



# Office of Public Instruction Policy

Policy: OPI 1.1.05	Subject: <b>RECORDS MANAGEMENT</b>
Chapter 1: ADMINISTRATION AND MANAGEMENT	Page 1 of 7 and Attachment A—Electronic Records Transmittal form
	Effective Date: August 15, 2013
Owner: RESOURCE CENTER MANAGER	Revised:

## I. POLICY

It is the policy of the Office of Public Instruction (OPI) to ensure that all staff practice appropriate records and information management in order to facilitate effective maintenance, retrieval, and timely disposal of public records.

## II. APPLICABILITY

This policy applies to all OPI departments, divisions, and programs.

## III. DEFINITIONS

**ARMA International**—A nonprofit association and the leader in education and training for records and information management professionals.

**Generally Accepted Recordkeeping Principles (GARP)**—ARMA International maturity model for information governance.

**Legal Hold**—Notification that, due to litigation or the possibility of litigation, certain records shall not be destroyed without further guidance from the OPI Legal Division.

**Nonpublic Record**—Documents or information preserved in any form that do not meet the definition of a public record.

**Public Record(s)** include:

1. Any paper, correspondence, form, book, photograph, microfilm, magnetic tape, computer storage media, map, drawing, or other document, including copies of the record required by law to be kept as part of the official record, regardless of physical form or characteristics, that:
  - a. Have been made or received by a state agency to document the transaction of official business.
  - b. Is a public writing of a state agency pursuant to 2-6-101(2)(a).
  - c. Is designated by the state records committee for retention pursuant to this part.
2. All other records or documents required by law to be filed with or kept by any agency of the state of Montana.



- a. The term includes electronic mail sent or received in connection with the transaction of official business.
- b. The term does not include any paper, correspondence, form, book, photograph, microfilm, magnetic tape, computer storage media, map, drawing, or other type of document that is for reference purposes only, a preliminary draft, a telephone messaging slip, a routing slip, part of a stock of publications or of preprinted forms, or a superseded publication.

**Record Series**—A group of public records created, filed, used, and described as a unit because it relates to a particular subject or function or results from the same activity

**Records Management Bureau (RMB)**—The Records and Information Management Bureau is the division within the Montana Secretary of State office that is responsible for storing, accessing, microfilming, scanning, preserving, and disposing of public documents generated by state and local governments.

**Retention Period**—A period of time noted on a retention schedule clearly stating how long a record series must be legally kept and whether or not the record is archivable

**Retention Schedule**—Provides a minimum period of time for which a specific type of public record must be preserved. (see IV. [REFERENCES](#) for current OPI and Montana Secretary of State retention schedules.)

## IV. OFFICE OF PUBLIC INSTRUCTION PROCEDURES

### A. General Requirements

- 1. The OPI Records Management Committee will be comprised of three members: (1) the OPI Resource Center Manager, (2) the Legal Division Manager, and (3) the Information Technology Services Manager. The OPI Records Management Committee's responsibilities are to:
  - a. Stay informed about recordkeeping practices, rules, and legislative changes.
  - b. Develop agency records management best practices in compliance with ARMA International's GARP.
  - c. Make arrangements to orient and train staff on best practices.
  - d. Oversee each division's implementation of best practices.
  - e. Maintain a list of division records management contact persons.
  - f. Act as the OPI liaison with the State Records Management Bureau, Department of Administration Central Imaging and the state archivist.
  - g. Maintain OPI records management forms and records.
  - h. Prepare disposal request forms and request disposal of records that have reached the end of the retention period.



2. Each division shall designate one or more OPI records management contact person RCMP(s). The OPI RCMP's responsibilities are to:
  - a. Adopt agency best practices for the division.
  - b. Establish record series (see [paragraph B.1](#) below).
  - c. Facilitate the storage of records (see [paragraph B.2](#) below).
  - d. Maintain the division's records management forms.
  - e. Inventory division records.
  - f. Determine the appropriate schedule designation for their records.
  - g. Transmit records to storage or arrange for disposal using the appropriate forms found on the [Secretary of State's](#) internet site.
3. OPI staff members' responsibilities are to:
  - a. Establish records management procedures to ensure public records are maintained pursuant to the retention schedule.
  - b. Comply with the requirements imposed by auditors, investigators, or attorneys to ensure public records are readily retrievable, available for dissemination as authorized, yet protected against inadvertent or unauthorized dissemination in accordance with the OPI's Student Record Confidentiality Policy and other confidentiality requirements.
  - c. Manage public and nonpublic records in accordance with the implementation of the best practices requirements detailed in [Section C.](#)

## B. Process

1. Establishing a Record Series by an RCMP.
  - a. Identify the group/series of records.
  - b. Determine if the record fits into a record series profile identified in the [State General Retention Schedules](#) or [Attachment B - OPI Retention Schedule](#). (For assistance, contact an OPI Records Management Committee member.)
  - c. If the record series does not exist, complete a [Record Series Profile](#) and submit to the OPI Records Management Committee. (For assistance, contact an OPI Records Management Committee member.)
2. Storage of Paper Public Records.
  - a. Determine the records eligible to be stored. These are records that are rarely accessed but are required to be kept because of the retention schedule. Place records in a storage box that can be obtained from the OPI Mailroom. Keep documents in the same record series/year together.
  - b. Number the box with the division's numbering sequence. The division's RCMP and the OPI Records Management Committee have a record of the last number used.



- c. Complete a [Transmittal of Records](#) form located on the Secretary of State/Records Management website.
- d. Use a black marker to label the box of records with the information taken from the Transmittal of Records form. Do not tape the box's inventory or other paper on the ends of the boxes. Detailed inventories of the box's content shall be kept with the RCMP records.
- e. Email the completed transmittal form to the Records Management Bureau (RMB) (SOSRecords@mt.gov) with a copy to the OPI Resource Center Manager. Place a copy of the transmittal with the boxes for pickup.
- f. The RMB picks up the boxes and returns a copy of the Transmittal of Records form to the OPI Records Management Committee with the locator numbers for the boxes entered on the form. A copy will be submitted to the appropriate RCMP.

3. Storage of Electronic Public Records.
  - a. Determine the records eligible to be stored. These are records that are rarely accessed but are required to be kept because of the retention schedule. Keep documents in the same record series/year together.
  - b. Public records generated electronically should be stored electronically, even if a paper copy is printed and saved. All electronically stored and duplicate printed records must be disposed of pursuant to the appropriate retention schedule.
  - c. All divisions will maintain an inventory of each record series they originally create. Folders should be set up by program/record series/year (e.g., legal\supt decisions\2010).
  - d. All nonconfidential public records should be saved on the agency's share drive to provide access for all staff and to ensure that these records are retrievable.
  - e. Public records should not be saved on the local network, or C, drive, the desktop, laptops, portable drives, or mobile devices. If public records or information are temporarily placed on a portable drive, they should be deleted after use and placed on the share drive.
  - f. An employee's personal network drive should only be used for records with privacy considerations (e.g., supervisory notes, employee appraisals).
  - g. Confidential records (e.g., student information) should never be stored on a nonencrypted portable device.
4. Retrieval of Stored Paper Public Records.
  - a. Contact the appropriate RCMP or an OPI Records Management Committee member to obtain the locator number for the box to be retrieved.



- b. Email the RMB with the description of the material to be retrieved and the locator number. The email shall include the division administrator's name and state that permission has been obtained from the division administrator to access the records. The requested records will be delivered by the RMB.
- c. If it is necessary to physically access the stored records, the division administrator needs to send an authorization email to the RMB prior to the visit.

#### 5. Archiving Public Records

- a. Consult with the RCMP and/or the manager of the OPI Resource Center to determine which public records should be archived.
- b. The manager of the OPI Resource Center will email the state archivist at the Montana Historical Society describing the records and asking if the records are suitable for the archives.
- c. If accepted, the state archivist will send forms to the OPI Senior Office Administrator to be signed.
- d. If the records are at the Records Storage Center, send a copy of the form with the box locator information to the RMB, and the records will be transferred to the state archivist.
- e. If the records are at the OPI, send the records to the state archivist with a copy of the archive form.

#### 6. Long-Term Storage of Electronic Public Records

- a. Electronic records that need to be maintained for the duration of their retention period but do not need to be maintained on the server can be stored electronically.
- b. The RCMP shall complete the [Attachment A – Archiving Electronic Records](#) form.
- c. Submit the Electronic Records Transmittal form to the OPI Network Services Bureau. Two copies will be made of the records, and the records will be removed from the server. One copy will be stored by the OPI Network Services Bureau and updated/refreshed annually. The second copy will be delivered to the RCMP.

#### 7. Disposal of Public Records

*NOTE: If a legal hold is in effect, check with the OPI Chief Legal Counsel before any disposal of records. (For additional information regarding legal holds, see the OPI Policy 8.1.03—[Legal Hold Policy](#).)*

- a. The OPI Records Management Committee will annually review the transmittal forms on file, prepare the [Records Disposal Request](#) forms and submit them to the appropriate division administrator for approval.



- b. If approved by the division administrator for disposal, the Records Disposal Request form is signed by the division administrator and forwarded to the RMB. If not approved, documentation is maintained in the OPI Records Management Committee file with the reason the records were not approved for disposal.
- c. The RMB obtains the appropriate signatures and returns the form to the OPI Records Management Committee with the approval and date stamped on the form.
- d. The OPI Records Management Committee submits a request to the RMB and RCMP for disposal of the records. The RMB will destroy the paper records and the RCMP will remove appropriate electronic records and validate that all copies are deleted. Copies of the approved disposal request form are maintained by the RCMP and the OPI Records Management Committee.

#### **C. Implantation:**

1. Public Records
  - a. To effectively manage the storage requirements of the OPI, all public records should be saved only as long as defined in the retention schedules.
  - b. All record series originated by a division will have a corresponding retention schedule.
  - c. The staff member in a position responsible for generating a public record is responsible for maintaining the public record. Whenever possible, only one copy of a public record should be maintained within the agency.
  - d. Staff members should not unnecessarily create or file duplicates of paper or electronic records. Duplicates of any record must be disposed of pursuant to the appropriate record retention schedule.
  - e. Any working draft or copy of a record, regardless of where it is stored, may be disposed of when no longer needed but no later than the retention schedule for the record.
2. Nonpublic Records
  - a. Periodicals, circulars, and magazines should be retained on a selective basis as long as they are useful.
  - b. Research files may be kept as long as they are useful. Public records may not be kept as research material or information any longer than the appropriate record retention schedule.
  - c. When nonpublic records are no longer needed or useful, the records should be disposed of by any practical means. Nonpublic records with personally identifiable information must be shredded or otherwise destroyed in a fashion that prohibits recovery.
3. Email



- a. Staff must continually manage their email accounts, including their personal folders, which are for communication and are not intended for file storage.
- b. Email, which is a public record, shall be managed accordingly and must be disposed of pursuant to the appropriate retention schedule.
- c. If the email is a public record sent or received in connection with the transaction of official business, only the person originating the question, supplying the answer or in need of the final answer shall save the complete chain of correspondence. Incomplete segments of the email chain shall be deleted.
- d. Emails that are public record shall be filed in appropriate folders as designated by the division. Use "File Save As" in Outlook to save the email to a designated records folder on the S: drive. Under "Save as Type" select "Outlook Message Format." The saved email will show up as an envelope. Folders should be set up by program/record series and then by year (e.g., legal\supt decisions\2010).
- e. Email not related to the transaction of official business should be promptly deleted. In no case may any email be retained on the email system (including personal folders) longer than one year from the date it is originally sent or received.

## **V. CLOSING**

Questions concerning this policy should be directed to the OPI Resource Center Manager.

## **VI. REFERENCES**

[Secretary of State Records and Retention Schedules](#)  
[7.2.01 OPI Student Record Confidentiality Policy](#)  
[8.1.03 Legal Hold Policy](#)

## **VII. ATTACHMENTS**

Attachment A—[Archiving Electronic Records Form](#)  
Attachment B—[OPI Retention Schedule](#)