

MEETING MINUTES

April 27, 2022, 10: 00 a.m. Eastern Time

Indiana Archives and Records Administration

Meeting Location: IGC South Conference Center, Room D

MEETING OF THE OVERSIGHT COMMITTEE ON PUBLIC RECORDS

2022-04-27-1: CALL TO ORDER

A meeting of the Oversight Committee on Public Records was held on Wednesday, April 27, 2022. The meeting was called to order by Chairperson Jake Speer at 10:02 a.m.

A roll call was conducted to determine members present constituting a quorum: Jerry Bonnet (Designee for Holli Sullivan, Secretary of State), Jim Ehrenberg (Designee for Tracy Barnes, Chief Operating Officer, Office of Technology), Tammy Glickman (designee for Rebecca Holwerda, Commissioner, Department of Administration), Tamara Hemmerlein (Lay Member / Oversight Committee Vice-Chair), Beth Kelley (Designee for Paul Joyce, State Examiner, State Board of Accounts), Chandler Lighty (Executive Director of the Indiana Archives and Records Administration / Oversight Committee Secretary), Michael Nossett (Governor's Designee), Jacob Speer (Director of the Indiana State Library / Oversight Committee Chair).

Members absent: Luke Britt (Public Access Counselor), Scott Uecker (Professional Journalist / Lay Member).

IARA staff in attendance:

Records Management – Meaghan Fukunaga (Deputy Director), Amy Robinson (Records Analyst).

Guests: Elaine Kan, State Personnel.

2022-04-27-2: NEXT MEETING

The next meeting of the OCPR is scheduled to be held on Wednesday, May 25, 2022, at 10:00 a.m. in Indiana Government Center South, Conference Center Room D.

2022-04-27-3: PREVIOUS MEETING

A motion was made by Tammy Glickman, seconded by Jerry Bonnet, to approve the minutes of the last regular meeting of the OCPR held on Wednesday, February 23, 2022. Motion carried.

2022-04-27-4: DIRECTOR'S REPORT

IARA Executive Director Chandler Lighty submitted the Director's Report previously distributed to the OCPR for review. The report includes a narrative from: Claire Horton (Deputy Director, State Archives), Meaghan Fukunaga (Deputy Director, Records Management), Jackie Swihart (Now-prior Deputy Director, Administration), Kim Hagerty (Director of the State Imaging and Microfilm Lab), and Samantha Putnam (Director of the State Records Center).

Highlights presented to the Committee:

- Last month, Governor Holcomb announced that IDOA has selected the Canal site for the IARA building, across from the Historical Society and right next to the Senate Avenue parking garage. This week will be devoted to the schematic design process; IDOA has chosen a construction manager and will be making the information public later in the week.
- There have been several staffing changes. Most notably, Deputy Director Jackie Swihart has tendered her resignation to accept an opportunity with Main Street and the National Trust For Historic Preservation. IARA is sad to see her go, but happy for this career move for her.
- The State Archives has been working to digitize naturalization records, a rich genealogical resource that should be well-received when made available through FamilySearch.
- IARA is continuing to work on improving the Forms Management process, and making good progress.

1. Mailbox Retention Policy

Chandler Lighty played a brief video clip of U.S. Senators Gary Peters (MI) and Rob Portman (OH) speaking on March 15, 2022 at the Senate Committee Hearing on *Correcting the Public Record: Reforming Federal and Presidential Records Management*, to provide some context on how the federal government is also dealing with challenges surrounding the preservation of electronic records for the purposes of both transparency and history.

He then noted that a productive meeting on the direction of the Mailbox Retention Policy had occurred since the last OCPD meeting, between himself, Deputy Director Meaghan Fukunaga, Committee Member Jim Ehrenberg, and IOT director Tracy Barnes.

Elaine Kan, currently of SPD, late of IOT, explained that she started the initiative and would very much like to see it come to fruition. and took questions on possible implementation strategies for the policy.

Jerry Bonnet described internal discussions at the Secretary of State's office on email retention and balancing storage costs with retention requirements and public access requests, indicating that they are generally left with more questions than answers. He stated that a policy like this will be useful but needs to be accompanied by agency policies on good records hygiene and internal training on how to practice that. Elaine Kan said that Jerry was describing what to do on an individual level, rather than the global effect of the Mailbox Retention Policy, but there are solutions for that as well, including user-powered tagging in Microsoft Outlook. However, that ability is a licensing and cost issue; it may be something that SOS would want to discuss with IOT in the future.

Jake Speer asked about agency responsibilities in the policy; Amy Robinson explained that the basic responsibility for agencies in the policy is "follow the records retention schedule." Elaine Kan added that users do have the ability to add and remove items in their mailboxes while the mailboxes are active, and to delete records that should be preserved; however, the policy addresses the responsibilities of agencies and staff, rather than those who deviate from those responsibilities. Enforcing compliance is technologically possible, but a discussion for another day. Jim Ehrenberg concurred, stating that the policy, like all policies, relies on users to play fair and follow it.

Chandler Lighty stated that at some point when technology and budget allow, there will be a large transfer of email to the Archives, because there is a 25 year backlog of records IARA has not received yet. He added that part of the implementation of the policy will be a lot of training for agencies on how to understand and follow it.

Jake Speer asked for clarification on how the list of agency-head codes is going to work. Amy Robinson explained that the agency-head mailboxes which match up with the codes will be preserved as they existed at the time the agency-head leaves office; Elaine Kan confirmed this.

Jim Ehrenberg asked if the mailboxes will actually be maintained in IOT-owned space after a user leaves, because this is both a responsibility and possible future cost issue. Elaine Kan confirmed that this is the case, and while it is not a cost issue now because Microsoft doesn't charge extra for cloud storage, it may be in the future. She explained that the original intent of IOT staff who helped develop the policy was that IOT would indeed keep the mailboxes indefinitely, *until further retention decisions are made about them*. She noted that the policy includes language that states that the Archives will notify IOT when a mailbox has been ingested into their collection and can be returned to standard deletion cycles.

Jim stated that his major concern about the policy is what could happen if agencies don't follow it; would IOT be stuck holding, and perhaps paying for, those records forever? Deputy Director Meaghan Fukunaga said that she might have a solution to that, and suggested that the indefinite retention duty for IOT on Senior Official mailboxes could be replaced with an agreed-upon time-limit for agencies to fulfill their retention requirements, after which the mailboxes can return to standard deletion cycles. Part of this process would be IARA having the list of job codes and approaching agencies both for training, and to encourage them to submit relevant records to the State Archives. Jim stated that the 3 year retention on employee OneDrive records is probably too long for email,

because agencies tend to procrastinate, but any finite time period would make the rest of the policy workable for IOT.

Jim also pointed out that separating valuable email from ephemeral would be difficult for anyone but the person who created it, due to lack of context and the huge number of records that can accumulate in a mailbox. IARA staff agreed that this is an issue, but added that other states have had success applying Artificial Intelligence programs to collections of email, and it is likely that IARA will eventually need to do something similar, depending on what technology is available when records are actually being transferred to the Archives. Meghan Fukunaga described the policy as a roadmap setting out the direction to go, and we will address problems with implementation and revise the policy as needed as we travel down that road.

Additional discussion included what sort of positions end up being responsible for retention of an agency-head's emails when they leave (usually General Counsel or administrative assistants) and whether the policy applies only to agency staff or also to contractors. Only agency staff are covered by the policy, but agencies are always responsible for collecting and submitting all records that rise to the level of agency policy, which can include records of partners and contractors, as well as staff not specifically covered by the list of job codes.

Jim Ehrenberg moved to revisit the policy at the next meeting, seconded by Chandler Lighty; motion carried. Elaine Kan will be available for technical questions about the policy between now and then, and IARA will review and make final updates to the policy before submitting it for the May meeting.

2022-04-27-6: RECORDS RETENTION AND DISPOSITION SCHEDULES (Action needed)

1. Department of Labor/Occupational Safety Standards Commission

A motion was made by Beth Kelley, seconded by Chandler Lighty, to adopt Schedule 1. Motion carried.

2. Department of Labor/Wage and Hour

A motion was made by Tammy Glickman, seconded by Tamara Hemmerlein, to adopt Schedule 2 Motion carried.

3. Department of Labor/Youth Employment

A motion was made by Chandler Lighty, seconded by Jim Ehrenberg, to adopt Schedule 3. Motion carried.

4. Department of Revenue/Tax Administration

A motion was made by Chandler Lighty, seconded by Tamara Hemmerlein, to adopt Schedule 4. Motion carried.

2022-04-27-7: NEW BUSINESS

1. Re-adoption of 60 IAC 2

Chandler Lighty explained that the re-adoption does not need to happen until December, so at this time, he is only notifying the Committee for informational purposes that this will be coming up later in the year. Tammy Glickman offered to review the policy and research any possible changes, and Chandler agreed.

Jerry Bonnet asked if 60 IAC 2, which covers microfilming standards, is becoming obsolete due to digitization, and Chandler explained that there are still permanent and critical record types that need to be preserved on microfilm.

2022-04-27-8: ADJOURNMENT

There being no further business before the Committee, a motion was made by Chandler Lighty, seconded by Tammy Glickman, to adjourn the meeting at 10:25 a.m. Motion carried.