STARK COUNTY RECORDS CENTER

MANAGING ELECTRONIC RECORDS FOR LOCAL GOVERNMENTS

OCTOBER 12, 2023

AGENDA

- Purpose and benefits of records management in relation to public records, security, privacy, and resource efficiency
- Email, texts and electronic messaging
- Organizing and implementing retention and disposition in Shared/Network drives
- Records in Microsoft Teams, OneDrive and SharePoint
- Digital imaging considerations
- Databases and information systems
- Media permanence and long-term survivability
- Social media

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BENEFITS OF RECORDS MANAGEMENT

Transparency in Government

Decrease Risk in Litigation

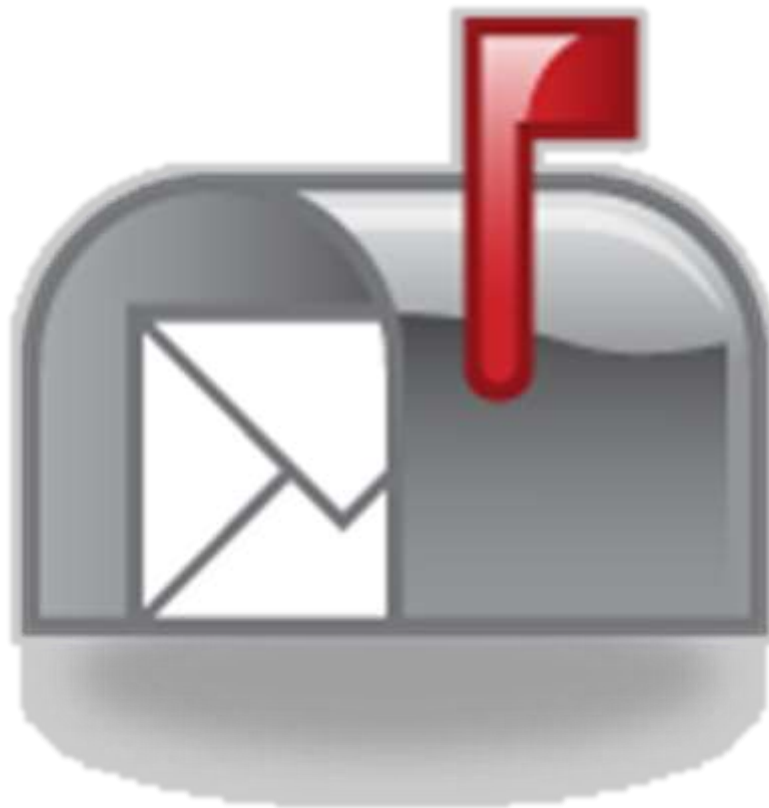**Increased Efficiency**

Save Resources

DECREASED RISK OF LITIGATION

What record series can come out of an envelope?
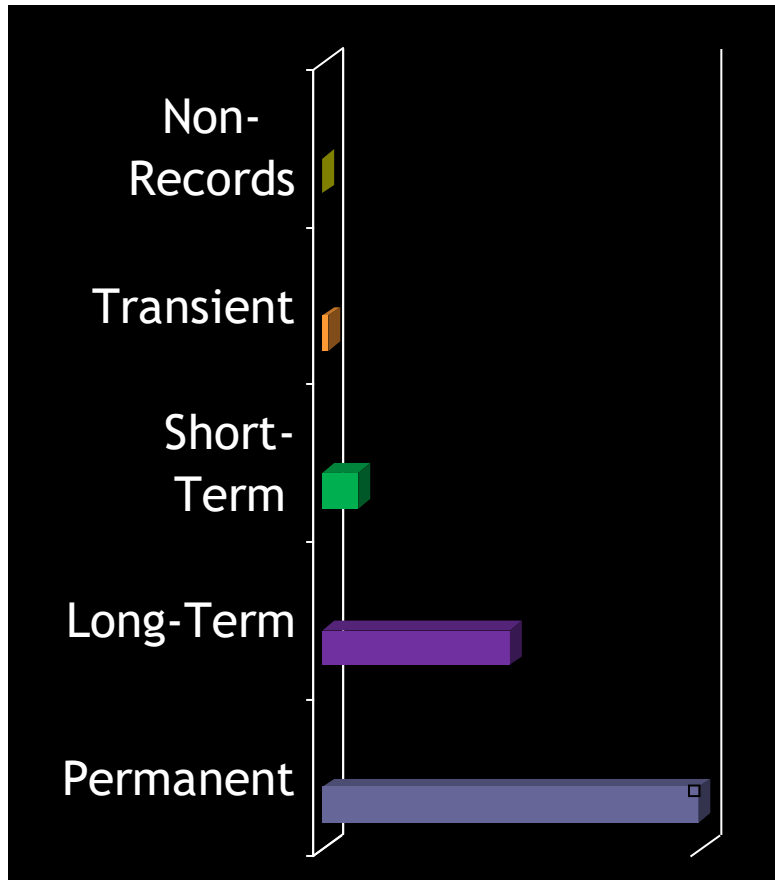
What record series can come out of an email?

Here to There

- Save it all "just in case"

- Ownership "my email"

- Lost productivity searching for information

- Defensible deletion with retention schedules

- Reduced impact of staff changes
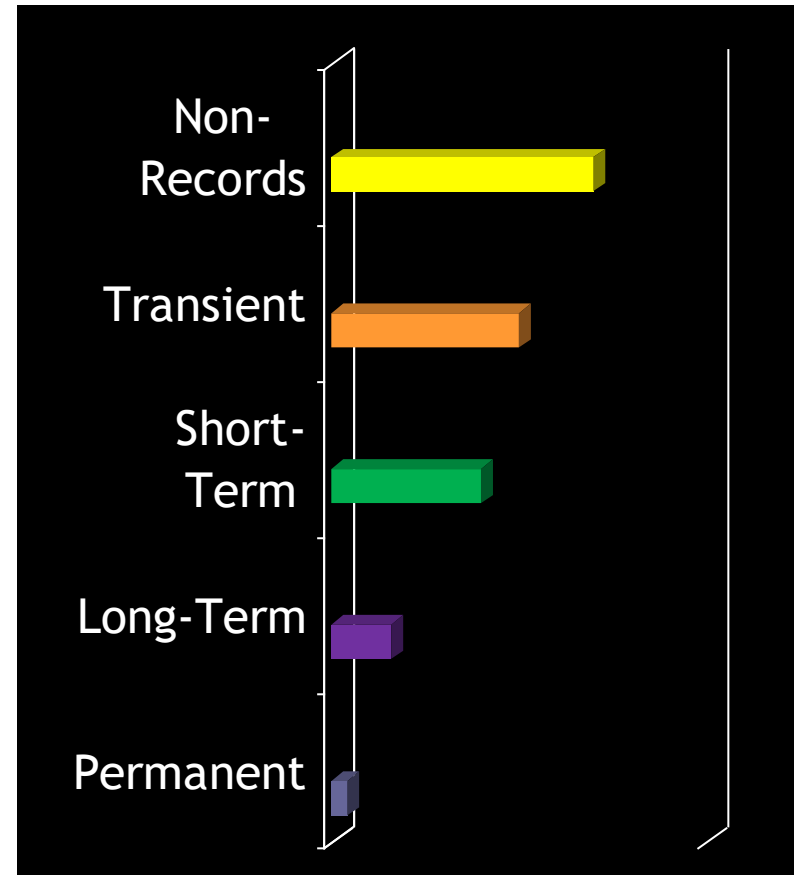
- Reduced information retrieval time

RETENTION V. QUANTITY

Retention Time   **Quantity**
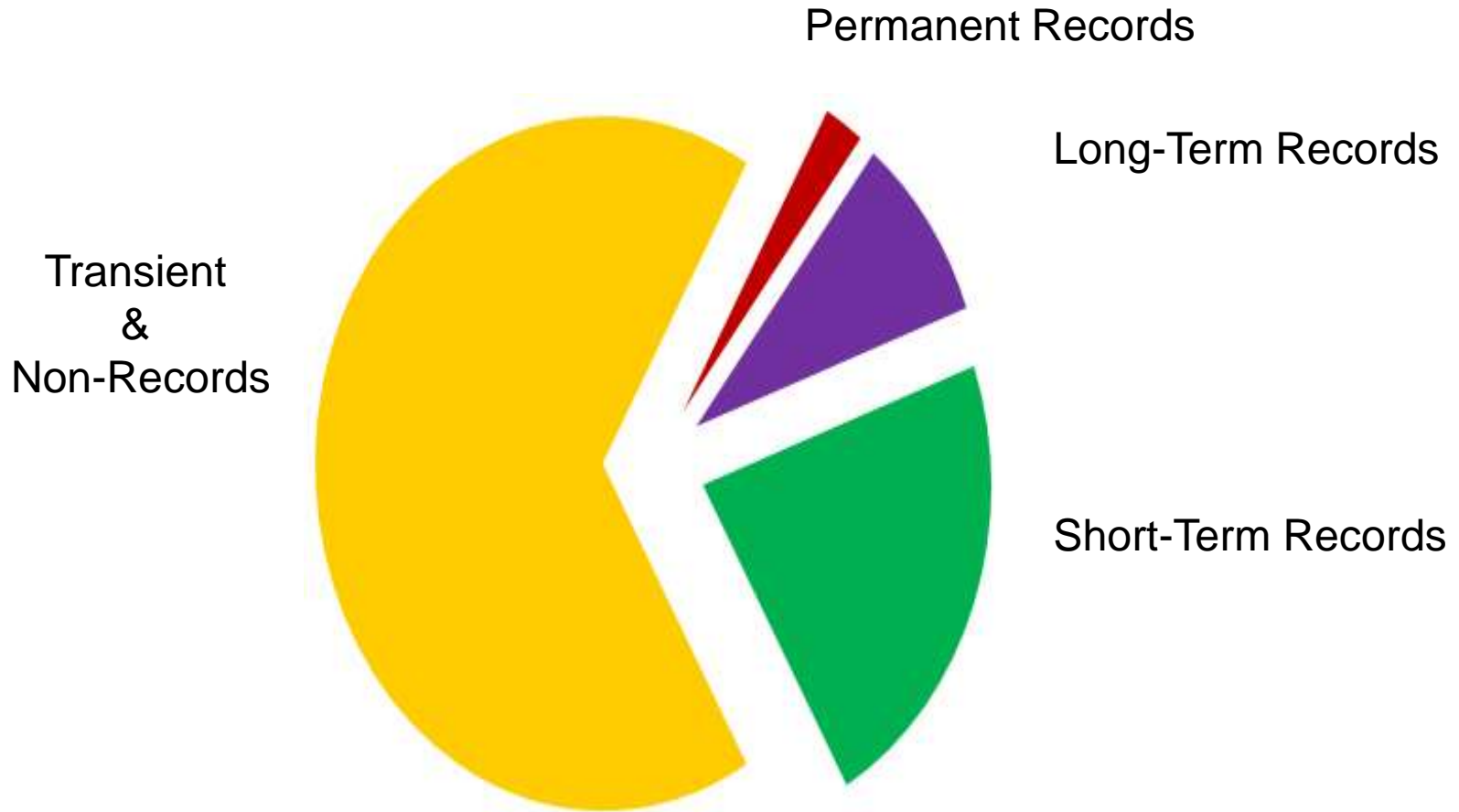
TRANSIENT RECORDS

Non-substantive records of limited administrative value serving to convey information of temporary importance, sometimes in lieu of oral communication. They do not set policy, establish guidelines or procedures, certify a transaction, or serve as evidence or a receipt. Examples include drafts, notes, copies (not the official record), scheduling communications, and voicemail and telephone messages.

- Temporary usefulness
- Not an integral part of a department's records series
- Not regularly filed in a department's recordkeeping system
- Only required for a limited period of time for the completion of an action or in preparation of an on-going record series
- Not essential to the fulfillment of a statutory obligation or the department's functions

Can Texts and IMs be records too?

EXAMPLE

5 City Council members hold secret meetings via text/email discussing the Mayor asking the City Manager to resign.

- Violation of open meeting law
- $10,000 in records destruction fines for deleted texts
- Total costs over $177,000
- 450 man-hours
- Minutes must be produced to preserve the conversations in public record
- Remaining texts must be released
- Public embarrassment over content of messages
  - Gossip, name-calling, rumors, immaturity

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RISKS AND LIABILITIES OF ELECTRONIC MESSAGING

Illegal destruction of records – $1000/message	Unable to provide prompt responses to public records requests – violation of public records laws – court costs	Discovery and litigation
Basic capture technology does not preserve metadata	Reputational exposure	Making copies of everything on a phone increases the time and resources needed to locate and preserve pertinent messages and cannot account for deleted messages
Retaining messages beyond stated retention would require more time and resources to locate and compile under public records and/or discovery requests	Inadvertent information exposure	Potential violation of Open Meetings Law

TO TEXT OR EMAIL?

Okay to Text

- "Stuck in traffic. Running late."
- "Sick child, won't be in today."
- "Ready for lunch?"
- "What time is our meeting?"
- Transient – could it be done via phone or post-it?

Use Email Instead

- Documents a business transaction, activity, or decision
- Legal or compliance implications
- Could be needed or used as evidence or proof
- Would someone expect you to have it?
- If it were in paper, would you retain it as a record?

EMAIL CLEAN-UP STRATEGIES

Email will not manage itself.

Be a proactive manager of your inbox and sent mail and reap the benefits of efficiency in numerous other areas of your daily work.

EMAIL CLEAN-UP STRATEGIES

- <u>Don't</u> attempt to do it all at once

- Set aside a regular time to file. Smaller chunks are more manageable and less tedious.
  - Every Friday 4:00-5:00
  - Every day 1:00-1:15

- Delete what you know can be deleted

- File what you know must be retained
  - According to record retention schedules

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EXAMPLES OF TRANSIENT & NON-RECORD EMAILS

SPAM/Unsolicited email	Personal (non-record)	Distributed (not by you) to multiple people for administrative purposes	Listservs	Transient
Ads, news articles, non-work related mail	Ready for lunch	Schedule your flu shot	Newsletters/ Bulletins	Accepted/Declines meeting requests
	Pick up milk	Kitchen cleaning today!		"read" receipts
	Late meeting, can you get kids?	Brown Bag lunch at 12:00	Discussion boards	Meeting arrangements
	Not related to job	OnCampus daily news headlines		Non-substantive messages of short-term usefulness
		System auto-generated email responses (eLeave, IT help tickets)	Other professional communities for information sharing	FYI's – no response required
				CC/BCC messages
				Minutes, notes, drafts, agenda that you received for information, but you are not record-keeper

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DETERMINING IF AN EMAIL OR TEXT IS A RECORD TO BE RETAINED PER RETENTION SCHEDULE

- Does it document a business activity, transaction or decision?
- Is it proof of a business-related event or activity or evidence of work completed?
- Do you need it to identify who participated in a business activity or had knowledge of an event?
- Does it have legal or compliance value?
- Does it support facts you claim to be true, since the person with the direct knowledge of the facts is not available?
- Could it help resolve a dispute in the future?
- Does the law expect that the University will retain it?
- Do you have the only copy within the University? (ex. It was received from an external source)
- Are you the author responsible for managing it and its responses?
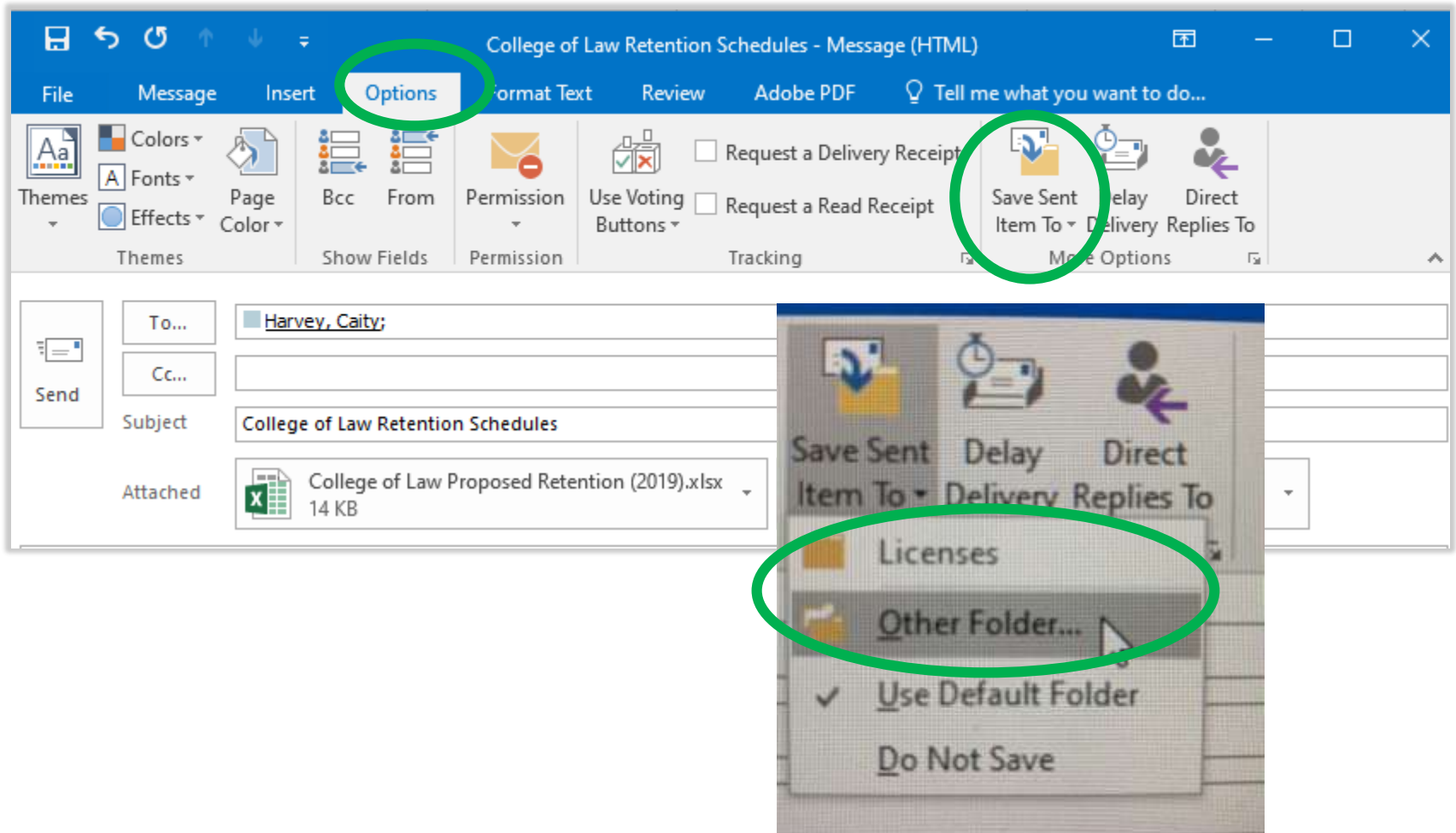- If it were in paper form, would it be retained?

IDENTIFYING THE OFFICIAL COPY

- Custodian: Person who has official copy to be maintained for duration of retention period

- Sender typically has the official copy
  - **Filing your "sent" messages is important!**

- Recipient can have official copy if:
  - Email received from external source
  - Needed to take action based on message
  - Required for documentation of an action

SEND AND FILE EMAILS

EMAIL THREADS

Keep all emails or just the last one?

<u>ALL</u>

- Someone doesn't reply all
- Off topic
- Someone responds to earlier email
- Ability to edit
- Retain attachments

<u>Last</u>

- If it's not needed as evidence
- Transient

SAVE THE EMAIL OR JUST THE ATTACHMENT?

- Is there substantial content or context in the body of the email?
  - If not, just save attachment
  - If so, save both together

- For what purpose are you receiving the attachment?
  - Copy of an article to read
  - Review and provide edits
  - Use as a template
  - You have an official work responsibility related to the attachment

EACH TIME YOU SEND OR READ AN EMAIL, MAKE AN IMMEDIATE DECISION:

ORGANIZING EMAIL AND ELECTRONIC RECORDS

It is not a matter of how long we <u>can</u> keep records, it is a matter of how long we <u>should</u> keep records.

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CLEAN UP UNNECESSARY COPIES

- Copies of records stored elsewhere

- Superseded/Drafts
    - Draft documents that have been superseded by others can be deleted per the Transient Materials record series on your General Records Retention Schedule

- Non-Records
    - Outdated articles/resources
    - Articles/resources stored in Box for sharing purposes
    - External, non-work collaborations

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FILE NAMING BEST PRACTICES

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A few extra seconds upfront to carefully name a file will save exponential time later on.
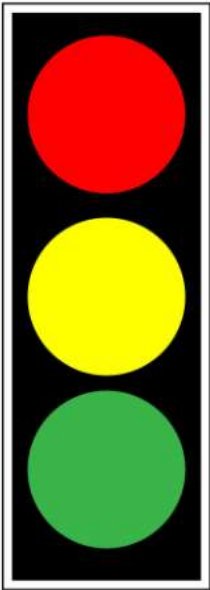
Minutes.docx

Minutes_Exec_Committee.docx

Minutes_Exec_Committee_20191021.docx

[What]   [Who]   [When]

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NOT IDEAL

Finance
Name
- Jane
- Joe
- John
- Sue

Jane
Name
- Purchase Orders
- Purchase Requests
- Vouchers
- Warrants

Joe
Name
- Purchase Orders
- Purchase Requests
- Vouchers
- Warrants

John
Name
- Checks
- Finance stuff
- John's stuff
- Misc Finance stuff

Sue
Name
- Current vouchers
- Old vouchers
- POs
- Things people want us to buy
- Warrants

WHY IMPLEMENT FILE STRUCTURE?

Creating a consistent file structure for your department/unit will:

- Reduce time spent looking for records
- Eliminate unnecessary duplication
- Decrease security risk and liability
- Enable you to easily dispose once retention has been met.

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WHO SHOULD USE THE FILE STRUCTURE?

Everyone!

- You are the custodian of your records

Filing structures should be consistent and easy to understand for:

- You
- Your colleagues and collaborators
- Future staff who may inherit your files

TIPS FOR SHARED FILE STRUCTURES

- Create a single set of folders by record series
  - Everyone needing access uses this same set of folders

- Use subfolders for further organization
  - Active/Inactive, Open/Closed
  - Year Closed, Calendar Year, Fiscal Year

- Avoid the following folder names:
  - Employee names (unless you are HR)
 - Misc., General, Stuff

FILING EMAIL & E-RECORDS

Folder Structure

- Create clear filing structures on shared drive, Box, etc. that everyone in the unit can access
  - Think about filing for *retrieval* rather than creation
  - Folders are like index fields

- Incorporate records retention schedules into the folder names
  - Title of Folder = Title of Record Series (Per retention schedules)

- Subfolders can aid in organization, retention and disposition
  - When retention expires on a folder, right clicking once deletes all contents
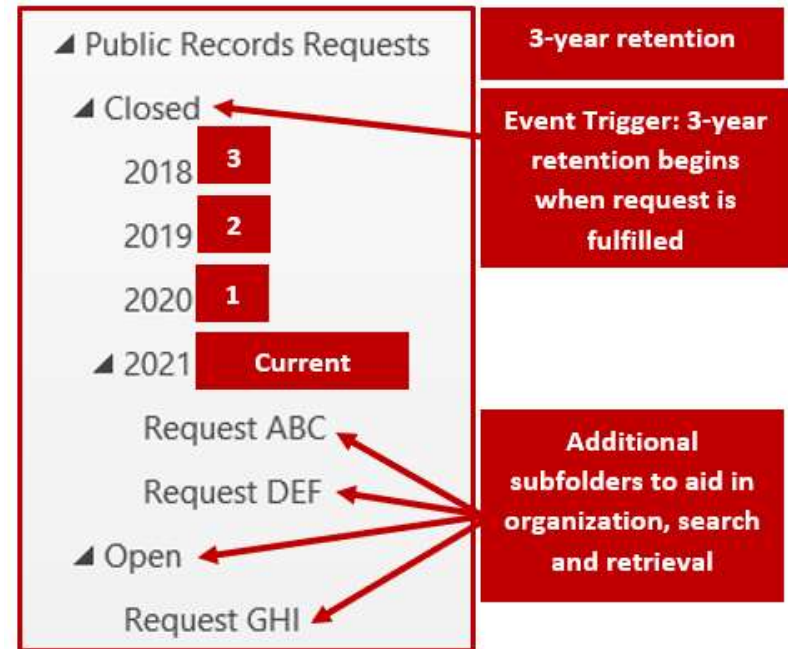
Not Unlike Managing Paper Files
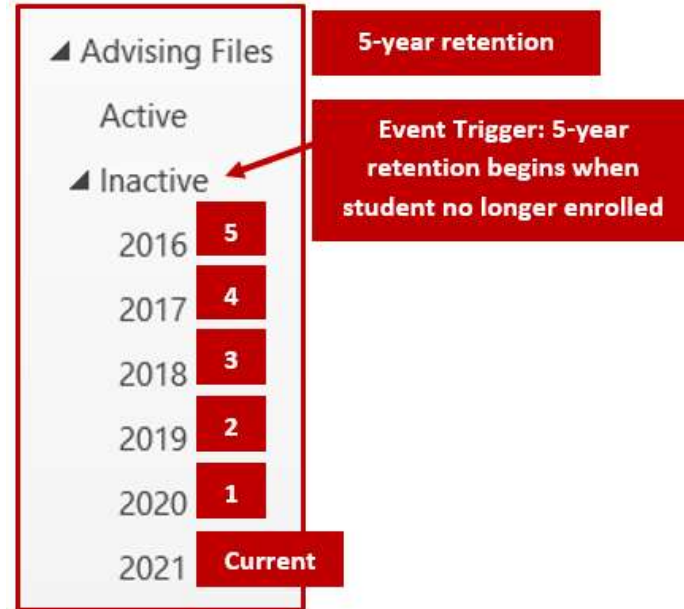
Structuring File Shares

Structuring File Shares
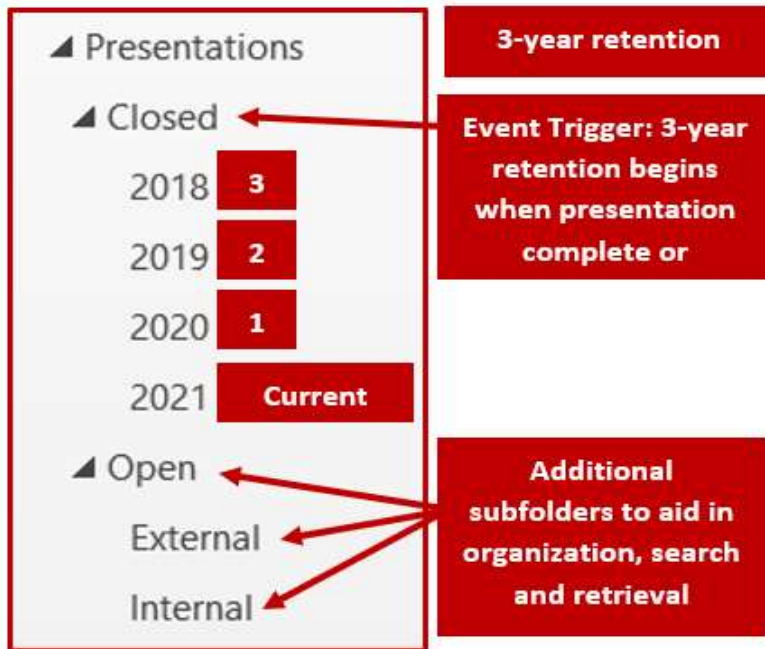
THINGS TO THINK ABOUT

- For the moment, retention and disposition is probably manual

- Create a Team or Channel w/in a Team

  - Folder structures therein
  - Sync's to SharePoint

- Single/One-Off Project or ongoing Group
- Use Teams or OneDrive

  - Teams = Collaboration
  - OneDrive = Individual/Non-Record

- Who needs access?

  - Now?
  - Future?

TEAMS NAMING CONVENTIONS

- Locate teams more efficiently

- Reduce redundancy

- Have a sense of what files will be in the team

- Better adhere to retention and disposition requirements

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DELETING

EMAIL AND ELECTRONIC

RECORDS

RECORDS DISPOSITION

Imagine that you need to find your winter boots or your child's baseball glove in this closet.

- It'll take a lot of time
- More closet space is just more space to clutter

The more stuff jammed into this closet, the harder it is to find what you need when you need it.

A more efficient approach is to remove the things that are no longer needed – like the now-adult daughter's elementary school winter coat and the long-unused hats and sports equipment.

Our records storage spaces, physical and virtual, are no different than this closet.

DELETING EMAIL & E-RECORDS

It really is okay to delete…as long as it is done with retention schedules and consistently

- According to approved retention schedules
  - After approval of RC-3 or expiration of retention

- Can be deleted immediately:
  - Transient Records retention schedule
  - Non-records

WHEN AN EMPLOYEE LEAVES

Records (including email & other electronic records) retain their "record" status

- Be sure that turnover of records is part of employee/official separation procedures
- If organized functionally it will be:
  - Searchable and retrievable
  - Easier for those who need it to find it
  - Easier to implement retention and disposition

(The rest of us!)

- Supervisor should:
  - Request access to the employee's email account, shared drive, Teams, OneDrive, etc.

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WHY CAN'T WE JUST KEEP ALL EMAIL & E-RECORDS?

Increases

- Storage space
- Maintenance costs
- Retrieval time
- Public records requests
- Cost of e-discovery production and preservation
- Liability

Decreases

- Ability to quickly locate
- Defensibility
- Compliance

There is a line between business value and over preservation – retention schedules define that line upfront

SYSTEMS

- Systems are not a <u>single record</u>
- Systems contain <u>many</u> records
    - And possibly <u>multiple record series</u>
- Retention should be applied
    - But be careful of breaking relations within the database
- How is a record defined in a system?

APPLICATION FOR EMPLOYMENT

PERSONAL INFORMATION

DATE OF APPLICATION: _____

Name: _____ Last | First | Middle

Personal information

First name *

Last name *

Email *

Confirm your email *

Place of residence

Phone number

🇺🇸 +1 ▼ 201-555-0123

Experience ➕ Add

Education ➕ Add

JOB APPLICATION FORM

RETENTION & DISPOSITION IN SYSTEMS

- Without periodically deleting database records that have met retention:
  - It becomes more difficult to locate records for business purposes, public records requests, investigations, or litigation.
  - Unnecessary records impact the performance of the database or information system and may cost staff time and expense to maintain or migrate.
  - The number of records affected during a security/privacy incident impacts the cost of responding to and recovering from the incident.

Records disposition should be a routine process conducted at regular intervals, not just when the system is being decommissioned or the contract with the vendor is expiring.

CHANGING OR DECOMMISSIONING SYSTEMS

Before decommissioning or changing databases or information systems, review the records to determine:

- Which records have met retention (should be deleted, not be migrated).

- Which records still need to be maintained per retention schedules (should be migrated or exported).

- Perform an analysis of the data fields to ensure that:
  - no relationships will broken by deleting data that has met retention
  - fields needed to query for records that have met retention, often date fields, are not altered during the migration

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PROCURING NEW SYSTEMS

Questions to ask vendors during the procurement process:

Can the system be programmed to automatically delete records in accordance with our retention schedules?

Is manual deletion done by the customer or company?

Can different record series be deleted on different retention periods?

How can we set up queries to determine which records have met retention?

- What fields can we query for flat retention periods (3 years, 5 years, etc.)?
- What fields can we query for event-triggered retention periods (3 years from separation, 3 years from grant close-out, etc.)

Is there a report that can be run that provides information on the disposition? What type of information does the report include?

EXISTING OhioERC GUIDANCE

Guidelines
- Electronic Records Management
- Legal Obligations
- RIM Role in E-Discovery
- Cloud Computing
- Databases as Public Record
- Digital Document Imaging
- Managing Email
- Hybrid Microfilming
- Social Media
- Scanning Feasibility
- **Blockchain Basics**
- **Blockchain v Database**
- **Blockchain Project Questions for RIM**

Tip Sheets
- **Online Conference Platforms Text Messaging**
- **Document Management Systems vs. Digital Preservation Systems**
- Email Management for Users
- Email Management for IT
- Records Manager's Role in E-Discovery
- Unique Characteristics of Electronic Records
- Case for Managing Electronic Records
- Cloud Computing
- Document Imaging
- Social Media Use
- Public vs. Private Media Tools
- Who Should be at the Table

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RECORDS MANAGEMENT TIP SHEETS

- Database Records – Retention and Disposition
- M365 Storage Matrix
- Recorded Content Retention and Guidelines
- Microsoft Teams Naming Convention Guidelines
- Buckeye Box Migration
- File Naming Conventions
- Transient & Non-Records
- Guidelines for Email Management

- File Naming Guidelines
- File Organization Best Practices
- Practical Tips for Instituting a Preservation Notice
- Email Clean-up Challenges
- Document Version Control Guidelines
- S3 & S4 Secure Data Destruction Requirements
- Student Employee Email Accounts
- Security Risk Assessments

https://library.osu.edu/osu-records-management/guidance

SOCIAL MEDIA: THE RECORDS MANAGEMENT CHALLENGE

Online, Interactive Training Module (2020)

http://go.osu.edu/ohioerc-socialmedia

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