

Records Management Basics for State of Indiana Employees

Presented by the Indiana Archives and Records Administration (IARA)

Introduction

As Indiana government employees, we create, receive, and work with public records every day. We're responsible for their protection and preservation, for following state and federal laws that control:

1. **Access** to the information in the records.
2. **How long** that information must be **retained**.

What Is A Public Record?

Public: related to a government agency.

Record: information that documents the activities of that agency.

So a public record, as the term is used in Indiana state government, is any

- document
- map/art/image
- sound/Video
- electronic data
- other material

that is

- created
- filed
- received

as part of performing state government business, in any form, including but not limited to:

- paper
- film
- magnetic recording
- optical disc (CD/DVD)
- other electronic storage.

Media and Formats

These are all public records:

- a filled-out form
- a blueprint
- a stack of Polaroid photos
- a reel of film
- a cassette tape
- two floppy disks
- a pile of CDs
- the e-mails in your work inbox.

The laws that govern access and length of retention are based on the

- TYPE of information (i.e Fiscal? Personnel? Agency Policy? Educational? Medical?)

NOT the

- media (physical container, i.e. paper/microfilm/CD) or
- format (how the information is arranged, i.e program or file type) .

It's important to note, though, that the laws about how long we have to keep records don't just require the information to *exist* for that time period.

We also have to be able to READ the records and provide copies to citizens and other parties who are authorized to access them.

Paper and microfilm records will remain legible as long as we make sure they aren't physically damaged.

For electronic and audiovisual records, state agencies must make sure that either

- the media will last that long and the format is universal enough that it will still be readable no matter how far technology may advance

OR

- the information is periodically transferred to fresh media, and converted to each new program, language, or system adopted.

Who Is Allowed To Access Public Records?

The question may sound strange - but the answer is:

it depends on the *type* of public record, because

Public **record** and public **access** are two different concepts.

- All government records are **public records**, because they were created with public funds.
- **Public access** is about the right of citizens and the public to know the information created and collected by their government – and the need to balance that with other people's rights to privacy, intellectual property, and public safety.

Public Access Laws

Indiana's Access to Public Records (IC 5-14-3) and Open Door (IC 5-14-1.5) laws exist to make sure that records created while serving citizens are, as much as possible, available to those citizens

BUT:

some public records have limited access (they may be partially or fully confidential),

because they contain:

- the personal or medical information of other citizens
- business information classified as a trade secret
- legal information that falls under attorney/client privilege
- other information declared classified by law, usually for safety reasons.

It is **illegal** for a state employee to knowingly disclose confidential information to an unauthorized person.

The Office of the Public Access Counselor exists to help both Indiana government employees AND Indiana citizens determine which records are confidential, and who is authorized to access them.

Complete contact information, as well as a handbook on Indiana's Public Access Laws and how they affect us as state employees, can be found on the Public Access Counselor's website: www.IN.gov/pac.

How Long Must We Keep Our Records?

Different record types must be retained by state agencies for varying time periods, depending on the state and federal laws that affect that area of government or type of information. To find out how that applies to your records, you'll need to consult a **Records Retention Schedule**.

A **Retention Schedule** is a list of individual **Record Series**, each of which describes a different type of record that you work with and provides instructions for retaining and disposing of those records.

Each **Retention Schedule** applies to a different agency or division, or to a broad group of similar agencies.

Each **Record Series** applies to a category of records that all have the same **topic** and **retention requirements**.

[Image: [Record Series GRADM-1](#) on the State's General Retention Schedule for All Agencies.]

The Archives and Records Administration works with each agency to review their records and create **Agency-Specific** retention schedules.

If you can't identify a record using your Agency-Specific schedule, you should also check the **General Retention Schedule**, which covers broad record types that are produced by all state agencies.

You can find all of these retention schedules online at IARA.in.gov, under Services for Government/State Retention Schedules.

A Retention Schedule Will Tell You

1. All of the different Record Series your agency creates or receives, and which records fall into which Series. Every Record Series has:
 - a. a unique **Record Series Number**
 - b. a formal **Record Series Title**
 - c. a brief **Description** of the type of information covered by the Record Series, including:
 - i. State or Federal forms and other common file contents
 - ii. if relevant, the format/media in which the records are usually found
 - iii. any State or Federal legal citations that affect public access or retention period.
2. What your agency staff should DO with the records described in each series. Every Record Series has instructions for:
 - a. whether and when to **transfer** records to IARA's Records Center for temporary storage, or the Imaging and Microfilm Lab for filming or scanning
 - b. **retention period**: how long the information must legally be owned by the agency
 - c. **disposition**: what happens at the end of that time period:
 - i. destruction (by the agency or by the Records Center)
 - ii. transfer of records and ownership to the Indiana Archives (records with permanent historical value)

Why Is It Important To Follow Your Agency Retention Schedule?

Destroying records too early or not transferring scheduled records to the Indiana Archives can harm

- Indiana's citizens
- your agency
- State and Federal government
- the judicial and criminal justice system
- Indiana's history.

It's also against the law:

"A public official may not mutilate, destroy, sell, loan, or otherwise dispose of any government record, except under a retention schedule or with the written consent of the [Archives and Records] Administration."

~ Indiana Code 5-15-5.1-1-14

Keeping records for too *long* isn't illegal, but it can waste both money and agency work-space. Holding on to records beyond legal and program requirements just makes your job harder, and your office less efficient.

Is There Anything That's Not A Public Record?

Sometimes it can seem like every piece of information around us falls under records retention requirements. However, there *are* a few items in our offices which don't count as public records, and may be destroyed as soon as they're no longer useful to us.

Those fall into 3 categories:

1. **Personal Records:** An employee's documents that are stored at work, but not created or used for work. Examples:
 - a. your own copy of your performance appraisal
 - b. an e-mail from your spouseThese should be stored separately from government records whenever possible.
2. **Non-Records:** Information that you may *use* for work, but it wasn't created by your agency or received as part of its government function. Examples:
 - a. books
 - b. magazines
 - c. published laws
 - d. other reference materials
 - e. unsolicited advertisements
 - f. mass e-mails from professional mailing lists
 - g. blank forms
3. **Duplicates:** Information that *would* be a public record if it were the only copy, but it isn't – the official version is being retained by your agency under the appropriate records retention schedule. Examples:
 - a. photocopies
 - b. stacks of agency publications
 - c. digitized images of existing paper documents

Be aware that while these are not considered to be public records for the purposes of retention requirements, **confidentiality laws still apply.**

What about E-Mail?

The most important thing we can tell you about e-mail is that it is NOT a record type.

E-mail is simply an electronic FORMAT in which information is sent, received, and stored – just like you might send, receive, or store all different kinds of information in ink, on paper.

There will never be a single Record Series or policy that tells you how long to retain all electronic mail, because just like every other record, it's the information CONTAINED in each e-mail that determines

- where you should file it.
- whether it's confidential.
- how long you have to keep it.

This means that you must consider and file the e-mails in your Inbox and Sent Messages just as you would a stack of paper letters on your desk:

1) Is it a Public Record?

a) No: it's personal e-mail, reference or advertising material, or a copy; I was one of many recipients.

- Delete your copy when no longer useful.

b) Yes: it's a Public Record.

i) Were you the sender?

(1) No, I wasn't the sender.

(a) Did you forward it to someone else because it was about their job duties, not yours?

(i) Yes, I forwarded it because it wasn't about my job duties.

- Delete your copy when no longer useful.

(ii) No, it was about my job duties.

- Then **you** are responsible for retaining the e-mail.
- File it in a folder that identifies its subject and Record Series.
- Follow the retention instructions for that Record Series.

(2) Yes, I was the sender.

- Then **you** are responsible for retaining the e-mail.
- File it in a folder that identifies its subject and Record Series.
- Follow the retention instructions for that Record Series.

Who Can Help Us Manage All This?

Your Agency Records Coordinator is the first person to go to with your records retention questions: an employee of your own agency, designated by your director to be your local expert on agency records!

- They can help you read and understand your retention schedules, and when those schedules need updating, they team up with IARA to make that happen.
- Records Coordinators also work with IARA to approve records transfer, storage, archiving and destruction procedures, and are authorized to sign your records transfer and destruction forms.
- You can locate your Records Coordinator's contact information from the navigation bar on any page of IARA's website, under Services for Government/Agency records & Forms Coordinators.

The Indiana Archives and Records Administration (IARA) and its divisions are also here to help:

- **The Indiana Archives:** makes records deemed historically valuable on your retention schedule a part of their permanent collection, so they're available within the archives for current and future researchers (within legal confidentiality requirements).
- **Records Management:** works with your agency to create and update the Records Retention Schedules that describe what to do with each type of record, and answers questions about how to apply those schedules.
- **Electronic Records Program:** helps agencies develop strategies to preserve electronic records for the required length of time, and determine the best formats and transfer methods for getting historically valuable electronic records to the Indiana Archives.
- **Forms Management:** reviews and designs state agency forms, helping to standardize the type of information that will be collected. A blank form is *not* a record – and thus not subject to confidentiality or retention laws - but will *become* one as soon as someone fills it out!

The Forms Management division also manages Forms.IN.gov, the State Forms Online Catalog where all electronic state forms available to the public are hosted.

- **Imaging and Microfilm Lab:** provides cost-effective filming and imaging services, helping to preserve delicate paper documents for the Indiana Archives and vastly reducing the amount of storage space required for state agency records.

The Microfilm Laboratory can also create Computer Output Microfilm (COM), a long-term solution for the preservation of electronic records with permanent historical value.

- **State Records Center:** stores paper records off-site (if approved on the records retention schedule) for agencies who lack the space to keep them in the office, and returns requested documents to the agency as needed. Destroys records that have reached their required date of disposition, or transfers them to the Indiana Archives, as instructed on the retention schedule.

The Records Center also offers courtesy destruction for eligible records that are *not* already stored at the facility, as long as the agency's offices are within the Indianapolis/Marion County area.

Handbooks and Publications

In addition to the retention schedules themselves, the IARA website offers a number of reference publications, including the two major handbooks that cover almost every records-related process a state employee might encounter:

- The **Records Manager Handbook** is our records policy/procedure manual for all employees - not just Records Coordinators. It explains which responsibilities you can handle alone, which ones you'll need IARA's help with, and how to request that help – including illustrations and instructions for the various forms required.
- The **Records Center Handbook** provides in-depth coverage of their records storage, retrieval, and destruction services, also including examples of the required forms and instructions for how to complete them.

You'll find the **IARA Publications** page and many more resources at iara.IN.gov under **Services For Government**.

Congratulations – You're a better Records Manager!

You don't have to memorize laws, procedures, and retention schedules to do a good job of managing your agency's records. You just need to learn

- where to go

and

- who to work with

when you have questions or need help!

Team Public Records

- State Employees
- Agency Records Coordinators
- Public Access Counselor
- IARA

working together to

- improve our offices
- serve our citizens
- protect Hoosier history.

Thank You

for taking our introductory course on **Records Management for Indiana State Employees**.

For more in-depth information (including additional training options), please visit our website at iara.IN.gov.