INTRODUCTION

Records Management Assistance

- 5 Government Information Analysts
- Consulting and Training
- Retention Schedule Reviews and Development

Call: 512-463-7610  |  Email: slrminfo@tsl.texas.gov
INTRODUCTION

www.tsl.texas.gov/slrm

- Forms and publications
- Retention schedules
- Training opportunities
- SRC services
- Contact information
OBJECTIVES:

- Understand the legal framework of records laws and retention rules.
- Know the definition of a record.
- Learn how to use a records retention schedule.
- Ensure compliance with the Local Government Records Act.
Three Pillars of Open Government

- Public Information Act (Gov. Code Chapter 552)
- Local Government Records Act (Local Gov. Code Chapters 201-205)
- Open Meetings Act (Gov. Code Chapter 551)
BASICS

Local Government Records Act of 1989:

1. Improve efficiency and economic operation of government.

2. Preserve records of permanent and historical value.

3. Provide impartial access to records management assistance.

4. Establish standards and procedures for managing local government records.

LGC § 201.002 Purpose
Local Government Records Act


Published as: Bulletin D

- Definitions
- Local authority
- Role of RMO
- Compliance requirements
Records Life-Cycle

- Creation or Receipt
- Maintenance and Use
- Disposition
- Transfer
- Destroy
Benefits of records management:

- Legal requirement and protection
- Workflow efficiency
- Timely disposition
- Protection of essential records
- Cost reduction
A local government record:
- Documents the transaction of public business
- Is created or received by a local government
- Is a record whether it is open or closed
- May exist in any medium

LGC §201.003
Definition of a record does not include:

- Convenience Copies
- Blank Forms & Stocks of Publications
- Library or Museum Materials
- Alternative Dispute Resolution Working Files

LGC §201.003
Electronic Record:

- Any information that is recorded in a form for *computer processing* and that satisfies the definition of local government record data in the Local Government Code §205.001.

- Machine-readable
**BASICS**

- **Digitized**
  - Original record was analog – Paper, receipt, audiotape, etc.

- **Born digital**
  - Original record is electronic – Word doc, MP3, webpage
Metadata:

- Data about data
- Part of the electronic record
  - Information about the e-record
  - Stays with record
  - Created by systems or people
**Records Series**
A grouping of records that all serve the same function and are all kept the same length of time.

**Employment Applications**

- Application form
- Résumé
- Cover letter
- Transcripts
- Letters of reference
Retention Period
The minimum length of time you must keep a record. 2 years

BASICS

Employment Applications
- Application form
- Résumé
- Cover letter
- Transcripts
- Letters of reference

2 years
**RETENTION**

Common retention period codes:

<table>
<thead>
<tr>
<th>[just a number]</th>
<th>• Add this number to the creation/receipt date of the record</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AV</strong></td>
<td>• As long as administratively valuable (there is some sort of business use for it)</td>
</tr>
<tr>
<td><strong>CE</strong></td>
<td>• Calendar Year End: December 31\textsuperscript{st}</td>
</tr>
</tbody>
</table>
| **FE**          | • Fiscal Year End: August 31\textsuperscript{st} ? September 30\textsuperscript{th}?
| **LA**          | • Life of the Asset (keep the record about the asset until you don’t have the asset anymore) |
| **PM**          | • Permanent (never destroy) |
| **US**          | • Until superseded (keep until replaced by an updated version) |
Lists all records series with mandatory minimum retention periods.

Same retention regardless of medium.
TSLAC Local Retention Schedules available to adopt:

**GR – General Records plus...**

<table>
<thead>
<tr>
<th>Code</th>
<th>Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>CC</td>
<td>County Clerk</td>
</tr>
<tr>
<td>DC</td>
<td>District Clerk</td>
</tr>
<tr>
<td>EL</td>
<td>Elections/Voter</td>
</tr>
<tr>
<td>HR</td>
<td>Health</td>
</tr>
<tr>
<td>JC</td>
<td>Junior Colleges</td>
</tr>
<tr>
<td>LC</td>
<td>Justice/Municipal Courts</td>
</tr>
<tr>
<td>PS</td>
<td>Public Safety</td>
</tr>
<tr>
<td>PW</td>
<td>Public Works</td>
</tr>
<tr>
<td>SD</td>
<td>Schools</td>
</tr>
<tr>
<td>TX</td>
<td>Taxation</td>
</tr>
<tr>
<td>UT</td>
<td>Utility Services</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Record Number</th>
<th>Record Title</th>
<th>Record Description</th>
<th>Retention Period</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>GR1050-56</td>
<td>TIME AND ATTENDANCE REPORTS</td>
<td>Time cards or sheets</td>
<td>4 years</td>
<td>By regulation - 40 TAC 815.106(i).</td>
</tr>
</tbody>
</table>
RETENTION

(b) The media on which public information is recorded include:

(1) paper;
(2) film;
(3) a magnetic, optical, solid state, or other device that can store an electronic signal;
(4) tape;
(5) Mylar; and
(6) any physical material on which information may be recorded, including linen, silk, and vellum.

(c) The general forms in which the media containing public information exist include a book, paper, letter, document, e-mail, Internet posting, text message, instant message, other electronic communication, printout, photograph, film, tape, microfiche, microfilm, photostat, sound recording, map, and drawing and a voice, data, or video representation held in computer memory.

Texas Government Code, § 552.002 (Texas Public Information Act)
Case study: Text messaging during open meetings:


Led to OAG opinion that text messages are subject to the Public Info Act.

RETENTION

When you ask:

How long do I keep my email?

We will tell you:

1. Email is a *format* for a record, not a type of record.
2. You must determine the retention by analyzing the content of the email.

DISPOSITION

Promotes:
- Cost savings
- Faster information retrieval
- Use of space
- Legal protection

Prevents:
- Information overload
- Human error
- Negative perception of public
Before disposition, ask:

- Has it met retention?
- Are there copies?
- Do I have a disposition log?
- Did I receive internal approval?
- Is there a destruction hold?
<table>
<thead>
<tr>
<th>Record Number</th>
<th>Records Series Title</th>
<th>Retention Period</th>
<th>From-To Dates of Records</th>
<th>Disposition Method: See legend below</th>
<th>Action</th>
<th>Volume</th>
<th>Enter “X” after approved</th>
<th>Actual Disposition Date</th>
<th>Initial</th>
<th>See Att</th>
</tr>
</thead>
<tbody>
<tr>
<td>GR1000-25</td>
<td>Contracts</td>
<td>Expired + 4 years</td>
<td>1995-2008</td>
<td>S</td>
<td>10</td>
<td>boxes</td>
<td>3-7-13</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GR1025-04c-GR1025-04e</td>
<td>Budget Working Papers</td>
<td>2 years</td>
<td>2000-2010</td>
<td>D</td>
<td>25 GB</td>
<td></td>
<td>3-7-13</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PS4100-06</td>
<td>Radio and Paging Logs</td>
<td>1 year</td>
<td>2005-2011</td>
<td>D</td>
<td>35 MB</td>
<td></td>
<td>3-7-13</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PS4450-04</td>
<td>Texfirs Incident Reports</td>
<td>5 years</td>
<td>2006-2007</td>
<td>S</td>
<td>50</td>
<td>boxes</td>
<td>3-7-13</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PS4450-02a</td>
<td>EMS Run Reports – Adults</td>
<td>6 years + 3 months</td>
<td>1995-2006</td>
<td>S</td>
<td>5</td>
<td>boxes</td>
<td>3-7-13</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PS4450-02b</td>
<td>EMS Run Reports – Minors [DOB 1992]</td>
<td>Later of Patient’s 20th birthday or 6 years 3 months</td>
<td>1995-2006</td>
<td>S</td>
<td>10</td>
<td>boxes</td>
<td>3-7-13</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Legend**
- Retention Period Codes: FE/Fiscal year; AC/See Ret Schedule; US/Until superseded; CE/Calendar year; LA/Life of Asset; AV/Administratively Valuable; PM/Permanent Actions: R/Recycling (open records only); S/Shred; B/Burn; P/Pulp; D/Delete electronic records; A/Transfer to County Archives; AR/Archival Review needed
- Disposition Date: AFTER NOTIFICATION OF APPROVAL-Date put in recycling; added to locked bin for confidential shredding; deleted; or sent to Archives
- See Att (See Attachment): Put an X in this field if there is an attachment giving more detail about the records being destroyed.
COMPLIANCE

Are you in compliance?

1. Records Management Policy (Order, Ordinance, Resolution)
2. Records Management Officer (RMO)
3. Records Retention Schedule/Decision

Compliance Element #1:
Records Management Policy (Ordinance/Order/Resolution)

- Establishes the records management program
- Identifies the position of designated RMO
- Must first be approved by:
  - Elected Official
  - Governing body
- File approved policy with TSLAC
Policy Model 1
- Elected Officials
- Statement signed by official

Policy Model 2
- Counties and Large Local Governments
- Requires governing body approval
Compliance Element #2:
Form SLR 504 – Designation of Records Management Officer

- **Position must** match policy
- **Signed by Records Management Officer**
- File new form within 30 days of personnel change
COMPLIANCE

Form SLR 504 – Elected offices:

<table>
<thead>
<tr>
<th>Section 1 Elected County Officials ONLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. County: <strong>Texas County</strong></td>
</tr>
<tr>
<td>2. Title of Office: <strong>Sheriff</strong></td>
</tr>
<tr>
<td>3. Name of Officeholder: <strong>Buford T. Justice</strong></td>
</tr>
<tr>
<td>4. Address: <strong>123 City Street</strong></td>
</tr>
<tr>
<td>5. City: <strong>Municipal City</strong> ZIP code: <strong>12345</strong></td>
</tr>
<tr>
<td>6. Telephone: <strong>123-456-7890</strong></td>
</tr>
<tr>
<td>7. Email address (optional): <strong><a href="mailto:bjjustice@texascounty.gov">bjjustice@texascounty.gov</a></strong></td>
</tr>
</tbody>
</table>

Please subscribe this email address to *The Texas Record* blog for news and training information.

Signature: **Buford T. Justice**

Date: __________________________
COMPLIANCE

Form SLR 504 – Non-elected offices:

Section 2  All Other Local Government Offices

Before filling out this form, consult the Records Management policy/order/ordinance (“policy”) approved by your governing body. If the position of the RMO has changed, or if the policy names an individual who is no longer serving as RMO, a new policy must be filed along with this form.

1. Government: City of Records
2. Position Designated in Policy: City Secretary
3. Individual’s Name: Angelina Eberly
4. Address: 123 Records Street
5. City: Records  ZIP code: 54321
6. Telephone: 123-546-7899
7. Email address (optional): citysecretary@ci.records.tx.us

Please subscribe this email address to The Texas Record blog for news and training information.

Signature  Angelina Eberly  Date: 


COMPLIANCE

Records Management Officer’s role:

- Utilize records retention schedule
- Oversee filing systems and information retrieval systems
- Protect essential and permanent records
- Ensure economical storage of inactive records
Compliance Element #3: Retention Decision

3 Options:
- Permanent
- Adopt TSLAC schedules
- Create custom schedule
If you don’t make a retention decision, you are REQUIRED to keep all records permanently.

Retention Option: Permanent

RISKS
- Storage costs
- Retrieval times
- Ongoing responsibility to protect records
- Increased legal risk

Permanent
Retention Option: Adopt TSLAC Local Retention Schedules

- Form SLR 508 – Declaration of Compliance
- Comprehensive schedules
- Up-to-date with statutes, regulation, or rule of court
Section 2  LOCAL GOVERNMENT CERTIFICATION

As records management officer for the local government or elective county office named, I hereby declare, that in lieu of filing records control schedules, we have adopted records control schedules that comply with minimum requirements established on records retention schedules issued by the Texas State Library and Archives Commission (as checked below) for use in our records management program. In doing so, I also certify that the administrative rules for electronic records, adopted by the commission under Local Government Code §205.003(a) will be followed for records subject to the rules. I understand that:

- the validity of this declaration is contingent on its acceptance for filing by the commission;
- if we have previously filed documentation with the commission in which we declared our intent to retain all records permanently, we must attach amended documentation to this declaration before it can be accepted for filing;

Name and Title:  Angelina Eberly, City Secretary

Signature:  

Angelina Eberly

Date:  

Section 3  TEXAS STATE LIBRARY ACCEPTANCE (to be completed by Texas State Library)

This Declaration of Compliance has been accepted for filing pursuant to Local Government Code §203.043(a). A record appearing on a schedule issued by the commission (as checked above) may be disposed of at the expiration of its retention period without additional notice to the Director and Librarian, subject to the provisions of Local Government Code §203.041(d).

Signature:  

Date:  

Schedule JC (Records of Public Junior Colleges)  
Schedule UT (Records of Utility Services)

2.  If any records control schedules or amendments have been filed with the commission, I also hereby declare that those schedules or amendments:

- are superseded by this declaration.

- are not superseded by this declaration. I understand that, in the event of a conflict between the previously filed records control schedules or amendments and the schedules adopted by this declaration, the longer retention period shall apply.
Retention Option: Records Control Schedule

Why?

• Instructions for disposition
• Different structural needs
• Unique records

* Use the SLR 500 with cover page SLR 540
COMPLIANCE CHECKLIST

☑ Records Management Policy:
  ▪ Policy Model 1 / 2
  ▪ Governing body approves policy
  ▪ Mail policy and board approval documentation to TSLAC

☑ Records Management Officer:
  ▪ Ensure policy designates an RMO
  ▪ Complete and mail form SLR 504

☑ Adopt Retention Schedules:
  ▪ Complete and mail form SLR 508 form adopting Schedules GR + applicable schedules
The Texas Record blog:
- Announcements
- Upcoming training
- New services
- Featured questions

Find the analyst assigned to your county:


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Questions?

Benjamin Barlow
Government Information Analyst
Phone: (512) 463-5448
Email: bbarlow@tsl.texas.gov
https://www.tsl.texas.gov/slrm