

EXHIBIT A

MoDOT's SUNSHINE LAW REQUEST PROCESS Ideal System

Definitions

Secretary to the Commission – could be anyone from the Commission Secretary's Office

SSL – sunshine law

CS – Commission Secretary

CCO – Chief Counsel's Office

Commission Secretary's Office – Receiving and Entering a Sunshine Request

In keeping with the Sunshine Act (Chapter 610 RSMo), requests for information or documents must be directed to the Secretary to the Commission.

- The Secretary to the Commission will receive a request by mail, fax, email, or the online form located at MoDOT's website <http://www.modot.org/about/RecordsRequest.htm>. Then through an automated process with the online form the Sunshine Request routing document will be created in the system. Somehow the system will need to notify the CS of receipt of the request and establishment of the routing document.
 - The mail and fax will require the CS to attach the correspondence to a newly created Sunshine Request routing document and enter the necessary contact information and requested information.
 - The email requests should be able to be attached either by click and drag or some other simple method that minimizes the clicking and saving of the correspondence.
- Data that needs to be captured in the routing system regarding the request includes:
 - Requester* (last, first, middle initial – prefer that this be 3 separate fields for the customer input as well as MoDOT input)
 - Requester's company/firm
 - Address*
 - City/State/Zip*
 - Phone*
 - Email*
 - Route* - may need to include a definition of route somehow
 - County* - *the LN app has this field as an option field, but the online request form does not. It would be nice to limit this list (on the entry from the web) to the list of Missouri counties. Sometimes people read it as country and enter USA. None and multiple counties will need to be options.*
 - Incident date or date range of request – would like for this to include a “date picker”
 - Parties involved – should be able to break out data more (individual –first/last name, company-name/address)
 - Accident description – need to allow attachment of accident reports (preferably pdf files)
 - Request number (this is an automated number assigned by the system)
 - Subject of request – a drop down list will be available (the current list we use needs to be cleaned up for the new system would like to be able to use a category/subcategory type of list)
 - Job number or risk benefits file number
 - Date to be completed by – this should automatically calculate 15 business days and enter the date
 - Need to be able to attach request letter if hard copy correspondence is provided.

Commission Secretary's Office – 72-hour response letter to the requester

The law requires the department to respond within three working days after the request is received by the CS. Upon receipt of the request, the CS will acknowledge receipt of the request.

- To acknowledge receipt of the request the CS will do the following:
 - Create a form email or letter that is automatically populated with the date, requester's name, and requester's address.
 - CS must have access to update letterhead as needed.
 - The ability to print and save the document should be simple, including printing the envelope for the letter.
 - The 72 hour response (email or letter) should be saved on the routing document and easily accessible to others who use the system.

Commission Secretary's Office – Routing request to Risk Benefits Division

- Next the CS will need to route this request to the Risk Benefits Division for their review. Some sort of review cycle will need to be established that allows for the automated routing of the request to an individual in the Risk Benefits division who will review the request.
- The CS office and other reviewers need the ability to save a routing document if they are unable to finish the request and need to return to it later.

Review and routing by Risk Benefits Division

The Risk Benefits division reviews the request, checks its records to determine whether there is any pending claim or litigation pertaining to the request, and indicates accordingly on the routing document. The request is then sent to the Chief Counsel's Office for review.

- The Risk Benefit reviewer would take the following steps:
 - Open the Sunshine Request system to access the routing document by an automated link that is sent by email, or by opening the database directly and locating the routing document assigned to them.
 - Open the routing document, review request, and determine whether there is a pending claim or litigation pertaining to the request.
 - Complete the Risk Benefits division section with the Risk Benefits file number, name of reviewer, dates reviewed and routed, and any appropriate comments or information.
 - All time spent researching and routing this request must be tracked and indicated on the Sunshine Request routing document.
 - Next the Risk Benefits division reviewer will route the request to the Chief Counsel's Office for their review. Some sort of review cycle will need to be established that allows for the automated routing of the request to the Chief Counsel's Office reviewer.

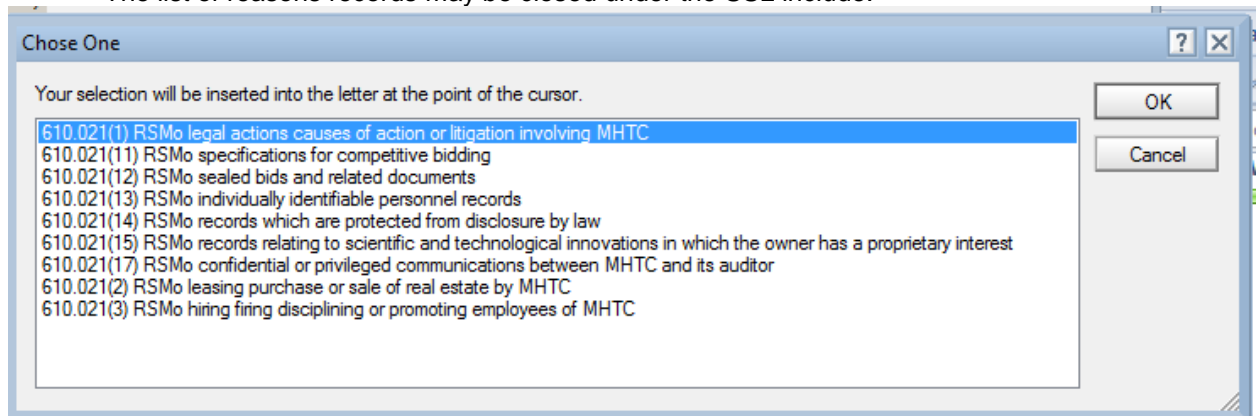
- The Risk Benefits Division reviewer and other reviewers need the ability to save a routing document if they are unable to finish the request and need to return to it later.

Review and routing by Chief Counsel's Office

The Chief Counsel's Office will review the request, determine the advisability of releasing the requested documents and respond in one of the following three ways.

All time spent researching and responding to this request must be tracked and indicated on the Sunshine Request routing document.

1. **If the department is involved in litigation or legal action is anticipated** regarding the information requested, the Chief Counsel's Office will prepare and send a response letter to the requester and either route the request or close the request in accordance with the response.
 - The Chief Counsel's Office reviewer would take the following steps:
 - Open the Sunshine Request system to access the routing document through an automated link that is sent by email, or by opening the database directly and locating the routing document assigned to them.
 - Open the routing document, review the request, and determine whether there is litigation or legal action is anticipated related to the request.
 - Complete the Chief Counsel's Office section with the name of reviewer, date reviewed, and any appropriate comments or information.
 - Prepare a **denial** or **partial denial** email/letter. This should be a form email/letter that includes the necessary language to meet the requirements of the SSL. CCO will need access to update their letterhead as needed. We would like the response email/letter to automatically save to the routing document and enter the date the response letter was sent. If a letter is prepared it will be printed and mailed to the requester. We need for the print function to be more user friendly than it currently is especially with envelopes.
 - The list of reasons records may be closed under the SSL include:



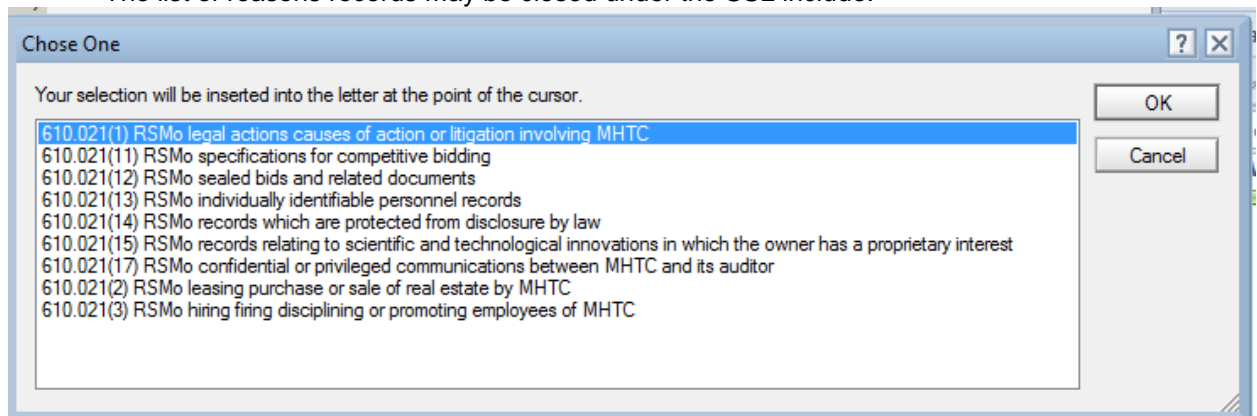
- If a **partial denial** letter was sent, CCO's reviewer will need to route the request to the division(s) and/or district(s) to provide the records. Some sort of review cycle will need to be established that allows for the automated routing of the request to the division(s) and/or district(s) reviewer.
- If a **denial** letter was sent, CCO's reviewer will need to complete the routing form. This process should be automated to notify the CS that the request is complete.
- The CCO reviewer and other reviewers need the ability to save a routing document if they are unable to finish the request and need to return to it later.

2. **If the department is not involved in litigation but the Chief Counsel's Office determines the statutes provide for the document(s) to be withheld, a denial or partial denial letter is prepared.**

The Chief Counsel's Office will prepare and send a response letter to the requester, and either forward the Sunshine Request routing document to the division/district if part of the documents need to be provided or complete and close the request if the document request were denied.

The Chief Counsel's Office reviewer would take the following steps:

- Open the Sunshine Request system to access the routing document through an automated link that is sent by email, or by opening the database directly and locating the routing document assigned to them.
- Open the routing document, review the request, and determine whether there is litigation or legal action is anticipated related to the request.
- Complete the Chief Counsel's Office section with the name of reviewer, date reviewed, and any appropriate comments or information.
- Prepare a **denial** or **partial denial** email/letter. This should be a form email/letter that includes the necessary language to meet the requirements of the SSL. CCO will need access to update their letterhead as needed. We would like the response email/letter to automatically save to the routing document and enter the date the response letter was sent. If a letter is prepared it will be printed and mailed to the requester. We need for the print function to be more user friendly than it currently is especially with envelopes.
- The list of reasons records may be closed under the SSL include:



- If a **partial denial** letter was sent, CCO's reviewer will need to route the request to the division(s) and/or district(s) to provide the records. Some sort of review cycle will need to be established that allows for the automated routing of the request to the division(s) and/or district(s) reviewer.
 - If a **denial** letter was sent, CCO's reviewer will need to complete the routing form. This process should be automated to notify the CS that the request is complete.
 - The CCO reviewer and other reviewers need the ability to save a routing document if they are unable to finish the request and need to return to it later.
- 3. If the documents are not protected from disclosure under the statutes**, the Chief Counsel's Office will forward the request to the appropriate division or district for further action. The Chief Counsel's Office may request that records be reviewed prior to release by the division or district. Most of the time, the CCO reviewer collects all of the information from the districts and divisions and provides a response on behalf of the department.
- The Chief Counsel's Office reviewer will complete the following instructions:
 - Open the Sunshine Request system to access the routing document through an automated link that is sent by email, or by opening the database directly and locating the routing document assigned to them.
 - Open the routing document, review the request, and determine whether there is litigation or legal action is anticipated related to the request.
 - Complete the Chief Counsel's Office section with the name of reviewer, date reviewed, and any appropriate comments or information. Comments will include if the CCO reviewer needs to review the documents prior to release by the division or district.
 - CCO's reviewer will need to route the request to the division(s) and/or district(s) to provide the records. Some sort of review cycle will need to be established that allows for the automated routing of the request to the division(s) and/or district(s) reviewer.
 - The CCO reviewer and other reviewers need the ability to save a routing document if they are unable to finish the request and need to return to it later.
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Response by Division Office

The division office will review the request and determine whether the records are available in the division or need to be routed to the district office for response. If the information is available in the division office, the division is to review any comments on the routing document and respond directly to the person who made the request. If there is any doubt as to whether the records should be released, or if Chief Counsel's Office has requested, the records should be reviewed by Chief Counsel's Office.

After the documents have been located, and if necessary, reviewed by Chief Counsel's Office, the reviewer will need to determine if any fees are to be charged. For more information regarding fees and payment, see the Open Records Procedure on MoDOT's website at <http://www.modot.org/about/OpenRecordsProcedure.htm>

- If a fee is to be charged, ask for payment in advance.
- After payment has been received, or if no payment is necessary, send the records.

If a response is made verbally, an email or letter should be sent to the requester verifying the response and listing any information provided. A copy of the email or letter must be attached to routing document and the routing document must be completed.

All time spent researching and responding to this request must be tracked and indicated on the Sunshine Request routing document.

1. When Chief Counsel's Office Reviews Division Documents

If the documents are available in the division office but need to be reviewed by Chief Counsel's Office, the division reviewer will complete the following steps:

- Open the Sunshine Request system to access the routing document through an automated link that is sent by email, or by opening the database directly and locating the routing document assigned to them.
- Open the routing document, review the request, locate the requested documents and attach them to the routing document.
- Complete the division section with the name of reviewer, date reviewed, and any appropriate comments or information.
- The division reviewer will need to route the request to the CCO reviewer. Some sort of review cycle will need to be established that allows for the automated routing of the request to the CCO reviewer.
- Once received, the Chief Counsel's Office will review the documents and fill in Comments field explaining the release of the records are approved or disapproved.
- If approved, CCO's reviewer will need to route the request to the division reviewer to provide the records. Some sort of review cycle will need to be established that allows for the automated routing of the request to the division reviewer. The division reviewer will then follow the steps outlined below under no Chief Counsel review of division documents.
- If disapproved, the CCO reviewer will either follow the steps above to send a denial or partial denial letter, or work with the division reviewer until a final disposition can be reached and a response sent to the requester.
- The Division and CCO reviewer and other reviewers need the ability to save a routing document if they are unable to finish the request and need to return to it later.

2. No Chief Counsel's Office Review of Division Documents

The Division reviewer will:

- Open the Sunshine Request system to access the routing document through an automated link that is sent by email, or by opening the database directly and locating the routing document assigned to them.
- Open the routing document, review the request, locate the requested documents and attach them to the routing document.
- Complete the division section with the name of reviewer, date reviewed, and any appropriate comments or information.
- Determine whether fees are to be collected. For more information regarding fees and payment, see the Open Records Procedure on MoDOT's website at <http://www.modot.org/about/OpenRecordsProcedure.htm>
- **If fees are to be collected they must be collected prior to sending documents to the requester.** The division reviewer will follow these steps to request payment:
 - Prepare a **notice of payment** email/letter. This should be a form email/letter that notifies the requester documents have been located, and how much it will cost to receive the documents, along with instructions on how to make payment. The division (*or CS? not sure who should manage this*) will need access to update letterhead as needed. We would like the payment due email/letter to automatically save to the routing document and enter the date the payment due email/letter was sent. If a letter is prepared it will be printed and mailed to the requester. We need for the print function to be more user friendly than it currently is especially with envelopes. The Cashier's Section will automatically be notified that this payment was requested and receive a link to the routing document.
 - When fees are collected, the Cashier's Section will open the Sunshine Request system to access the routing document through an automated link that is sent by email and enter the date the payment was received on the routing document. The system will automatically notify the division reviewer that payment was received and a final response may be sent to the requester.
 - To send the final response to the requester, the division reviewer will prepare a **final response** email/letter. This should be a form email/letter that includes the necessary language to meet the requirements of the SSL. The division (*or CS? not sure who should manage this*) will need access to update their letterhead as needed. We would like the response email/letter to automatically save to the routing document and enter the date the response letter was sent. If a letter is prepared it will be printed and mailed to the requester. We need for the print function to be more user friendly than it currently is especially with envelopes.
 - To complete the request process, the division reviewer will save and close the routing document. The system will automatically notify the CS that the request is complete.
 - The Division reviewer and other reviewers need the ability to save a routing document if they are unable to finish the request and need to return to it later.

3. Division Forwards Request to another Division or a District Office

If the documents are not available in the division office, the request should be forwarded to the appropriate division or district office.

The Division reviewer will:

- Open the Sunshine Request system to access the routing document through an automated link that is sent by email, or by opening the database directly and locating the routing document assigned to them.
 - Open the routing document, review the request, and determine the requested documents are not available in their division.
 - Complete the division section with the name of reviewer, date reviewed, and any appropriate comments or information.
 - The division reviewer will need to route the request to the next division/district reviewer. Some sort of review cycle will need to be established that allows for the automated routing of the request to the next reviewer.
 - Once received, the division/district reviewer will review the documents and the division reviewer will follow the steps indicated above for a division, the district reviewer will follow the steps indicated below for a district.
 - To complete their portion of the request process, the division reviewer will save and close the routing document.
 - The Division reviewer and other reviewers need the ability to save a routing document if they are unable to finish the request and need to return to it later.
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Response by District Office

Upon receiving the request, the district reviewer is to follow the same procedure as the division office to locate records, collect fees and respond directly to the requester. If there is any doubt as to whether the records should be released or if Chief Counsel's Office has requested, the records should be reviewed by the Chief Counsel's Office.

After the documents have been located, and if necessary, reviewed by Chief Counsel's Office, the reviewer will need to determine if any fees are to be charged (see Fees and Payment section of Open Records Policy & Procedures).

- If a fee is to be charged, ask for payment in advance.
- After payment has been received, or if no payment is necessary, send the records.

If a response is made verbally, a letter or email should be sent to the requester verifying the response and listing any information provided. A copy of the letter or email must be attached to routing document and the routing document must be completed.

All time spent researching and responding to this request must be tracked and indicated on the Sunshine Request routing document.

1. When Chief Counsel's Office Reviews District Documents

If the documents are available in the district office but need to be reviewed by Chief Counsel's Office, the district reviewer will complete the following steps:

- Open the Sunshine Request system to access the routing document through an automated link that is sent by email, or by opening the database directly and locating the routing document assigned to them.
- Open the routing document, review the request, locate the requested documents and attach them to the routing document.
- Complete the district section with the name of reviewer, date reviewed, and any appropriate comments or information.
- The district reviewer will need to route the request to the CCO reviewer. Some sort of review cycle will need to be established that allows for the automated routing of the request to the CCO reviewer.
- Once received, the Chief Counsel's Office will review the documents and fill in Comments field explaining the release of the records are approved or disapproved.
- If approved, CCO's reviewer will need to route the request to the district reviewer to provide the records. Some sort of review cycle will need to be established that allows for the automated routing of the request to the district reviewer. The district reviewer will then follow the steps outlined below under no Chief Counsel's Office review of district documents.
- If disapproved, the CCO reviewer will either follow the steps above to send a denial or partial denial letter, or work with the district reviewer until a final disposition can be reached and a response sent to the requester.
- The District and CCO reviewer and other reviewers need the ability to save a routing document if they are unable to finish the request and need to return to it later.

2. No Chief Counsel's Office Review of District Documents

The District reviewer will:

- Open the Sunshine Request system to access the routing document through an automated link that is sent by email, or by opening the database directly and locating the routing document assigned to them.
- Open the routing document, review the request, locate the requested documents and attach them to the routing document.
- Complete the district section with the name of reviewer, date reviewed, and any appropriate comments or information.
- Determine whether fees are to be collected. For more information regarding fees and payment, see the Open Records Procedure on MoDOT's website at <http://www.modot.org/about/OpenRecordsProcedure.htm>
- **If fees are to be collected they must be collected prior to sending documents to the requester.** The district reviewer will follow these steps to request payment:

- Prepare a **notice of payment** email/letter. This should be a form email/letter that notifies the requester documents have been located, and how much it will cost to receive the documents, along with instructions on how to make payment. The district *(or CS? not sure who should manage this)* will need access to update letterhead as needed. We would like the payment due email/letter to automatically save to the routing document and enter the date the payment due email/letter was sent. If a letter is prepared it will be printed and mailed to the requester. We need for the print function to be more user friendly than it currently is especially with envelopes. The Cashier's Section will automatically be notified that this payment was requested and receive a link to the routing document.
- When fees are collected, the Cashier's Section will open the Sunshine Request system to access the routing document through an automated link that is sent by email and enter the date the payment was received on the routing document. The system will automatically notify the district reviewer that payment was received and a final response may be sent to the requester.
- To send the final response to the requester, the district reviewer will prepare a **final response** email/letter. This should be a form email/letter that includes the necessary language to meet the requirements of the SSL. The district *(or CS? not sure who should manage this)* will need access to update their letterhead as needed. We would like the response email/letter to automatically save to the routing document and enter the date the response letter was sent. If a letter is prepared it will be printed and mailed to the requester. We need for the print function to be more user friendly than it currently is especially with envelopes.
- To complete the request process, the district reviewer will save and close the routing document. The system will automatically notify the CS that the request is complete.
- The District reviewer and other reviewers need the ability to save a routing document if they are unable to finish the request and need to return to it later.

- As required by the records retention schedule currently the cutoff date for SSL records is at the end of the state fiscal year June 30, XXXX and the records are to be retained for 2 years. However, if litigation is involved the records need to be retained for X years. X = end of state fiscal year in which case is resolved.
- Security – is needed, current system is unsecure. Need to protect the data captured from public view/access, and need to protect the system from some sort of security breach/hacking/etc.
- Sort features needed by: author, requester, company, county, route, job number, outstanding requests, received date, request number, reviewing division/district, subject of request, completed date.
- Views/Reporting needed: quarterly report, response statistics for last 12 months – 5 days and under, 10 days and under, 30 days and under, over 30 days; review status; total time expended on requests by company, county, route, employee, request number, requester, subject; total requests by year.
- Need to be able to prepare ad hoc reports from the data gathered in the system.

- *Other reporting that CCO needs that this system should be able to provide-the key for a lot of this reporting is those fields in the routing form be required to be completed.*
 - *number and percent of requests that MoDOT's first response was a 72 hour response letter,*
 - *average number of days until MoDOT provided a 72 hour response letter,*
 - *number and percent of requests that MoDOT's first response was a substantive response other than a 72 hour response letter,*
 - *average number of days until MoDOT provided a substantive response other than a 72 hour response letter,*
 - *number and percentage of requests denied by CCO,*
 - *average number of days until CCO denied the request,*
 - *number and percentage of requests partially denied by CCO,*
 - *average number of days until CCO partially denied the request,*
 - *number and percentage of requests where all documents were determined to be open records,*
 - *number and percentage of requests completed by CCO,*
 - *average number of days until CCO completed request,*
 - *number and percentage of requests completed by other MoDOT division or district,*
 - *average number of days until the other division or district completed the request,*
 - *number of requests closed due to no response or withdrawal,*
 - *number and percentage of prepayment letters issued,*
 - *number and percentage of requests where fee was waived,*
 - *\$ amount collected by MoDOT for providing open records*