

OVERSIGHT COMMITTEE ON PUBLIC RECORDS
Regular Meeting August 18, 2010

10-08-18-01

CALL TO ORDER AND ROLL

A regular meeting of the Oversight Committee on Public Records was held Wednesday, August 18, 2010. The meeting was called to order by Chairperson Liz Keele, Designee for Todd Rokita, Secretary of State at 1:35 p.m. in Room 401, Indiana State Library. Members present constituting a quorum: Pam Bennett, Director, Indiana Historical Bureau; Caroline Bradley, Designee for Brian Arrowood, Chief Information Officer, Office of Technology Roberta Brooker, Director, Indiana State Library; Jim Corridan, Director & State Archivist, Indiana Commission on Public Records; John Jacob, Designee for Bruce Hartman, State Examiner, State Board of Accounts; Andrew Kossack, Public Access Counselor; Anita Samuel, Governor's Office; Connie Smith, Designee for Robert D. Wynkoop, Commissioner, Department of Administration. Members absent: None. Commission staff in attendance: Larry Hummel and Amy Robinson, Records Management; Beverly Stiers, County and Local Government Records Management. Guests in attendance: Charlene Burkett, Department of Administration; Rudy Cansino, State Department of Health; and Scott Huffman, Family and Social Services Administration.

10-08-18-02

NEXT MEETING

Liz Keele announced the next meeting would be held September 15, 2010 at 1:30 p.m. in Room 401, Indiana State Library. Ms. Keele thanked Caroline Bradley for conducting the OCPR meetings the last two (2) months in her absence.

10-08-18-03

PREVIOUS MEETING

Caroline Bradley moved approval of the July 14, 2010 minutes as presented, seconded by Jim Corridan. Pam Bennett stated she had some corrections to last month's minutes. She stated on page 3, Retention Schedule No. 2, Resources is spelled incorrectly. Pam Bennett then stated in the first full paragraph on page 3, basically she is suggesting the verbiage be changed because anyone who reads this in the future might have a clue about the meaning of the discussion. Ms. Bennett stated she was not sure what she meant by the original statements. Ms. Bennett stated what she would like to do is in that paragraph starting after receipt on the second line to read "stated how the process actually carried through; the amendment indicates that ISM is transferring something; in many areas, transfer means that an actual change of custody has taken place. Ms. Bennett indicated it could be a problem if the record is destroyed. Ms. Bennett said her concern is whether "completed" here means the item has been returned." This would be followed by the remainder of that paragraph as is now written. Ms. Bennett then stated on page 4, New Business, No. 1, Readoption of 60 IAC 2, line 8 states "scanning and electronic records borne," this should be spelled born. The original motion was amended with the changes suggested by Pam Bennett, motion passed.

10-08-18-04

OLD BUSINESS

1. FSSA Request for Waiver from OCPR Policy No. 06-01
2. State Department of Health, Medical Radiological Services Division Retention Schedule

3. State Department of Health, Long Term Care

Jim Corridan stated there is no action on Item No. 1. In regard to Items No. 2 and 3, there is a meeting scheduled next Friday to work out the details on them.

10-08-18-05

DIRECTOR'S REPORT

Jim Corridan stated the Indiana Digital Archives is a project funded by the Library of Congress in which Indiana is one (1) of 12 States. We rank as the second most searched digital archives in that project. Mr. Corridan stated there are about 4,000 visitors per month and Indiana has tens of thousands of searches. Mr. Corridan stated the Micrographics Division at the end of June had microfilmed and scanned more than 12,000,000 last year. Forms Management Division has been working on the forms catalog for the last three (3) to four (4) months and it currently has almost one-half of the Agencies forms in it, authenticated, corrected and ready to go. Mr. Corridan stated there are other forms that they are still working through the process of adding to the catalog, but the objective is to get all of the forms into a single catalog so that citizens have one place to look to find forms. Mr. Corridan stated there are also now much tighter controls on version controls.

Mr. Corridan stated the Records Management staff has been working on trying to reduce the number of record series; we were at 12,000 and now are around 6,000. Mr. Corridan stated when that project is completed and they are fairly close to that now, they are going to go through and identify all of the permanent records in State Government and determine whether there is some flexibility there in moving them from permanent and changing their retention. Mr. Corridan stated we also have some ability to simplify some of those, so basically this Committee has made the decision that licensing records have been permanent. Mr. Corridan stated what they may also do then is take all the different licensing records and put under the General Retention Schedule that licensing records are permanent instead of having them listed in 37 different places.

Mr. Corridan stated lastly they have a committee that is studying how best to deal with born electronic records and electronic records and the retention of them as far as what Indiana wants to do. Mr. Corridan stated it is a huge national issue. Mr. Corridan stated last week we was in Washington, D.C. for the National American Archivists' Conference and the CIO of the Federal Government tried to coordinate with the National Archives on how to deal with electronic records.

Mr. Corridan stated they were discussing with the National Archivist on how to get a handle on this and there are huge differences in what should happen. Mr. Corridan stated the US CIO is suggesting that we should just retain all electronic records and then figure it out later and then the archivist community expressed concern about the concept of appraising all these electronic records. Mr. Corridan stated it is a huge conundrum but they have to get that resolved and at least put some policies in place and do it in a way that is both simplistic but not particularly burdensome. Mr. Corridan stated right now we are seeing Agencies across State Government trying to get out of maintaining their permanent records according to established standards, trying to say they don't really need to microfilm these, they don't really need to keep them, they have put them in a database. Mr. Corridan stated the problem with the database is it does not hold all the information. Mr. Corridan stated a backup is not a preservation strategy for permanent records, so Agencies think they have information in their system and it is not kept by IOT so therefore that is not permanent, so they have huge education issues with which to deal. Mr. Corridan stated he wanted to keep the OCPR Committee up to speed on this and will be coming back with a review of the way long term records, both electronic and paper should be dealt with. Roberta Brooker asked if there are guidelines now and Mr. Corridan stated the OCPR Committee has adopted a policy for email retention and another for digitizing materials. Roberta

Brooker stated there is a lot to store and then they get charged more and then she deletes and Mr. Corridan stated they do not tell you to delete.

Mr. Corridan stated the other half of that equation is the media is compacting down on how long it is going to be retained automatically because the paper is good for a long time, and the other side of that is we have gone from having file clerks in the 40's, 50's, 60's who took care of all the information and filed it correctly, to a system where each individual is responsible for their own retention and so an administrative assistant somewhere or a foreman at INDOT is deciding how long to keep some records and he does not really know anything about record retention. Mr. Corridan stated we have created a system where employees have to make a decision on how long some things have to be retained. Mr. Corridan stated the email retention policy is on the ICPR website and each Agency is supposed to adopt a policy. Mr. Corridan stated interestingly local government is doing the same thing, so he and Andrew Kossack will be traveling to Fort Wayne where the city and county are going to collectively adopt a policy there and other counties have already done so. Mr. Corridan stated there really are big worldwide issues about electronic records and their storage and no one has a good answer, and keeping everything is not a good answer.

Connie Smith asked how the progression of format fits in to record keeping. Mr. Corridan stated one of the issues we are dealing with, and this is where the discussion came down with the National Archivist and the US CIO, the States have come to the conclusion that we should use one email system and the federal CIO's view is that you can never control that at the Federal level because you could not get everyone roped into one type of system so that is why when you have all the proprietary systems you are going to be lost. They are going to be spending a fortune because they are not going to be able to convert easily. Mr. Corridan stated when we went to MS Outlook we just converted all the emails and then if we go to the next system in 20 years, we will convert again. Mr. Corridan stated there are certain things that are format standards, TIFF, PDF/A, and he thinks they are acceptable at this point. Mr. Corridan stated it is the systems like PERF and TERF have, Cirrus that is storing all of their data, so exporting data out of there is a little bit of a problem. Mr. Corridan stated FSSA has some proprietary systems that they have developed that are storing data, so that is where we have issues, because we are relying on a vendor to be the one to access the data to get it out, so if we break the contract or something like that, what issues will we have to deal with there. Mr. Corridan stated our obligation at the Archives is to make sure there are access materials a hundred years from now. Ms. Smith stated you assume the file formats will continue to evolve and so one hundred years from now how do you go back to the present. Mr. Corridan stated there is a hidden cost involved with this so at some point the State Archives should have an electronic records repository and things are transferred to us, so it will shift from IOT to ICPR and it is just that the funding is not in place to figure this out yet. Mr. Corridan stated regardless of wherever it is going to sit, there is going to be an expense to convert it from format A to format B because format A is no longer accessible and that will be a huge expense to someone as we keep migrating the data over the decades or centuries. Mr. Corridan stated there has been a lot of thought that moving everything to electronic is cheaper, but he is not sure that it is really cheaper, but he thinks it is easier to access.

10-08-18-06

AGENCY REQUESTS-RECORDS RETENTION AND DISPOSITION SCHEDULES(S)

The Oversight Committee on Public Records took the following action regarding retention and disposition schedules.

1. PUBLIC LIBRARIES RETENTION SCHEDULE (LIB).....06-16-10

A motion was made by Caroline Bradley and seconded by Connie Smith to approve Schedule No. 1 as submitted. In regard to this schedule, Pam Bennett had a question concerning Record Series 10-9, the

transfer of records to the State Library and it states photographs, pictures and paintings, you are not talking records, you are talking artifacts and she thinks maybe items or whatever but note that if we leave it this way we are defining a painting as a record. Mr. Corridan stated it should really be photographs, pictures and videos, which is their standard language, and paintings should not have been put in there. Ms. Bennett stated videos are records and Mr. Corridan stated they are doing that now for State Government. Ms. Bennett then asked if the videos are records of meetings and things. Mr. Corridan stated the issue here is those things that are records given to the libraries, like the manuscripts collection at the State Library, and because they are in possession of these public entities, they are defined as a record. Mr. Corridan stated he thinks collections in the sense of items that can be checked out or copied is a little bit different. The General Retention Schedule for County/Local Government has a clause for photographs, pictures and videos and if we did not put something in the library schedule, then they are required to transfer it to the State Archives. Mr. Corridan stated they had to undo that and show that the libraries were supposed to be able to retain their collections and only if they are closing would transfer to the State Library be considered.

Mr. Corridan also stated that Record Series No. 10-8 may be controversial for some libraries. Mr. Corridan stated some library directors are advocating in his discussions that this material should be destroyed on a daily basis and our view is that we think that is unreasonable and that law enforcement should have at least some opportunity to access the material if there is a specific issue related to a terrorist threat or sexual predator or something like that. Mr. Corridan stated they originally proposed six (6) months, some library staff wanted zero. Mr. Corridan asked if they could please add in that same clause the additional sentence that this is a confidential record and there is a specific statute for library materials and is in the public access law.

John Jacob stated he had a question in regard to Record Series Nos. 10-5 and 10-6, since they are both library loan files, why the difference in the language between them. Mr. Jacob stated one says to destroy after 30 days and one says destroy after three (3) calendar years and receipt of State Board of Accounts audit report. Mr. Corridan stated in-state is always free by administrative rule, and there is often a fee for out of state, so it is different for State Board of Accounts processes.

Caroline Bradley made a motion to table Schedule No. 1 until next month, seconded by Pam Bennett. Motion carried.

2. COUNTY/LOCAL GENERAL RETENTION SCHEDULE

Jim Corridan stated a revision is required for Record Series No. 10-42. Mr. Corridan stated that was a note to us which they did not pick up before the schedule was passed by the OCPR Committee, so the verbiage needs to be fixed. Mr. Corridan stated they are not ready to provide a change yet because it is much more complicated. Mr. Corridan stated they were contacted by the Hoosier Press Association this week and they are asking for information on how long a school corporation needs to keep videos from a school bus. Mr. Corridan stated they also have questions about the Sheriffs' Department videos as they bring inmates or prisoners into the jail, courthouse videos showing security on the grounds, and so they are going to end up being different retention periods. Mr. Corridan stated this schedule will probably be coming back next month.

3. STATE DEPARTMENT OF HEALTH

WIC Division

Larry Hummel introduced Rudy Cansino from this Agency. In regard to this schedule, there were no questions or comments. A motion was made by Jim Corridan and seconded by Pam Bennett to approve Schedule No. 3 as submitted. Motion carried.

4. INDIANA OMBUDSMAN BUREAU

Larry Hummel introduced Charlene Burkett from this Agency. In regard to this schedule, there were no questions or comments. A motion was made by Pam Bennett and seconded by Caroline Bradley to approve Schedule No. 4 as submitted. Motion carried.

5. INDIANA DEPARTMENT OF ADMINISTRATION

Operations Division-Central Printing Office

In regard to this schedule, there were no questions or comments. A motion was made by Pam Bennett and seconded by Connie Smith to approve Schedule No. 4 as submitted. Motion carried.

10-08-18-07

NEW BUSINESS

None

10-08-18-08

ADJOURNMENT

There being no further business, Connie Smith moved that the meeting be adjourned. Anita Samuel seconded. Motion carried. Meeting adjourned at 2:03 p.m.