



***Custodian of Records:
Record Request Statistics***

February 19, 2020

Office of Internal Audit and Risk Management



Missouri State[™]

U N I V E R S I T Y

DATE: February 19, 2020

TO: Missouri State Board of Governors Risk Management and Audit Committee

CC: Rachael Dockery, General Counsel
Clifton M. Smart III, University President

FROM: Donna Christian, Director of Internal Audit and Risk Management
Natalie B. McNish, Senior Internal Auditor

Custodian of Records: Record Request Statistics

BACKGROUND

Missouri State University provides access to allowable records as required by the Sunshine Law (Chapter 610 RSMo). The Open Meetings and Records policy (G1.17) provides the appointment of the Custodian of Records, guidelines regarding accessible records and establishment of fees. The Director of Internal Audit and Risk Management has been named the Custodian of Records for the University and therefore, requests for University records by third parties are received, tracked, and filled by the Office of Internal Audit and Risk Management.

OBJECTIVE, SCOPE AND METHODOLOGY

The objectives of this review were to summarize the data related to record requests for the years ending December 31, 2014 through 2019. Data was accumulated from the Record Request Log, which identifies the date a request is received, the requestor's name, the records being requested, the date the request is filled, and provides comments related to the fulfillment of each request.

SUMMARY

The Office of Internal Audit and Risk Management received and processed 1,306 record requests between January 1, 2014 and December 31, 2019.

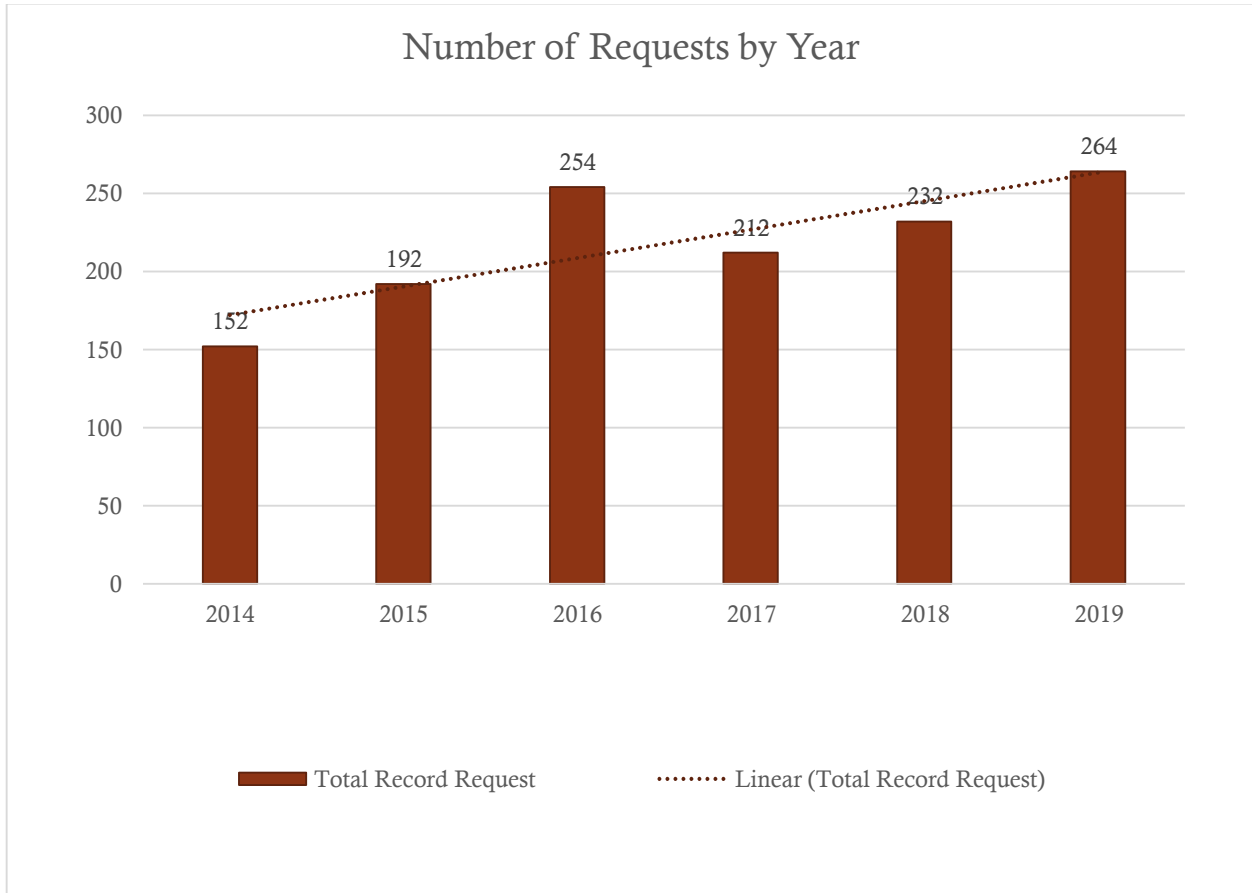
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Record Request Statistics

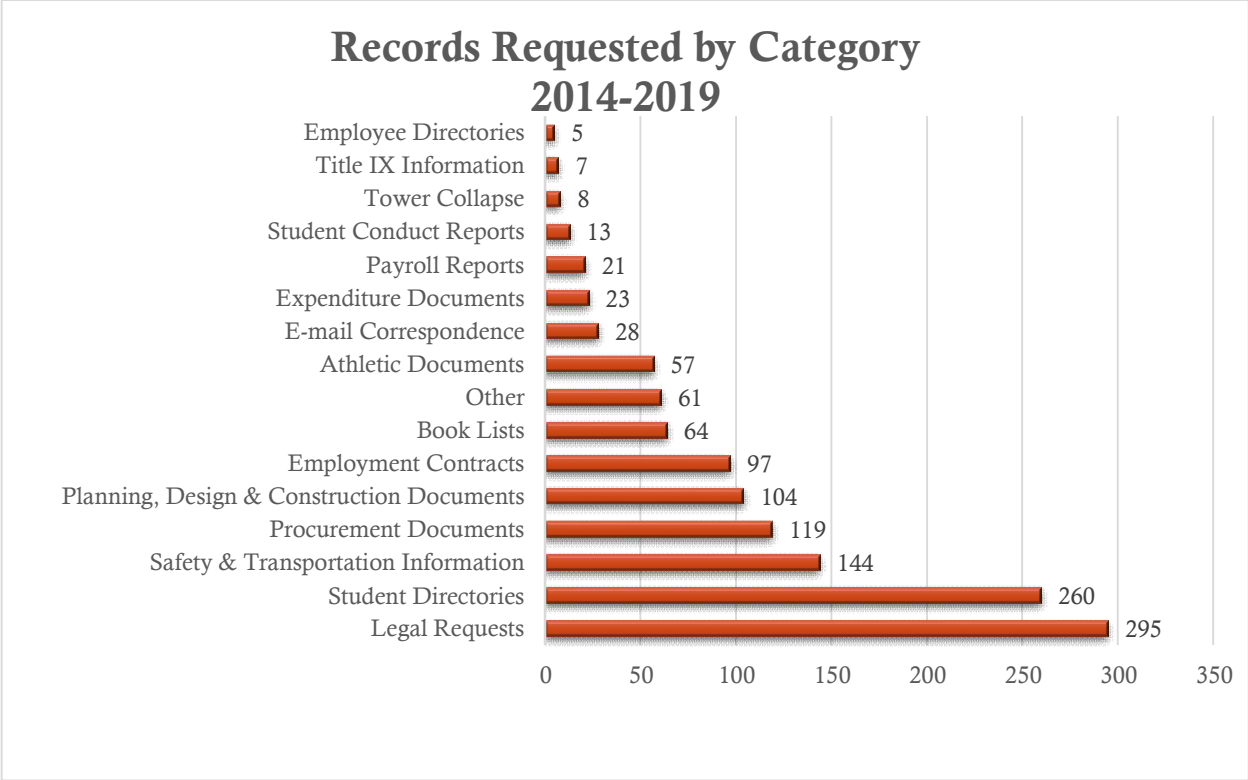
Number of Requests

The Office of Internal Audit and Risk Management received and processed a total of 1,306 record requests between January 1, 2014 and December 31, 2019 for both the Springfield and West Plains Campuses. These requests include Sunshine Law requests (open record requests) and legal requests (requiring a signed legal release for documents or a subpoena). During the past six years, the University has experienced a 74% increase in record requests.



Type of Records Requested

The Sunshine Law (Chapter 610 RSMo) provides open access to governmental records, except as provided in Section 610.021 RSMo, which provides special consideration for certain records including ongoing legal and real estate actions, personnel records; health records, and scholastic records, or other privacy law such as HIPPA and FERPA. Records which are closed by the Sunshine Law (e.g. educational and employment records) can still be requested and released by obtaining a release from the record owner or through subpoena. The chart below shows a break down by type of the 1,306 total requests processed.



2018 Internal Review

In 2018, an internal review of record requests was completed to determine the number and types of requests received and how those requests could be processed in the most efficient manner. From this internal review, the following improvements were made:

- A website was created for Custodian of Records, which provided requestors with information on the Missouri Sunshine Law, the Open Meetings and Records Policy (G1.17), and instructions on how to request documents.
- A separate e-mail address, CustodianofRecords@MissouriState.edu, was created and included on the website to receive and respond to all requests.
- Direct access to all athletic and administrative employment contracts (identified as 15% of total requests received) was included on the Custodian of Records website.
- Links providing direct access to various financial documents & reports was included on the Custodian of Records website.
- A fee schedule for requests was implemented and the Office began calculating and charging fees for services provided for most requests. Fees are reviewed twice a year (January & July) to ensure fees charged cover employee costs.

Because of these changes, most requests now come through the new e-mail address, requests for employment contracts have decreased by 65%, and a total of \$9,224 in cost reimbursement was collected in 2018 and 2019.

Current Trends in Record Requests

During the current review, we identified the following trends in record requests:

- Between 2017 and 2019, legal requests processed have increased by 62%. Legal requests include subpoenas and requests for educational or other records, which require a signed legal release authorizing the issuance of the document to a particular entity. This increase is partially related to efforts of the Custodian of Records to accommodate government agency background check investigations through the Office of Internal Audit and Risk Management rather than these investigations being conducted through several different University offices. By consolidating these efforts, the University is better able to track these types of requests, maintain documentation of the releases used and educational records provided.
- Requests for e-mail correspondence, Safety & Transportation information, and other record requests which require the Office to convert each record into a secure file and then review each record for possible closure or redaction, have increased 61% since 2014. To expedite the conversion and redaction processes, the Office is planning to purchase new pdf editing software in 2020.
- The number of requests for certain other types of information has also increased since 2014. These include the following:

**Requests received during the year ended
December 31,**

	2014	2015	2016	2017	2018	2019
Student Directories	30	34	48	42	53	53
Book Lists	7	5	9	11	17	15
Athletic Department Documents	1	5	9	6	11	25