

MEETING MINUTES

August 31, 2022, 10: 00 a.m. Eastern Time

Indiana Archives and Records Administration

Meeting Location: IGC South Conference Center, Room D

MEETING OF THE OVERSIGHT COMMITTEE ON PUBLIC RECORDS

2022-08-31-1: CALL TO ORDER

A meeting of the Oversight Committee on Public Records was held on Wednesday, August 31, 2022. The meeting was called to order by Chairperson Jake Speer at 10:00 a.m.

A roll call was conducted to determine members present constituting a quorum: Jerry Bonnet (Designee for Holli Sullivan, Secretary of State), Tammy Glickman (designee for Rebecca Holwerda, Commissioner, Department of Administration), Tamara Hemmerlein (Lay Member / Oversight Committee Vice-Chair), Beth Kelley (Designee for Paul Joyce, State Examiner, State Board of Accounts), Chandler Lighty (Executive Director of the Indiana Archives and Records Administration / Oversight Committee Secretary), Michael Nossett (Governor's Designee), Jacob Speer (Director of the Indiana State Library / Oversight Committee Chair).

Members absent: Luke Britt (Public Access Counselor), Jim Ehrenberg (Designee for Tracy Barnes, Chief Operating Officer, Office of Technology), Scott Uecker (Professional Journalist / Lay Member).

IARA staff in attendance:

Records Management – Amy Christiansen (Records Management Liaison), Amy Robinson (Records Analyst).

Guests: Jean Marie Leisher, Attorney General's Office

2022-08-31-2: NEXT MEETING

The next meeting of the OCPR is scheduled to be held on Wednesday, October 26, 2022, at 10:00 a.m. in Indiana Government Center South, Conference Center Room D.

2022-08-31-3: PREVIOUS MEETING

A motion was made by Tammy Glickman, seconded by Tamara Hemmerlein, to approve the minutes of the last regular meeting of the OCPR held on Wednesday, May 25, 2022. Motion carried.

2022-08-31-4: DIRECTOR'S REPORT

IARA Executive Director Chandler Lighty submitted the Director's Report previously distributed to the OCPR for review. The report includes a narrative from: Claire Horton (Deputy Director, State Archives), Meaghan Fukunaga (Deputy Director, Records Management), Kim Hagerty (Director of the State Imaging and Microfilm Lab), and Samantha Putnam (Director of the State Records Center).

Highlights presented to the Committee:

- The new building project is going well; schematic design is finished, and construction will likely start next spring.
- Staff changes include two new Archivists who will start in September, hired in lieu of filling the Deputy Director vacancy left by Jackie Swihart's resignation.
- On the invitation of Michael Nossett, Chandler Lighty introduced OCPR Policy 22-01, the electronic mailbox policy, to the General Counsels. There were a few follow-up questions, but no objections to the policy.

2022-08-31-5: OLD BUSINESS

1. **Re-adoption of 60 IAC 2:** Chandler Lighty is in favor of re-adopting the Rule as-is, but asked what would be involved in changing only the title – *Microfilming Standards for Source Documents with a Retention Period of More Than Fifteen Years* – to remove the reference to fifteen years, which is no longer applicable and appears nowhere in the Rule itself, just the title.

Tammy Glickman stated that there is a narrow provision in the rulemaking process for making "corrections" – generally geared toward the deletion of existing words – under which changing the title might fall. She volunteered to check into the specifics, and asked which parts of the title would be deleted. Chandler replied that the new title would simply read "Microfilming Standards for Source Documents." Tammy asked if there was still time to re-adopt this year; Chandler confirmed with Michael Nossett that there was, if voted on at the October OCPR meeting.

Michael asked for clarification on whether the standards only apply to records that have to be kept longer than fifteen years, and IARA staff explained that while the title was written that way, the standards, which are still accurate, actually apply to any record that is microfilmed.

Tammy Glickman asked if a special early OCPR meeting could be called for October if deadlines demanded it, and Chandler confirmed that it was possible, but not necessary, because the deadline for action is December 1st, so the regular October meeting date would be fine.

The title-change issue will be researched, and the final version of the Rule will be brought back for a re-adoption vote at the October 26th OCPR meeting.

2. **Public Access Portal:** The Public Access Counselor was not present to provide news on further developments. Jake Speer commented that the State Library's General Counsel believes that it may make sense for larger agencies, but appears more cumbersome than helpful for smaller agencies like the Library. Tammy Glickman believes it will be helpful to have the ability to centrally track public record requests; she acknowledges that it might not be cost-effective for smaller agencies, but it is a step forward for state government in general to have the option available. Michael Nossett added that the Governor's Office will be one of the first to adopt, likely toward the end of September, so he will report back on how well the system works.

2022-08-31-6: RECORDS RETENTION AND DISPOSITION SCHEDULES (Action needed)

1. County/Local Records: County Auditors

- a. County/Local Retention Schedule Instructions (associated process change)

Amy Robinson explained that there is now one *County/Local Retention Schedule Instructions* document that applies globally to all schedules, and is used as a cover sheet for each. She proposed that going forward, it should be treated as a separate guidance publication, still packaged with each retention schedule for convenience, but not formally a part of them. That would spare this Committee the need to re-approve all 16 County/Local schedules every time an update is made to the instructions.

She added that this is in keeping with our new protocol for state forms, wherein multi-page instruction sheets are no longer considered part of the state form for analysis or design. IARA staff provided clarification for Tammy Glickman and the Committee on how users would now find the Retention Schedule Instructions: saved in the pdf file with each as-approved retention schedule, as a related document.

A motion was made by Tammy Glickman, seconded by Jerry Bonnet, to adopt Schedule 1, and to approve the decoupling of the County/Local Retention Schedule Instructions cover sheet from the County/Local retention schedules. Motion carried.

2022-08-31-6: RECORDS RETENTION AND DISPOSITION SCHEDULES (continued)

- 2. Attorney General: Agencywide**
- 3. Attorney General: Advisory**
- 4. Attorney General: Appeals**
- 5. Attorney General: Consumer Protection**
- 6. Attorney General: Investigations**
- 7. Attorney General: Litigation**
- 8. Attorney General: Medicaid Fraud Control**
- 9. Attorney General: Solicitor General**
- 10. Attorney General: Tobacco Enforcement**
- 11. Attorney General: Unclaimed Property**

A motion was made by Jerry Bonnet, seconded by Tammy Glickman, to adopt Schedules 2 through 11 (all ten Attorney General retention schedules listed above) with a single vote. Motion carried.

12. Department of Environmental Management: Land Quality

A motion was made by Tamara Hemmerlein, seconded by Chandler Lighty, to adopt Schedule 12. Motion carried.

2022-08-31-7: NEW BUSINESS / DISCUSSION

1. None scheduled or introduced.

2022-08-31-8: ADJOURNMENT

There being no further business before the Committee, a motion was made by Tammy Glickman, seconded by Chandler Lighty, to adjourn the meeting at 10:20 a.m. Motion carried.