03:22 Don't know what happened with that case. I didn't ever see a follow-up. But I know that's one position.

11:03:28 If anybody remembers the nationwide 55 mile an hour Speed limit, that was based on the same thing.

11:03:34 You lose your highway money if you don't have a 55, but you can set your speed limit, whatever you want. You just lose all your federal money.

11:03:41 Same with the drinking age of 21. I understand. Same deal. Feds don't tell you it must be 21. They tell you if it's not 21, you lose your federal money.

11:03:50 So I've heard that as a condition regarding FERPA. I've heard other people say no.

11:03:54 I mean, the way I was raised, FERPA says you don't release this, you do release that, and you just have to follow it because it's federal law and it precludes the field.

11:04:02 And it's controlling. So there's some debate over that kind of thing.

11:04:07 This is one of the areas where I get to tell you, talk to your attorney because I've met different school attorneys who have different opinions on that stuff.

11:04:14 Would you default to where the person made the request? If they said I'm requesting under 40, but they might not always specify FOIA. Yeah, most people don't specify. If they do specify, like, I want it under FERPA.

11:04:31 Okay, then I'd follow FERPA. I mean, but then you start us going.

11:04:35 Well, I want it as a data subject under the government data collection dissemination Practices Act.

11:04:39 Okay, well, that's another different set of rules. Right there. Versus I want it under FOIA. We do see people sometimes just mistakenly say, I want it under FOIA 5 USC 552A.

11:04:51 Well, that's the federal code. That's federal FOIA. That doesn't apply.

11:04:55 Right. And this is where Some federal laws, some federal regulations are written specifically to apply and they will say You shall not release this thing or you may or may not release this part of it or something like that. There are some specific federal requirements out there.

11:05:11 But again. I'm going to defer to your school attorneys to talk to you about when those do and do not apply specifically.

11:05:19 I was just thinking in our division, we have separate people doing those requests. So generally, if they contacted one or the other.

11:05:26 That's where we would kind of assume they're making the request. But I know some divisions are probably under Maybe under one person. Might be, yeah.

11:05:35 So Wade's your attorney, right? Yeah, so he's a classmate of mine.

11:05:40 And again, I would say, you know, talk to Wade. About, you know, how about the individual request comes in. And the other thing is sometimes you got to talk to the requester.

11:05:50 I get questions sometimes. Somebody will send me a copy of a request and say, do you think they meant this or do you think they meant that?

11:05:56 And I say, well, I can speculate all day, but why don't you ask them? Because they know what they meant better than I do.

11:06:01 And if it's not clear. Clarify with them because, again, FOIA requires reasonable specificity.

11:06:07 In making the request.

11:06:16 So I am with Rikers Management here at LVA, and I get many questions with FOIA when I'm out doing training and I have to take a halt because I don't know all of FOIA, Chad Owen does because he's a FOIA officer here at LVA.

11:06:29 But is it possible you can detail the consequences of FOIA requests not being answered. And so to say one thing I do with training is specify different news articles of when state agencies and localities are not fulfilling FOIA requests.

11:06:45 So is it possible you can do a brief overview of what is the consequences with FOIA or violation?

11:06:52 Absolutely. Thank you. And where is Chad? Stairs, you know.

11:07:04 Okay. Personal story. So just before COVID hit, Chad and I were actually going to a concert together.

11:07:10 And it got canceled because of COVID. Didn't get our money back for the tickets either. That sucked.

11:07:16 But anyway. That. And the last time I think Chad and I did a presentation together We parked our motorcycles next to each other in Harrisonburg just by happenstance.

11:07:26 No, this one was a few years ago. It was for Attorney General's education section.

11:07:30 And yeah, it was funny because I think he was riding a 1200 BMW. He's replaced it since, he told me.

11:07:36 Yeah. And I have my sports door next to it. Anyway, sorry.

11:07:44 Consequences of what happens if it goes wrong, okay? People sometimes will contact, well, okay, daily contact me and joe My coworker, Joe Underwood, and say.

11:07:56 I want to file a complaint or they violated FOIA, do something about it, or I need you to investigate, blah, blah, blah.

11:08:02 Well, like I said in the beginning. We are an educational and advisory agency.

11:08:07 We are two attorneys. We do not have an investigative arm. We don't have enforcement or compliance stuff.

11:08:14 We don't have the staff for it. We don't have the statutory authority to do it, so we don't.

11:08:19 Who does it? The court system. The remedy for a FOIA request, the basic remedy is filing a petition for mandamus or injunction supported by an affidavit showing good cause.

11:08:29 In either general district court or circuit court. For those who are not familiar already.

11:08:35 General District Court is kind of the lowest of the courts that would hear a FOIA case. They're considered a court not of record.

11:08:41 Their opinions and stuff generally are not reported. Then you go up to circuit court. They are a court of records, so things tend to be more formal.

11:08:47 Most people get their own attorney to represent them there, whereas a lot of people represent themselves in general district court.

11:08:54 If you appeal from general district court, it goes up to the circuit court. But with FOIA, you get the choice of you can start right there in circuit court or you can start at the lower level.

11:09:02 Either one. It's up to the petitioner. From the circuit court level if there's an appeal.

11:09:07 Recently, they added the Court of Appeals jurisdiction. It used to be a Court of Appeals only heard certain limited cases and they did not hear FOIA cases. Now they hear FOIA cases.

11:09:17 They've decided like five or so in the last six months, maybe six, actually.

11:09:22 So they're being pretty prolific in hearing FOIA appeals. It used to be things would jump from the circuit court directly to the Supreme Court. Now you've got court appeals in between, so it's general district to circuit.

11:09:33 To Court of Appeals to the Virginia Supreme Court. So we got four levels you can go through in a FOIA case.

11:09:41 The basic remedies, mandamus or injunction. Those are considered equitable remedies most of the time, and it gives the judge some leeway to craft what was the violation? What's the proper remedy for that?

11:09:53 Mandamus, if you think the word mandatory, it's something you as a government official, I as a government worker you know.

11:09:59 We're supposed to do it as part of our jobs. It's required by law.

11:10:02 And we didn't do it. So typically, we see this on the record side. The court is going to order us to provide those records that we should have provided in the first place.

11:10:11 On the meeting side. It's a little harder to do mandamus because meetings violations already occurred.

11:10:17 And it's harder to remedy for something that's happened in the past that way.

11:10:21 But we have seen some creative ones. I'll give you an example.

11:10:26 A closed meeting that was held. And they didn't take any minutes because you don't have to in a closed meeting. So there were no records of it. So what the court did is he had people take depositions under seal

11:10:36 From all the people who were there. So they then reviewed all the sealed depositions and they said, you know what, that should have been an open meeting.

11:10:44 They did not use the meeting exemption properly, should have been open. And my remedy is I'm going to unseal all those depositions.

11:10:51 And make them part of the public record. And that way they will serve in lieu of minutes.

11:10:56 So that was kind of a creative remedy. Typically with meetings.

11:10:59 We more often see people say. You messed up. This is what you did wrong. Don't do it again.

11:11:07 Okay. I like doing these around Halloween so we can talk about scary things.

11:11:12 But let me ask you, is anybody scared of those remedies I just told you?

11:11:16 I don't see fear, really. Kind of a slap on the wrist kind of thing, it sounds like, because it's do your job right.

11:11:23 Obey the law and do your job. That's the basic order you get from the court.

11:11:29 Well, let me tell you about Culpeper versus White Dog. So, or White Dog versus Culpeper, I guess is proper.

11:11:35 Virginia Supreme Court case, 2006, I want to say. Who hears from Culpeper? Did I say somebody from Culpeper? Or was it online, maybe? Okay.

11:11:45 So they have a high school that was About 15 years ago now.

11:11:50 That high school was the subject of this court case. Because apparently the school had entered into a contract with an architect to build a new high school and they were discussing options with them.

11:12:01 The county board became a party to the contract, a third party after the fact.

11:12:05 Which is very unusual factual situation. The county board then held a meeting with the architect without the school board.

11:12:13 To discuss the school and options for building the high school.

11:12:18 And not going into the details of the meetings exemption stuff will suffice to say, at the lowest level, then the general district court these county won the case.

11:12:29 At the circuit court level, there were two big issues. They one-on-one, they lost on the other. At the Virginia Supreme Court level where it got appealed then They lost on both. They remanded it back to the trial court.

11:12:39 For a determination of attorney's fees. Because if the petitioner wins, and the technical term is substantially prevails on the merits.

11:12:47 They are to be awarded their court costs, attorney's fees, and any expert witness fees.

11:12:52 So how much do you think it costs for then a three layer Appeal. This is 2006 or so.

11:12:59 I understand the papers and the editorials the following week read something along the lines of.

11:13:07 Your County Board of Supervisors violates your right to know and wastes $93,600 of your taxpayer money paying the other side's attorneys.

11:13:15 That's what they said. We had a case, again, this is years and years ago.

11:13:21 State police withheld state withheld a one-page document. It was part of a criminal investigative file and they said it's part of the criminal investigative file. We're not going to release it.

11:13:31 They were sued over it. My understanding is that same document was also available as part of a public court case file. The police just didn't want to release it because they had it as part of the criminal investigative file. Well, the court went through it and said, no, you should have released it.

11:13:45 Before that, they had a whole bunch of motions practice back and forth between the different attorneys and everything.

11:13:51 As they lost in the end, they had to pay the other side's attorney. The other side had hired a former attorney general who was paid about 500 bucks an hour.

11:13:59 It cost them over $30,000. To pay for releasing one single page of Everybody's scared now.

11:14:07 I'm seeing more frowns and stuff. Yeah. And these are cases that are old at this point. I don't know how much it would actually cost you these days.

11:14:15 To lose a case like that. But we've heard multiple instances where the fees become a little bit scary.

11:14:22 There are other potential remedies. And I say potential because these are very rarely seen.

11:14:27 There are three of them in a separate section of FOIA.

11:14:30 And they say they can be awarded even if mandamus or injunction is not awarded, if these violations are found. So number one.

11:14:37 Is for a knowing and willful violation. This is where somebody intentionally, knowingly violates FOIA.

11:14:43 They did it on purpose and they knew what they were supposed to do. And on purpose, they did something else.

11:14:48 We actually, the most recent one of those I saw was interesting because it was, I think, a town clerk.

11:14:53 And the court said there was no ill intent. She wasn't trying to do something bad. She wasn't really trying to hide anything.

11:15:00 But she knew FOIA required her to follow a certain procedure.

11:15:02 And she didn't do it. And it was on purpose. So she could do something else. And that is annoying, willful violation.

11:15:10 That gets you a fine. Currently, it's $500 to $2,000 for the first offense.

11:15:16 2,000 to 5,000 for any second and subsequent offenses. And those are named against the individual. So it's supposed to be paid by the individual.

11:15:23 That's not paid by your school or another public body, it would be paid by you out of pocket.

11:15:29 The second one and the third one were both added in 2019, as I recall.

11:15:33 We have not yet seen these imposed on anybody. We've heard them alleged, but we haven't seen a court find to actually have happened.

11:15:41 So first one is the first one If someone destroys public records.

11:15:47 Outside of their record retention schedule. With the intent to avoid FOIA.

11:15:52 They can be fined up to $100 per record destroyed. People have been asking ever since this thing was proposed Wait a second, if I delete an email chain.

11:16:02 That one record at $100? Or if there's like 20 emails, is that 20 records and $2,000?

11:16:08 We don't really know because the court hasn't done it. Court has not imposed that.

11:16:11 That fee yet. But again. The first one and the second one both have a pretty high standard because they both have that element of intent.

11:16:19 So you have to prove the person knew something and intentionally did something else.

11:16:24 And so that's a difficult thing to prove. I think that's why we haven't seen the second one.

11:16:30 Actually proven yet. The third one we also have not seen imposed um is not really directly relevant here, but it's for improper certification of a closed meeting.

11:16:40 So after every closed meeting, public bodies are supposed to come out and certify they only talked about things that were listed in the motion and lawfully allowed to be discussed in close meeting under FOIA.

11:16:50 There was a rash of news articles. Some local bodies, some state bodies, different levels, different amounts involved, different exemptions involved.

11:16:58 But all with kind of the same theme of We went into closed session. We had our discussion. We came out. Everybody voted unanimously to certify the closed session.

11:17:09 And then a week or two later or a month later, somebody who was in there Talk to the news media and said, you know what, I think we did it wrong.

11:17:16 We should have done this or we shouldn't have done that.

11:17:19 Well, under FOIA, you're supposed to make a statement for their minutes before you vote if you think something went wrong.

11:17:23 And people weren't doing it. General Assembly added this additional penalty up to $1,000.

11:17:29 To be paid by the public body this time. For improper certification.

11:17:34 Again, we have not seen that imposed. We do have a question in the chat from Susan Gardner. She says, is there a brief training we could share with principals and staff Yearly.

11:17:49 Anybody who wants to can sign up for the records training that's on the Commonwealth of Virginia Learning Center.

11:17:55 It is a pretty high level overview designed for new FOIA officers. It does not cover meetings. It only covers records. It does not cover remedies either.

11:18:03 So it's pretty high level, but it's only about 45 minutes if you go through it.

11:18:09 Other than that, we do training by arrangement for anybody and everybody and we do it to the time available and the topics you want to cover.

11:18:18 Other than that, we have all sorts of free webinar training that we do and probably after July, we're going to start doing in-person ones at the General Assembly building because we have all those meeting rooms during the interim between sessions.

11:18:29 So we might as well use them and do some in-person training, we figure.

11:18:34 We'll be doing lots of stuff. I know we've been asked, I was asked yesterday.

11:18:39 We used to have an online pre-recorded module that members could do.

11:18:43 I had to take that down. It was out of compliance with ADA because it didn't have captions.

11:18:48 It was out of date. And part of the problem, because people ask, when's that coming back?

11:18:53 I honestly don't know. One, I don't have enough staff to recreate it at the moment.

11:18:58 It was done in the old General Assembly building. Little known fact. There was a sound studio.

11:19:04 In the basement that belonged to the Capitol correspondents, I think. But we got to use it and it was cheap.

11:19:10 At the time. Well, it got torn down with the whole building and it did not get replaced.

11:19:15 So best I've got right now is an old gaming headset sitting at home.

11:19:20 That's not really the same quality. Don't know when. And I haven't priced these things because honestly.

11:19:27 We do so much other training. It's not a high priority for me at this point.

11:19:33 We probably will get another online module. I will know Friday more about whether we're getting additional staff. We're waiting to see what the governor does with the budget.

11:19:43 But we might be getting… additional staff, which will free things up and make things happen faster.

11:19:49 We'll see. So we do have a little bit of time if anybody else has questions, if you're online and have questions, want to raise your hand.

11:20:00 Then I can recognize you. You know, I will say there's say a million little nuanced things out there. I was looking at student growth percentiles.

11:20:11 And student growth indicators and the laws on those this morning.

11:20:15 Because guess what? Those can be a measure of teacher's performance. That was a case that went all the way up to the Virginia Supreme Court because they were withholding it as part of the personnel records and then someone said, no, it's not.

11:20:26 It's a student measure. And they said, no, it's a teacher measure.

11:20:31 They went back and forth and they said, yeah, it's a measure of teacher performance.

11:20:34 How well did the students do over time with that teacher?

11:20:38 So it can be withheld as part of their personnel information.

11:20:43 Other stuff I should tell you. On the subject of personnel, that is the first exemption in FOIA.

11:20:48 Basically says personal information concerning identifiable individuals may be withheld with certain exceptions.

11:20:54 Your name, your job position, your salary, your rate of pay, all that stuff is open.

11:20:58 And it's open by name, your actual salary, all that stuff.

11:21:03 There was a case in 2022 at the Virginia Supreme Court, Hawkins versus Town of South Hill Where for the first time, they established a definition for personnel records and a privacy test.

11:21:15 To say whether something should remain private. And that test is based on a reasonable person standard of what would be an unwarranted invasion of personal privacy to a reasonable person.

11:21:28 Interestingly enough, for anyone who is or is Is a lawyer or familiar with it, the term unwarranted invasion of personal privacy, that phrase.

11:21:37 Has been used numerous times. In other jurisdictions, never in Virginia.

11:21:43 So that's the only case I know of where they actually used that phrase and they were citing to other jurisdictions.

11:21:49 And they followed it up with a statement that The precise contours of what is private are neither rigid nor precise.

11:21:58 And require determination in the context of each case. That's pretty close to a quote right there.

11:22:04 So I love that the Supreme Court told us the precise contours are not precise.

11:22:08 And you have to have a case-by-case determination every time to determine if something's personnel records.

11:22:14 In the educational context is one of my favorite examples of college professors.

11:22:19 When they put their curriculum vitae online. All that stuff normally is, you know, it's about their work, right? It's their research, their

projects, their publications, their own educational history, all that stuff, classes they teach.

11:22:31 It's all personnel stuff. They put it up online. Now there's no expectation of privacy.

11:22:38 All right, so this is something to keep in mind if people ask for like teacher personnel records, things like that.

11:22:44 Did they publish that thing in the public domain? Did they get an award and celebrate it?

11:22:51 Share it with the public. Was there a newsletter announcement of some kind saying, hey, this person is teacher of the year?

11:22:57 Well, you're not going to withhold that stuff. It's already been made public.

11:23:01 Post-hawkins, you've got to do that analysis every time. So be aware of that.

11:23:10 All right. Thank you all very much. Thank you, Alan.

11:23:18 I do have one question I want to ask you about the FOIA certificate. Some people in the chat have been asking about how sure Those come directly from you? The best way to do it, if, let's see, Nicholas.

11:23:30 If you will send us the list of attendees just so we can We have to track all this stuff. So we'll have the attendance list. And then for the people who want a certificate.

11:23:41 The best email address to use is our FOIA training address, which is RIC.

11:23:48 Dash FOIA training, all one word And then the at symbol, DLS as in Delta Lima sigma.

11:23:56 Virginia spelled out.gov. So RIC-FOIA training. At dls.virginia.gov.

11:24:07 And if anybody has trouble with that or it bounces, because I know that was it's long and it gets messed up easily Just send it to the regular FOIA Council.

11:24:14 Address, which is foia council at dls.virginia.gov. So they'll have to request individually from Unless you want to compile it, if you prefer, you can send it all And you can just send us a list of who wants a certificate along with the attendance and we can generate it then. And we can also either send it back to you or send it individually because we send it by email.

11:24:37 I don't mind that if it would be easier because I know some of them have put in the chat they wanted their certificates. Yeah, that's fine.

11:24:43 We can use that. So yeah, just under the FOIA training address, whichever way you want to do it. We're happy to do it. I'll put it together.

11:24:50 Cool. Yeah. If it's easier for the group, if you just want to put that information in the chat, if you would like the certificate.

11:24:57 If you want to reach out to FOIA individually, that's fine too, but I'll take all of the ones that are in the chat.

11:25:03 And get them to Allen.

11:25:08 Thank you. So those that are participating online, we are going to have a brief pause between Because the library has given us a tour. So we will be taking a break and a tour And then we will resume the meeting back at

11:25:29 1215. Anybody that's online, feel free to take a break.

11:25:34 And we will see you back at 1215 for our second presentation.

12:17:32 Okay, so welcome back everybody. We had a nice tour of the library and we thanked the library staff.

12:17:39 For offering that tour. They have been through the month of April for records management and records and Information Management Month.

12:17:49 Offering tours to various groups that have been meeting at the library. So we thank them for that.

12:17:55 Tour. It was very informative and informational. Thank you so much.

12:18:00 So at this time, we're going to hand it over to John Reardon from the Harvest Technology Group.

12:18:06 He's been gracious today, offering… Providing breakfast for those that are attending in person And I know he's worked directly with Abramoro County Schools.

12:18:18 So hopefully at some point in this time they'll be able to advocate for the services that he provides.

12:18:23 So at this time, I'm going to turn the microphone over to John.

12:18:29 And if you all have any questions, feel free to raise your hand or type them in the chat and I'll make sure that He gets the information.

12:18:44 Okay, Nicholas, thank you very much. Is this close enough? Can you hear me okay?

12:18:48 Okay. All right. As Nicholas mentioned, we're going to try to keep this as conversational as possible. It's always more interesting if there are questions at any point in time.

12:18:59 Please either enter them into the chat. Also, it's a little… unique in the sense that we're doing both in, I'm actually here So there's folks in the room that I'm looking at, and then I know there's a lot of folks online also.

12:19:16 But we'll try to keep this, again, as concise and as informative as possible for you guys this afternoon.

12:19:22 You know, as much as we want to dress it up and as much as we want to maybe create art out of it.

12:19:29 There really is no escaping that records management and in the broader context, content management seems to always get relegated to a place of not the most importance in our school districts I think even though we all love the topic, we all are involved in it every day. I don't think any one of us would argue that

12:19:52 Making sure that our records are securely stored He's not the most important thing that we're doing, right? The most important thing we're doing is educating the children.

12:19:59 But I love what Alan said earlier in the standpoint that a good and effective records management solution and system is what helps us to be the consent of the governed. It's to help The people that we're spending their money, the taxpayers, know what we're doing.

12:20:18 And sometimes this allocation for records management to the bottom of the heap really is taken to extremes. And in 1942, the SEC actually rented out the Phillies Penn Athletic Club, drained the swimming pool.

12:20:34 And put all of their records in there. I would hate to know what happened if it subsequently rained or flooded, right?

12:20:40 So just a couple of semi-humorous examples. But who are we?

12:20:46 As Nicholas mentioned, I'm with Harvest Technology Group. We are a boutique consulting firm. Basically, that means that We're very targeted and focused on helping information flow in K-12 education I've personally been involved in working in K-12 school districts for over 20 years.

12:21:03 And we've got hundreds of years combined experience in our organization.

12:21:08 When we talk about the solutions we bring to bear and and Again, I'm going to talk about this because I think you guys are expecting it from a solution perspective.

12:21:18 But we'll go through this. I hope to keep this as solution agnostic as possible when you talk about the higher things but Our solution is called Content 360.

12:21:28 It is built on top of a product called OnBase. So our integrations that we've written specifically for K-12 schools, the services we provide.

12:21:41 And the templates are all built on top of a product called OnBasin.

12:21:43 It's kind of funny. I was actually very pleased to see that listed.

12:21:48 As the records management system of choice for the University of Virginia, I believe they just presented here maybe The last meeting or

so. So interesting that I've got a good company here with the same technology.

12:21:59 When we're talking about Content 360, records management, and OnBase as a solution.

12:22:04 I'm not talking about a watered down version. I'm just talking about the exact same product they're using But it is customized and priced accordingly or K-12 schools.

12:22:14 But when we talk about records management and the work we do inside K-12 education.

12:22:19 It is generally focused on three areas, and you guys already mentioned this.

12:22:23 During Alan's presentation, we generally focus on finance student services, and human resources.

12:22:30 It is the same technology stack, the same code base. That allows us to service all three of those main areas inside K-12 schools.

12:22:39 Different integration points. Different access points, different records management requirements in each of these departments, but the same piece of technology.

12:22:49 The IT teams love this because they really only need to support and manage one piece of technology as opposed to having three different for multiple multiple departments.

12:23:01 So the first thing that I'm going to bring to point here, when we talk about enterprise content management, and that is the broader space that records management fits under from a technology perspective is this.

12:23:14 Does your district want to use an active approach for content management.

12:23:22 Or are they content with a historical approach? And let me explain the two differences.

12:23:29 If we're using an active approach, it means our school district is actively moving to reduce paper no matter where it originates throughout the district.

12:23:40 If we're using a historical approach. I'm going to let the paper run its course and I'm just going to scan everything at the end Or I'm going to have another company come in and scan all of the records for us.

12:23:51 And the reason why, as someone involved in the technology side, this is important.

12:23:56 Is that if we're using an active approach. I've got to be more intentional and I have to make sure that our technology is more comprehensive to support that.

12:24:09 If we're using a historical approach. I'm really only interested in making sure that the documents can be stored in a certain place.

12:24:18 And then searched and retrieved when required. And there are some real distinctions here. And I realize this is a busy slide, so I'm not going to go through all of these items, but Here's the reason why this is important.

12:24:33 When we're talking about active content management. We're talking about something that provides you with the greatest level of security and efficiency.

12:24:42 Because I'm capturing and eliminating paper as soon as I can in my processes.

12:24:50 Using conversely with the historical approach I still have paper floating all throughout the district in different campuses, different locations.

12:25:00 So I still have all of the security risks, the destruction risks, and the inefficiencies associated with paper.

12:25:05 If we're just going to scan things from a historical perspective.

12:25:09 The downside to an active content management is that it is incredibly or can be incredibly invasive into my current culture.

12:25:17 If I've got a culture that resists change, that loves the paper, you'll pry it for my cold, dead hands.

12:25:24 Right. It's going to be very difficult for me to make any meaningful change in an active environment. Whereas on the historical side.

12:25:31 If all I'm doing is scanning records at the end of the process.

12:25:35 Very little impact to the culture. When we look at active records management. We want to take an all or nothing approach. And here's what I mean. The minute that I still have some outward process that's generating paper that I've got to manage well

12:25:50 I'm now talking about having to deal with file cabinets, file folders, and the associated paper and the sneakerware moving that piece of paper from one place to another. So you don't have to start doing everything But the goal is that, hey, I want to eventually get rid of all the paper

12:26:05 In the three main sources, human resources, student services, and finance.

12:26:11 Now, from a historical perspective also. There are still annual costs involved and annual processes. Sometimes that is shipping your records off and having them scanned.

12:26:21 Having people come on site, bringing in temps over the summer, whatever your process is, you're still going to be dealing with paper at that point.

12:26:30 And… Just two of the quick points. With a historical perspective, it is very difficult to do records management effectively. And here's what I mean by that.

12:26:40 In most cases, because you're either going to be paying for someone else to scan the record or you're going to be having your own staff scan the record.

12:26:47 You're going to scan these records in bulk. And what I mean by that is I'm going to have one file associated for my student records. I'm going to have one file associated with AP transactions and with personnel management.

12:26:57 Well, guess what? Inside that file could be 10 or 12 different document types Each of which has a different retention schedule set up by the state.

12:27:08 And so when we talked about this and we talked about how do we mitigate some of the... cultural challenges of having an active record solution that technology can really help. And that's what we're going to move forward with. And by the way, this is something that

12:27:24 Having worked in this industry for so long and across different industries within content records management Education is one of the few that actually still uses a historical content management as a as an end goal, so to speak.

12:27:44 Almost every other industry And I'm talking private and even local governments are highly active in more active content management. I know your district probably is as well. I don't think I've ever been to a school board meeting or a strategic staff session that say.

12:28:00 Our goal this year is to increase paper consumption by 25%.

12:28:04 It just doesn't happen. I shouldn't say maybe never.

12:28:11 Because I haven't been to all of them, but I just haven't seen it.

12:28:14 All right. So for this presentation, I'm going to assume we're going to be looking at more of an active strategy.

12:28:21 And how do we get to the root of paper? How do we get to the root of information? And by the way, even though you have PDFs on your website that people can download and fill out.

12:28:32 It's a good start, but it generally ends up exactly what control P, right? I'm going to have to deal with a piece of paper at the end of that process.

12:28:39 Okay, we're going to start by assuming that we're looking at an active records management piece, and that's kind of what we're going to go through for the rest of my presentation.

12:28:48 One thing I didn't mention that if you are okay with just using historical scanning approach You don't need us, right?

12:28:57 Generally, all you need is your student information system, your ERP system, or maybe even just a share file.

12:29:05 We focus more on school districts that are progressively looking to get rid of paper wherever it starts.

12:29:11 The first step for that and the way that these processes are successful when they are successful.

12:29:16 Is making sure that I give our users the ability to quickly and easily capture and categorize information.

12:29:26 Now, I put categorization here as a italics with a little star behind it.

12:29:32 Because this is an area where a lot of people even in our industry, other vendors and other presentations I've seen and sat in.

12:29:42 They don't like to talk about this. Because it's where there's rub in the process. And I'm going to show you what that looks like here in just a minute.

12:29:49 But if I can't do this easily, if I can't give our users the ability grab information as soon as it hits their desk.

12:29:56 It's going to be a struggle to get any sort of a records management solution in place and as productive as it could be.

12:30:05 So… One of the difficulties around this is that the sources of information are all over in your district.

12:30:13 You're getting things via email. They're coming out of your student information system, your ERP system.

12:30:19 You're getting things that, you know, receipts and things that could be best captured with a mobile device.

12:30:24 So I want to make sure I have an elegant and easy way to capture information wherever it presents itself.

12:30:29 And by the way, I throw scanning out here. We hate scanning.

12:30:34 If a document is in its original electronic format, the last thing I want to do is print it and then have to scan it.

12:30:41 All right. I'm seeing some laughs in the room here. You're familiar. I'm glad we're on the same page at least.

12:30:48 Okay, when we talk about automated capture and so things that are originally in an electronic format, getting them into our software.

12:30:58 Anything that's being generated by the student information system, by a special education system.

12:31:02 By your ERP system, your finance and human resources application. Anything being created by those applications is already what?

12:31:12 Generally, it's a PDF. Generally, it's electronic. And therefore, we can use that information to to be automatically captured and categorize.

12:31:23 So nothing gets printed that doesn't have to be. Out of your enterprise applications.

12:31:29 This includes, by the way, online enrollment. If you're using online enrollment, it's a great place to get student records.

12:31:35 And online recruiting and hiring like frontline or a PowerSchools application.

12:31:42 Anything that you're receiving in electronically, we're going to keep in that format.

12:31:46 It's not magic. Generally, these files are PDF. We have a PDF parser that reads a piece of data in that file.

12:31:56 We supplement the data that we've extracted off of that file are out of that document.

12:32:04 Either by additional data located in your ERP or SI system.

12:32:08 We know when that value changes, I'm running bulk transcripts, right?

12:32:13 Once the student ID changes, I know that these first three pages, bundle them together, associate them with that student ID.

12:32:21 So again, it's not magic that we're capturing this information out but It is transparent to the users. They're just going in and generating the

reports And then a few minutes later, they're located and they're stored inside of our document management solution.

12:32:38 Okay, that takes care of a lot of what has been bloating filing cabinets for a long time, right? The stuff that's coming out of your enterprise applications.

12:32:50 And I do have the request, and sometimes people will say to me, well, it's in PowerSchool, it's in Synergy. Why am I printing it?

12:32:58 And the answer is the answer is the printed copy or the report that was run gives you the snapshot of the data as it looked in time.

12:33:10 Right. Versus the data that's in a student record can, shouldn't be but can be altered later to reflect a different value than that was there at the time. Again, not shouldn't be.

12:33:23 I could tell you some stories. All right. But what about all of the other stuff that our users are grabbing?

12:33:32 How do I get records that randomly show up on my desktop?

12:33:36 There's a number of different ways. I'm just going to run through them very quickly here. I can go through and simply click file save.

12:33:43 I've saved it into a directory. It's a network directory. We run a sweep. We grab that record and bring it into our system.

12:33:52 Let's just say that I've got another document I want to go into.

12:33:56 Our application now, so I'm logging into our application I can go and just click import documents, drop and drag documents into the software.

12:34:06 I'm sorry, I'm realizing there's a slight delay between my talking and What's showing on your screens here. But just by dropping and dragging a document into the software, it will pop up and it will allow me to import that record.

12:34:20 File, save, drop and drag. But while this screen is up.

12:34:25 I'm going to dive into that dirty little secret we talked about earlier.

12:34:29 Called categorization. And we'll talk about this in a second. So if my application, and just about any application, even a lot of the student information systems and ERP systems.

12:34:41 Well, I either go file, save as and upload a document, right?

12:34:47 Well, this… information that we're capturing about this document and how we're storing this record is really, really important.

12:34:56 It's important so I can go back in and access this record.

12:34:59 But it's also important because of the implications it has to records management.

12:35:06 Everything in records management, if you go look at, there was an amazing spreadsheet by Caroline Is that your district that put together? Yeah, that lists all of it out. It's great. It was a resource that was in a previous meeting.

12:35:20 If you'll look at everything about those retention schedules, it is event plus time.

12:35:25 Date of graduation plus 18 years, date of incident plus three years, date of birth plus 18 years.

12:35:31 Everything is about a date and then plus a time. If I'm going to effectively implement a records management solution.

12:35:39 I need to have that date somewhere. Now, we'll talk in a minute about what happens if that date's not on the document.

12:35:45 Because we can still use it. But what I don't want to have to do is I don't want to have to come in here and when I've imported a document.

12:35:54 Type in all of this information or rely on my users to type this in.

12:35:59 The number of times in ways you can spell Sam, Sammy, Samuel.

12:36:04 In a record can carry a lot of challenges down the road.

12:36:08 What we're able to do inside of OnBase and Content 360 is I can just type in an individual value, right? So in this case, a student ID.

12:36:16 And then I can leverage data located in other sources to complete this categorization process.

12:36:22 Just by keying in a single piece of information, I can grab all of the rest of the information out of a line of business application.

12:36:31 If it's a finance application, I usually enter purchase order number. If it's an employee, I enter employee ID.

12:36:38 So it allows me to capture and categorize the record with just a single with a single data entry point.

12:36:45 And there's other ways we can do that too. So getting back to capture or other ways I can grab documents.

12:36:51 Sometimes if you're, I mean, this is like a girls soccer schedule. Don't know why you'd ever want this.

12:36:56 But I can just go in and print. And this is through any application we can print directly into our system as well.

12:37:06 Okay. Any Outlook users out there, there's some things we can do with Outlook that are pretty cool. Google... email users, it's just file save as same thing we talked about earlier. If you are using a version of Outlook, there's some import

12:37:21 Functionality that we can build right into the Outlook interface. I can also set up individual folders.

12:37:27 To where I drop and drag emails into an individual folder, it will automatically extract and archive the message and the attachment as well.

12:37:34 Because I think we can all face it, right? Email is a huge source of records for all school districts.

12:37:41 Some of the nice things we can do is perform the categorization process based upon either the email information or information which folder I dropped and dragged it into.

12:37:53 So again, just other ways. Now, bulk scanning. It's a thing. It's going to happen. You may have records that go way back that need to be scanned and archived. If you want to do that yourself.

12:38:04 We give you the full suite of tools to be able to do that.

12:38:07 I can take these documents once they're in a digital format and do some cleanup on them.

12:38:13 Delete blank pages, you know, when it bleeds through from a scanner I can go through and I can reorder pages just by dropping and dragging them here.

12:38:21 I can give you a thumbnail view. I can delete pages if it was somehow scanned twice.

12:38:26 Or upside down. So all of the normal image cleanup things that you think you may want to be able to do.

12:38:33 We can do inside of our software. So when we do go through the categorization process.

12:38:39 I'm dealing with a clean document, not something that, you know, it's kind of a jumble when it It's in there. Any questions about

12:38:51 And Nicholas, if you'll keep an eye on the chat, if there's anything that pops up there, please let me know.

12:38:55 Okay, so I mentioned earlier that in some cases we don't even have to key in information.

12:39:02 If it's a record that can be OCR'd we can certainly do that as well. So I can grab like an invoice number is not, I'm not going to have that number until I get the document.

12:39:12 If we want to grab that via OCR, we can either rubber band it or rope it or do anything else we can.

12:39:18 I'll be very candid with this. The OCR applications I found for K-12 schools are fairly limited.

12:39:25 In our normal student services template, we have 50 plus different document types.

12:39:29 And that's just kind of the starting point. There are so many documents in different document types that come into K-12 education.

12:39:41 It's hard to find, and a lot of them are handwritten and things like that, which we can still work with.

12:39:47 It's just... How do I say this? Quoting my brother-in-law, the juice usually isn't worth the squeeze.

12:39:53 Right. But it is a possibility if we want to go that route.

12:39:58 Whether you want to store your records in the cloud or on premise.

12:40:03 They're always your records. So we host them.

12:40:08 You can have it as a hosted application or store it on-prem. It's up to you guys. I think, Albemarle, you guys are on-premise, correct?

12:40:15 Yeah, that's generally going to be a district decision. And... where you want to send them or not.

12:40:23 So now I've got all this stuff stored. How do I find it? And how do I let my users easily find it?

12:40:32 And this is one of the places where on base has done an amazing job.

12:40:35 Of really simplifying what the interface looks like Recognizing that teachers, nurses, these people are hard at work doing their normal job. They do not have time to go through and try to learn how to access documents.

12:40:50 Out of a document management system. Well, actually, before I actually Before I go there, let me just highlight this.

12:40:57 Don't worry. This is not a user-facing screen. It's just showing you on the back end how granular the security can be for anything stored in our application.

12:41:12 We talked earlier about FERPA. We talked about all the different requirements to making sure that only the people that need access to information can have it. I can lock down documents at an individual level.

12:41:24 So yeah, even if you have access to report cards, you only have access to report cards for your campus.

12:41:28 For your schools. I can also limit what's what's possible based upon your role So you can look at a document but not print it. You can print it but not save it off, right?

12:41:43 That's just a good but As you can see, it gets very, very granular from a security perspective but If I'm an end user, this may be my only interface into OnBase.

12:41:56 If I've never seen this software product before, you give them a link, I click on it.

12:42:02 You could probably figure out how to use this. So I go through.

12:42:07 And so this is something that you could position to vendors. This is something you can position to external users that would still be able to interface with your system.

12:42:19 I type in a purchase order number, I click search, and I get a list of documents. Now, yeah.

12:42:23 This view is by necessity a little more busy, a little more involved.

12:42:29 But once again, I have the list of documents that are associated with that purchase order. I just click on the record and then I can view it.

12:42:36 And do whatever else. I have the appropriate security privileges to do.

12:42:40 If I do not have access to AP checks, for example, I wouldn't even see it returned in the value system here.

12:42:49 Okay. Another method by which we can access documents.

12:42:54 Going in and searching for an individual transaction has some value.

12:42:58 But there are other, when we talk about student services and human resources, it may make sense to see documents at a at a folder level, not just on an individual transactional level.

12:43:09 So one of the things we can do is provide a view of folders. So again, this is a human resources example.

12:43:17 If I go in and I type in Or just click on Dan Dobson's record.

12:43:22 And again, this view is a little more complex, right? There's more going on here than it was in just the previous view.

12:43:28 But I can see that I've organized Dan's records based upon the different life cycle of him as an employee.

12:43:37 So I've got applicant information. I've got correspondence, I've got employment documents.

12:43:43 And in each of these folders is a list of the documents that are in that folder One nice thing, too.

12:43:52 If a document I'm expecting to have isn't there, it'll be highlighted in red.

12:43:58 So this helps me maintain compliance as well now Again, this is on a one-off basis. I'll show you later how we can do reporting on a more district-wide level.

12:44:09 But again, I think you can see this is a pretty straightforward method, easy way. If I change folders, I get a different list of sub documents.

12:44:18 And the folder system is just a folder It does not mean the documents somehow reside in that folder.

12:44:26 I also don't have to go through and create these folders.

12:44:29 The first time we see a document related to that employee, the entire folder structure is built underneath them.

12:44:36 I'm going to bring this up and just kind of pause here for a second because This is also how we accomplish records management.

12:44:47 So records management, the records uh the the How can I say this? The retention policy is associated with a folder.

12:44:56 Which means I can have a single retention policy apply to a number of different documents underneath it.

12:45:03 And we'll get back to that in a minute. Now, why is that important?

12:45:07 It's important because if I have to go through and either key in a date or a destruction date for every single document.

12:45:14 Well, number one, who's going to do that? And number two, what happens is, as we heard earlier from Alan.

12:45:20 The policy changes. I've got to now go in and update every single document.

12:45:26 No. In our solution, you can update the policy And it will automatically apply to all of the documents in the folder.

12:45:33 If all of a sudden I need to… let's just say one of the documents that I've lumped together, so finance documents are the easiest, right?

12:45:40 Seven years generally from creation. Well, let's just say all of a sudden I realized, you know what? Geez, all of these invoices were associated with a grant.

12:45:48 In my retention policy is now the lifetime of the grant plus 20 years, not the seven years normally.

12:45:55 No problem. I just pulled those documents out. I create a separate folder.

12:45:59 At the top level. And it will refolder all of the records associated with that into the correct into the correct folder for retention.

12:46:08 I realize that may be a little that may sound a little more complex than it is Just know that i can set a a retention policy at the highest level and the software will automatically go in and categorize all the documents

12:46:20 And assign that retention policy to each one. Okay. And again, I spent more time on folders than I normally would, but because it relates to retention.

12:46:29 That's what we're doing there. At any point in time throughout the lifecycle or from any screen, I can go in and just hit a simple right click.

12:46:39 And that brings up another menu over here. You can just get a sense for the depth of the functionality in the software.

12:46:46 I mean, everything from viewing the history, everything that's ever happened to it.

12:46:52 To seeing cross-references, other documents. I can go in and I can… sign the documents if I need to so I can apply a digital signature to the documents.

12:47:01 And this, again, just a quick view of what's how granular the security is. Even viewing a document it's going to be flagged.

12:47:14 Okay, let's see. Oh, yeah. One other quick note. Just by, if I wanted to go through and redact.

12:47:22 Information. You can see here a list of all of the different notations I can make.

12:47:26 This is not an exhaustive list. Literally any GIF or JPEG can be added to the document as a as either a call to action or as a highlighter, as a note.

12:47:38 But redaction was something that we talked about earlier. So if I want to go through and I wanted to send this record out, I can redact it here.

12:47:45 Unlike some other solutions which basically this redaction is kind of like a temporary thing When you redact a record inside of OnBase, it creates a redacted copy of that version.

12:47:59 So I can then, and why is that important Because you may have different security associated with either redacted copies or non-redacted versions of a document.

12:48:10 Then I can go through, I can highlight records and I can do this really from any any screen. I'm just doing it now from the folder view. I've got a list of records. Once I right click on it.

12:48:21 I have other options for things I can do. I can send it to a file, I can save it off locally.

12:48:27 I can send it out as an email. So really anywhere I have the ability to select multiple records.

12:48:32 With a simple right click, I can open up a lot of different options for that.

12:48:38 And finally, one of the most common methods of document retrieval is directly from your line of business applications, right? So I'm in PowerSchool.

12:48:46 I want to see records associated with Amy Allberg. I can just double click or click a link and it will pull up a list of documents that are associated that I have access to with that student. So this is kind of the

12:48:59 Easiest, the most straightforward method of document retrieval. Powerschool is nice because they allow us to drop a link right onto the page.

12:49:10 Synergy requires an integration point on the back end, and we can talk about that also.

12:49:15 But from a power school perspective, it's just a link I can go through and then grab it.

12:49:20 Grab the documents. The level of training to allow someone to see documents from this interface is Zero. Double click. It's right there. Click the link.

12:49:34 All right. We don't have time to go through all of the electronic forms and workflow. I'm going to touch on them a little bit when we talk about records management, but there is a full piece of our solution that allows you

12:49:49 As users to very easily drop and drag build electronic forms.

12:49:55 Post them out and then create workflows on the back end. You don't always have to come to us. We're there to help you if you want to.

12:50:02 What the approach is that your users can do this and not have to get even IT involved.

12:50:08 Right? Which is really nice. They don't have anything else to do.

12:50:14 All right, let's talk a little bit about, again, any questions about that And I'm happy to go through the the depth of workflow in e-forms for our solution is pretty amazing. But for the sake of time.

12:50:29 I'm going to dive into some more about records management. So I talked about this earlier. The categorization is at the record level, not at the individual document level.

12:50:39 Which means you can update it and manage it as a records manager, not as an individual manager of documents.

12:50:46 So the retention schedules are based upon an event, not a document.

12:50:50 What happens when that event is not located on the document? So you get a W-4, there's a retention policy to But you don't know what the employee departure date is going to be.

12:51:01 But I guarantee you you have a system that does know that.

12:51:06 On base and sophisticated enough to either use an API to integrate with those applications.

12:51:12 Or to use data downloads. And then once that information is complete.

12:51:17 It will go through, apply that data element to the record.

12:51:22 And then therefore the retention policy. So my student departure date It's located in my student information system.

12:51:30 Every once in a while, we run a report or we download a limited file with all of the students and all of the students updated departure dates. Once we see that file, we will go through in our system update the departure date.

12:51:45 And now we will automatically apply the record retention policy to that.

12:51:53 Which obviously is incredibly important because now I'm not having to maintain the information that is going to determine my records management policy Which already, by the way, exists in my other line of business applications, but I don't have to maintain it

12:52:10 Inside of OnBase. Also, we talked about it earlier, all documents aren't records and all records aren't documents.

12:52:18 I mean, there are movies, there are wave files, there are audio files. If it's digital, it can be very easily stored and managed in our system.

12:52:26 If it's not digital. I mean, the one… Pray doesn't apply to any of your school districts but a murder weapon Or some sort of evidence, that's a record.

12:52:39 But it's not a document. We have a method to, and if you want to keep management of your physical records.

12:52:46 You can do that inside of our software as well. And then you've got You've got a little application that looks something like this.

12:52:54 Row, shelf. Box, front of box, back of box location.

12:52:59 Okay. But the idea being is that the records management And the management of the records and is in… is basically in charge of the records managers Not the athletic director.

12:53:17 Not the… nurse's office.

12:53:21 And how do we accomplish this? So I can go through This is an administrator view.

12:53:27 I can go through and run reports on all of the documents that are being actively managed inside of our records management module.

12:53:37 And a couple of things about this that we'll talk about.

12:53:41 I can see that there are different statuses. Based upon the record and where it is in the life cycle.

12:53:47 I didn't go through and update these statuses. These were automatically updated.

12:53:52 As the records reach maturity. If I go through and search, I can see, okay, well, here's all of the records. And again, a demonstration is only two.

12:54:02 That are weighing approval for destruction. So who has to approve the destruction process and what does that look like in our district?

12:54:12 By right-clicking on individual record. Now, again, this is as an administrator, but the individual users of that department or the approvers have the same ability to go through and do things like place holds on the documents.

12:54:29 If a document is subject to audit, if a document is subject to litigation.

12:54:34 The document is subject to some other hold reason. I can go through and place a hold on the record, which will remove it from the disposition lifecycle.

12:54:44 Until that event is resolved. Then we will remove the hold and it goes back into its regular records management process.

12:54:52 Now, from here, again, I can go through and look at the disposition status. And by the way, the statuses And the hold reasons are customizable. That's up to you guys.

12:55:03 Right. Okay, once the document reaches its end of life cycle.

12:55:10 And so this is kind of… We can do a number of different things. We can either destroy the record entirely and all of the metadata we can destroy the record, keep the metadata.

12:55:22 Or we can also generate a certificate of destruction.

12:55:28 So it shows that there was a record, it followed through the retention policy, it went through the appropriate approvals. Here's what it was approved by. And now you have this record that will that will actually show up as, so if you look over here.

12:55:44 This is the HR W4 for kristen Riley. But the record associated with it is the certificate of destruction. It's not the actual document itself.

12:55:56 Regarding the disposition schedule and the approval process for destruction.

12:56:03 That is really up to your imagination or whatever your current district policies are.

12:56:10 Because we can utilize our workflow engine to help facilitate the process of knowing which records are up for destruction routing and notifying the owner of that department.

12:56:26 That there are records due for destruction. They get a link, they click the link. It takes them right into our software. We give them the list of all of the records that are due for destruction.

12:56:35 They can then individually go through and determine, yep, yep, yep, yep, yep, or just select all And approve them all for destruction.

12:56:47 One nice thing about that too. Let me jump into here.

12:56:53 I didn't know this, but until I just found out about the other day you guys have a requirement that before records are before records are destroyed, there's a little form that has to be sent out to Library of Virginia.

12:57:12 This form, the records to be destroyed that can just be a list or a report out of our application.

12:57:20 I'll show you what that looks like. So I can go through at any point in time. I can highlight a list of all the records.

12:57:26 Just right click and generate a CSV file. That list can also be created automatically through the workflow process.

12:57:36 So, hey, here's the list of everything that's been through the destruction process.

12:57:40 Here's the file that's been saved. It's saved as a record part of the just another document in our document management solution.

12:57:47 And now I can go through and update it. Okay, finally, I'll just touch on these last two quick points.

12:57:58 The reporting in our solution is top notch. You can run reports that can be graphic. I just showed you, this one is like an ad hoc. I just want to go in and see a list of records.

12:58:07 There it is there. If I want to set up something that's more dashboard friendly, I can do that.

12:58:13 This is, and the reports are generally going to be three things.

12:58:16 What's stored in the system? What's going on in the system.

12:58:22 Like what's not going on. So if I have all of my records requests in a workflow.

12:58:28 I can make sure that they're all being followed up for in that five-day limit.

12:58:33 And if not, by the way, my little dial over here will be red.

12:58:37 Instead of, you know, instead of green. So I can go through and have a sense for what's going on. But also from a reporting perspective for school districts.

12:58:45 It's very helpful to know which report which documents I'm missing.

12:58:50 So that can go through and say, hey. Where am I missing I-9s? Where am I missing birth certificates.

12:58:59 And then I'm going to wrap up. Let's see, I think I've got one minute, exactly one minute. Perfect. So I'm not going to run this live. I'm just going to show you what this looks like.

12:59:07 When we talk about the future, it's all AI. Everyone's been seeing this, right? Okay.

12:59:12 But this is something that is really, I think, very exciting.

12:59:17 Yesterday, and like I said, I won't run this live from a timing perspective, I just dropped this document into co-pilot and said, hey, what kind of a document is this?

12:59:26 Here's the information it gave to me. It's a birth certificate issued by the city of New York. Here are some of the key details in the document.

12:59:35 Remember all that stuff I was talking about how categorization is a problem?

12:59:40 Not for much longer. The future that we look at is I'm going to take all of my documents, I'm going to drop them into an AI application, by the way, which we are writing.

12:59:53 Not we, Highland, the developer our software product is. And it's going to be able to give me this information. Now, the next question that's important to me as a records manager is this.

13:00:03 What's the retention schedule for this document in the state of Virginia?

13:00:07 And here's the answer. So if I have those two pieces of information.

13:00:14 And I didn't have to do a thing except drop and drag a file.

13:00:21 All of a sudden, the records management process becomes very simple. Now, granted, I still don't have a way to take this and make it actionable.

13:00:30 I still have the record. That's where we come in. But this is the direction we're going. From an AI perspective.

13:00:36 The categorization and the capture of the documents, which are really the toughest parts of any of this, start to become non-issues.

13:00:43 So maybe those of you that have procrastinated and still have tons of filing cabinets, you'll be bailed out in the end.

13:00:52 Okay. All right. I promised I'd wrap up. The only other thing I'll mention is this.

13:00:58 The right partnership. Harvest is on base for K-12. We've got an amazing support team.

13:01:05 We're a smaller, nimble organization. But the solutions that we're building and implementing are backed by a $1.4 billion software company.

13:01:14 And so you kind of get with us the best of both worlds.

13:01:19 And I know we're right at time, but if anyone has any questions, I'm more than happy to I just didn't answer them.

13:01:32 For what now?

13:01:40 The storage of the records, absolutely. And as far as, and there is a danger here, and I'm not going to go off on too far of a tangent for this. But can you do it? Absolutely. Is it the best application for it? I don't know.

13:01:53 So without understanding what that process looks like. When you have a full database, a full workflow, and even a full development.

13:02:01 Mechanism, which we have. I didn't touch on it. It's not really applicable.

13:02:05 In most cases, we can do just about anything but Is it the right thing to do? Is it the best for the district?

13:02:11 We'll talk. I guess the easiest thing to say. The number of questions. I think you answered most of them.

13:02:25 Thanks. I had a number of questions, but you answered most of them, I think.

13:02:29 The ones I have now regard the retention aspect or the destruction of those records so we have just to make sure I got, you probably answered some of it, but I just want to make sure I understand it.

13:02:41 Is if we have records, say threat assessment records And they have their destruction date.

13:02:47 Using this program or software, it would identify those records that are due for that destruction period.

13:02:54 Either send a report or provide a link I can click on.

13:02:58 And then if I click that link, I can approve those for destruction.

13:03:03 So the software will destroy it. From my electronic record. Yeah. And understand from a from the document type. So state of Virginia really has two different types of documents.

13:03:15 One is basically like locally destroyed. One is certified destroyed. If it's certifiably destroyed, it literally will remove all reference to that document from the from the hard drive, so to speak.

13:03:29 It's in the cloud. Okay, then at that point it can create the RM3 form that we're required to submit or no.

13:03:38 Well, I didn't take it that far to see if we can actually create the form. It can create the report.

13:03:45 That we can use to fill out the form. You can use to drop and drag into the form itself.

13:03:49 Okay, I think, yeah, very good. Yeah. And I don't know all that all the Just in my quick research of that form, all it really is looking for is volumes.

13:04:02 You're probably going to give them more than what they're asking for.

13:04:05 But we could do that too if you wanted to. Yeah, actually, I skipped that part. I wrote that down too. Does it report the volume then at that point.

13:04:12 I don't know. I couldn't tell you. It can give you the list of all the documents that were destroyed, whether or not I can actually equate that to a bit byte.

13:04:20 I don't know. Thanks.

13:04:38 Okay. So I'm going to quickly say we're running over a little bit in time.

13:04:43 So John has his contact information up there if you all want to reach out to him directly.

13:04:51 He said he'd be happy to do that. So please reach out to him.

13:04:56 The individual if you... have seen that its service is something that your division can use. I see a lot of it. It's a lot of, it gives you a lot of data. It seems user friendly And it's focused on retention so

13:05:10 It may make processes easier for you and your division in the future.

13:05:13 So we'd like to thank all of you for participating in the meeting today.

13:05:19 This is our last meeting for the 2425 school year. So we will not, PSRC will not meet again until October.

13:05:29 Of 25. So we wish you all a happy summer. Enjoy. Take some time off.

13:05:37 And we'll see you back in October. You all have a good day.