

Basic Records Management

Basic Records Management

Records Management Services
State of Michigan



Notes:

Welcome to the training module titled, "Basic Records Management." This training is offered by the State of Michigan, Records Management Services. This training covers the fundamental information that all government employees need to know about their responsibilities to manage records.

Overview

- Records Management Introduction
- Defining Records
- Retention and Disposal Schedules
- Preservation of Historical Records
- Additional Resources and Services



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Notes:

This training provides an overview of the basic information that every Michigan government employee needs to know about records management. Topics to be discussed include Michigan laws related to records management, the different types of records, records Retention and Disposal Schedules, preservation of historical records, and additional resources that are available about records management topics.

What words do you think of when you hear the phrase "records management"?



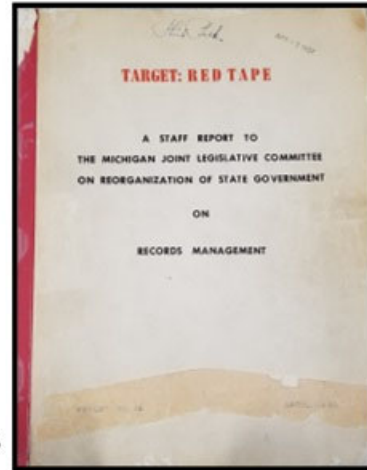
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Notes:

What words do you think of when you hear the phrase "records management"? Do you think about filing? Email? Boxes? Digital Images? Clean up? Destruction? Records management is all of these things and more.

Timeline

- 1913: Michigan Historical Commission
- 1950: Little Hoover Commission
- 1951: State Office Building Fire
- 1952: Records Management Legislation
- 1954: State Records Center Opens
- Current: DTMB
 - Archives of Michigan
 - Records Management Services



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Notes:

Michigan's archives and records management programs were originally established in 1913 with the passage of the Historical Commission Act. This act created the Archives of Michigan, and established it as the official repository for preserving historically valuable Michigan government records. It also established that public records were the property of the people of Michigan.

Fast forward several years to 1950, and the State of Michigan created what was called the "Little Hoover Commission," to investigate ways to improve the efficiency of Michigan government. The National Records Management Council completed a study of the State of Michigan's records storage practices before the fire. In April 1951 they published their report, Target: Red Tape, and submitted it to the "Little Hoover Commission." In response, in 1952 the Michigan Legislature passed the first records management legislation. In 1954 the State Records Center opened for storing inactive records. The Archives of Michigan moved to its current location in 1989, and the Records Center moved to its current location in 2008.

Currently, the Archives of Michigan and Records Management Services are both agencies within the Department of Technology, Management and Budget.

Disaster!

- February 1951
- State Office Building burned uncontrolled for 2 days, and was not fully extinguished for 7 days
- 16 firefighters injured
- Over 25 million pieces of paper destroyed
- \$7 million damage
- Top floor destroyed



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Notes:

In 1951 there was one state office building that all state employees in Lansing worked in. An employee of the Department of Highways (now MDOT) feared he was going to be drafted to serve in the Korean War. He thought that if he committed a misdemeanor crime he could avoid the draft. So, he lit a fire in his wastebasket and went to lunch. It was a freezing cold February and the fire burned uncontrolled for 2 days, and was not fully extinguished for 7 days. Firefighters from 5 communities came to Lansing to help fight the fire, but water froze before it got into the building.

16 firefighters were injured fighting the fire, and more than 25 million pieces of paper were destroyed. The damages topped \$7 million. The individual who set the fire was caught and was sent to state prison. However, he was married, and had an infant child. These factors would have allowed him to avoid the draft. Meanwhile state government was having serious problems, because its primary office building and records were destroyed.

The State Office Building is still in use today. It is now named the Elliott-Larsen Building. However, it is one floor shorter than it was prior to the fire.

Records Management Services (RMS)



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Notes:

Records Management Services (RMS) is responsible for the development, review and approval of records Retention and Disposal Schedules. RMS also provides recordkeeping training - like this class, file analytics, physical records storage, electronic document management, document scanning, eSignature, and confidential records destruction services. Our customers include the Executive, Legislative, and Judicial branches of government, and all local governments in Michigan.

Records Management Officers (RMO)

- Each department has an RMO
- RMOs are appointed by the department director
- Coordinate records management activities of department
- Agency's contact person for questions and assistance
- Liaison with RMS
- [List of RMOs is available online](#)



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Notes:

Each department has a Records Management Officer (RMO) who is appointed by the department's director. RMOs are responsible for coordinating records management activities for their department, and they are the first person who should be contacted when an agency has a question or needs assistance. A list of the RMOs is available online at <https://inside.michigan.gov/recordsmanagement>.

Records Management Principles

- If the information is recorded it is a record
- Public records are evidence of government activities
- Destruction must be authorized by a schedule
- Records must remain accessible for the entire retention period
- Retention periods apply regardless of where records are stored
 - Managing records is easier if records supporting the same business process are stored together
- Every employee who creates, receives, or maintains records is responsible for records retention



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Notes:

There are certain principles that records managers follow. First, if information is recorded on any medium, it is a record. Next, public records are evidence of the activities of government. Next, destruction of records must be authorized by an approved records Retention and Disposal Schedule. Next, records need to remain accessible and usable for their entire retention period. Storing records on a floppy disk that no longer works with your computer is not fulfilling your requirements for record retention. Next, retention periods apply regardless of where records are stored. However, finding and retrieving records, as well as apply retention, are easier if all records that document an activity are stored together. Finally, every employee who creates, receives, or maintains records has a responsibility for records retention.

Laws

- Freedom of Information Act, Definitions
 - MCL 15.231-15.232
- Management and Budget Act, Records Management
 - MCL 18.1284-1292
- Michigan History Center Act
 - MCL 399.809-812
- Penal Code, Public Records
 - MCL 750.491
- Records Reproduction Act
 - MCL 24.401-24.406



[Michigan Compiled Laws \(MCL\) are available online](#)



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Notes:

There are several Michigan laws that address records management.

The first is the Freedom of Information Act (or FOIA), which contains a definition of public records. There are actually multiple definitions of “public records” in Michigan law. They are all complimentary and don’t contradict each other, but the FOIA definition is the one that is cited most frequently. We will look at this definition in a few minutes.

Next is the Management and Budget Act, which prescribed the responsibilities of the Records Management Services, as well as the responsibilities of all state employees to manage records.

Next is the Michigan History Center Act, which states that public records can only be destroyed with the authorization of an approved Retention and Disposal Schedule.

The Michigan Penal Code establishes misdemeanor penalties, including fines and jail time, for destroying a public record without the authorization of an approved schedule.

Finally, the Records Reproduction Act regulates the reproduction of records into different formats.

The Michigan Compiled Laws (MCL) are available from the Michigan Legislature’s website, www.legislature.mi.gov.

What is a Record?



Notes:

Let's start by defining what is a record.

Records

Record

Means recorded information in physical or electronic formats, made or received by a Michigan government agency or employee. Records document the performance of government business, and serve as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities.

--Administrative Guide Procedure
0910.01

Public Record

A writing prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.

--Michigan's Freedom of
Information Act (FOIA)



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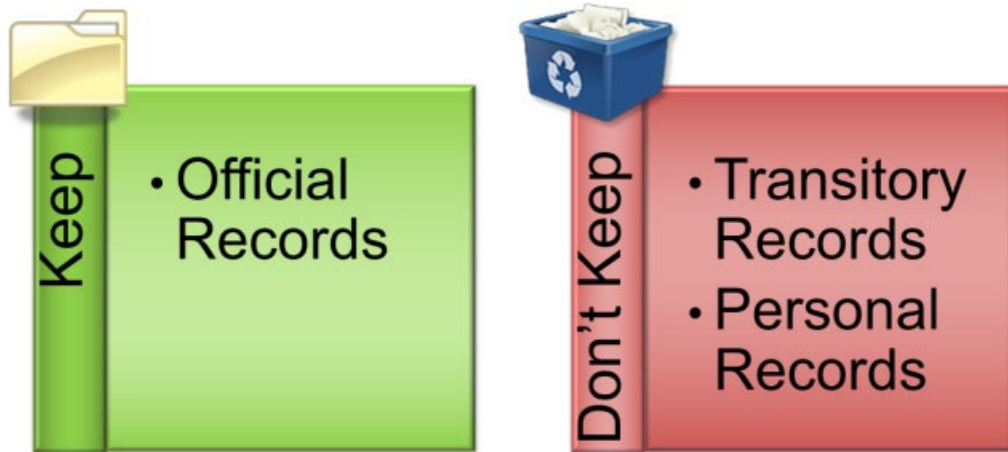
Notes:

According to the State of Michigan's *Administrative Guide* Procedure 0910.01, the word "Record" means recorded information in physical or electronic formats, made or received by a Michigan government agency or employee. Records document the performance of government business, and serve as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities.

Michigan's Freedom of Information Act (FOIA) defines a Public Record as "A writing prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created."

Basically, if the information is recorded on any medium, and if it documents the work that you do as a government employee it is a record.

Not All Records Are Equal...



Notes:

Not all records are equal. There are some records we need to keep, such as records that document official functions. There are some records we don't need to keep, such as transitory records and personal records. We will discuss each of these types separately.

Official Records

- Recorded information that is prepared, owned, used, in the possession of, or retained by an agency in the performance of an official function
- Source: [FOIA \(MCL 15.231-15.232\)](#)
- Retain according to: [Agency-Specific and General Schedules](#)



Notes:

The first category we will discuss is Official Records. Michigan's Freedom of Information Act (FOIA) defines an official records as recorded information that is "prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function."

Retention of official records is governed by Retention and Disposal Schedules, both general and agency-specific.

Official Records


- Document activities of the agency
- Document how employees perform their job duties
- Supervisor should decide where they are stored
- Supervisor should promote consistent recordkeeping



Notes:

Official records document the activities of the agency, and how employees perform their jobs. Supervisors should decide where official records are stored, and should promote consistent recordkeeping practices, so everyone in the office can access the records they need to do their jobs.

Examples of Official Records



TO: Joe
FROM: Jim
SUBJECT: Contract
Please change the fourth paragraph in contract #10775 to read, "payment must be received within 30 days", removing the phrase "60 days."

TO: Bob
FROM: Carol, Personnel Director
SUBJECT: Reallocation
After further review, it is our decision that there is not sufficient justification to approve the reallocation for Susan's position, based upon the fact that . . .

TO: Vendor
FROM: Lisa
SUBJECT: Contract
Thank you for your question. The intent is to guarantee unit prices to all state agencies and to provide a mechanism to easily obtain imaging services.

TO: Mark
FROM: John
SUBJECT: Appointment
This is your official notification of your appointment to the Taxation Committee. Your responsibilities include . . .



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Notes:

Examples of official records include directions to change the language of a contract, answers to questions, decisions about personnel issues, and notices of appointments to a committee, including a list of responsibilities.

Creating Work Records with Personal Resources

- Government business conducted using personal resources creates public records
 - Personal email account
 - Social media tools (such as Facebook or Instagram)
 - Personal cell phones
 - Home computer
- Subject to Retention and Disposal Schedules, as well as FOIA or litigation
- [Acceptable Use of Information Technology Standard](#) prohibits using unapproved technology for the conduct of state business



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Notes:

If you conduct government business using personal resources, the records that are created may be government records. If so, they are subject to Retention and Disposal Schedules, as well as FOIA and litigation. Personal resources include personal email accounts, social media tools (such as Facebook or Instagram), personal cell phones, home computers, etc. The State of Michigan's [Acceptable Use of Information Technology Standard](#) (1340.00.130.02) prohibits the use of unapproved technology for the conduct of state business.

Transitory Records

- Records that are not necessary to document the final decisions or actions taken by a government agency while conducting a business process, and that are not needed as evidence of the performance of an official function
- Source: General Schedule for Administrative Records ([GS-ADM-0111](#) and [GS35.125](#))
- Retention: can be disposed of when they are no longer needed for reference purposes, or when the intended use is completed ([GS-ADM-0111](#) and [GS35.125](#))



Notes:

Transitory records are not necessary to document the final decisions or actions taken by a government agency while conducting a business process, and they are not needed as evidence of the performance of an official function. Transitory records can be disposed of when they are no longer needed for reference purposes, or when the intended use is completed. For state employees, the retention period is authorized by the General Schedule for Administrative Records item #0111. For local government employees, the retention period is authorized by the General Schedule for Administrative Records item #35.125.

Transitory Records

- Employees need to know which records are essential for documenting a business process and who is the [official recordkeeper](#)
- They can cause recordkeeping problems if kept too long
- [Tip Sheet](#) contains guidance and examples



Notes:

It is important to know which records are essential for documenting a business process and who is the official recordkeeper, because that information will help identify transitory records. Examples of transitory records include, but are not limited to, drafts, duplicates, temporary documents (like notes) that are replaced by other records that serve as evidence of the activity, reminders, publications received from outside sources, mass mailings, automated notifications, advertisements, unsolicited correspondence, spam, and junk mail. Transitory records can cause recordkeeping problems if they are kept too long. A tip sheet is available that contains guidance and more examples.

Examples of Transitory Records

TO: Staff
FROM: Janet
SUBJECT: staff meetings
The staff meetings will be held on Tuesday mornings from now on instead of Thursday afternoons.

TO: Marilyn
FROM: Doug
SUBJECT: supplies
I noticed that there are no more blue ink pens in the supply cabinet. Can you please order more? Thanks.

TO: Doug
FROM: Becky
SUBJECT: Retention Schedule
Would you please email me a copy of the schedule for Administrative Services?

TO: Debbie
FROM: Jim
SUBJECT: training
You have my approval to attend the seminar "Buying over the Internet." Please complete your registration form within the next two weeks.



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Notes:

Examples of transitory records include notices about meetings (remember, calendars are records), requests for supplies (note that a purchase order will be created as evidence of the purchase), requests for copies of documents, etc.

Personal Records

- Records that document non-government business or activities
- Source: [Acceptable Use of Information Technology Standard \(1340.00.130.02\)](#)
- Do not retain with work records



Notes:

Personal records document non-government activities. The acceptable use of information technology resources for non-government purposes is addressed in standard 1340.00.130.02. Personal records should not be retained with work records. They should be kept at home or on personal devices.

Personal Records

- Document non-work activities
 - Employee benefits
 - Personal financial accounts
 - Social events with co-workers and friends
 - Personal purchases and shopping
- [Acceptable Use of Information Technology Standard](#) says “IT Resources shall not be used for purposes unrelated to the SOM’s mission and objectives”



Notes:

Examples of non-work activities include employee benefits, personal financial accounts, health, family, social events with co-workers and friends, personal purchases and shopping, photos, videos, music, etc. The State of Michigan’s Acceptable Use of Information Technology Standard (1340.00.130.02) says “IT Resources shall not be used for purposes unrelated to the State of Michigan’s mission and objectives.”

Examples of Personal Records

TO: Sandy
FROM: Debbie
SUBJECT: Good luck!
Congratulations on your new job!
It has been great working with you
these past three years. Keep in
touch!

TO: SOM Employees
FROM: Civil Service Commission
SUBJECT: Open Enrollment
Don't forget to sign up for benefits
during the open enrollment period.
The deadline is soon.
*[Note: This is an official record for
CSC.]*

TO: All Division Employees
FROM: Bob Jones, Director
SUBJECT: holiday
This year's annual holiday buffet
will be held on December 22 at
noon in the conference room.
Please remember to sign-up to
bring a dish to pass.

TO: Fairlane Building Employees
FROM: Phyllis
SUBJECT: car
FYI. I noticed that a blue
Oldsmobile in the parking lot with
the license plate XYZ 123 has its
lights on.

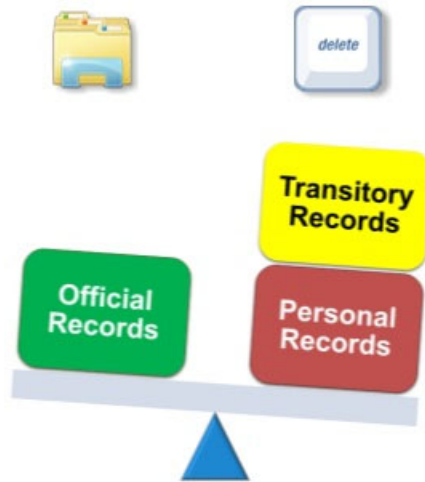


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Notes:

Examples of personal records that might be created at work include parking information, office party notices, congratulations, etc.

File It or Delete It?



Notes:

In summary, records are not equal. Now that we know what records we need to file, we will look at how long we need to keep them.

Retention and Disposal Schedules

Foundation of Records Management



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Notes:

Schedules are the foundation of records management, because all other decisions about how to manage records depend in part upon how long the records are kept.

Retention and Disposal Schedules

- List official records created and maintained by an agency
- Define the retention periods for records
 - Retention periods are absolute minimums and maximums
- Provide the only legal authorization for destruction
 - Internal policies cannot legally authorize destruction of records
- Should reflect current organization structure and business processes
 - RMS works with agencies to review schedules every 3 years
 - Revision requests can be submitted to RMOs at any time



Notes:

Schedules list the records series that are created and maintained by a government agency. They define the retention periods for the records. Retention periods are absolute minimums and maximums, so agencies need to review their records at least annually to ensure they are disposing of records consistently at the correct time. Schedules authorize the destruction of records - internal policies cannot legally authorize the destruction of records - only an approved schedule can. Records that are not listed on a schedule are by default permanent, because there is no authorization to destroy them.

Schedules need to reflect current organization structures and business processes of each agency, so the schedule is accurate and useful. Government agencies are frequently re-named, split, and merged, so it is important to revise schedules to reflect these changes. RMS works with agencies to review schedules every 3 years. However, revision requests can be submitted to the RMO at any time.

Wide Variety of Government Records



The retention period for all records is governed by schedules - it does not matter which:



- **Tool** is used to create the records (*Microsoft 365 products (Word, Excel, Access, Outlook, Chat), pen and paper, social media platform, camera, scanner, etc.*)



- **Format** the records are in (*paper, microfilm, electronic documents, databases, photographs, digital images, voice mail, audio/video recordings, chat messages, email, etc.*)



- **Location** where the records are stored (*office cubicles, file cabinets, off-site storage, C: drives, H: drives, S: drives, OneDrive, SharePoint, CD/DVDs, electronic document management systems, cloud, external drives, websites, etc.*)



Notes:

There are a wide variety of government records. The retention period for all records is governed by schedules - it does not matter which:

- Tool is used to create the records (Microsoft 365 products (Word, Excel, Access, Outlook, Chat), pen and paper, social media platform, camera, scanner, etc.)
- Format the records are in (paper, microfilm, electronic documents, databases, photographs, digital images, voice mail, audio and video recordings, instant messages, e-mail messages, etc.)
- Location where the records are stored (office cubicles, file cabinets, off-site storage, C: drives, H: drives, S: drives, OneDrive, SharePoint, CD/DVDs, electronic document management systems, cloud, external drives, websites, etc.)

| STATE OF MICHIGAN RECORDS RETENTION AND DISPOSAL SCHEDULE | | | | |
|--|---|---|---|---------------|
| DTMB RMS | | Department of Technology, Management and Budget OS1 - Records Management Services | | |
| Item # | Series Title | Series Description | Retention Period | Approval Date |
| 0000 - | Introduction | DTMB Records Management Services (RMS) is responsible for maintaining a statewide program to provide for the creation, retention, maintenance, preservation, and disposition of government records. RMS is responsible for training in all phases of records management, establishing retention periods for all records, operating the State Records Center, and providing centralized microfilming, document imaging and document management services. | | |
| 38545 - | Records Retention and Disposal Schedules - State and Local Government | These records document the legal retention period for all public records. They identify the department, office, record series number, a description of the record, retention periods, and disposition method. | RETAIN UNTIL: Date approved PLUS: 50 years THEN: Transfer to the Archives of Michigan | 12/6/2022 |
| 38546 - | Record Studies Files | These records document the process of records retention and disposal schedule development for state and local government records. They may include, but may not be limited to, correspondence, inventory notes, organization charts, program descriptions, drafts, and copies of final retention and disposal schedules. | RETAIN UNTIL: All approvals (signatures) are obtained on the schedule PLUS: 5 years THEN: Destroy | 12/6/2022 |
| 38550 - | Records Transmittals (DMS-501) (obsolete in 2003) | These records document which records were transferred to the Records Center for storage by a state agency. It contains information about the agency transferring the box and the contents of the box. | RETAIN UNTIL: all boxes are destroyed or transferred PLUS: 10 years THEN: Destroy | 12/6/2022 |

Retention Period
 RETAIN UNTIL: a defined trigger
 PLUS: additional time
 THEN: Destroy or Transfer to the Archives

This agency-specific schedule supplements the approved general schedules.
 General schedules are available online at <https://stateofmichigan.sharepoint.com/sites/SOM-SPC-Records-Management/SitePages/Schedules.aspx>.
 Page 1

Notes:

Do you know how to read a Retention and Disposal Schedule? An excerpt of the schedule for DTMB Records Management Services is displayed on the screen as an example of what schedules look like. The far-left column contains the unique item number assigned to each record series listed on the schedule. The next two columns contain the record series title and description. The terminology used to describe the records is usually format neutral, so it applies to both paper and electronic records that document the business process. The next column contains the retention period, which defines how long the records are kept, and whether the records should be destroyed or transferred to the Archives of Michigan for permanent preservation at the end of the retention period. Finally, the far-right column identifies the date each item listed on the schedule was approved.

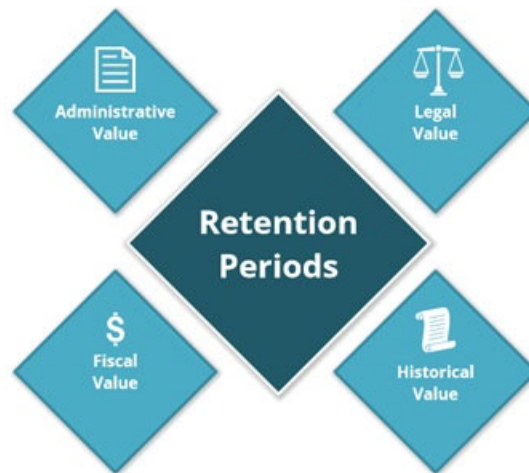
Schedule Approval Process



Notes:

All schedules are reviewed and approved by an agency representative (who is usually the division director), by Records Management Services, the Archives of Michigan, Attorney General (for state government only), Auditor General (also state government only) and the State Administrative Board. The State Administrative Board is the final approving entity on the document, so their approval date is the effective legal date of the document.

Determining Retention Periods



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Notes:

How does the State of Michigan determine what is the appropriate retention period for a record?

First, we look at the record's administrative value to determine how long the agency needs the record to support its daily work activities.

Next, we look at the record's fiscal value to determine how long it is needed to close financial accounts and support auditing.

Next, we look at the record's legal value to ensure that records are kept as long as they are needed as evidence to document compliance with legal requirements. There are a lot of state and federal laws that tell us we have to create records. Rarely, do they tell us how long to keep the records after they are created. However, laws need to be consulted to determine if they define a retention period for various records.

Finally, we look at whether the record should be preserved permanently to document the history of the State of Michigan. Then we set a retention period for when all of these values cease to exist.

Note: Data classification for security does not influence the retention period, but it does influence how records are stored and accessed. For example, if a record contains social security numbers it should have appropriate security to ensure only authorized people can access it. However, all of the different types of records that contain social security numbers and that are maintained by different agencies are not kept for the same amount of time. They are kept as long as they are needed to support the business process of each agency that maintains the records.

Types of Schedules



Notes:

All State of Michigan agencies use two types of retention schedules: General and Agency-Specific. These two types of schedules work together, and all agencies need to use both to ensure they are managing all records. If an office only looks at one type of schedule, they will have an incomplete picture of their record retention requirements.

General Schedules

- Cover records common to a function or type of agency
- Reduce duplication of effort
- Promote consistent retention
- Do not mandate that records be created
- Retention period applies to all formats (paper, microfilm, electronic, etc.)
- [General Schedules are available online](#)



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Notes:

General schedules cover records that are common to a particular function or type of agency.

- They reduce duplication of effort. By covering a record series once on a general schedule, we don't have to list it on each agency's specific schedule. Public records not listed on a general schedule must be listed on an agency-specific schedule.
- They promote consistent retention practices. So for example, everyone who has FOIA requests keeps them for the same 1 year retention period.
- General schedules do not mandate that records be created; they simply establish a retention period, in case the records are created.
- General schedules do not specify the format of the record. Some offices could keep the records in paper, and others could use digital imaging, and this is acceptable.
- General schedules are published online at inside.michigan.gov/recordsmanagement.

General Schedules

- [General Schedule for Administrative Records](#)
- [General Schedule for Communications Records](#)
- [General Schedule for Financial Records](#)
- [General Schedule for Human Resources Records](#)
- [General Schedule for Information Technology Records](#)
- [General Schedule for Legal Records](#)
- [General Schedule for Meeting Records](#)
- [General Schedule for Procurement Records](#)
- [General Schedule for Safety and Security Records](#)
- [General Schedule for Training Records](#)



Notes:

This is a list of the general schedules that are approved for use by state government. They cover administrative records, communications records, financial records, human resources records, information technology records, legal records, meeting records, procurement records, safety and security records, and training records.

Agency-Specific Schedules

- Used only by the named agency
- Cover records that are unique to the agency
- Cover records not listed on general schedules
- Specific schedules override general schedules when records are listed on both
- May identify the format of a record
- [Agency-Specific Schedules are available online](#)



Notes:

Agency-specific schedules are used only by the named agency, and cover records that are not listed on general schedules, because the records document the unique functions of that agency. Specific schedules always override general schedules when a record is listed on both, because the agency needs a different retention period than is listed on the general schedule. Specific schedules may identify the format of a record.

Specific schedules may identify the format of a record.

Specific schedules are published online at inside.michigan.gov/recordsmanagement.

Agency-Specific Schedules

- More than 660 specific schedules, cover more than 8,800 record series
- RMS works with agencies to develop and revise schedules
- RMS routes schedules for approval
- Contact [RMO](#) to create or revise a schedule
 - RMO will contact RMS to initiate the project
 - Revisions are often fast and easy



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Notes:

Currently, there are over 660 specific schedules for the Executive Branch, covering over 8,800 record series.

RMS works with agencies to develop and revise schedules, and then RMS routes the schedules for approval. If you need to create or revise a schedule, contact your department's RMO, and they will contact RMS to initiate the project. Revisions are often fast and easy to do, so don't hesitate to request assistance.

Retention Schedule Compliance

- Line of business computer applications need to identify when data can be purged
- M365 lifecycle management policies are not record retention periods – store records accordingly
- Records need to be reviewed regularly (at least annually)
 - Identify records that are eligible for disposal
 - *Records Management Liaison (RML)* should coordinate clean-up activities
 - Benefits - saves space and money, improves retrieval of information
- RMS does not audit agencies to confirm compliance with schedules – it is the agency's responsibility



Notes:

Retention and Disposal Schedules can help and protect agencies, but are only useful if the agency uses them to apply retention. Agencies need to ensure that their line of business (LOB) computer applications, like specialized databases, are capable of identifying when data can be purged, and adopt policies for routine disposition of data. It is also important to understand that Microsoft 365 (M365) lifecycle management policies are not record retention periods, so agencies need to store their electronic records in locations that can support compliance with the retention period. Some M365 tools may not be able to meet the agency's needs because of these policies.

Agencies need to review all records (paper and electronic) regularly - monthly or annually, for example- to identify which to keep and which to destroy. Office directors should designate a records management liaison (RML) to coordinate clean up activities. Applying retention saves space (physical and electronic), saves money, and improves retrieval of information.

RMS does not audit agencies to confirm compliance with Retention and Disposal Schedules – it is the agency's responsibility.

Records Maintained by Service Providers

- Agency records may be maintained by a service provider
- Records are still the property of the agency
- Contract or service agreement should:
 - Reference the retention period from the schedule
 - Define frequency of record disposition process
 - Establish a process for suspending destruction for legal holds
 - Ensure destroyed records cannot be recovered/reconstructed/released
- RFP Template requires agencies to identify the retention requirements for records created and maintained by vendors



Notes:

Agencies do not always have possession of all of their records. Some records may be maintained by a service provider instead, such as the Records Center, DTMB-IT, cloud service providers, contracted vendors, etc. These records are still the property of the agency and must be listed on the agency's Retention and Disposal Schedule. The agency is responsible for ensuring these records are retained in compliance with the schedule.

Agencies should review their contract or service agreement to ensure that it references the retention period from the schedule (note that this can affect storage costs), defines the frequency of the record disposition process (destruction or transfer to the Archives of Michigan), establishes a process for suspending destruction for legal holds, and ensures that the destroyed records cannot be recovered, reconstructed or released. The State of Michigan's RFP Template now requires agencies to identify the retention requirements for records created and maintained by SOM vendors. This will help the agency comply with Administrative Guide Procedure 910.05.

Records Requests

- Freedom of Information Act (FOIA), Litigation, Audits, and Investigations
- Authorized coordinators will collect and release applicable records
- If agencies regularly follow their schedules, fewer records will need to be reviewed and released
- Avoid penalties - stop destruction of relevant records when request is received



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Notes:

Government agencies often receive requests to access their records. These requests may be the result of Freedom of Information Act (FOIA) inquiries, litigation, audits or investigations.

Authorized coordinators are responsible for collecting the requested records and releasing the applicable records. Other employees should not respond to these requests. The process of collecting and reviewing records can be very time consuming and expensive. However, if agencies regularly follow their schedules, fewer records will need to be reviewed and released.

It is also very important to stop destruction of relevant records when a request is received. A legal hold should be placed on all requested records, and the retention schedule should be suspended until the hold is lifted. Failure to stop destruction can result in significant penalties.

It is important to confirm whether the agency is subject to any legal holds before records are destroyed. Supervisors should be able to confirm if there are any legal holds that affect the office.

Litigation Holds

- Litigation holds suspend schedules
- Duty to preserve evidence begins:
 - Notice is received
 - Trigger event (examples)
 - Litigation is threatened
 - Plans are made to begin litigation against another party
 - Complaints or accusations are received
 - Communication from attorney is received stating that a party intends to commence litigation and demands the preservation of relevant information
- Always consult Department of Attorney General about litigation



Notes:

Litigation holds suspend schedules. However, when should agencies stop destroying records? The duty to preserve evidence begins when a notice is received, or when a trigger event happens. Some examples include:

- Litigation is threatened
- Plans are made to begin litigation against another party
- Complaints or accusations are received
- Communication from attorney is received stating that a party intends to commence litigation and demands the preservation of relevant information

Always consult Department of Attorney General or other legal counsel to confirm.

Why Follow a Retention Schedule?

- Risks associated with keeping records too long
 - Wastes space
 - Harder to find records you need
 - Records must be reviewed for FOIA and litigation
 - Bad recordkeeping practices of years ago are no longer acceptable
- Risks associated with destroying records too soon
 - Violation of Michigan law
 - Exposes agency to liability if the records are requested via FOIA or litigation
- Avoid random record purging by establishing a routine within the normal course of business for destroying records



HELP. CONNECT. SOLVE.

Notes:

Bottom line, why is it important to follow a retention schedule?

There are risks associated with keeping records too long: they waste space, they make it harder to find records you need, and the records must be reviewed for FOIA and litigation requests.

There are also risks associated with destroying records too soon: it is a violation of Michigan law, and it exposes the agency to liability if the records are requested via FOIA or litigation and they cannot be produced.

It is really important that agencies avoid random purging of records by establishing a routine within the normal course of business. Records clean up can take place at the end of the month, the end of the year, the end of the fiscal year, or at some slow time of year, if such a thing actually exists. Schedules cannot protect agencies from risks if they are never reviewed and implemented.

Tip: Know Your Records

- There are many Retention and Disposal Schedules
 - You don't have to memorize all of them!
- Most employees work with only a few records series on a regular basis
- Know the retention periods for the records supporting your job duties



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Notes:

There are a lot of Retention and Disposal Schedules and some of them list a lot of records. You don't have to memorize them all. Most employees work with only a few records series on a regular basis. You only need to know the retention periods for the records that support your job duties.

Archives of Michigan



Notes:

The Archives was established in 1913 and continues to serve as the state's official repository for Michigan's historical state and local government records. The Archives is responsible for the identification and permanent preservation of public records that document significant government and cultural activities.

What does “Transfer to the Archives of Michigan” mean?

- Schedules identify which records must be transferred to the Archives of Michigan when the agency’s use ends
- Legal obligation - these records cannot be destroyed
- State Archivist decides which records have historical value
- All agencies have potential to produce archival records

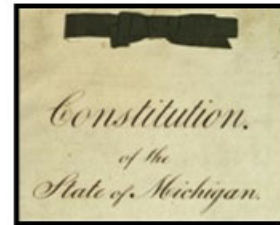


Notes:

What does “Transfer to the Archives of Michigan” mean when it appears on a retention schedule? Schedules identify which records must be transferred to the Archives of Michigan when the agency no longer needs the records to support its business processes. Transferring the records is a legal obligation - these records cannot be destroyed. The State Archivist decides which records have permanent historical value and will be transferred. All agencies have the potential to produce archival records.

Why does the Archives want certain records?

- Preserve the history of Michigan and its' people
 - Document government functions, actions, and decisions
 - Protect the rights of citizens
 - Safeguard government records with enduring value
 - Document society and important events
- Provide access to Michigan's public records
 - All formats
 - All types



Michigan's first
constitution, 1835



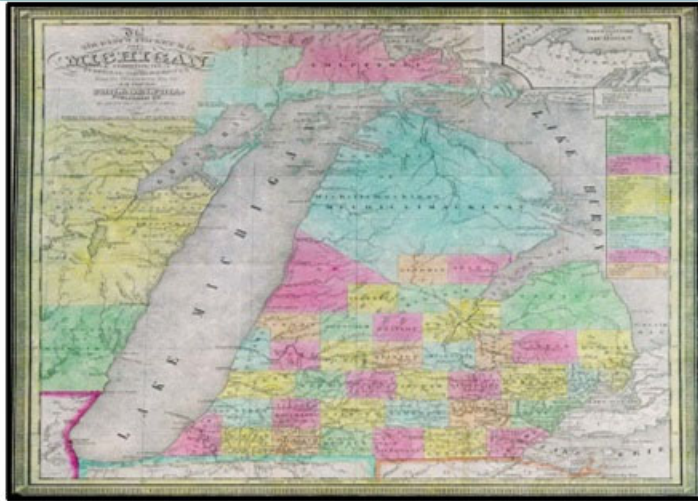
HELP. CONNECT. SOLVE.

Notes:

Why does the Archives of Michigan want certain records? The Archives is responsible for the identification and permanent preservation of public and private records that document significant government activities and historic eras or events. Historically significant public records document how government operates, protect the rights of citizens, support government transparency, and document society or important events.

The Archives provides access to the State's public records six days a week via email, phone, and in-person research. Records in the Archives are in all formats, including paper, electronic, audio, photos, maps, microfilm, etc. Examples include meeting records of public bodies, election results, transportation maps, vital records, photos, and more.

1839 Tourist's Pocket Map of Michigan



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Notes:

This is a picture of a map from 1839 that is in the Archives. It is clear that the map makers did not understand the West side of the state very well. Very few people had explored this side of the state at that point in time, and they had not documented what the true coastline looks like.

What does the Archives do with the records?

- Records are kept forever
 - Never destroyed
 - If Archives determines that the records they received in the past are not archival, the schedule is changed to authorize destruction (agency is notified)
- Records are kept in a safe and secure environment
 - State-of-the-art storage space designed for preservation
 - Security controls and procedures
- Records are inventoried and cataloged
 - Help with retrieval



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Notes:

What does the Archives do with the records in their possession? The records in the Archives are kept forever, they are never destroyed. If the Archives determines that the records they received in the past are not archival, the Retention and Disposal Schedule is changed to authorize destruction and the agency is notified.

The Archives keeps records in a safe and secure environment that includes state-of-the-art storage space that is designed for preservation. The Archives also employs security controls and procedures. The Archives will inventory and catalog the records to help with future retrieval of information.

Who can access records at the Archives?

- Records are accessible to the public
 - Archives is open Monday – Saturday
 - Research services provided in-person, email, phone
 - Digital records available online 24/7 via www.michiganology.org
 - Special procedures are used to protect confidential records
 - Records can be certified and/or notarized to verify authenticity



HELP. CONNECT. SOLVE.

Notes:

Who can access records at the Archives? The records in the Archives are accessible to the public via on-site visits and online tools at www.michiganology.org. Archivists answer queries six days a week, Monday-Saturday, by phone, email, and in-person research. Special procedures are used to protect confidential records in the Archives. Archivists can also certify public records as authentic when needed by government officials or citizens. (Examples of this include certifying the state constitution to levy taxes or naturalization applications based on an ancestor's country of origin.)

Archives of Michigan

702 West Kalamazoo Street

Lansing, Michigan 48913

517-335-2576

govarchives@michigan.gov

<https://www.michigan.gov/archivesofmi>



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Notes:

The Archives is located on the second floor of the Michigan Library and Historical Center building at 702 W. Kalamazoo St in Lansing. Agencies can call the Archives at 517-335-2576 or email them at govarchives@michigan.gov. Their website is www.michigan.gov/archivesofmi.

Additional Education Resources and Services



Notes:

There are additional education resources and services that are available from Records Management Services.

Records Management Training

- Learn more about recordkeeping topics: organizing files, naming files, cleaning-up files, scanning, email management ...
- [Live virtual classes](#)
 - Core curriculum
 - Offered quarterly
- [Online classes](#)
 - Over 20 classes in the SOM Learning Center
 - Each takes 7-50 minutes to complete
- [Online guidance](#)
 - Over 50 guides, tips, and brochures about recordkeeping topics



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Notes:

RMS offers free records management training to government employees about a wide variety of recordkeeping topics, such as organizing files, naming files, cleaning-up files, scanning, email management, and more. RMS offers live virtual training of the core curriculum classes on a quarterly basis. In addition, over 20 online classes are available via the SOM Learning Center on demand at any time. Each class takes between 7 to 50 minutes to complete. There are also over 50 guidance documents available online. The online guides are available at inside.michigan.gov/recordsmanagement.

State Records Center

- Services
 - Temporary storage for inactive physical records in boxes
 - Open shelf (unboxed) storage for active paper records
- Security
 - Records are accessible to authorized individuals
 - Fire and theft protection



Notes:

The State Records Center that is operated by RMS provides for the temporary storage of inactive physical records in boxes for state agencies. The State Records Center recently added a fee-based service called “Open Shelf” for unboxed storage of active paper records.

All records remain the property of the creating agency, and can only be accessed by authorized individuals. Agencies can pick up records at the Records Center for urgent retrievals. Normal retrieval is 1-3 business days. The building also has fire and theft protection.

Electronic Document Management (EDM)

- Storage and maintenance of electronic records in all formats
- EDM benefits
 - Strong security
 - Robust searching tools
 - Document check-out/check-in
 - Version control of documents
 - Retention schedules are applied
- Enterprise-available solution
 - RMS provides a needs assessment and price quote upon request



HELP. CONNECT. SOLVE.

Notes:

Records Management Services offers various electronic document management (EDM) services to state agencies. EDM systems provide storage and maintenance of electronic records in all formats. Benefits of EDM include: strong security, robust searching tools, document check-out/check-in, version control of documents, and retention schedules are applied. RMS provides a needs assessment and price quote upon request for agencies interested in using the enterprise-available EDM solutions.

eSignature

Benefits of eSignature

- Documents cannot be altered once the signing process starts, so everyone signs the same exact document
- Entire process can be executed electronically, without traditional mailing, printing, and scanning
- Documents won't be lost in the mail or on someone's desk
- Documents are more likely to be returned in a timely manner
- Signing status and progress can be monitored
- Documents can be routed to multiple people or agencies
- Signers can be SOM employees and non-SOM employees
- Signing process is secure
- Audit trail is available to prove who signed the document, if it is contested



Notes:

The newest service offering from RMS is the eSignature solution. This tool helps agencies get electronic documents signed electronically. The solution is legal and safe. Benefits of eSignature include: documents cannot be altered once the signing process starts, so everyone signs the same exact document; entire process can be executed electronically, without traditional mailing, printing, and scanning; documents won't be lost in the mail or on someone's desk; documents are more likely to be returned in a timely manner; signing status and progress can be monitored; documents can be routed to multiple people or agencies; signers can be SOM employees and non-SOM employees; signing process is secure; and an audit trail is available to prove who signed the document, if it is contested.

File Analytics

- OpenAxes Radar (OAR) software
- Scans storage locations to look for redundant, obsolete, and trivial (ROT) records
- Storage locations and search criteria are selected by the record owner
- Facilitates deletion or movement of records, per owner decision
- Currently, it's FREE!
- [Learn more online](#)



Notes:

Do you have electronic records storage locations that are a mess and need some help with clean up? RMS offers a file analytics service. The service uses OpenAxes Radar (OAR) software to scan storage locations to look for redundant, obsolete, and trivial (ROT) records. Storage locations and search criteria are selected by the record owner. OAR facilitates deletion or movement of the records. The record owners decide which action to take. Currently, the service is FREE! Learn more online at <https://stateofmichigan.sharepoint.com/sites/SOM-SPC-Records-Management/SitePages/FileAnalytics.aspx>.

Quiz Time!

Are the statements on the following slides True or False?



Notes:

It's time to take a quiz! Are the statements on the following slides true or false?

I can throw away or delete records whenever I want.

- True
- False

Notes:

Is this statement true or false? I can throw away or delete records whenever I want.

The correct answer is False. Retention and Disposal Schedules define how long records must be kept.

Schedules only cover paper records that are sent to the Records Center for storage.

- True
- False

Notes:

Is this statement true or false? Schedules only cover paper records that are sent to the Records Center for storage.

The correct answer is False. Schedules provide the legal authorization to destroy records. So they cover all records, in all formats, regardless of where they are stored.

I made a copy of a PowerPoint presentation to take with me to a meeting. I can delete it after the event, since it is a duplicate.

- True
- False

57/60

Notes:

Is this statement true or false? I made a copy of a PowerPoint presentation to take with me to a meeting. I can delete it after the event, since it is a duplicate.

The correct answer is True. Duplicates are non-records that can be destroyed when their reference value ends.

It's ok to use my personal email account to communicate with a licensee about an upcoming site inspection.

- True
- False

58/60

Notes:

Is this statement true or false? It's ok to use my personal email account to communicate with a licensee about an upcoming site inspection.

The correct answer is False. Executive Directive 2019-05 prohibits the use of private email for the conduct of state business.

Records management is overwhelming, and no one can assist me. It's better to keep everything until I leave this job.

- True
- False

59/60

Notes:

Is this statement true or false? Records management is overwhelming, and no one can assist me. It's better to keep everything until I leave this job.

The correct answer is False. Records Management Services and your department's RMO are available to assist you if you have questions about how long to keep certain records. There are risks associated with keeping records too long, so it is best to destroy eligible records on a regular basis.

We can help!

Records Management Services

3400 N. Grand River Ave.

Lansing, Michigan 48909

517-335-9132

recordscenter@michigan.gov

State Government:

<https://inside.michigan.gov/recordsmanagement>

Local Government:

<https://www.michigan.gov/recordsmanagement>



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Notes:

Please contact Records Management Services if you need assistance with records retention, recordkeeping systems, and other records management issues. The phone number is 517-335-9132, the email address is recordscenter@michigan.gov.

State government agencies can visit our website, inside.michigan.gov/recordsmanagement, and local government agencies can visit our website, www.michigan.gov/recordsmanagement for additional information.

Thank you for taking this class. We hope you will visit our website and take more records management classes.