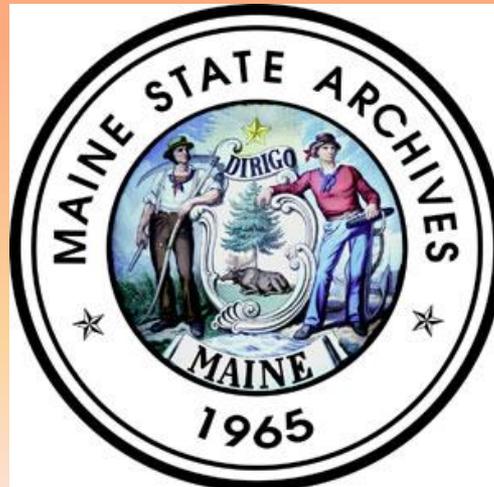


Records Management Training for Records Officers and Assistants



Welcome to Records Management!

Key Topics Covered: 

- MSA Records Management Program
- Gaining Control of Records – Including:
 - Agency Records Officers
 - Inventories
 - Records Retention Schedules
 - File Plans
- State Records Center
- Public Records and FOAA
- Email/Electronic Records Management

Steps to Complete Training

Completing the training is as simple as **1,2,3:**

1. Go through the training at your own pace making sure that you understand all the Records Management concepts. There is no need to rush through the content.
2. When you complete the last section there will be a link to a form on the last page. There you will find some “review” questions to answer.
3. Submit your name, department and division to verify completion of training. (Training should take approximately 30 minutes.)

You will be responsible for your agency’s Records Management program. The Maine State Archives wants to make sure you have the information you need to help YOU so you can help YOUR AGENCY.

Maine State Archives Records Management Program

The Law – Why Our Program Exists

From **Title 5, Chp. 6, §95:**

7. The head of each state agency or local government agency shall establish and maintain an active, continuing program for the economical and efficient management of any records in compliance with the standards, procedures and regulations issued by the State Archivist.

What is Records Management

Records Management is not an exact science.



Determining what is and is not a record and deciding retention periods is not always black and white – there can be several variables or gray areas.



Part of Records Management is using common sense and sound judgment.

Records Management – What We Do

- Provide standards, procedures and techniques for effective management of records
- Help establish retention schedules
- Provide training for records officers and others in state government
- Provide assistance in the transfer and retrieval of records to/from the State Records Center

State Agency Responsibility

- To have an established records management program/policy in place
- To appoint an Agency Records Officer who has a thorough knowledge of the organization and its functions
- To create an inventory of agency records, have updated schedules and office file plans
- To appoint Assistant Records Officer(s) as needed

Why Do You Need Records Management?

- Improves office efficiency and productivity
- Protects the agency and the records
- Meets statutory and regulatory requirements including archival, audit, and oversight activities
- Limits the time and cost associated with complying with Freedom of Access Act requests
- Provides better documentation including documenting historical records of the agency
- Frees up office space for other purposes by removing inactive or obsolete records
- Promotes a positive reputation for State Agencies

Implications of Improper Record Keeping

- Presumption that records are correct and complete
- Waste of resources to store records or staff time to search for them
- Possible liability
- Inability to locate information when needed
- Destruction of records before they have met fiscal or legal requirements or possible destruction of archival records
- Having to produce records in Discovery proceedings that otherwise should have been destroyed (if you are keeping it, even though you shouldn't be, the agency must produce it)



Gaining Control of Records

The 10-Step Process

To gain control of your agency's records, you need to find out what records exist and how to manage them.

Step 1

You Need the Right People in the
Right Places – Appointing Records
Officers and Assistants

What is an Agency Records Officer?

A Records Officer Coordinates the Department's Records Management Program and ensures records management activities are performed in accordance with standards and procedures. All department records, regardless of media, must be maintained, scheduled, transferred (if/when appropriate) and disposed of according to policies established by the Maine State Archives.

Step 2

Identify Your Records

Conducting a Records Inventory

What is an Inventory

An Inventory is perhaps the most important, often overlooked step in the Records Management process. BUT...if you don't know what you have, how can you properly schedule your records and determine what should stay and what should go.

Think in terms of doing an inventory before you go grocery shopping. What do you have on the shelves? In the "fridge?" Has anything already reached its expiration date so you know you can throw it out. Can some things be consolidated? What are the items you really need? Do you even know what you have hiding in the back of the shelf?

How do you know what to do with what you have if you don't conduct a proper inventory?

What is a Records Inventory

A high level survey of all types of information created, received and stored by your agency.

A Records Inventory can tell you:

- Records Series (common collections of record types)
- Format (paper, digital, etc.)
- Location
- Date range
- Volume of material



Why Create an Inventory

An Inventory Can:

- Streamline the Records Management Program
- Plan for better access and security
- Identify needed improvements

Uses for an Inventory:

- Identify essential records
- Help you to become familiar with schedules and make updates as needed
- To help create file plans

Further Information: National Archives Video: [Word of the Week - Inventory](#)

Records vs. Non-Records

What is a Record?

"Record" means all documentary material (books, papers, photographs, maps or other documentation, including digital records such as e-mail messages and attachments), made or received and maintained by an agency in accordance with law or rule, or in the transaction of its official business.

Things to keep in mind:

- Records can have varying purposes per agency
- Focus on material's content, not the format
- Most non-retention or "non-record" materials do not document government business or are duplicates of evidence documented elsewhere and can be destroyed

What is a Record?

If you answer “yes” to any of these questions, you may have a record:

Was it created in the course of business?

Examples: correspondence, agreements, studies

Was it received for action?

Examples: FOAA requests, hearing requests

Does it document agency activities and actions?

Examples: meeting minutes, project reports

Is it mandated by statute or regulation?

Examples: administrative records, dockets

Does it support financial obligations or legal claims?

Examples: grants, contracts, litigation case files

Does it communicate agency requirements?

Examples: guidance documents, policies, procedures



Are Drafts Considered Records?

Drafts or working documents are records but they might only need to be retained for a brief period of time if they do not have significant administrative, legal, fiscal or historical value.

Examples of drafts that might be immediately discarded following the creation of a new draft are those which contain only minor non-substantive changes such as correction of grammar and/or spelling or minor “word-smithing.”

Any decision regarding the disposition of a draft or working document should be made on a case-by-case basis in consultation with your Records Officer or clearly defined by agency policy.

A red rectangular stamp with a double border, containing the word "DRAFT" in bold, uppercase, sans-serif font.A red rectangular stamp with a double border, containing the word "DRAFT" in bold, uppercase, sans-serif font.A red rectangular stamp with a double border, containing the word "DRAFT" in bold, uppercase, sans-serif font.

What is a Non-Record

If you answer “yes” to any of these questions, you may have non-retention material (or “**non-records**”):

Is it reference material?

Example: vendor catalogs, phone books, technical journals

Is it a convenience copy?

Duplicate copies of correspondence or directives that are specifically for convenience purposes (no action required)

Is it a stock copy?

Example: agency publications or forms

Is it only related to your personal affairs?

Example: personal schedules, personal messages (“Can we do lunch?”)



Note: Personal planners/calendars can be considered records if they document agency activities

Further Information: National Archives Video: [Word of the Week - Nonrecord](#)

Conducting a Records Inventory

Inventory records should include the following information (or as much as possible):

- office/program
- location
- title
- date span
- description
- arrangement
- media type
- physical size
- annual rate of accumulation
- file break (when is file closed)
- legal requirements
- vital records (necessary for disaster recovery)
- finding aids (indexes or lists)
- restrictions (confidentiality)
- related records

Conducting a Records Inventory

Verify and Analyze the Results

Once you've completed the inventory, consolidate similar records into a single record series where the descriptions and necessary retention periods are the same.

Match the files to existing records schedules. The agency Records Officer will assist in identifying schedules for all files and for creating schedules for any files without schedules.

Evaluate the unscheduled records series by determining their value to the agency. Values are determined by considering the usefulness of records in documenting fiscal, legal, administrative, and historical purposes. The result of the evaluation process is to recommend the records as either archival or destroy (kept for some period of time).

Step 3

Establish Recordkeeping Requirement Procedures

Create an Agency Records Management Policy

Once an Inventory is created, the RM team needs to determine:

- Where records will be kept ("centralized" area, or "decentralized" at individual work stations)
- The type of documents included in the record files
- How draft documents, working papers, and copies will be handled
- Who will be responsible for maintaining the record copy (records custodian)
- How records will be maintained to allow all persons who need access to find and retrieve what they need
- Policies are in place so all employees are following the same procedures

Step 4

Records Retention Schedules

Managing Your Records

In order to have the information you need (when it's required), there has to be a way to identify, manage and retain records for the right amount of time.

A records schedule describes agency records, establishes a period for their retention by the agency, and provides mandatory instructions for what to do with them when they are no longer needed for current Government business.

Title 5 §95 requires that all state government records be covered by retention schedules. This includes records that never leave the creating agency's custody.

Retention schedules for digital records work the same way as paper or other "traditional format" records. The most important principle to remember is this: **Content, not format, determines retention.**

Equating the Records Schedule to Daily Life

If you think about it, we live our lives by schedules and agendas. Our daily lives are run by schedules giving us information on appropriate dates, times and purpose; so we know where we're supposed to be and what we are tasked to do. Otherwise we could be wandering aimlessly when people need to find us.

This is how we need to think of our records. That without a proper schedule:

- people can't be expected to know what the purpose of the records are;
- who is responsible for keeping them;
- where they can be found;
- and for how long they need to be retained.



Why You Need Schedules

Records retention schedules serve as an agency's legal authority to retain and purge records and, therefore, hold great importance.

Schedules capture all of the types of records created and used by the agency in the course of its business and indicate how long these records are required to be retained.

Schedules are an integral part of an agency's overall records management strategy.

Both development and implementation of retention schedules are important elements in establishing a "good faith" effort for ensuring proper records management practices by all employees – so you know all employees are consistent and accurate in their retention and destruction of records.

What Schedules Can Do

- Ensure records are organized and maintained to be easily retrieved and identifiable as evidence of the agency activities (especially in the event of an audit, FOAA request or a discovery for a lawsuit)
- Protect legal rights and interests
- Help preserve those records that are valuable for archival or research purposes – help document history
- Determine appropriate records media
- Maximize use of appropriate storage
- Provide security for restricted records
- Provide control throughout the records' life cycle including final disposition
- **Make sure everyone in the agency is retaining records for the same amount of time**

The Life Cycle of Records

- **Creation:** Receiving or generating information for the first time
- **Active/Current:** Using or referring to it regularly in the course of business (retention in the agency)
- **Inactive/Noncurrent:** Infrequent need, but kept for fiscal, administrative, legal, or historical purposes per the schedules (closed records, retention can be served at the Records Center until fiscal/legal time is served)
- **Disposition:** The final fate of a record – destroy or archival (permanent retention)



Types of Retention Schedules

- *General Record Schedules* - issued by the Maine State Archives to provide retention and disposition standards for records common to most State agencies (currently 17 schedules)
 - Make sure you familiarize yourself with the [State General Schedules](#)
- *Agency Schedules* – for those records unique to the office
 - Do you know your [Agency Schedules](#)? Do they need to be updated?

Types of Retention Schedules

- *General Record Schedules* - issued by the Maine State Archives to provide retention and disposition standards for records common to most State agencies (currently 17 schedules)
General Record Schedules are for records common to most State agencies. Each includes:
 - Record series numbers
 - Record series descriptions
 - Which agency holds the record copy, and the record copy's required retention period and disposition
 - The retention period for agency copies of the same record type
- *Agency Schedules* – for those records unique to the office

Before submitting a new schedule be sure that a General Schedule doesn't exist.

The State General Schedules

Do your records fall under the State General Schedules?

Most of the General Schedules relate to audit, fiscal, correspondence or other administrative office procedures.

If you are retaining records in your office that fall under the General Schedules, an agency schedule is not necessary. If you will be sending records to the Records Center or Archives (Commissioner's Correspondence for example), you will need an agency schedule to provide unique schedule and series identifiers.

Federal laws or other mandates can supersede the State General Schedules and agencies may need to keep records longer than the GS recommended times. An agency schedule would then be necessary.

Determine Retention and Disposition of Your Records

Unfortunately, there is no universal guide to determine retention periods and disposition methods. Each record series needs to be examined individually in regard to usage patterns, departmental needs, historic value and legal issues.

Agency retentions can vary from 6 months to 60 years (or some variation thereof), depending on a number of factors. Even records that may appear similar between two departments can have different usage patterns, and thus require different retention strategies.

In order to dispose of records at the appropriate time, you need to evaluate them in relation to their period of usefulness to the department.

Questions to ask:

How long will the records be needed for business purposes, as far as the creating agency is concerned? What is the frequency of use? What is the record's value?

Total Retention Period

Time kept in your agency **PLUS** Time kept in the Records Center

Determining Retention Periods - 4 Part Criteria

1. **Administrative use:** What is the value of the records in carrying out the function of the organization? How long are they needed for immediate retrieval? *Day to day business operation; correspondence, memos, reports – typical need for these records is under 5 years and remain within the agency.*
2. **Legal requirements:** Is a certain period specified for compliance with statutes, agency rules or protection of legal rights and interests of the state? Are Federal retention periods involved? *Records mandated by law or regulation which may be needed as evidence in legal cases or leases, titles, contracts, court case files. Typically there will be specific language stating how long records are required to be retained for legal purposes and the law or statute should be cited.*
3. **Fiscal requirements:** How much time must be allowed for the completion of fiscal activities such as audit or budget? *Document an agency's fiscal responsibilities; invoices, receipts, purchase orders. Typically, audit records are kept 6 or 7 years. Some Federal requirements may be 10 years.*
4. **Historical or research purposes:** Do these records document historical events or the history and development of the organization? *Records documenting history of the agency; board minutes, agency policy decisions, Commissioner's correspondence.*

Record Disposition

Non-archival (non-permanent) retention is based completely on the record's time-value to the business functions of the agency, including audit or other statutory requirements, and reasonable access by interested parties. (These records will be destroyed once they have met their retention.)

Archival (or what is sometimes referred to as Permanent) retention is based on the record's value after it no longer serves the agency's business. Think in terms of the records value in the future. 500 years from now, will someone find these records useful? Will they be needed that far in the future for any legal or historical reasons?

(This also applies to email records.)

Things To Consider

- Avoid the “Just in Case” or CYA syndrome.
- Information should be retained if there is a *reasonable* probability it will be needed at some future time to support legal or business objectives, and the consequences of its absence would be substantial but there must be justification to support your decision.
- Remember, the presence or absence of information can be either helpful or harmful; therefore the best way to minimize the risks is to provide for systematic disposal as soon as records have met their administrative, fiscal or legal requirements.
- A retention period is most likely to be valid if it is based on a consensus of the opinions of persons most knowledgeable about the value of the information – make sure you are getting the right information from the right people who can also support their opinions with fact.

Agency Schedules - Process

- The Agency Records Officer submits an Application for Records Retention Schedule and Inventory Form (available on our website) with proper justifications for the chosen retention times. Samples are also submitted.
- The application provides general information about each series to be scheduled and the Inventory provides detailed information
- Records are managed as a Schedule and Series (Think of it as related files within a folder on your computer – that’s how the Schedule and Series function.)
- Records Management will review the schedule forms for any initial questions before meeting with the State Archivist for final approval
- Signed copies of the Schedule are sent to the Records Officer once approved

When Do Schedules Need to Be Amended

After a retention schedule has been approved by the Maine State Archives, your agency may need to change it.

You might need to do this because of a change in statute or law, agency policy, in your business needs, or simply because experience with the records tells you they are being accessed more or less frequently than expected when writing the current schedule.

It could be the program has ended and these records are no longer being created and the schedule and series will be made obsolete.

Perhaps your agency is changing from paper to digital records and there will be a change in media and retention times. **Note:** We do not require an amendment for a change of media if it is an “in agency” retention only. However, if it’s a change of media which will impact Records Center retention or if the series has a disposition of Archives, an amendment needs to be created.

How to Complete the Amendment

Download the Application for Records Retention Schedule form. Mark the application “amendment” and fill in the following information: series number; series title; new retention periods; schedule number. Be sure to check “change in retention” or “other” as the reason for the amendment. If you choose “other” you need to explain what you are changing.

When changing a record series description, you need to submit the Application for Record Retention Schedule (marked “amendment”), and the Record Series Inventory updated to reflect the change of description.

For any amendments to retention times or records being made obsolete, you must provide JUSTIFICATION for the change.

Where appropriate, include samples of any added/revised documents. You may need to file such an amendment if the documents in the series have changed, which usually happens when the program itself has changed.

The Structure of the Archives

- The State Records Center – located in Hallowell – for records that have a disposition destroy
- The State Archives – for permanent records with historical/archival value
- (note: we currently do not take digital records)

Ownership of Records

- All records in Records Center status, including pre-archival records, remain under legal control of the agency that created them. Records in the Records Center are released only to cardholders of the creating agency.
- All ARCHIVAL records transferred to the Maine State Archives come under legal authority of the Maine State Archives and after 50 years any Archival records shall be available for public inspection according to MRS Title 5.

MRS Title 5, Chapter 6: STATE ARCHIVIST [1995, c. 148, §6 (AMD) .]

3. Rules. To adopt such rules as are necessary to effectuate the purposes of this chapter. No restrictions or limitations may be imposed on the use of records that are defined by law as state and local government records or as records open to public inspection, unless necessary to protect and preserve them from deterioration, mutilation, loss or destruction. **Restrictions or limitations imposed by law on the examination and use of records transferred to the archives under subsection 7, paragraph C and subsection 8 remain in effect until the records have been in existence for 50 years, unless removed or relaxed by the State Archivist with the concurrence in writing of the head of the agency from which the records were transferred or the successor in function, if any.**

Step 5

Office File Plan



Creating an Office File Plan

- A file plan is a tool for you and others in your office to manage records.
- A File Plan is like a smaller, specific version of agency records schedules that includes information on how and where the records are kept.
- A comprehensive office file plan provides a “location” for every record in an electronic or paper filing system.
- Understanding the file plan helps users know where to file their records and helps others know where to find the records they need to complete their tasks.
- File Plans only list those records held in a particular office.

Step 6

Document all Recordkeeping
Requirements and Procedures



File Plan Set-Up

Write a file plan:

- Give the Who, What, Where and When of the Records
- Location – where paper or electronic files are physically maintained
- Custodian – person responsible for filing the records
- Content – description of the documents that should be filed in order to ensure a complete, accurate record of the activity
- Arrangement – how documents are organized within the folders
- Labels – instructions on how to identify folders
- Disposition – information from the records schedule

Further Information: National Archives Video: [Word of the Week – File Plan](#)

Step 7

Time to Clean



Clean Out Records Beyond Approved Retention Periods

Once the file plan is in place, records organization can begin. First, however, it is a good idea to get rid of materials which are not needed. If authorized by the records schedule, you can:

- Transfer records which are no longer needed in the office to the State Records Center (if they have a RC retention time).
- Destroy materials which have passed their approved retention period (this includes paper and electronic).
- Implement processes to ensure that all confidential records are securely disposed.

Step 8

Organize Your Records



Organize Your Records

Implement your file plan

- First, prepare folders and organize documents within the folders. Follow the procedures established in your file plan.
- Place reference sheets in folders, when necessary, to refer users to the location of related non-paper materials such as audiovisual materials.
- Organize electronic documents residing on individual computers based on a consistent file code system.

Step 9

Maintenance



Maintain Records on an On-going Basis

Once everything is organized, it is important to keep it current and up to date. Be sure to:

- Inventory records as part of the regular office procedure (2 yrs recommended)
- Update schedules as changes occur (review every 2 yrs)
- Protect records containing confidential information
- Establish a system to track the location of your records so you always know where they are
- Clean out inactive materials on a regular basis (as per your written procedures)
- Clean out superseded or obsolete reference materials
- Review new laws and regulations which affect records retention requirements (retention schedules can quickly become outdated)
- Review programs, policies and procedures, retention schedules, and disposal processes on a regular basis

Step 10

Training



Keep Employees Informed and Trained

- You need to be sure all staff members know about their recordkeeping responsibilities. Records Officers need to inform senior management on the importance of the records management program and train office staff on how it works.
- Monitor and enforce the program to ensure employees are doing their part: appropriately classifying, managing, and destroying records. Have oversight procedures for employee compliance.
- Records Management staff can help. We offer information on our website or can conduct training for Records Officers, Directors or personnel dependent upon the needs of the agency.
- Refer staff to our website: www.maine.gov/sos/arc/records/state/

State Records Center

Transfer of Records to the State Records Center

- A records retention schedule must be approved by the Maine State Archives before records will be accepted for transfer.
- Records Center Boxes – archival boxes ordered from WB Mason
- Transmittal of Records Form (MSA 33) found on the State Archives website and signed by the agency Records Officer or Assistant
- Records Management will process your transmittal, and will contact you to arrange pick up (in the Augusta area) or delivery.

In order for any records to be transferred, agencies must use correct boxes, pack them according to policy and fill out transmittal forms appropriately and have signed by their Records Officer or Assistant RO.

When Records Management Destroys Records

Records stored in the Records Center and eligible for destruction are destroyed only after:

1. Records Center Supervisor sends a Records Center Disposition Notification (MSA/RM 72) to the creating agency's Records Officer
2. The Records Officer approves the disposition
3. The Records Officer returns the disposition notice to the Records Center Supervisor.

This is the agency's chance to determine if there is any reason why destruction or transfer to Archives should be delayed.

Records Research & Retrieval

- An agency card holder can request retrieval of your records from the Records Center on any Maine State working day from 8:00am to 4:00pm.
- Telephone, e-mail or written requests will be mailed to the requesting agency or may be picked up (normally within 24 hours - IF we have received correct and complete referencing information).
- Written requests should be on Request for Reference Service Form (MSA/RM 70). You can find this form on the State Archives website.
- We strongly encourage e-mail requests to ensure accuracy!
(RecordsCenter.Archives@maine.gov)
- Only those persons who have been issued an Authorization for Records Center Use Card can access your agency's records. Your Records Officer must submit an application to the Records Analyst before a card or cards can be issued. The required form can be found on the State Archives website.

For further information on the State Records Center, visit the Maine State Archives website: www.maine.gov/sos/arc/records/recordsctr

Public Records and FOAA

Freedom of Access Act

The Freedom of Access Act defines a [public record](#) as "any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of an agency or public official of this State or any of its political subdivisions, or is in the possession or custody of an association, the membership of which is composed exclusively of one or more of any of these entities, and has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business" *with specific exceptions for confidentiality purposes* [1 MRSA 402 (3)].

Legal Implications

Organizing and managing records (including email) limits your liability for deleting records you shouldn't, and gives you authority to delete those files you should delete.

It will also reduce legal exposure in DISCOVERY proceedings on records that otherwise should have been destroyed.

➤ In other words...IF IT EXISTS AND SOMEONE ASKS TO SEE IT, THE AGENCY HAS TO PRODUCE IT!

While you are not under any legal obligation to destroy records as they become eligible, as long as they exist you are obligated to reference them. Judges and arbitrators are likely to view retention schedules that aren't followed as evidence of an inadequate records management program. (Or worse, as evidence of intentional wrongdoing.)

How Do I Comply With FOAA?

If you do receive a FOAA request, immediately contact your agency FOAA representative or your supervisor to begin to coordinate the response.



As a state employee, you are creating public records every day. **Never delete or destroy public records without referring to the applicable retention schedule.** Manage your public records so that reasonable due diligence will uncover all relevant documents in a FOAA search.

Further Information

State FOAA website: <http://www.maine.gov/foaa/>

Email Management

First Things First

When you ask: *How long do I keep my e-mail?*

Remember...Email is a format, not a record.

Retention is determined by the **content** of the email. Would you look at a folder full of legal correspondence and a folder full of general information requests, group them all together and say, “how long do I keep my paper?” Well, let’s hope not.

Records are unique and email is subject to the same retention requirements as paper correspondence.

For purposes here, when we use the term “email” we are referring to email records.

Email Schedules

General Schedules

Email is considered general correspondence. In the General Records Schedules, most general correspondence, and therefore most email, has a retention period of 2-5 years.

The State General Schedule (covering records in all agencies) establishes retention periods for correspondence, regardless of media.

General Schedule #13: State Agency Correspondence

General Schedule #13

Series 1 – Commissioner/Executive Correspondence

Incoming or outgoing correspondence in any media format of a commissioner or other governing official. Correspondence may pertain to the functions, policies, procedures or programs of an agency. The records will most often document executive decisions made regarding agency interests (not filed as part of another approved record series). Note: Each department has the option of retaining its commissioner's correspondence on site for longer than 2 years.

Agency of Record: Creating Agency **Retention of Record Copy:** 2 Years **Disposition:** Archival

Series 2 – Program Correspondence

Incoming and outgoing correspondence in any media format created in the course of administering agency functions and programs. Administrative correspondence documents work accomplished, transactions made, or actions taken. This correspondence documents the implementation of agency functions rather than the creation of functions or policies. Business-related correspondence that is related to a core function with an associated retention schedule should follow the associated schedule. File with related record series, or (if there is no related series) establish appropriate departmental retention schedule.

Agency of Record: Creating Agency **Retention of Record Copy:** Variable (See Description) **Disposition:** Destroy

Series 3 – General Correspondence

Incoming and outgoing correspondence in any media format to or from employees that are made or received in connection with the transaction of public business, and that are not covered by a more specific records series. Consists of routine correspondence of a general nature that are associated with administrative practices but that do not create policy or procedure, document the business of a particular program or act as a receipt. Includes, but is not limited to: Requests for and provision of information/advice; agency-initiated information/advice.

Agency of Record: Creating Agency **Retention of Record Copy:** 2 Years **Disposition:** Destroy

Item 4 - Transitory Correspondence

Incoming and outgoing correspondence in any media format that is purely informational in nature, only documenting information of temporary, short-term value (normally would not need to be kept more than 30 days). These records would not be 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 government events, employee meetings, etc.); letters of thanks; invitations and responses to invitations; basic information requests that require no special compilation or research (such as hours open); letters of transmittal that do not add any information to that contained in the transmitted material; and notices including memoranda and other records that do not serve as the basis of official actions, such as holiday notices, charity and fund appeals, etc.

Agency of Record: Creating Agency **Retention of Record Copy:** Retain until no longer needed **Disposition:** Destroy

Item 5 – Non-Business Related Correspondence

Non-business related correspondence is correspondence in any media format that is not relevant to the conduct of agency business. Any correspondence not received or created in the course of state business, may be deleted immediately, since it is not an official record: the "Let's do lunch" (not a State-business lunch) or "Can I catch a ride home" type of note. This would include spam or junk mail, personal message, or unsolicited messages from coworkers such as jokes, news reports or announcements which are non-work related. Promotional material from vendors, and similar materials that are "publicly available" to anyone, would also not be considered official records unless incorporated into a file for specific program purposes and reference needs.

Agency of Record: Creating Agency **Retention of Record Copy:** Delete/destroy immediately **Disposition:** Destroy

When Are My Emails Records?

If you are conducting government business in that email it is considered a record (communication sent or received in the transaction of local government business.) Keep in mind, if you are sending work emails using your personal email account, your account could become subject to Public Information Requests and legal discovery.

What “Emails” Do I Keep?

First Step – Non-Retention Records

Determine if these are “non-records” – those files which do not require a retention time and can be deleted immediately.

- **Personal Correspondence:** Any e-mail not received or created in the course of state business, may be deleted immediately, since it is not an official record: the "Let's do lunch" or "Can I catch a ride home" type of note.
- **Publications:** Promotional material from vendors, and similar materials that are "publicly available" to anyone, are not official records unless specifically incorporated into other official records.
- **Spam**
- **CC's:** If this is strictly a convenience copy where you are not adding to the document and no action is required, most often these will be non records

What “Emails” Do I Keep?

Second Step – Is it Part of My Job

- Ask yourself: Is the content of this email directly related to my job or responsibilities as a state government employee? If NO, (and you have taken no action on this email or have been required to take no action) you can delete this email file.
- Should it go to somebody else? If YES, you can either delete (if a CC requiring no action) or forward and delete the email files. They are not considered records you have to retain.

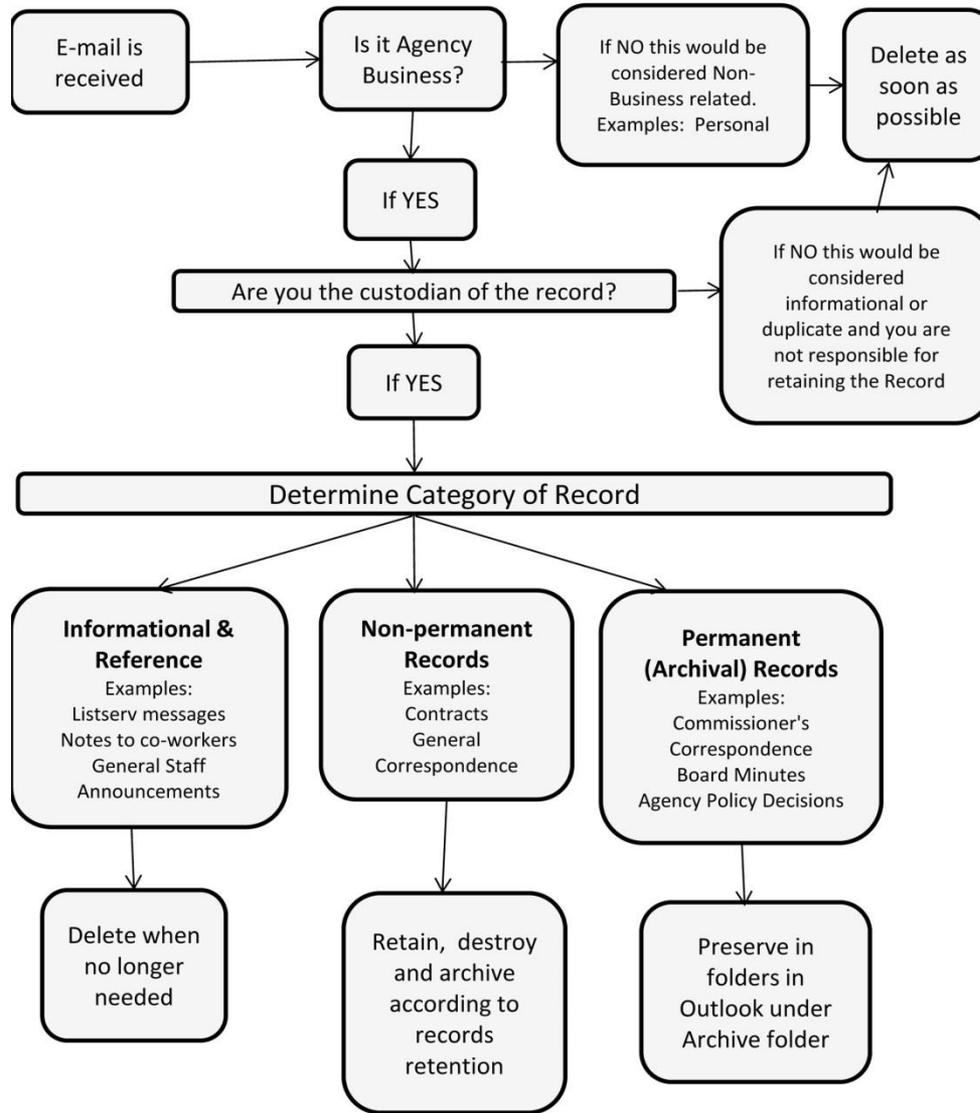
What “Emails” Do I Keep?

Third Step – Custodian of Record

- If you have determined that the email is a record and is part of your job (steps 1 and 2) the final step would be to determine if you in fact hold the “record copy.”
- Are you the designated person in your agency responsible for retaining these records?
- If NO (and no action has been taken) you can either delete or forward to appropriate personnel.
- **If YES this email is the official record copy and YOU must retain it according to the records retention schedule.**

This is where appropriate agency schedules and file plans are vital because employees would know what records they are responsible for keeping.

Determining E-Mail Retention



SUSPENSION OF DESTRUCTION
 Destruction of records must be suspended in case of litigation, pending litigation or an ongoing open records dispute.

Managing Your Electronic Records

Email Planning - Organizing Folders

It is best to set up folders in your Outlook mailbox that organize email messages according to your retention schedules, with sub-folders set up by year and month.



This will make it easy to delete messages that have fulfilled their retention periods, without having to look at individual messages again.

For more information on mailbox and archive folders watch OIT's 8 minute video:

<http://inet.state.me.us/foaa/mailbox-archive-folders.mp4>

Email Planning - Storage/Archives

Outlook has an "auto-archiving" function that can be set up to move your older messages to a .pst file, automatically. Once that happens, the messages are available to you as easily as ever; but they're stored on a server drive, not in your mailbox.

So they no longer count against your quota. Outlook will keep your filing system when it "auto-archives" your older mail and you will be able to search for messages that have been sent to the .pst folders using the same Outlook tool you use within your mailbox.

ONE IMPORTANT NOTE: Be careful when seeing the word "archive" or "archiving" on the OIT site. This does not mean all email should be saved as a permanent record. Remember, email is only a format. It is the content of the email that matters and each record should be retained according to schedules.

Some Suggested Mailboxes...

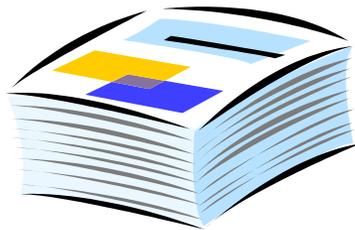
Here are some mailbox suggestions:

- Personal e-mail (you can delete at will)
- Non-record material (you can delete at will)
- Transitory e-mail (delete when no longer needed – typically 30 days or shorter)
- General correspondence requests (delete after 2 years)
- Program related emails (retain according to schedule)
 - *Those specified in the General Schedules, or in the agency's specific retention schedules*
- Permanent e-mail (save to archival folders)
 - *Policy decisions, meeting minutes, corporate charters*

Email Tips

- Don't use personal email for professional business – *Your personal email account could become subject to FOAA.*
- Don't delete emails indiscriminately – *Remember, email is a format, it is the content of the email that must be evaluated and then retained accordingly.*
- Limit the use of “Reply All” or sending those “thank you” and “your welcome” emails – *Consider this...if this was in paper format and not email, would you be sending all the responses, replies, forwards, CC's, etc. that you send? Tighten up the loquacious email correspondence.*
- Fill in/use meaningful subject lines – *This will help you to sort, organize and index your emails.*

When records are kept in more than one format, you should identify an **official “record copy”** to which you will apply the full retention period. When the record copy is electronic, it’s important to identify the storage location (directory and subdirectory) so that all changes are made there.



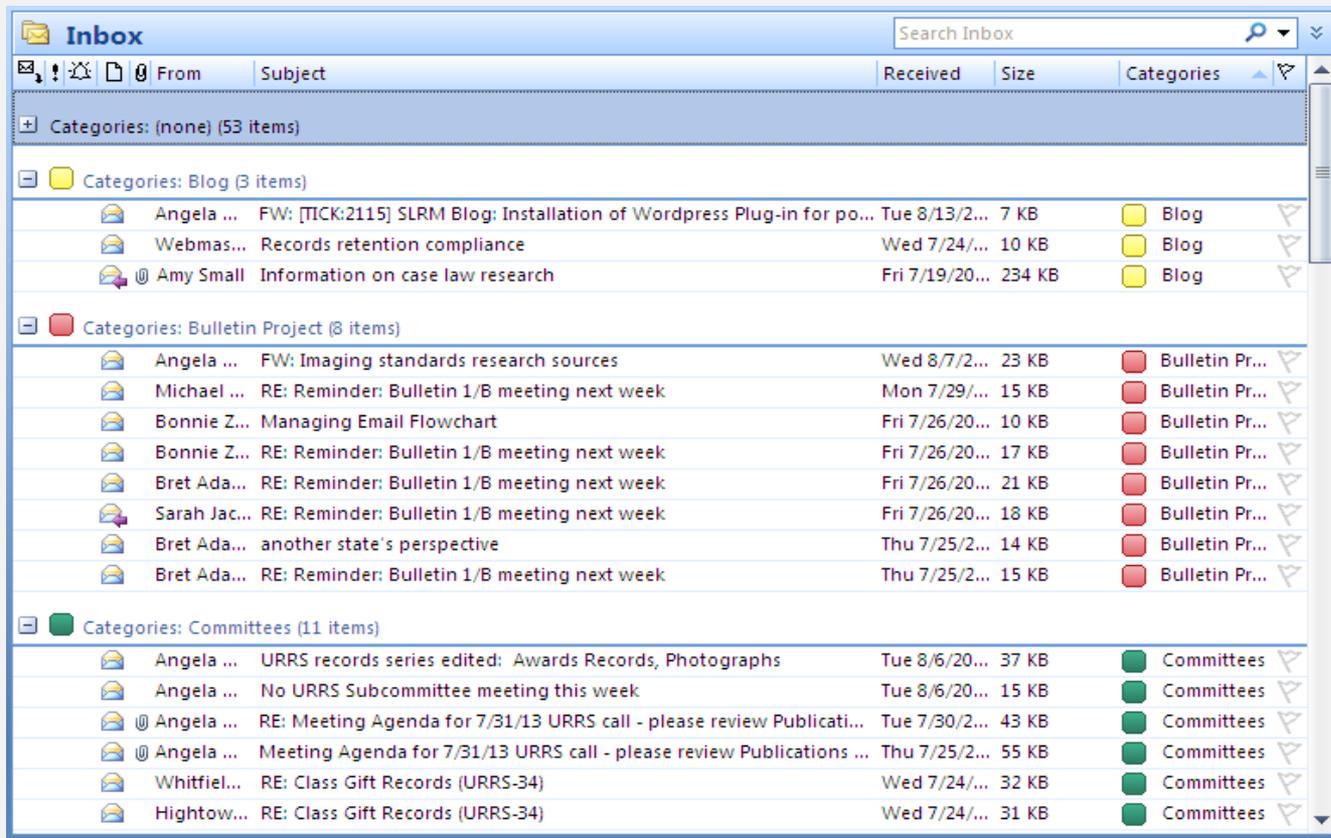
Tools in Outlook

- Use Categories to color code and organize emails by a common subject heading
- Use Rules to automatically send emails to a folder

Inbox Management

Organize email by categories which makes it easy to send them to appropriate folders in your inbox or archives (pst) to meet out their retention.

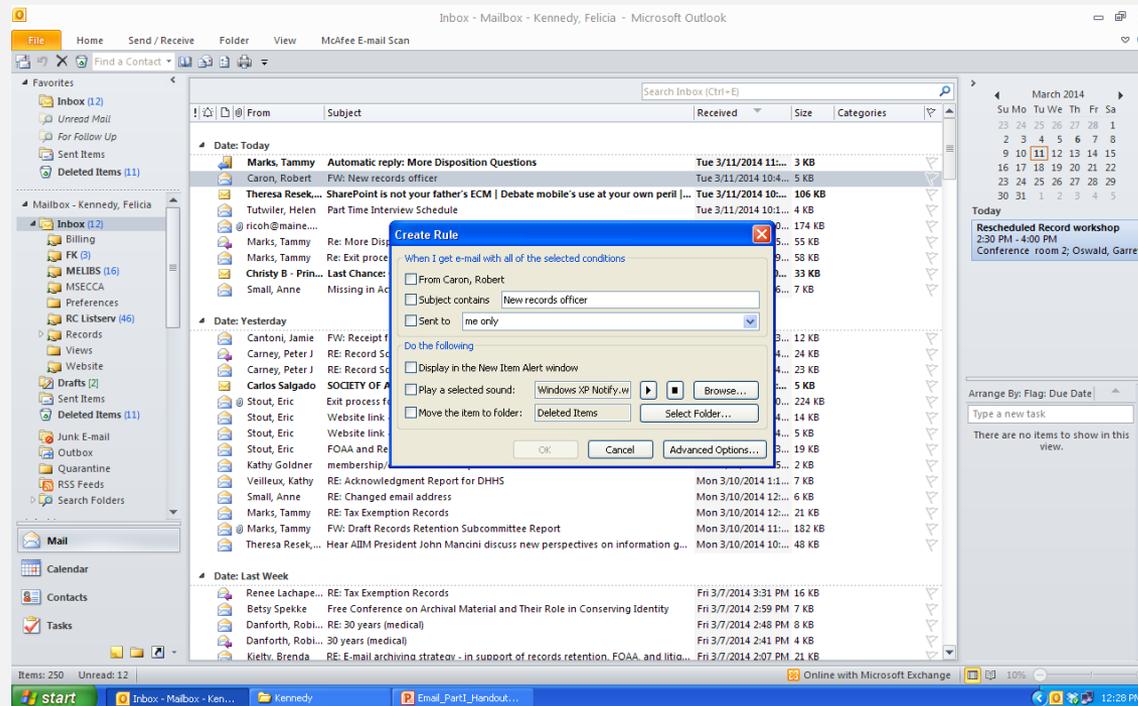
Right click
on an email,
choose
Categorize,
select a color
and name the
subject



Set Up Email Rules

Set up rules to help manage your inbox

Either right click on an email or click on the Home tab and click on Rules. This allows you to send emails directly to folders you have created.



One Final Note

When an employee leaves a position, computer files, including e-mail, may NOT be automatically deleted!

Senior administrators should take action to ensure that the electronic records of their employees are maintained as required, especially if an employee leaves a position.

OIT website: <http://inet.state.me.us/foaa/archiving.aspx>

Checklist for Departing Employees (pdf)

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Maine State Archives: <http://www.maine.gov/sos/arc/records/state/>

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