

VERMONT FARM VIABILITY ENHANCEMENT PROGRAM

CONFIDENTIALITY POLICY

The Farm Viability Advisory Board at a meeting on 4-14-10 adopted the following:

VHCB, as a public instrumentality, is subject to the Vermont Public Records Law, 1 VSA § 315. The statute contains specific exemptions for tax-related information of persons, personal financial information of an individual, and trade secrets. Therefore the information submitted by farmers, other participants and service providers to VHCB will be held in confidential files at VHCB and will not be available for public inspection under the Public Records Law.

VHCB considers the following information about farms, farmers and other participants to be subject to public record: names of farmers, farms and other participants that have applied to or are enrolled in the program; their town of residence; type of farm or business; and the purpose and amount of any implementation grant or technical assistance award applied for or received.

VHCB staff will require copies of completed farm business plans for several reasons: (1) to monitor quality of work conducted by those receiving VHCB funds, and (2) to collect data on the economic viability of the farms being assisted, in order to measure the success of the Program over time.

Business plans contain confidential financial information, such as past and projected income statements. Business plans may also contain trade secrets and marketing strategies that farmers or other participants wish to keep confidential for reasons of competitive advantage. Business planners and technical assistance providers must agree to keep business plans confidential to protect farmers' interests, but must agree to furnish copies of completed business plans to Vermont Housing and Conservation Board staff.

Notwithstanding the Records Law exemption, when VHCB shares business plans with selected staff of the Program's statutory administrative partner, the Agriculture Agency, or with selected staff of the Viability funding organizations or agencies – private foundations, USDA NRCS and USDA Rural Development– strict confidentiality guidelines will be followed. Staff or contractors who are approved for viewing business plans will not be allowed to make copies, or to share information from the plans with any other person. When plans are removed from VHCB files for inspection, the approved staff will be required to sign for the documents, and sign again when they are returned to the files.

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