

State Records Committee



To: Governor's Office and the Montana Legislative Services Division

From: Joe DeFilippis, State Records Committee Chair

Re: BIENNIAL REPORT TO THE GOVERNOR AND THE LEGISLATURE

August 19, 2016

History

In 1977, the Montana Legislature recognized the importance of preserving and properly disposing of public records. That year, it created the State Records Committee and assigned it the task of monitoring record retention and disposal. In most instances, no record may be disposed of without the approval of the committee.

State Records Committee Purpose

The State Records Committee is to act as a resource for Executive Branch agencies and others by staying at the forefront of records management best practices. It consists of an appointed representative from the following agencies: Department of Administration, Legislative Auditor, Attorney General, Secretary of State, Montana Historical Society, Governor's Office, Clerk of Supreme Court, State Chief Information Officer, and five members representing executive branch agencies (five members from the executive branch agencies are to serve on a 2-year rotation).

State Records Subcommittee Purpose

The subcommittee shall approve, modify, or disapprove the recommendations on retention schedules of all public records. It consists of a representative from each of the following agencies: Department of Administration, Legislative Auditor, the Attorney General, the Secretary of State, and the Montana Historical Society.

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House Bill 123

A major re-write to the public records laws in Montana Code Annotated 2-6 was passed by Legislature in 2015, and House Bill 123 became law which went into effect on October 1, 2015. The reason for the major re-write was to eliminate archaic, confusing, and unnecessary language/definitions, and to add new language and definitions in order to address technological advances in retaining records. The above composition of the State Records Committee was also created to give agencies more of a voice in decisions regarding records management.

State Records Committee Activities (since October 1, 2015):

Much of the work completed during this period has focused on implementing the requirements set in HB 123.

- Subcommittee established categories of records for which no disposal request is required, therefore eliminating disposal requests sent to the committee that had a retention of 10 years or less-in most instances (per MCA 2-6-1109(4)).
- SOS with the help of the Committee created and published a Records Management Toolkit, which is an online resource consisting of 12 modules that provide Records Managers/Coordinators with information, forms and guidance to meet their agencies records management responsibilities.
- SOS and the Subcommittee created a SharePoint site to track and approve agency disposals. State agencies now submit their disposal requests electronically, and the Subcommittee approves the disposals electronically (cut the approval process from months to just a few weeks).
- Subcommittee approved two agencies to obtain the status of 'Delegated Authority' of their own records. These agencies applied to and were granted this status by the committee. As a result they are responsible for managing agency records throughout their life cycle including the creation, scheduling, retention and final disposition (preservation or disposal) of agency records, without approval from the State Records Committee.
- Created and published guidelines for the heads of Executive Branch Agencies in appointing representatives to the committee (per MCA2-6-1107(5)).
- The Secretary of State, along with the Presiding Officer of the Committee, reached out to the agencies listed above in order to obtain appointments for the representing agencies - appointments were made by the heads of their respective agencies.
- Created the list of Executive Branch rotations for those five members that are to serve a 2-year term as a committee member (per MCA 2-6-1107(4)).

Improvements for Records Management

The work of the Committee was conducted within the larger goals of records management at the state level, which include the following:

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- General Retention Schedules review. In this case focusing on categories where no RM5 Disposal form is needed. Each line item for every General Retention Schedule was updated with exact disposition methods which are: No RM5 Required, RM5 Required, or Offer to State Archives.
- Records Management Education. The Toolkit created to assist records managers/coordinators with information pertaining to appraising records, concepts, and various processes of the full retention cycle.
- Improving disposal request process. All Records Management Forms/Applications were updated on the SOS website and can be sent via electronically to the Records Committee for approval.
- Facilitating communication about Records Management issues. Committee members are active in meetings and communicating 'pain points' which stir discussion for further improvements.

The committee has held 3 meetings since its inception in October of 2015. Over that time the Committee has drawn on professional organizations including the Association of Records Managers and Administrators (ARMA), the National Archives and Records Administration (NARA) and National Association of Government Records Archivists and Records Administrators. These resources will ensure that the work of this committee both now and into the future will reflect the ongoing changes in field of records management.

Future goals of the committee will be to assist all state agencies in creating guidelines for retention of social media, continue to assist agencies with any pain points they may have, and move forward into Information Governance (IG) as divisions/agencies grapple with the challenges of managing born digital and digitized records. The State CIO's office approval of the purchase of Perceptive Software, provides an enterprise solution for state agencies to address these issues. This software has a great Records Management piece which will allow the user to place retentions on various documents, including email. Over the coming year, the Committee will work to study the implementation process and address Records Management questions as they arise.