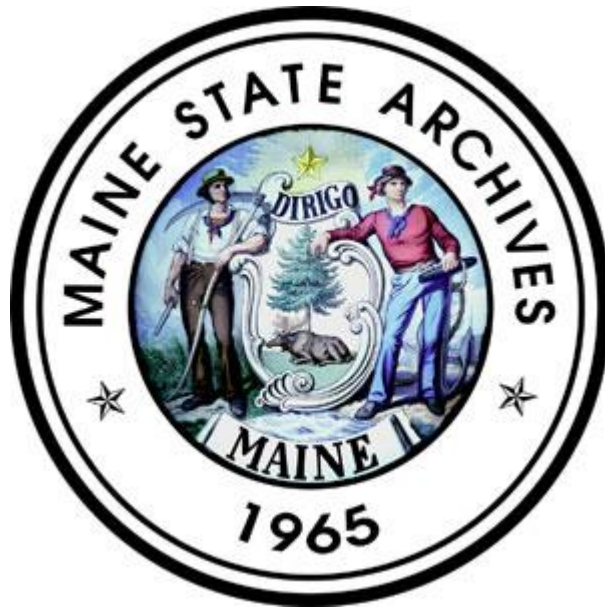


# RECORDS MANAGEMENT GUIDE

**MANUAL FOR PROCESS AND PROCEDURE**



**MAINE STATE ARCHIVES**

*Division of Records Management Services*

REVISED NOVEMBER 2019

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## **Records Management Procedure**

### **Commissioner, Division/Bureau Director**

Each agency is responsible for establishing and maintaining an active and efficient records management program to preserve and protect the records of the state and be compliant with the standards and procedures issued by the Maine State Archives. As part of the RM program, an agency Records Officer will be appointed.

### **Records Officers**

Records Officers will act as the liaisons between the agency and the Maine State Archives. They will have a working knowledge of the functions and records related to the agency and have oversight over all aspects of the RM program including but not limited to:

- Coordinating RM internal procedures (policy, inventory, file plan)
- Creating and updating Records Schedules
- Authority to direct other agency employees concerning the management of records
- Maintaining files related to Records Management

### **All Employees**

If the above procedures are followed, employees will know:

What records they are responsible for, what format and where/how the records are to be filed/stored and for how long the records are to be retained.

There will be no confusion as to what is or is not a record or what should or should not be kept. It will all be clearly listed on up-to-date records schedules and mapped out in individual office file plans and/or written into agency records management policy.

If unscheduled records are discovered, employees will have records management procedures in place and an agency Records Officer to seek guidance from, so records are always properly processed and retained per approved retention schedules.

## **Laws and Rules Governing the Maine State Archives and Records Management**

### **Maine Title 5, Chapter 6, State Archivist**

**(<http://legislature.maine.gov/statutes/5/title5ch6sec0.html>)**

Archives and Records Management Law - it is the policy of the State to make the operations of State Government and local government more efficient, more effective and more economical through records management; and, to the end that the people may derive maximum benefit from a knowledge of state affairs, preserve its records of permanent value for study and research.

### **Rules (Secretary of State (29)/Maine State Archives (255))**

**(<https://www.maine.gov/sos/cec/rules/29/chaps29.htm>)**

#### **Chapter 1 – State Agency Records Programs**

This chapter prescribes policies, standards, and procedures for the economical and efficient management of State records.

#### **Chapter 2 – State Records Center Facilities and Services**

This chapter prescribes policies and procedures to govern the custody, use and withdrawal of agency records transferred to State Records Center facilities. The rules also prescribe policies and procedures to govern the use of certain facilities of the Maine State Archives.

#### **Chapter 3 – Microfilming State Records (will be changing to Imaging State Records)**

These rules provide (a) standards to be used by State agencies for microfilming records; (b) criteria for using microfilm copies; (c) standards for storing microfilm copies of permanent records; and (d) information concerning microfilm services available from the Maine State Archives.

#### **Chapter 4 – Public Use of Materials and Facilities in the Maine State Archives**

These rules include the policies and procedures governing the public use of agency records, archives, and deposited records in the custody of the Maine State Archives. They do not apply to current operating records of the Maine State Archives. The rules also prescribe policies and procedures governing the public use of certain facilities in the Maine State Archives.

**Note: All MSA Chapter Rules are in the process of being revised. Please look for updates in the upcoming legislative session.**

## **Records Management Basics**

### **What is Records Management?**

Definition from the International Organization of Standardization (ISO 15489): “...field of management responsible for the efficient and systematic control of the creation, receipt, maintenance, use and disposition of records including the processes for capture and maintaining evidence of and information about business activities and transactions in the form of records.”

An agency using records management properly is giving all of their employees the knowledge to know what records to keep, how long they need to be kept for business purposes and the important last step of determining whether or not those records serve a secondary or archival purpose once that business need has been met.

### **Agency Responsibilities**

Each agency must maintain an efficient and continuous records management program and appoint a Records Officer. Assistant Records Officers should also be appointed as needed. The Records Officer will have a thorough knowledge of the agency, its records and functions. The Records Officer will create and maintain appropriate records schedules and appoint agency Cardholders as needed.

All state employees are responsible:

- for creating records needed to do the business of their agency, and managing any and all public records (including email) for which they are the custodian.
- for maintaining records so information can be found when needed and agencies can remain compliant with FOAA law. This means setting up good directories and properly filing records in a manner that allows them to be stored and efficiently retrieved when necessary.
- for carrying out the disposition of records under their control in accordance with agency records schedules.

### **Importance of Having a Records Management Program**

An effective records management program offers several benefits:

#### **RM promotes open access and accountability for State Agencies**

In the height of public access, government agencies need to remain accountable for the records they create and maintain. Public records document agency business and, with proper management, agencies can show they are taking the correct action for the appropriate amount of time and for the right reasons. When an agency demonstrates proper public records organization, (a management program where records are controlled, and destroyed in accordance to approved schedules), the state's reputation is improved as is the public's confidence in state government.

#### **RM helps the agency fulfill its mission**

Records Management helps identify and protect the essential records of the agency; those records needed to keep the agency functional. Locating what is needed, when it's needed, is a vital component to running an agency effectively.

#### **RM ensures cost effective business practice**

A proper records management program will reduce the volume of records stored; improve storage and retrieval systems and help get the right record to the right person effectively and efficiently. Records on current schedules will be destroyed when they should be, making the best use of physical and digital space. An efficient records program will limit the risk and cost associated with FOAA requests and any possible litigation.

## Records and Record Types

### **What is a Record?**

"Record" means all documentary material in any media format (publications, papers, photographs, maps or other documentation, including digital records), made or received and maintained by an agency in accordance with law or rule or in the transaction of its official business; because they serve as evidence of the agency's functions, policies, decision, procedures, operations and other activities; or because of their informational value. Records can have varying purposes per agency.

### **Examples of records:**

- Board and Commission Minutes of Meetings
- Contracts
- Commissioner's Correspondence
- Project files
- Client Case Files
- Personnel files

### **Non-record examples:**

- Personal Communications
- Employee non-work activities
- Meetings in which you participate, but are not assigned recordkeeping responsibility: convenience copies of meeting notices, agendas, minutes
- Other convenience copies of general notices
- Copies of records retained elsewhere
- Items not required to be retained by your assigned tasks or to document those tasks

### **Specific Types of Records**

**Archival/Permanent Records** – Records required to be kept indefinitely because they have enduring value/historical significance. Once business needs of the agency are met, archival records contain a secondary, research value for the citizens of Maine.

**Closed Records** – Most state government records would be considered closed when the normal business process has concluded. Records would then either be destroyed or a retention period would begin to fulfill other administrative, legal, fiscal or historical requirements.

**Confidential Records** – Records which are exempt from public inspection according to the provisions of state and/or federal statutes or regulations.

**Current Records** – Those records needed and used in the day-to-day conduct of the current business of a state agency, and which therefore must be kept in the agency until the current business need has been met.

**Electronic Records** – Records containing machine-readable information which cannot be read without the aid of hardware or software.

**Non-Record** – Additional copies of materials for which official or record copies have been retained; stocks of publications and processed documents intended for distribution or use; or records relating to personal matters kept in an office for convenience.

**Temporary Records** – Records which will be destroyed once they have met their agreed to retention period. These can be either short or long term retention records.

**Transitory Records** – Records having short-term value and which are not required for administrative or operational processes. Records required for a limited time to complete a routine action, retained as short term information or convenience.

**Vital Records (related to business continuity)** – These are records necessary to re-start an organization's operations in the event of a natural or human-made disaster. They support necessary services and preserve the legal, financial, and/or functional status of the agency.

## Expectations of the Agency Records Officer

A Records Officer Coordinates the Department's Records Management Program and ensures records management activities are performed in accordance with standards and procedures. All department records, regardless of media, must be maintained, scheduled, transferred (where applicable) and disposed of according to policies established by the Maine State Archives.

### **Expectations of a Records Officer**

- Coordinate transfers of inactive and archival records to the State Records Center and Archives
- Act as liaison between the Records Center/State Archives and the agency
- Assigns card holders as needed and allows access to location numbers for containers stored at Records Center. Ensures that when cardholders leave the Department, the Records Center is notified so that privileges may be revoked.
- Coordinates transfers of records to the Maine State Archives and the Maine State Records Center.
- Authority to direct other agency employees concerning the management of records in their custody
- Implement and maintain the agency records management program
- Conducts agency inventories
- Create internal guidelines for maintaining and using agency records (such as Inventories, File Plans)
- Conduct regular reviews of existing agency records schedules
- Prepare and submit draft agency schedules
- Identify areas of need and arrange for staff training
- Maintain files of records retention schedules, disposition authorizations, and records transfers
- Sign Records Management forms

### **Qualifications of a Records Officer**

- Thorough knowledge of agency functions, the records created to fulfill those functions and the schedules which define the retention and disposition of the records
- Where records can be located and who is the custodian of the records
- Knowledge of common file classification conventions including digital filing systems
- Knowledge of retention scheduling procedures
- Ability to gain cooperation from all Department employees involved in records storage, retrieval, and disposal

### **How Many Records Officers Does Our Department Need?**

It depends on the structure of your Department. Each Department can be broken into divisions, bureaus or other subsets which provide a particular service and have their own functions and policies. Assigning only one RO per Department which possibly has several diverse bureaus could lead to unrealistic oversight. And how much "thorough" knowledge would one person have over the entire department's records? Therefore, it is our recommendation that each separately functional unit would appoint a Records Officer who would have oversight over the records in that particular section.

### **Here is an example:**

The Department of Food has a Records Officer in the main office. Within the Department of Food is the Division of Fruits, Division of Vegetables, Division of Dairy and the Division of Meats – each of these Divisions is a separately functioning unit with distinct policies and records, therefore they would each have their own Records Officer. The Records Officer at the Department level might have knowledge of



office or personnel procedures that would apply to all employees but would most likely not have thorough knowledge of each of the Divisions records.

**A couple things to note:**

- There should not be more than one RO within a functional unit where there is the possibility of conflicting schedules being adopted or other duplicate records planning within the same unit which would not serve its functions and policies as a whole. There should be one liaison to Records Management.
- Assistants would be assigned dependent upon the geographic or functional structure of the agency. It should not be based entirely on numbers of agency personnel but specific roles and functions of the personnel within the agency and outlying regional offices.

**Who Should Be a Records Officer?**

The Records Officer exercises authority on the Commissioner's behalf. If the Records Officer cannot be a direct report to the Commissioner or head of the Department/Bureau (this is the ideal situation), there should be no more than one reporting step between them. Examples of appropriately chosen RO positions are: Administrative Secretary to the Commissioner; or Assistant to a Director. Examples of inappropriately chosen RO positions are: Clerk Typist in the Department's Administrative Services section.

## Starting a Records Management Program

### Conduct an Inventory of Agency Records

A records inventory compiles a descriptive list of each record series or system, including the location of the records and any other pertinent data. An inventory will locate, identify, describe, count, and measure all records in your office and storage areas — in all media formats (yes – this includes digital records). The information gathered will allow you to manage and dispose of records systematically and can help you decide which records to reformat (such as digitizing paper records). The inventory will constitute the foundation of your entire records management program. Once you have obtained an accurate inventory, records retention schedules can be updated and created as needed, also giving you the necessary information for what records to destroy, which to store temporarily or which records are meant for archival/permanent storage.

#### Inventory Steps

1. Define the inventory's goals. While the main goal is gathering information for scheduling purposes, other goals may include preparing for conversion to other media, or identifying particular records management problems.
2. Define the scope of the inventory; the inventory scope may include records from your entire department or a specific subset.
3. Obtain top management's support, preferably in the form of a directive, and keep management and staff informed at every stage of the inventory.
4. Decide on the information to be collected (the elements of the inventory). Materials should be located, described, and evaluated in terms of use.
5. Prepare an inventory form, or use an existing one.
6. Decide who will conduct the inventory, and train them properly.
7. Learn where the agency's files are located, both physically and organizationally.
8. Conduct the inventory.
9. Verify and analyze the results.

#### Plan the Inventory

**Inventory Team** - The head of each agency should have a Records Officer who is responsible for the efficient management of the agencies records. That records officer should supervise the inventory. In addition, staff should be appointed by either the Records Officer or director of the agency to either help with the inventory.

**Notify Staff** - Since the success of an inventory project depends on the cooperation of the people involved with the records, your director should have involvement, inform staff of the upcoming inventory, and invite them to a meeting where the Records Officer will explain the process.

#### Conduct the Inventory

The Records Officer should work with the department heads to set up a schedule for inventorying each office and storage area. Make sure the schedule is flexible to accommodate the office needs/priorities.

The inventory should include all your records. Non-records (or non-retention material) is included only as needed for staff informational purposes (such as common reference materials) or for initial inventories to locate and remove unnecessary materials.

**Inventory Forms**

You will inventory your records as series - a group of identical or related records. Series are kept together because they relate to the same topic, document the same type of transaction or are created by the same business process. It includes all formats – paper, electronic, etc. These groups of related records are evaluated as a unit because they are normally filed, used, and disposed of together.

**What Information Should be Included**

- Date prepared
- Office maintaining the files
- Person conducting the inventory
- Series location, title, description
- Inclusive dates
- Record Format (media type) and Arrangement (filing system)
- Volume (in cubic feet) and annual accumulation
- Reference activity (how often are records referenced)
- Vital records status (would these be needed in an emergency)
- Duplication (indicate copies in other formats)
- Restrictions on access and use (confidentiality)
- Schedule (list schedule/series) or unscheduled

**Where to Begin**

Start by interviewing staff to identify the records series created and maintained by each office or begin with offices where records are easily accessible and well organized. Estimate the value of the records to be inventoried: Administrative, legal, and fiscal value to agency; Historical value to future researchers; Temporary and permanent status. Inspect all files and document all information by series. Include records in all media. Complete the inventory form.

**Establish a System**

No matter where you inventory, you should be systematic. Begin at a specific location, room, etc., and proceed logically, tag or label each file drawer as it is inventoried, and flag those records that are vital or permanent.

**Verify and Analyze the Results**

Once you've completed the inventory, you will be faced with a pile of forms organized by the locations and custodians of the files. These forms are like pieces to a puzzle that need to be assembled to create a picture of your unit's documentation. Consolidate similar records into a single record series where the descriptions and necessary retention period are the same.

Match and Apply Records Retention Schedules - Match the records series inventoried with the records schedules. If a series of records cannot be “matched” with an existing schedule, complete an Application for Records Retention Schedule (RM22) to submit to the Maine State Archives for approval.

Your records inventory will enable you to evaluate the content and function of your records and will give you data that will be crucial to your ability to make valid, justifiable decisions on the ultimate retention or destruction of those records. Conduct your inventory well, and you will build a solid foundation for a good records management program; conduct it poorly, and you will set the stage for continuing problems.

**Further information on Records Inventories can be found on our website:**

<https://www.maine.gov/sos/arc/records/state/statetraining.html>

## Record Retention Schedules

In order to have the information you need (when it's required), there has to be a way to identify, manage and retain records for the right amount of time. Records are managed by creating agency schedules – a document that tells you how long to keep specific types of records and what should happen to them when they have served the business needs of the agency. A Records Retention Schedule lists all the titles of a records series, length of time each series will be retained, retention justifications and disposition (destroy or archival) agreed by the agency and Records Management.

A clearly defined plan for record retention and disposal is a vital component of a records program.

Basically, the retention schedule is a set of work instructions for the people in your organization: "Keep this record six years, keep that record ten years." Without these written instructions, staff can't be expected to be held accountable and keep records on a consistent basis.

A records retention schedule can act as:

1. An agency policy document – So there are established requirements of how long to keep certain records, also giving justifications for why you are doing so.
2. A list of work instructions – So agency employees know what records to retain, how long to keep them and when to destroy them.
3. A compliance document – A Schedule gives you a defensible position to show the public you are complying with any legal obligations or other justified retention and disposition policies/requirements.

### **Record-keeping in Your Agency**

Things to Consider

- What records will you retain and for what purpose?
- How long should you retain records for?
- What format are the records in?
- Do any statutory requirements apply to your records in terms of their retention?
- Do any Chapter Rules or Policies already exist which outline expectations about records, retention and destruction?
- How will records be managed?
- Where will records be stored and who will have access to them?
- What process will be in place to destroy records once retention is reached (for both paper or electronic records)?

### **Building a Structure**

Once you know something about your records, you can begin building a structure. You will need to know what to label records and how to arrange them. Remember you are building something for every employee in your agency to use so it has to provide instructions that will not only make sense to you but to everyone in your agency. This is the agency's instruction booklet on how to manage and retain all of the agency records so make it as user-friendly as possible.

**The major goal** is to provide clear guidance for agency employees on how long they should be retaining their records and to make sure everyone in the agency is retaining records in a consistent manner.

## Determine Your Record Series

### **What Makes a Record Series?**

A series is a grouping of records that supports similar business processes or contains similar information and has related legal or operational retention requirements. The goal is to select a structure that best accommodates your agency's needs while minimizing retention duplication or longer storage of documents when it's possible to separate them out into their own manageable series.

Some characteristics of a record series are:

- Produced by the same activity;
- Documents a certain kind of transaction;
- Relates to a particular subject;
- Arranged under a single filing system;
- Retained for the same period of time.

Each record series consists of a description of the process the records support and examples of the types of records that fall under the series.

A retention period is associated with each record series (and must be the same for all records in a series). A retention period may be stated in terms of months or years, or may be expressed as contingent upon the occurrence of an event such as the termination of a contract or conclusion of a project. The retention period can be “in agency” only or at the Records Center or a combination of both. Creating record series allows an office to apply consistent retention practices to similar types of records.

### **Series to AVOID**

Avoid series categories such as “miscellaneous” or “general.” Agency schedules should list “unique” records (apart from the General Schedules) and there isn't any place for a “general” record at the agency level. Every record should be about a specific topic or agency function. Creating a general category is like developing some “catch-all” type of category for unrelated records, creating the exact opposite effect of what the agency retention schedule is supposed to provide – exact instructions for your employees on what to do with specific records. A retention period assigned to a series is based upon the assumption that the records are similar. When a series is titled “Miscellaneous Records” this isn't possible.

### **Use the Right Terms**

What you are creating is like a roadmap for your records so employees know how to navigate throughout their records day – the schedule is going to give them clear guidance on the directions they need to take.

Another thing to avoid is using acronyms. Spell things out whenever possible and never assume that everyone knows what an abbreviation stands for.

The structure and terms of your series will be the foundation of your retention schedules so make sure you have all the appropriate pieces in place at the beginning. Your primary objective is to have clear, concise directions for your agency so everyone is keeping the right records for the right amount of time.

These record series are then captured on a record retention schedule!

**All State Records Must Be on a Record Retention Schedule**

This includes records that never leave the creating agency's custody. It includes any electronic records. **In other words, regardless of media or whether or not records come to the Records Center or Archives, they need to be covered by a records retention schedule. (See below)**

**Two Types of Schedules**

- State General Schedules – for those records created by most state agencies.
- Agency Specific Schedules – for unique programs or activities within your agency.

## Maine State General Schedules

General Record Schedules are issued by the Maine State Archives to provide retention and disposition standards for records common to all State agencies. These are typically records such as financial, personnel and correspondence records, to name a few. On the current version, each includes:

- Record series numbers
- Record series descriptions
- Which agency holds the record copy, and the record copy's required retention period and disposition
- The retention period for agency copies of the same record

The record copy is a single copy of a record retained by its assigned custodian as the official record of a government transaction.

The agency copy is kept by the agency that initiates the transaction. Agency copies are not convenience copies which may be destroyed when no longer useful, because they may not be exact duplicates of the record copies that the creating agency has sent for processing. The General Schedules require agency copies to be retained for specific time periods.

### Examples:

The Bureau of Human Resources maintains the record copies of employee personnel records. Each agency also maintains its own copies of these records and must do so according to the requirements of General Schedule 10.

The Division of Purchases maintains record copies of contracts with vendors. Each agency that sends contracts to Purchases for processing and approval also maintains its own copies of these contracts, which must be kept for the retention period required by General Schedule 1.

A complete list of the State General Schedules can be found on the Records Management website: <https://www.maine.gov/sos/arc/records/state/generalschedules.html>

### **Prior to submitting an Application for Records Retention Schedule, you should check to see if a General Schedule exists for the records and know what schedules currently exist for your agency.**

If you are retaining records in your office which are covered by the General Schedules, an agency schedule would not be necessary (unless you are sending records to the Records Center or Archives). All employees should be aware of the State General Schedules.

**Note:** The General Schedules are undergoing a major revision and will have a different format/layout than the current version. It will also include other series such as administrative type records.

## Agency Schedules

Only records on approved retention schedules can be sent to the Records Center or Archives so if you find records in your office – it's up to the agency to go through the process of what the records are (if they are records) and if your agency needs to schedule them. In other words, don't automatically assume because you find old records sitting in a basement that they should be sent to the Archives. We are certainly here to offer assistance where we can, but the agency should be conducting an initial evaluation. **DO NOT** send records without checking with us first.

### **Before You Write a Schedule**

Make sure the records are not already covered by a State General Schedule.

Make sure an Agency Schedule doesn't already exist. (Does that schedule need to be updated?)

Make sure these are actual records documenting the functions of the agency and not reference materials or other non-records.

### **Creating New/Amending Existing Schedules**

The Agency Records Officer signs and submits an Application for Records Retention Schedule and Inventory Form. Forms can be found on the Maine State Archives web site. The application provides general information about each series to be scheduled and the Inventory provides detailed information. Records are managed as a Schedule and Series. (Think of it as related files within a folder on your computer – that's how the Schedule and Series function.)

### **Application for Records Retention Schedule**

The first step in creating a new schedule is completing an Application for Records Retention Schedule (MSA/RM 22). This form can be downloaded from the Maine State Archives website. You cannot fill it out on line – you must save the form to your computer and then complete it. The application provides general information about the records you want to schedule, such as the creating agency, series title, and proposed retention period. It serves as a cover or “batch” sheet for the Records Series Inventory form (or forms) to follow.

### **The Records Series Inventory**

Complete a separate Record Series Inventory (MSA/RM 59) for each series listed on the Application for Records Retention Schedule. The Record Series Inventory form can be downloaded from the Maine State Archives website. This form supplies detailed information about each series to be scheduled (description, justification for proposed retention period, proposed disposition of Archives or destroy). The Record Series Inventory form must be accompanied by “live” samples, which means no blank forms. It is acceptable with sensitive records for the agency to black out (redact) confidential information, or to submit a form completed with fictional data; but there must be samples, to show what is in the series.

### **Review and Approval**

Any new schedules or amendments are submitted to the Records Management Analyst for initial review. If there are any basic questions or retention justifications that need to be made, the Analyst will send a request back for further information or clarification. If the Analyst is in agreement with the submitted schedule or amendment, it will move on to the State Archivist and/or the Archives Advisory Board for final approval and adoption. A signed copy will be returned. This is considered an agreed to contract between the submitting agency and the State Archives and the agency is expected to follow agreed to retentions and disposition.

### **How to Implement Approved Schedules**

Once you have schedules in place, what do you do with them? Make sure they are written into agency policy or office file plans and train staff so all employees are consistently retaining records the same way for the same length of time. Have the agency policy approved and enforced by management to ensure adherence to the schedules by all staff. Conduct annual reviews to purge information, making this part of your records management policy.



**Amending an Existing Schedule**

After a retention schedule has been approved, your agency may need to change it. You might need to do this because of a change in statute, in a Federal regulation, in your agency's policies, in your business needs, or simply because experience with the records tells you that they are being accessed more or less frequently than you expected when writing the current schedule.

Download the Application for Records Retention Schedule form. Mark the application "amendment" and fill in the following information: series number; series title (or new title); retention period (or new retention); schedule number and other pertinent changes. Be sure to check all reasons for submitting the amendment along with any necessary justifications.

When changing a record series description, you need to submit the Application for Record Retention Schedule (marked "amendment"), and the Record Series Inventory updated to reflect the change of description.

**Also, please include samples of any added documents.** If the program documents have changed since the initial submission of the schedule, also include new sample documents.

The Department Series Report is the printout you would receive from us, listing all of your Agency Schedules. These can be found on our website:  
<https://www.maine.gov/sos/arc/records/state/agencyschedules.html>

## Record Retention

### **Determine Retention and Disposition of Your Records**

Unfortunately, there is no universal guide to determine retention periods and disposition methods. Each record series needs to be examined individually in regard to usage patterns, departmental needs, legal issues and historic value.

In order to dispose of records at the appropriate time, you need to evaluate them in relation to their period of usefulness or specific requirements for your department (the record's value).

Most agency retentions will be based on the business process for your agency, including fiscal needs, legal requirements or the use of records as evidence or what is considered risk management in regards to records. An important thing to remember about business need in support of an active process is that it's typically a finite need.

There may also be archival purposes beyond the active business needs such as public research and analysis and historical preservation but this is typically a very small percentage.

### **4 Part Criteria**

1. **Administrative use:** What is the value of the records in carrying out the function of the organization? How long are records needed for immediate retrieval? May include day to day business operations; materials such as correspondence, memos and reports – typical need for these records are under 5 years and should be retained within the agency.
2. **Fiscal requirements:** How much time must be allowed for the completion of fiscal activities such as audit or budget? These records document an agency's fiscal responsibilities; records such as invoices, receipts, and purchase orders. Typically, audit records are kept 6 or 7 years. Some Federal requirements may be 10 years.
3. **Legal requirements:** Is a certain period specified for compliance with statutes, agency rules or protection of legal rights and interests of the state? Are Federal retention periods involved? These are records mandated by law or regulation which may be needed as evidence in legal cases or leases, titles, contracts, or court case files. Typically there will be specific language stating how long records are required to be retained for legal purposes and the law or statute should be cited on the schedule.
4. **Historical or research purposes:** Do these records document historical events or the history and development of the organization? These are records documenting the history of the agency such as board minutes, agency policy impacting external operations, or commissioner's correspondence related to policy or other executive level decisions. Typically these would be unique records not found elsewhere; records valuable for public research purposes for hundreds of years to come.

### **Where to Start**

Start with business or administrative need. An agency shouldn't get rid of a record before it has served its immediate value to the agency (in other words, before you're through using it). Active business use determines the minimum retention period for a records series.

Next, as part of the business process, determine if there are any fiscal or audit purposes for the records for which a specific retention time can be applied. Many state records are related to payments made or received, contracts or grants which will only need to be kept until an audit is completed.

Determining legal requirements may prove more difficult especially in Maine. Maine Statutes often times mention the “how” of records but not the “when.” You might have to “read between the lines” of statutes to make some determinations. Also make sure you are checking Chapter Rules and Federal Laws.

### **Records Retention and the Risk Factor**

Once you have gone through your business and legal needs for your records you now need to decide whether there is some risk factor which justifies keeping the records longer. Sometimes it's an easy thing to figure out: immediate business need might dictate 5 years but there have been several audits for these records on a regular basis up to 10 years so the potential these records will be needed up to 10 years is very high.

When considering the risk factor and the “potential” value of the record it's very important to consider the following:

#### **Is it Reasonable?**

If you decide to hang on to records beyond business or legal needs, you need to be sure there is a reasonable justification for why you are doing so. At some point, this decision might be questioned and you will need a formal justification and a well thought out, “reasonable” decision for why these records are being retained.

Your job is to make decisions on the retention schedule that can be justified as objectively reasonable.

#### **Can You See into the Future?**

Another consideration in the risk factor is attempting to forecast the future of what might occur. One reason an agency might want to keep records beyond the legal minimum is because they think there will be some need for them in the future. Has this event occurred before? Either way, you need to ask yourself what you are basing your assumptions on and if these events will occur often enough or are important enough to warrant keeping the records.

#### **Statute of Limitations**

AAG's will often point to Statute of Limitations when assessing records retention (or sometimes on the fact that there isn't one). Be careful here. Although statutes of limitation can be used as part of the risk factor (and sometimes should be), you again want to institute the reasonableness factor also. Statutes of limitation actually don't require records retention but are intended to implement the risk factor involved of “what if?” In many cases, the risk is actually shorter than what is written (or not written) in a statute of limitations.

You will need to be aware of any kind of lawsuits or investigations your agency may be involved in (or has been in the past). Knowing your records and how they are used gives you the knowledge to make the best decisions for retention. Otherwise retention is based on worst case scenarios or other *imagined risks* which perpetuate longer retention periods or worse, improper records management.

#### **Some Notes About Risk and Retention**

For the sake of “CYA” it would be easy just to keep everything for as long as possible just in case someone, someday might want the records or in case they will provide some evidentiary information for a possible lawsuit or investigation.

However, this type of retention is both costly and impractical and would be considered poor records management. Some possible risks are so unlikely that keeping records for that sole purpose is completely unnecessary. Also storage costs and possible liabilities make it not worth keeping the records when

weighed against the very scant possibility of the event ever occurring. It's very important to analyze the risk factor against the reasonableness factor.

### **Sample Risk Measurement**

#### **Risk – High**

Probability – Likely to occur each year or more than 25% chance of occurrence

Impact – The impact to the agency is likely to exceed X

Significant impact to the agency and its processes, procedures and business activities

#### **Risk – Medium**

Probability – Likely to occur in a 10-year time period or less than 25% chance of occurrence

Impact – The impact to the agency is likely to be between X and Y

Moderate impact to the agency and its processes, procedures and business activities

#### **Risk – Low**

Probability – Not likely to occur in a 10-year period or less than 2% chance of occurrence

Impact – The impact to the agency is likely to be less than Y

Low impact to the agency and its processes, procedures and business activities

*(Based on a scale from Managing Risks for Record and Information by Victoria Lemieux)*

### **Some reasons people want to retain records longer than necessary:**

They overestimate the real, ongoing value of their records;

They assume records must be kept longer for legal reasons than is actually required;

They assume they must be able to answer any inquiry, regardless of how unreasonable or how old the information requested;

They assume the legal risks regarding their records extend much further into the past than they really do;

They are simply afraid to “let go” or;

Their assumptions about risk are based upon purely hypothetical worst-case scenarios, or some past one-in-a-million occurrence.

Again, the best way you can assign proper retentions is by knowing what records are in your organization, understanding what they are used for, knowing how long they are needed, and why.

### **When Does Retention Begin**

Retention starts at some Trigger Event - something which occurs to initiate the beginning of the retention period. Typically, for most state government records, it's when a record is considered closed (when the normal business process has concluded).

For other records it could be based on a specific event such as the close of a Legislative session; termination of employee; specific age of client; or settlement of litigation.

Decide what your trigger event for your records will be so you know when the retention period begins.

## Record Disposition

- Non-archival (non-permanent) retention is based completely on the record's time-value to the business functions of the agency, including audit or other statutory requirements, and reasonable access by interested parties.
- Archival (or what is sometimes referred to as Permanent) retention is based on the record's value after it no longer serves the agency's business.

### **Determining Final Disposition**

#### **ARCHIVAL**

First, determine if the records have any historical significance. Once they have served the needs of the agency, will these records show: the history of the agency or historical events; how policy was formed; or other significant records which will be important to the general public hundreds of years in the future?

Other things to consider:

- Is this a published state document which should be sent to Maine State Library State Document/Digital Commons?
- Is this duplicate material which can be found elsewhere (example: case files also located within the courts)?
- Is this confidential? Consider archival records are “permanent” and supposed to be made public after 50 years. Does it make sense for confidential (restricted) records to be kept as archival? For who?
- Is this a collection of miscellaneous items valuable to one (for reference purposes) but, can either be found elsewhere, or would not necessarily be of value to the public for research/history.

#### **If Non-Archival - DESTROY**

If you have determined records are non-archival (non-permanent), retention is based completely on the record's time-value to the business functions of the agency. If records are stored at the Records Center, you will be sent a disposition notice to sign and then records will promptly be destroyed. If you are keeping records in your agency, whether paper or electronic, once they have met their retention time they need to be destroyed according to your schedules.

### **Archival Value**

Once the record fulfills the purpose for which it was created, the importance of the record (its primary value) ends. While state government creates records for specific legal, fiscal, or administrative reasons, it may, in the process, produce records with historical value. Such records are said to have a secondary value; they document things of interest to other people or organizations by providing information about subjects, events, or people in the State of Maine.

<p><b>Typically, less than 5% of any organization's records will be archival.</b></p>
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Many agencies default to archival dispositions for their records because of the nature of their business or because keeping records “permanently” is easier than developing a true retention period, when in fact, records retained for trending and analysis or similar needs may have value for those purposes for only a few to several years. For an agency, it's sometimes difficult to remove themselves from the records they are creating. Remember – archival is forever. Do your records warrant a “permanent” retention? Or would 50 years suffice? 100 years? These are things that are important to consider.

### **Archival Value – Some Things to Look For**

- Provides significant evidence of how the agency has instituted policy and procedure (significant historical procedures of the agency (not internal procedures like when somebody can use the break room)
- Provides significant information about people, places, or events which the agency is involved with including:
  - Information about people - their economic conditions, their values and concerns
  - Information about places within state government or the state itself
  - Information about events - agency or state events or possibly even national events which the agency is involved in

### **The Significance Factor**

Determining archival significance:

- When the records were created
- What kind of information the records contain
- Who created the records (are these original records created by your agency)
- What other records exist (is this information duplicated elsewhere)
- The uniqueness and value of the records

### **Structure of the Archives**

The **State Records Center**, located in Hallowell is for those records which have a disposition destroy. The **State Archives** is for permanent records with historical/archival value. All records in Records Center status, including pre-archival records, remain under legal control of the agency that created them. Records in the Records Center are released only to cardholders of the creating agency. Any records sent to the Records Center must first be on an approved records retention schedule before they will be accepted for transfer.

## Transferring Records

### State Records Center and Archives

Records which are considered closed but still need to be retained for fiscal, legal, or administrative reasons may be kept at the State Records Center per an approved Records Retention Schedule. (Pre-archival records are shelved at the Archives, but held in “Records Center status” until they become due for transfer to the State Archivist’s holdings.) All Records in the Records Center and all pre-archival records belong to the agencies that created them. Depending on the retention schedule, an agency may also transfer records directly to the Maine State Archives.

**Records must be on an approved Records Schedule** before any records are sent to the State Records Center or Archives. You must know the Schedule and Series number for the records you are transferring.

Using the correct schedule and series number, along with the series title, will ensure your retention period is accurate and defines the final disposition of your agencies material.

Be certain records have fulfilled the In Agency Retention time or that records have not already met their full retention times before preparing any records for transfer. See examples at the end of this document.)

**Transfer for State Records Center (disposition destroy):** Make out a Transmittal of Records Form and email it to Robert Caron, Records Center Supervisor ([recordscenter.archives@maine.gov](mailto:recordscenter.archives@maine.gov)). He will review the transmittal and if necessary make recommendations. The transmittal must be signed by an authorized Records Officer or RO Assistant.

**Transfer to Maine State Archives (disposition archival):** The same form/procedure as above, however, the contact person for archival records is Sam Howes, Archivist III ([maine.archives@maine.gov](mailto:maine.archives@maine.gov))

### Requirements for Packing Boxes

**Boxes must be packed in Archives approved 801 boxes.**

These boxes are available for purchase from the WB Mason catalog or through WB Mason online. WB Mason provides delivery to your agency.

For archival records we recommend ordering boxes that are designed for permanent storage from other vendors, such as Gaylord or Hollinger. For more information contact the Archivist III.

**Your boxes are to be packed** by year, then alphabetically or numerically. If possible box sets should be packed representing one year for each transmittal. Allowances are made for specific circumstances.

**Packing for Archives:** Your boxes should be full with no intentions of adding to them. No clips, staples, rubber bands, three ring binders, hanging file folders will be accepted. If a box is packed and your material doesn’t fill the box, add a filler to help keep the material intact is recommended, or contact the Archivist III to see about smaller box sizes available through other vendors.

**Packing for Records Center, non-permanent materials:** Same as packing for Archives but leave a little room which may allow a small file to be added. Check with the Records Center before sending any add-on files. If you have a large add-on, make a new box with a new transmittal, cross referencing the

original material. The Records Center will also add cross referencing to the original file (box). Please update your finding aids and packing list to reflect this new information.

**The Packing List** goes in the box and your office keeps a copy to reference, if the material is non-permanent. If the material is archival, packing lists should be emailed with the completed transmittal and your office keeps a copy to reference. Please do not tape the packing list on top of the box or inside the top cover. The Packing List form is available on our [Records Management Forms](#) website.

**Maine State Archives will accept only boxes that meet the criteria listed above. We may refuse pickup or delivery if these requirements are not met.** This helps us to provide the best possible service to our customer agencies. If you have questions, please call 287-5792 (Records Center Supervisor).



### **Marking Boxes**

Using a black marker, write the following on each box:

- Box number
- Arrangement (this is simply the first and last file in the box)

Records Center staff will add all remaining information: the agency, number, retention date, and assigned location number.

**INCLUDE INFORMATION**  
**ON BOTH ENDS OF THE BOX!**

<b>AGENCY USE</b> 	<b>AGENCY USE</b> 
Maine State Archives	
Box Contents	Box Number
	Transmittal Number
	<b>ARCHIVES USE ONLY</b>
Location Number	Disposition Date
<b>ARCHIVES USE ONLY</b>	<b>ARCHIVES USE ONLY</b>



### **Completing the Transfer**

From your office to the State Records Center or Archives

We will process your transmittal and contact you to arrange a pick up or delivery date. (*We pick up boxes only in the Augusta area.*) If delivering boxes, please arrange for a proper vehicle, such as a box truck.

After the Records Center or Archives has received your boxes, the Transmittal of Records form will be returned, showing the 8-digit location numbers where these boxes are stored.

### **Access to the State Records Center/Retrieving Your Records**

You can request retrieval of your records from the Records Center on any work day between 8 a.m. and 4 p.m. The Records Center provides its customer agencies with centralized, economical storage for their inactive and pre-archival government records. Please use *Request for Reference Service Form* to order records in writing. You can find this form on our [Records Management Forms](#) website.

Only those persons who have been issued a *Records Center Use Card (or Access Card)* may order agency records. Records Officers should use the Application for Records Center Use Cards, available on our [Records Management Forms](#) website, to request access cards for employees who are authorized to retrieve agency records. Records Officers are responsible for notifying us of all changes in access authorizations (canceled cards, etc.). This form may also be used to make any access card inactive.

We do not issue photo IDs. Please have both your access card number (it is printed on your card) and your driver's license, security badge, or other photo ID ready if you will be picking up records for your agency. We need to be certain records are released only to authorized personnel.

Access cards are not transferable. We will not accept requests from someone using an access card number which is not assigned to them. It is the responsibility of the agency, not Records Management, to assign cardholders. For security purposes, we will not release materials without following proper protocols.

You may request records by email or through inter-office mail. Once all correct referencing information is received, your request will be fulfilled within 24 hours – excluding days when State offices are closed. If preferred, an agency cardholder may pick up the records.

In order to prevent transcribing errors, we **prefer** email requests whenever possible. Send your completed *Request for Reference Service* form to [RecordsCenter.Archives@maine.gov](mailto:RecordsCenter.Archives@maine.gov).

**NOTE:** Archival records (once they have fulfilled retention requirements) may not leave the building and must be viewed at the Maine State Archives.

### **When Records Management Destroys Records**

We destroy records stored in the Records Center only after:

The Records Center Supervisor sends a *Records Center Disposition Notification* to the agency of record; to be approved and signed by the agency Records Officer.

Maine State Archives reserves the right to destroy records that have passed (by 10 months) their expired retention date. The need for Archives involvement occurs when the generating agency refuses to sign off on the destruction of the records. (Warehouse space is always at a premium)

*This is the Records Officer's opportunity to double check and make sure the records are not needed for an uncompleted audit, anticipated litigation, or other need that the retention schedule did not anticipate.*

### **When Your Agency Destroys Records**

- Agencies may destroy records according to approved retention schedules.
- State records should be destroyed in a confidential manner (preferably by shredding), even if those records are not confidential.
- Do NOT store records waiting for pickup in an area accessible to the public, such as a loading dock, hallway, or conference room.

### **Retention Examples**

**Questions to Consider:** When do the Records come to the Records Center? When are Records scheduled for destruction?

#### **Agency Schedule (example):**

5 years in agency; 5 years in Records Center

Total Retention Period – 10 years; Disposition = Destroy

#### **Scenario #1**

Your records close in the year 2012

You would then keep the records in your agency until the year 2017

They could then be sent to the Records Center where they would be kept until the year 2022

We will send you a Disposition Notification to approve and sign (notice to destroy the Records because they have met their 10 year retention)

#### **Scenario #2**

You find records in your office from the year 2000 (closed files).

You would NOT send these to the Records Center because they have already met their 10 year retention period (2000 + 10 years = 2010 – that year has been surpassed).

These records may be destroyed.

## Records Management Forms

**ALL CURRENT RM FORMS ARE LOCATED ON OUR WEBSITE:**  
**<https://www.maine.gov/sos/arc/records/state/recordsforms.html>**

### **Forms Policy**

Every agency must have an appointed [Records Officer](#) who will follow the Records Management forms policy. Except for the Request for Reference Services form, all Records Management forms, including transmittal forms, require the signature of a Records Officer/Assistant (or Commissioner/Agency Head). Any agency seeking to send boxes to the Records Center must have the authorization from the agency Records Officer before the material can be accepted.

### **State Agency Responsibility**

The head of each agency will appoint a Records Officer. The Records Officer will be responsible for the efficient management of records for that agency, including digital records, in compliance with the policies of the State Archivist. The person chosen as Records Officer should have a thorough knowledge of the organization and its functions.

### **Who has Authorization?**

- **Request for Reference Services** –Agency cardholders can sign this form and request records from the Records Center. Anyone seeking to retrieve records must have an access number. Records Officers and Assistants can also sign this form and request records.
- **Application for Records Retention Schedule and Records Series Inventory** –any inventory may list a specific contact person, but the forms must be signed by an Agency Records Officer or Agency Head.
- **Transmittal of Records** –the packing of boxes for transfer to the Records Center needs an oversight process and final approval by a Records Officer/Assistant or Agency Head before records are accepted, even though boxes are often packed by agency cardholders.
- **Records Officer/Cardholder Form** – Records Officers and Assistants need approval from the Commissioner or Agency Head. Cardholders can be added by the Agency Records Officer.
- **Disposition Notice** – this form needs to be authorized by a Records Officer or Agency Head.

## Records Management Policy

### **Create an Agency Records Management Policy**

A policy will guarantee all employees are following the same records management procedures.

- Where records will be kept - "centralized" area, or at individual work stations
- What type of documents to be included in the record files
- How draft documents, working papers, and copies will be handled
- How records will be maintained for access - So all employees who need access can find and retrieve what they need – including confidential records
- Who will be responsible for maintaining the record copy or who is considered the records custodian

A Records Management program should always include a policy to define objectives and establish organizational support. A policy provides guidance and establishes the authorization and approval processes for the program.

The policy should address the following:

- A description of the need for an RM program
- A statement establishing the scope of the policy
- A list of the benefits of the RM program
- RM procedures (retention and destruction, email, electronic records, litigation, etc.)
- The responsibilities of staff related to the RM program
- A directive mandating that sections cooperate with Records Officers to ensure program implementation and compliance

Implementing policy is where it's very important to get support from upper management; in order to make it a directive that all employees in the agency will follow. Or there will at least be some accountability if you have a policy.

**Policy examples are located on the State Archives website:**

<https://www.maine.gov/sos/arc/records/state/stateresources.html>

## Creating an Office File Plan

A file plan is a tool for you and others in your office to manage records. It is not essential but another valuable management tool an office can use to manage records.

A file plan is like a “roadmap” to records, listing different types of records maintained by the office, where and how those records are stored and how long they are to be kept. Though similar to records schedules, a file plan is a smaller, specific version that includes information on how and where the records are kept. A comprehensive office file plan provides a “location” for every record in an electronic or paper filing system. Understanding the file plan helps users know where to file their records and helps others know where to find the records they need to complete their tasks. File Plans would usually only list those records held in a particular office (unless the agency is very small).

### **Why Keep a File Plan**

A file plan can help your agency:

- know what kinds of records your office has
- know where to go for information needed
- help with legal counsel
- simplify records retrieval and retention
- know what to keep and how long
- help the transfer to electronic media

### **File Plan Steps**

1. Identify the types (series) of records in your office – what they are and where they’re stored; note any central storage areas for paper records and shared drives for electronic records. (Note: If you have already done an Inventory, the File Plan will be fairly simple to create and follow much of the same information.)
2. Match those records to your agency records schedules.
3. Build your file plan listing records in your office along with filing and retention instructions and information on where and how to file and find records.
4. Have the plan reviewed and approved with everyone in your office so everyone understands and can use it – make sure the plan is accurate and complete; make the plan accessible for your office and review it annually.

### **File Plan Set-Up**

Give the Who, What, Where and When of the Records

- Location – where paper or electronic files are physically maintained
- Custodian – person responsible for filing the records
- Content – description of the documents that should be filed
- Arrangement – how documents are organized within the folders
- Labels – instructions on how to identify folders
- Disposition – information from the records schedule

## Electronic Records

Remember, a record...is a record...is a record. Electronic records must be managed just as paper records. This means when the record copy is in electronic format, it must follow the retention schedule; be retained and purged appropriately. (In other words, just because you *can* keep records indefinitely, doesn't mean you *should*.) Too often state agencies are retaining electronic records beyond approved retention periods.

### Maintaining Electronic Records

Records must not only be accessible, they must also be legally admissible as evidence in court. According to Maine Title 16:

If a rule of law requires that certain records be retained, that requirement is met by retaining electronic records as long as the following conditions are satisfied:

1. The information contained in the electronic record **remains accessible**;
2. The electronic record is retained in the format in which it was created or in a format that can **accurately reflect the information** as originally created; and
3. Any information that **enables the identification of the source or origin**. So any attached metadata.

### Electronic Management Systems

The following types of records management controls are needed to ensure that records in electronic management systems can provide adequate and proper documentation of agency business for as long as the information is needed.

**Reliability:** to ensure a full and accurate representation of the transactions, activities or facts to which they attest and can be depended upon in the course of subsequent transactions or activities.

**Authenticity:** to protect against unauthorized addition, deletion, alteration, use, and concealment.

**Integrity:** Controls, such as audit trails, to ensure records are complete and unaltered.

**Usability:** to ensure records can be located, retrieved, presented, and interpreted.

**Preservation:** Ensure that all records in the system are retrievable and usable for as long as needed to conduct agency business and to meet approved dispositions.

### Legal Implications

The destruction of records should occur as a routine business process in accordance with the retention schedule.

If you do become aware of a lawsuit or other type of FOAA, any relevant records cannot be destroyed until it is determined that the matter is resolved or the legal hold is lifted.

Organizing and managing records (including electronic records) limits your liability for deleting records you shouldn't, and gives you authority to delete files you should delete. (If you have records that are requested by a FOAA that were supposed to have been destroyed, but weren't, you must produce them regardless of when they were *supposed* to have been destroyed.)

For more information on Freedom of Access Act, go to the FOAA website: <a href="http://www.maine.gov/foaa/">www.maine.gov/foaa/</a>
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**Email Specifically**

- **How Long Do I Keep My Email?** Email is a format, not a record. Retention is determined by the **content** of the email. Email is subject to the same retention requirements as paper correspondence.
- **When Are My Emails Records?** If you are conducting government business in that email, it is considered a record (communication sent or received in the transaction of state government business.) Keep in mind, if you are sending work emails using your personal email account, your account could become subject to Public Information Requests and legal discovery.
- **Email Retention Periods** The vast majority of state employees will have little, if any, email requiring permanent retention. Senior administrators through the division director level have a greater proportion of permanently valuable email, given its greater degree of policy content.
- **General Schedules** The State General Schedules (covering records in all agencies) establish retention periods for correspondence, regardless of media. State General Schedule 13 covers Agency Correspondence.

**Scanning Temporary Records (Scan and Toss)**

- Records must be on an approved records retention schedule.
- Records must be non-archival.

Once paper records have been converted to a scanned digital image and verified, those original paper records can be destroyed as long as they are temporary records (non-archival) and no other state or federal laws apply requiring the original document.

Archival (permanent) records can only be scanned for access, not for replacement of paper records. The original paper record will remain the official record. The paper may not be destroyed.

**Departing Employees**

When an employee leaves a position, computer files, including email, may NOT be automatically deleted! Those records on your computer are public records and can't be indiscriminately deleted.

On the other hand, email and electronic files must be managed so your agency isn't left with hundreds of non-records or transitory files to sift through upon your departure.

For more information go to the [OIT website](#). Included on the site is the [Checklist for Departing Employees](#).

## Frequently Asked Questions

### **Records Center and Archives**

#### **Who can use the Records Center (Records Management Services)?**

Maine State Agencies, Courts, Legislature - The State Records Center stores records for Maine State agencies once they have met their in agency retention. The records must be closed records listed on an approved records retention schedule.

#### **What is the difference between the State Records Center and the State Archives?**

They are at separate locations and have two entirely separate purposes. The Records Center provides off-site storage to state agencies--the agencies retain legal custody until the time the records meet their retention period, at which time a notice is sent for the records to be destroyed. When records have met agency retention requirements and are designated "Archival," agencies transfer legal custody of the records to the State Archives for historical preservation and public research.

#### **Who has access to our agency records?**

All records created or maintained by state agencies are the property of the State of Maine and the public that paid for their creation. However, the agency that creates or maintains the records is the legal custodian of the records. Records transferred to the Records Center remain in the legal custody of the agency of origin. This means that the Records Center only takes physical custody of the records. The Records Center is responsible for protecting the records from unauthorized access, damage, and deterioration. Both legal control and control of access to the records is retained by the agency until the records are either transferred to the Archives or destroyed. The Records Center will not release records to another agency or to the public. (Only agency card holders have access.)

### **Records Management Process**

#### **How do I become an Agency Records Officer?**

Review this within your agency. Your Commissioner or head of each department should appoint Records Officers. Complete the form for State Agency Records Officer Designation. Have it signed by the appropriate authority and send it to the Records Management Analyst.

#### **How do I get records out of my office?**

Select the records to be stored. The records must have an approved records retention schedule or General Schedule and have reached their in agency retention, but not their disposition date. Place the records in order in Records Center boxes and complete appropriate transmittal form. Include a packing list and mark the boxes appropriately (box number, first and last file date). Contact the Records Center.

#### **How do I find out what our agency schedules are?**

You can find the Schedules listed on the State Archives website or can request a copy by contacting the Records Management Analyst.

#### **How do I update my Schedules?**

Complete the Application for Records Retention Schedule and mark it as an amendment and justify the changes.

#### **Where do I get boxes for storage at the Records Center?**

Records Center Boxes can be ordered from WB Mason (Paige Company #801 Archive Boxes - PAIG801).



**How quickly can I get a file?**

An agency card holder can request retrieval of their agencies records from the Records Center on any Maine State working day from 8:00am to 4:00pm. Telephone, e-mail or written requests will be mailed to the requesting agency or may be picked up (normally within 24 hours - IF we have received correct and complete referencing information).

**Records and Schedules**

**How do I know when to send records to the Records Center?**

Records must first be eligible by having a Records Center retention time per the schedule. Records must be considered “closed” and have fulfilled any in agency retention period. However, records must not have reached their final disposition date.

**Is our office notified before records are destroyed?**

Yes! Notices of disposition to destroy records are sent to the Agency Records Officer to obtain a signature from the originating department authorizing their destruction. This is required before the Records Center disposes of any records. This process can be delayed if justification is given for documenting legal, audit or program need.

**Is there any recording of deleted documents that needs to be made when our office completes a deletion of records?**

First of all, any and all records must be on an approved Records Schedule and the records must meet their retentions in order for the agency to destroy them. If the records have met their retention and can be destroyed, it would be advisable to document this procedure for compliance purposes. You are not required to send anything to Archives.

**Records and Retention**

**What is the consequence for holding documents longer than the prescribed retention period?**

Keeping documents longer than needed take up space that could be used for other material that has just begun its retention period. If it is digital material, you are paying for server storage on 'expired' material. It is not good practice and leads to poor management of an agencies records. Discovery - if it exists and someone asks to see it, the agency has to produce it.

**What about draft documents that undergo several revisions? (This includes paper and/or email)**

See information related to drafts and working documents on our Advice Bulletins website:  
<http://www.maine.gov/sos/arc/records/state/rmbulletin.html>.

**What about multiple copies of the same document? (This includes paper and/or email)**

If another agency has responsibility for keeping a record copy, and if you have no business need to retain it, the document is simply a duplicate and subject to deletion/destruction at will.

**Is everything on my computer a public record?**

Whether or not it is an official record, anything that is stored on a State of Maine computer is a public record legally speaking unless a privacy statute protects all or part of it from disclosure.

**For more FAQs see our website: <http://www.maine.gov/sos/arc/records/state/stateresources.html>**

## **Contact Information**

**For any questions or further assistance with Records Management, please contact our staff**

Director of Archives, Tammy Marks (tammy.marks@maine.gov)..... 287-5799

Records Management Analysts (recordsmanagement.archives@maine.gov)

Felicia Kennedy ..... 287-5798

Tiffany Tattan-Awley ..... 287-5794

State Records Center (recordscenter.archives@maine.gov)

Rob Caron, Records Center Supervisor ..... 287-5792

Records Center (actual location), BABLO Bldg., 101 Water St., Hallowell ..... 287-3627

State Archives (maine.archives@maine.gov)

Sam Howes, Archivist III..... 287-5778

**Website: <https://www.maine.gov/sos/arc/records/state/>**