

#### **Washington State Archives**

### Electronic Records Management: Improving Your Outlook



Presented by:
Leslie Koziara, CRM, ERMP
Electronic Records Management Consultant leslie.koziara@sos.wa.gov 360-586-4893



#### Overview

- Requirements for Electronic Public Records
- Requirements and Guidelines (by format)
  - Scanned Documents
  - Email
  - Websites and Databases
  - Texts, Social Media and more!
- The Digital Archives



# RCW 40.14 Preservation and Destruction of Public Records

"Public records include any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map, drawing, machine-readable material, compact disc meeting current industry ISO specifications, or other document, regardless of physical form or characteristics, and including such copies thereof, that have been made by or received by any agency of the state of Washington in connection with the transaction of public business"



### What is a Public Record?

For retention and disposition two key points:

- 1. Regardless of format
- 2. Made or received in connection with the transaction of public business (Chapter 40.14 RCW)
- For public disclosure, refer to Chapter 42.56 RCW.



### Speaking of 42.56

RCW 42.56.100

Protection of Public Records

..." to protect public records from damage or disorganization, ......... Such rules and regulations shall provide for the fullest assistance to inquirers and the most timely possible action on requests for information......"



What are the agency's obligations regarding public disclosure with electronic records?

#### Public Disclosure - Who Can Help?

Tim Ford
Open Government Ombudsman
Office of the Attorney General

http://www.atg.wa.gov/OpenGovernment/Ombudsman.aspx



# Records Management Supports Public Disclosure

- Organizing and knowing what you have helps you find responsive materials
- Applying disposition reduces the volume to be searched and reviewed for e-discovery



### The RULES apply

- The rules for public records are applicable regardless of format
- Retention and disposition are also applied exactly the same – there is no difference
- Records management fundamentals also apply equally



## POP QUIZ WHAT IS A RECORD?

You come back to your desk following lunch and your computer indicates that you have two email messages waiting for you.

- A.) One message is from the assistant director requesting shared leave for an employee on extended sick leave.
- B.) The other message is from your boss, giving you the agreed-upon timelines and goals for an upcoming project. Which message is a public record?
  - □ A only □ B only □ Both A and B □ Neither A nor B



# Preservation of Electronic Records WAC 434-662-040

Electronic records <u>must be retained in electronic</u> <u>format and remain usable, searchable,</u> retrievable and authentic for the length of the designated retention period.



### A couple of important points

Can I print and delete?

NO - Printing and retaining a hard copy is not a substitute for the electronic version unless approved by the appropriate records committee.



### Why Printing Doesn't Work

- Metadata associated with "born digital" records establishes and preserves the authenticity of the record which is the evidence of the transaction it documents.
- Printing electronic records (e.g. emails)
   preserves the informational content but not
   the authenticity of the record.



### Archival Digital Records

 Are to be transferred just like any paper based archival designated records

• Accession to the digital archives is for "born digital" or digitized records, we do not convert any paper based records (exception is work done through local records grant program)



## "Electronic Records"

Born Digital vs. Digitization



### What is a "Born Digital" Record?

- Regardless of how it was created:
  - If the transaction or evidence of public business occurs in paper then the paper record needs to be retained.
  - If the transaction or evidence of public business occurs electronically then the electronic record needs to be retained.



### What is "Born Digital"? #1

- Minutes are drafted using Microsoft Word and then printed.
- Chair signs the printed minutes at the next meeting.
- Transaction of public business occurs in paper so the signed paper minutes need to be retained.



### What is "Born Digital"? #2

- Agendas are drafted using Microsoft Word.
- Agendas are distributed to Committee members via email with the Word attachment.
- Transaction of public business occurs electronically so the email and attachments need to be retained.



### What is "Born Digital"? #3

- Confirmation/certificate of training attendance are submitted in hard copy to an agency for use.
- Information entered into database.
- Transaction of public business occurs in paper so the submitted hardcopy records need to be retained.



# Digitized Records Can I Scan and Toss?

"Conversion to an imaging system does not automatically authorize the destruction of the source documents for which images have been created."

WAC 434-663-600



# Destruction After Digitization (DAD)

## CHANGES TO THE PROCESS COMING SOON

**STAY TUNED!!** 

http://www.sos.wa.gov/archives/RecordsManagement/ DestructionAfterDigitization.aspx



### **COMING EARLY 2012**

Washington State Archives is developing standards to grant authority to agencies to destroy paper based documents after scanning PROVIDED agencies digitize/scan in accordance to published state standards

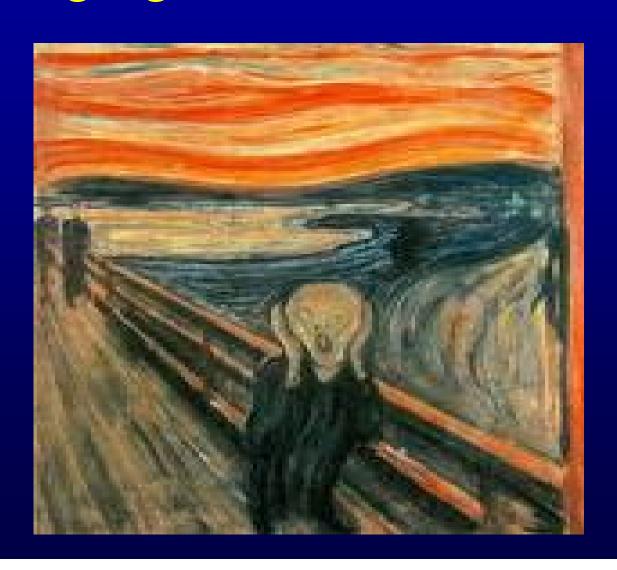


### Agencies will need to address:

- Developing consistent policies/procedures for imaging including densities and format
- Preservation measures to ensure access, retrieval, and authenticity of records for the full minimum required retention period
- Indexing / metadata standards
- Storage issues and migration strategies
- How to apply records management and retention/disposition best practices to resulting images



## Managing Electronic Records





## POP QUIZ WHAT IS A RECORD?

Your agency has a pdf brochure regarding children's support services and it is posted on the website for the public to download.

Is this a public record?

□ Yes

□ No



### So where do you start?

- First thing establish agency records management policies & procedures
  - Requires executive buy-in and input from legal
  - Identifies roles and responsibilities
  - Should address appropriate use
  - Include records management fundamentals
- Need user and IT support
- Training and education are essential
- Periodic compliance checks are crucial
  - Automatic deletion is not recommended!



# Why not just keep it all? Consider this:

- Think needle in a haystack.. less hay, easier to find the needle - less costs for discovery and disclosure
- Yeah, storage is cheap, litigation is NOT
- Other associated costs:
  - Additional space needed (equipment and facility)
  - Additional maintenance and staffing needed
  - Additional upgrades, increased migration & recopying, disaster planning
  - Additional long-term sustainability issues



### Goal

## Successful organization and control is a win—win situation

- Agency benefits in lower costs and more efficient operations
- Employees benefit with better access and increased productivity
- Public benefits with transparency and prompt responses to any requests



# A winning strategy for electronic records

- Identify
- Organize
- Disposition (take action)





### Identify

Using approved records retention schedules will help you:

- Identify records you need to keep
- Identify records you can get rid of
- Identify records needing additional attention:
  - √ Essential
    - ✓ Archival



### More on identification

Identify the CONTENT:
What is being said?
Is there conduct of business?

#### Then ask:

- Is this a primary copy (all you need is one!)
- Is this a duplicate or secondary copy?
- Is someone minding the store?



# Identify improvements to process

- Identify what processes may be eligible for consolidation and streamlining
- Another way to save money
  - Look at ways to go "paperless"
  - Look for ways to improve a process
    - Just because that's the way it's always been doesn't make it better
    - How much duplication is there?
    - How much time and energy does something take?



# Organize Using what you have

- Agencies already have established files for their paper records, use what has already been developed and adapt to "electronic" filing systems
- Retention schedules already exist
- Also serves as excellent preparation prior to implementing any automated processes



## File it – it's not just for paper





### Create a plan

- Create a "file plan" or "file structure"
- Link to retention schedules
- Pre-determined file folders provide consistency, centralization and organization
- Mirror the plan throughout use same structure for paper, email, desktop, network drives and servers
- Develop desk guides and cheat sheets



### Disposition- Do it!

- Organize to destroy
- Apply same retention and disposition practices to electronic records as you would paper based records
- Regularly schedule disposition to clear out those items having met retention and get rid of them!



#### Electronic Record Life Cycle



Create or Receive Record





If NO retention value Delete



**Record / Save** 



**EXIT** 119



DESTROY and document destruction



NODBALLEN

**Approve for destruction** 





Non-Archival

Keep until retention met



If Archival

**Transfer** 



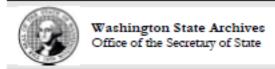
### What comes across your desk:

#### Much of what comes across in an email will be:

- Transitory (serves as an FYI)
- A secondary copy or duplicate (how many others are cc'd?)
- An email "transmittal memo" of attachments (acts like a fax cover sheet)



### Little or no retention



Local Government Common Records Retention Schedule (CORE)

Version 2.1 (July 2010)

ITEM NO.	DESCRIPTION OF RECORDS	DISPOSITION AUTHORITY NUMBER (DAN)	RETENTION AND DISPOSITION ACTION	DESIGNATION
6.1.5	Public records that only document information of temporary, short-term value, and provided that the records are:  Not needed as evidence of a business transaction; and, Not covered by a more specific records series.  Includes, but is not limited to: Miscellaneous notices or memoranda which do not relate to the functional responsibility of the agency (notices of community affairs, employee meetings, holidays, etc.); Preliminary drafts of letters, memoranda, reports, work sheets, spreadsheets, presentations, and informal notes, etc., which do not represent significant basic steps in the preparation of record document(s); Routing slips used to direct the distribution of documents; Shorthand notes, stenotype tapes, and mechanical records, after they have been transcribed into typewritten or printed form on paper or microfilm; Telephone messages (including voicemail, digital voice messages, etc.); Letters of transmittal which do not add any information to the transmitted materials.	GS50-02-05 Rev. 0	Retain until no longer needed for agency business then Destroy.	NON-ARCHIVAL NON-ESSENTIAL OFM

### Local Government Agencies

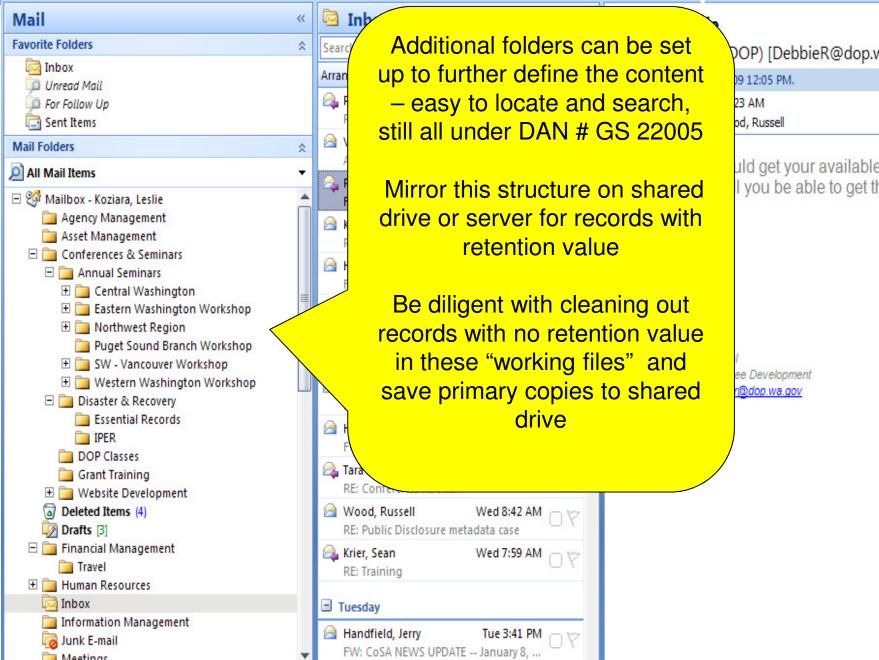


# Organizing Emails – Option 1 Within email application

- Individual users move e-mails into predetermined folders that match those on server or shared drive
- Good to set up as "working files", or for records with minimal retention value
- Recommend records with <u>significant</u> retention value be retained on drives or servers



### For example



DOP) [DebbieR@dop.wa.gov]

uld get your available dates I you be able to get them to me

### Washington Secretary of State



# Another example

# Outlook file structure



## Organizing E-mails – Option 2 Using shared drive or network server

- Designated shared drive or server is used as centralized "file cabinet" or repository
- Users save their emails into predetermined folders in specific "drawers"
- Users can access in a centralized location
- Generally no active retention or disposition applied, but can set up system administrators to track and disposition



### Local Gov't CORE



Local Government <u>Co</u>mmon <u>Re</u>cords Retention Schedule (CORE) Version 1.0 (December 2008)

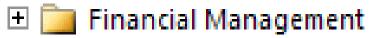
#### 3.1. ACCOUNTING

The activity relating to the creation of financial records of agency business transactions and the preparation of statements concerning the assets, liabilities, and performance of the local government agency.

ITEM NO.	SERIES TITLE AND DESCRIPTION	OPR or OFM	PRIMARY (SOURCE DOCUMENT/ORIGINAL) RECORD COPY	SECONDARY (ALL OTHER) RECORD COPIES	DISPOSITION AUTHORITY NUMBER	REMARKS
3.1.39	All invoices for all funds and purposes with attached supporting documentation. Includes Travel Vouchers/Authorizations.  Note: DAN GS50-03A-30 was also assigned to INJURY AND DISABILITY CLAIM INVOICES – VOLUNTEER FIREFIGHTER (which has been changed to DAN GS50-03A-35). 12/2008	OPR	6 years	Destroy when obsolete or superseded	GS50-03A-30	
3.1.40	WARRANT / CHECK REGISTERS		6 years	Destroy when obsolete or superseded	GS50-03A-31	
3.1.41	WITHDRAWAL/CANCELLATION/ CHANGE OF PURCHASE ORDERS	OPR	6 years	Destroy when obsolete or superseded	GS50-08A-12	

### Washington Secretary of State

### An example





☐ 2008 Vouchers GS50-03A-30



Field Order Files

Invoice Voucher

Travel Vouchers

Additional file folders can be created as necessary under each record series

🖃 🚞 2009 Vouchers GS50-03A-30

Copy Center Requests

📜 Field Order Files

Invoice Voucher

Travel Vouchers

Warrent / Check Registers GS50-03A-31

Additional records series under a category can be added

2007 Warrants / Check Registers GS50-03A-31

2008 Warrants / Check Registers GS50-03A-01

2009 Warrants / Check Registers GS50-03A-01

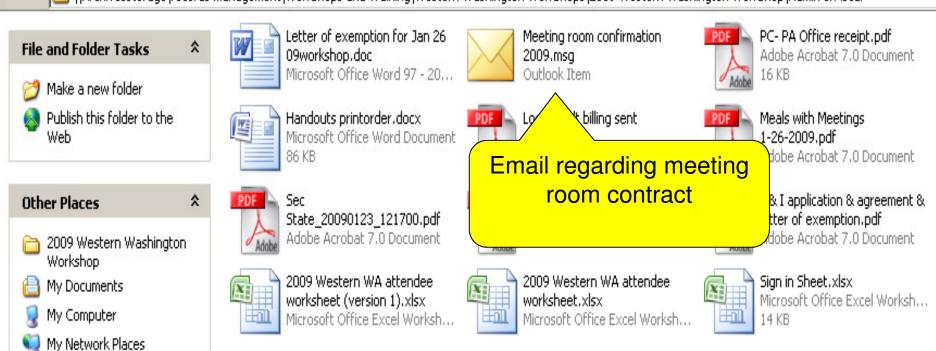
### Washington

City Playfield

Secretary of State	Another example						
<ul> <li>□ Land Use Planning, Permits and Appeal</li> <li>□ □ Building Construction and Modifica</li> <li>□ □ Permits - Invalid GS50-11-008 —</li> </ul>	TI:						
Plaza 100 Building Plaza 500 Building Plaza 600 Building Plaza 600 Building Permits - Valid GS50-11-05	This is an <b>essential</b> record and should have additional back up. It also has a long term retention						
Plaza 200 Building Plaza 300 Building Plaza 400 Building	This is a PERMANENT, ESSENTIAL and POTENTIALLY ARCHIVAL series and should noted and handled accordingly						
<ul> <li>□ Local Government Jurisdictional Boundary Change History Files GS50-16-09</li> <li>□ Townsquare Incorporation</li> <li>□ Tumwater Annexation</li> <li>□ Maps, Drawings, Photographs (Official) GS50-16-02</li> </ul>							
City Boundaries  Shoreline Management  Maps, Drawings, Priotographs (Critical Control	POTENTIALLY ARCHIVAL series						
City Park Property							



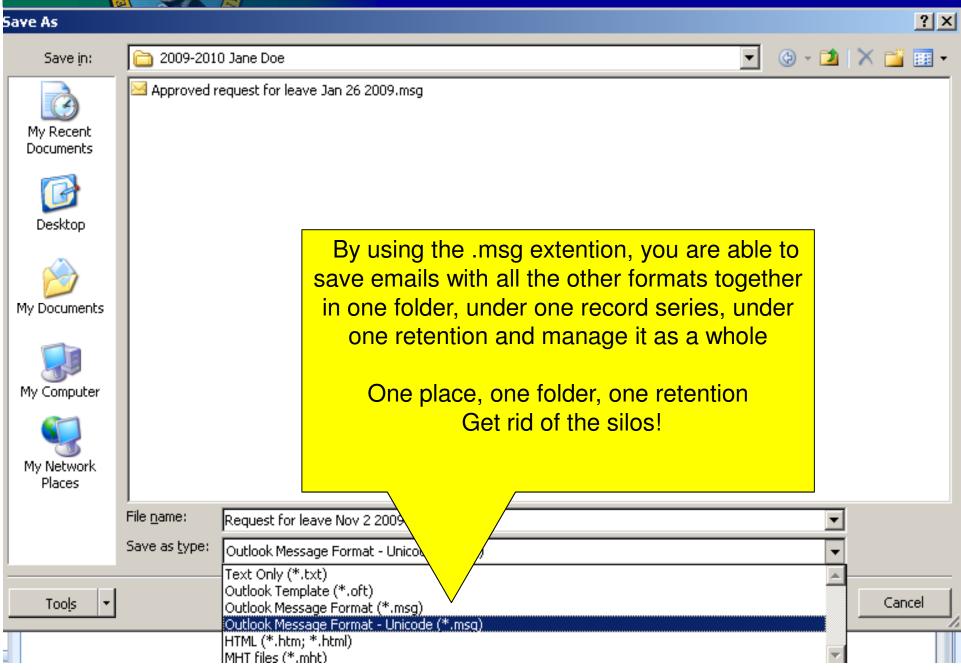
Address 🛅 \\Archivesstorage\records management\Workshops and Training\Western Washington Workshops\2009 Western Washington Workshop\Admin & Fiscal



Details ¥

Using classifications and naming conventions make it easier to search and locate the information







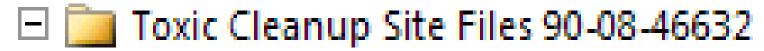
### Law Enforcement





- All Other Cases LE2010-064 (5 yrs or exhaust appeals)
- Homicide (Solved) LE2010-062 (20 yrs or exhaust appeals)
- Homicides (Unsolved) LE2010-061 (75 yrs or no longer needed, transfer)
- Juvenile Offenders LE07-01-09 (23 yrs of age or eligible for destruct)
- Missing Persons (Not Found) LE2010-061 (75 yrs or no longer needed)
- Notorious, Historically Significant LE2010-060 (Transfer no longer needed)
- Sex Offenders LE2010-063 (5 yrs after invest, exhaust appeal)
- Unidentified Bodies LE2010-061 (75 yrs or no longer needed)

### Washington Secretary of State



- 🖃 📴 Cascade Pole
  - Exempt
- Century Mall
  - Fast Dry Cleaners

This series is
ARCHIVAL - 9 year
retention for
agency, then
transfer to archives

You may create and

protect folders as

exempt or confidential

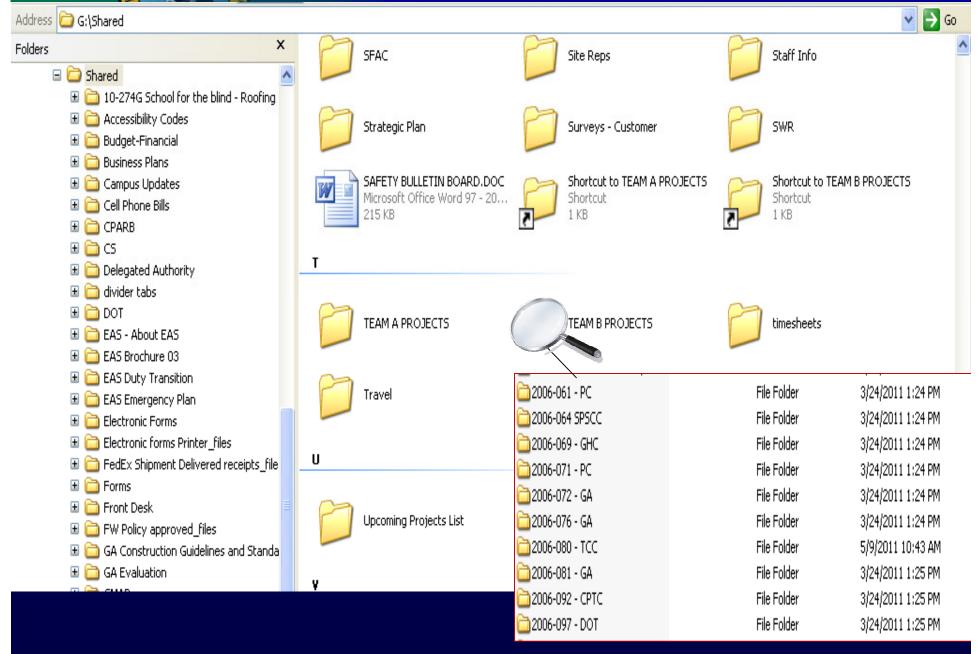




- Pet Shop Boys
- Yummy Sandwich Shop
- Chevron #4456 Big Al's 5555 Main Street
- Port of Tacoma Bldg 6



### Example from GA drive





### What About Text Messages?

- Content is key are you conducting business?
- Have policies regarding use of texts
- Agency responsibility to capture texts that need retention according to approved schedules
- 3<sup>rd</sup> party tools/applications available

Cannot rely on provider to retain!



### Helpful hints

- Use existing retention schedules!
- Consult with users, enlist their input
- Work on keeping file names short and simple, yet make sense to users
- Keep it under 255 characters & spaces, otherwise may have problems with access and retrieval



### What About Websites?

### Records Retention – 3 areas

- 1. Website Design/Architecture
- 2. Website Content
- 3. Changes to Website Content



### Website Spidering

- Digital archives will ... copy state and local government web sites that are determined to have archival value either annually or more frequently. (WAC 434-662-140)
- Archival snapshots for historical perspective ONLY – websites are not interactive once snapshot takes place
- Will not satisfy all legal and other requirements to retain records of websites.



### Website Design / Architecture

- Records documenting the technical design and structure of website
  - the look and feel of your website
- Includes connection between the website and other databases and applications
- Webpage style templates



### Website Design / Architecture

Local agencies use:

Applications – Technical Design and Implementation (GS50-06A-03)

"Retain until application or version is no longer needed for agency business and all records within the application have been migrated or dispositioned in accordance with a current approved records retention schedule; then Destroy"

State Agencies – revisions pending



### Content

- Typically, website content falls into these main categories:
  - 1. Secondary Copies of Other Public Records
  - 2. Database-Driven Content
  - 3. Advice / Information

### Washington Secretary of State







Welcome About the Office Sam Reed Biography Secretaries of State News Releases Email Sam Reed Photo Gallery

#### Programs & Divisions

Address Confidentiality Apostilles Archives Charities Combined Fund Drive Corporations Digital Signatures Domestic Partnerships Elections & Voting Heritage Center International Trade



### Reed asks Legislature to move Primary two weeks earlier

Earlier Primary would comply with fede voters law helping military



COMBINED

#### \$5.5 million raised for charity by public employees

Despite a down year, the Combined Fund Drive generates millions for local, national and global charities



companies with prestigious cil



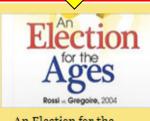
#### WA picks up 10th congressional seat

Census officials, including former Gov Gary Locke, the commerce secretary, have just announced...

#### From Our Corner - Recent Blog Posts

#### Reed seeks earlier primary & ballots in by Election Day

Secretary of State Sam Reed is urging lawmakers to move Washington's Primary Election two weeks earlier, to early August. He also asks for a law requiring ballots to be in county elections offices by Election Day, rather than simply



An Election for the Ages: Rossi vs. Gregoire 2004 - Purchase this book



Day of Jubilation -Watch the video.



### Secondary Copies - Retention

- How to apply retention:
  - Manage the agency's primary copy
  - Use appropriate record series based on the function and content of the record
  - Treat web version as secondary copy



#### Washington State Archives



Print Page



Home

Records Management

**Imaging Services** 

WSHRAB

ERSC

State Archives » Records Management

#### Records and Information Management Publications for State Agencies

The following publications on records and information management are listed in PDF format and also available in MS Word 6.o. To view and print the PDF files you must have Adobe's Acrobat Reader which may be obtained for free from the Adobe web site.

The Word version requires you to download the file to your local computer and use Word to read them.

Review the description of the publication to be sure that it applies to your government type. If you have questions or comments you can e-mail the records management section at: recordsmanagement@sos.wa.gov.

#### INVENTORYING AND SCHEDULING GUIDELINES FOR ALL STATE GOVERNMENT AGENCIES

<u>Inventorying and Scheduling Guidelines</u> (PDF) Updated July 2007 <u>Inventorying and Scheduling Guidelines</u> (Word) Updated July 2007

#### GENERAL RECORDS RETENTION SCHEDULE FOR AGENCIES OF WASHINGTON STATE GOVERNMENT

State

State Government General Records Retention Schedule

Contains secondary copies of approved retention schedule



### Content - Database-Driven

- How to apply retention:
  - Manage the record within the database as the agency's primary copy
  - Use appropriate record series based on the function and content of the record
  - Records documenting the rules governing database / website interaction are covered by website design



### Online registration - database

#### Training Signup

#### Basics of Records Retention - Local Government Agencies

This is a free 1/2 day session specific to Local Government agencies. This is a basics course for those new to records management, or as a refresher for veteran records managers. This session covers the rules and regulations as they apply to agency records according to Chapter 40.14 RCW. Sessions are from 9:00 am to noon. You will learn: Retention and disposition, what a retention schedule is, and which one you should use, how to apply retention and disposition and how to organize your information. SEATING IS LIMITED, REGISTER EARLY!

#### Cost

\$o per person

#### Date:

03/04/2011

#### Location

L & I Classroom S117 7273 Linderson Way SW Tumwater, WA 98512 Conferences and Seminars
GS 22005
3 years after date of event

Please fill out the following form to register for this session. F person) only. Please fill out and submit the form for

#### Contact Information

First Name \*

Last Name \*

Information is generated through web form and put into a database Website is only place this record is generated

(one



### Content – Advice / Information

- Apply the same retention to these content records that you would apply if you provided the same advice / information by letter or email to everyone in your agency's jurisdiction
- Remember, you are providing that advice every day that it is on your website



### Why Document Changes

- It is not enough to just know what you said (the content)
- Agencies also need records documenting when did we say it and when did we stop saying it (the context to the content)



### Capturing content changes

It depends on the size and complexity of website and level of risk associated with the content

### Tools / techniques can range from:

- Email exchanges between author and agency webmaster
- Up to and including 3<sup>rd</sup> party applications and Web Content Management Systems (WCMS)
  - ✓ Drupal
  - ✓ ColdFusion (Adobe)
  - ✓ Alfresco



### Capturing websites

It depends on the complexity of website Options include:

- Snapshots
- Email confirmations/webmaster
- Change logs/audit logs
- Maintaining entire site
- 3<sup>rd</sup> party software for ECM
  - Drupal, ColdFusion, Alfresco



### What about databases?

- Apply same principles as websites
  - Based on content and function of database
  - Is it a repository of information held elsewhere?
  - Does it contain evidence of business transactions not found in another format?
  - Is the database dynamic with continuous changes, updates?



### Capturing databases

It depends on the complexity and function of database

### Options include:

- Change logs/audit logs
- Maintaining entire database
  - 3<sup>rd</sup> party software for ECM



# POP QUIZ WHAT IS A RECORD?

Your agency has Facebook and has invited public comment on a controversial issue.

Is this a public record?

□ Yes



### Do you?



















# Blogs, Wikis, Twitter, and emerging "technology du jour"

### Key considerations:

- 1. Is this technology appropriate?
- 2. Are they primary or secondary copies?
- 3. How long do they need to be kept?
- 4. How will they be retained by the agency?



### Points to ponder

### Ask some questions:

- Make a business case for use do you really need to add another "technology du jour"?
- Check with legal counsel
- Check out terms of service agreements



## TOS Agreement = Contract

- Security, identity "hijacking"
- Indemnity issues
- Privacy, data ownership
- Rights of company to edit/display/advertise
- Addressing merger/acquisitions
- Will use meet overarching regulations?
  - FOIA, ADA, RCW's, WAC's



## Hot off the press

- Facebook now has state and local government terms of service agreements
- Go to very bottom click on Terms
- Go to very bottom again click on Pages Terms
- Go to very bottom again click on Amended Pages Terms for State and Local Governments in the United States



#### **Government Terms**

#### Amended Pages Terms for State and Local Governments in the United States

If you are a state or local government or government agency in the United States ("You"), and You are using Facebook Pages in your official capacity ("Official Use"), the following terms apply solely to such use and all other terms remain in effect:

#### 1. Disputes

You and Facebook will endeavor to resolve any disputes in an amicable fashion.

#### 2. Venue

Section 15.1 of the SRR does not apply to your Official Use.

#### 3. Governing Law

Section 15.1 of the SRR does not apply to your Official Use.

#### 4. Indemnity

If you are a state government or state government agency in the United States:

Section 15.2 of the SRR will apply to You only to the extent expressly permitted by your jurisdiction's laws.

If you are a local government or local government agency in the United States:

Section 15.2 of the SRR will apply to You only to the extent permitted by your jurisdiction's laws.

#### 5. Disclaimer Requirement

If you have an official website, your Page must contain, in a prominent location: "If you are looking for more information about [Government Entity], please visit [website URL]."



# Tips and tools to aid social media retention

- Series of email exchanges on content, when posted, when withdrawn, updates, etc.
- 3<sup>rd</sup> party software or content management systems
  - ✓ TwInbox
  - ✓ TweetTake
  - √ SocialSafe



## Going to the cloud

#### Issues to consider:

- Custody
- Co-mingling of data (will probably not be held separately from others using storage server)
- Privacy, security / hijacking of information
- Data transmission/flow (Where is the server, exactly?
- Disaster preparedness and recovery



## Clouding the issue

- What about the vendor:
  - How stable? What's their history?
  - Do they outsource or sub-contract ?
  - Their hiring practices for employment? Are there background checks, etc?
  - Their overall security and management?



## Ask questions

- Can your rules apply?
- What kind of audit procedures are in place?
- How proprietary/compatible outside vendor "ecosystem"

Remember your responsibility towards public records!





# Introduction to the Digital Archives

Opened in 2004 in Cheney, WA



2005 3.5 million records

2006 6 million records

2010 92 million records

2011 100 million and adding daily!



### Digital Archives Value

- Access and convenience
- Reduce agency workload
- Limited business resumption
- Digital Archives migration strategy

There is no charge for any of this!



## Transferring Your Records Part 1: Set It Up

- Consultation
  - ✓ Call your regional consultant
- Forms Generation
  - ✓ Transfer Agreement and Plan
- Transfer
  - ✓ Secure SFTP or Hard Drive
- Ingestion
  - ✓ Security and error checks



## Transferring Your Records Part 2: Self-Service Transfers

- Tools
- Order Fulfillment
- Support



## Transferring Your Records Biggest Challenge

#### Biggest challenge to the Digital Archives:

Multiple proprietary formats!

When purchasing an electronic records management system, please let your vendor know that the Digital Archives has an acceptable data export format. We will be glad to work with your vendor so that we can preserve your records.





### In conclusion...

Explore available options, and adapt them to best serve agency needs and usage

- Establish policies, procedures, ground rules
- Take time to fully develop file structures and plan, plan, plan for implementation
- Keep it as simple as possible
- Education, training, and more training
- Lots of patience (Chocolate helps!)



### **Questions?**

Records Management Helpdesk recordsmanagement@sos.wa.gov

Subscribe to listserv for the latest updates
http://www.sos.wa.gov/archives/
RecordsManagement/





## Washington State Archives: Partners in preservation and access

www.sos.wa.gov/archives