**Maine State Archives Records Management Policy**

**2022**

**OVERVIEW**

**Purpose:** The purpose of this policy is to provide guidance and direction on the creation and management of information and records and to clarify staff responsibilities. This Archives records management policy is intended to maintain, protect, retain, and dispose of records in accordance with operational needs, State government regulations, fiscal/legal requirements, historical, and reference purposes. This policy is intended for the operational and day-to-day business records created by the Maine State Archives and not for those records which are retained or preserved for other agencies.

**Policy Statement**

Maine State Archives information and records are both integral for ongoing operations and in providing valuable evidence of business decisions, activities and transactions. In addition, MSA is committed to the principles and practices set out in [Title 5, Chapter 6, §95](http://www.mainelegislature.org/legis/statutes/5/title5sec95-C.html)-C and Secretary of State/Maine State Archives (29/255) [Chapters 1: State and Local Government Agency Records Programs](https://www.maine.gov/sos/cec/rules/29/chaps29.htm#Archives).

**Scope**

This policy applies to Maine State Archives staff, to all aspects of the agency’s business and all business information created and received. It covers information and records in all formats including documents, email, and all electronic/scanned records.

**Record Definition**

"Record" means all documentary material, regardless of media or characteristics, made or received and maintained by an agency in accordance with law or rule or in the transaction of its official business. This term shall not include extra copies of printed or processed material of 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 that may have been kept in an office for convenience.

**Creation and Maintenance of Information and Records**

Agency records created by Maine State Archives employees should provide a reliable and accurate account of business decisions and actions. Include all necessary information to support business needs including the names, dates and time, and other key information needed to capture the business context.

**Access to Information and Records**

Information and records are an agency-wide resource to which all staff may have access, except where the nature of the information requires restriction. Typically, operational records of the Maine State Archives do not have any restrictions and therefore, most often records can be shared on the common (G) drive with other employees.

The public has legislative rights to apply for access to information held by our agency under the Freedom of Access Act. This applies to all public information held by the agency, whether on shared drives or in personal stores such as email folders or other personal drives. Responses to applications for access under FOAA are the responsibility of the Director of Communications who acts as the FOAA representative for the Secretary of State.

**PROCEDURES**

**Retention or Destruction**

Agency records are destroyed when they reach the end of their required retention period set out in records authorities issued by the agency records schedules approved by the Maine State Archives. Retention periods consider all administrative, fiscal, legal and government requirements for the records. Our agency uses several general and agency-specific authorities to determine retention and destruction for its records. (See Appendix A for Agency Specific Schedules and retention times/disposition)

Some records can be destroyed in the normal course of business. These are records of a short-term, transitory value or records which are duplicated elsewhere and being held purely for convenience.

**Drafts**

Drafts and working papers are records. Examples of drafts that might be immediately discarded following the creation of a new draft are those which contain only minor non-substantive changes such as correction of grammar and/or spelling or minor “word-smithing.” Any other drafts should be filed with related record series or discussed with the agency records officer or director before being destroyed. Typically, drafts that will need to be retained relate to policy. Most Archive employees will not be creating records related to policy; therefore any drafts will have a short term retention at best. If an employee has a question regarding draft material, they should consult with their records officer or director.

**Email Management**

Keep in mind that email is a format, and the retention of email will always depend on the content. Email is most often considered “general” correspondence and will typically have a retention of 2 years or less. State General Schedule 13\* (see Appendix B) gives guidance for email retention. Folders should be set up accordingly in a user’s inbox using a standardized filing structure by subject name and by year (much as you would a filing cabinet) so that items can be removed/deleted accordingly. Email is auto archived after 2 years, moving email from your primary mailbox to a secondary online archive mailbox.

Keep in mind if you use your personal computer for public work, those emails can be considered public under FOAA. If you are keeping files on a laptop or any flash drives, these files would also need to be purged per the retention schedules.

**Electronic Records**

Any electronic record (word processing document, spreadsheet, email message, etc.) should, if it's "record material" that requires retention and filing, be stored in a properly named directory/subdirectory.

File non-record materials separately from record copies to which retention requirements apply. Whenever possible, the record copy of a document (that is used by all employees in the office) should be stored on the server (G drive) and not on individual PC’s. When records are kept in more than one format, you should identify an **official “record copy”** to which you will apply the full retention period. When the record copy is electronic, it’s important to know where the record copy is stored so that all changes are made and saved to the original.

Uniqueness: Since files can be moved to other directories and subdirectories, they should be given names that will still be unique after this happens.

Persistence over time: Each file name should outlast the person who created and named that file. In other words, it should still make sense after you and your current staff members have moved on. (Avoid using things like Barrys Series File)

Electronic records are managed much the same as email records. Folders should be created to correspond with the Maine State Archives schedules or General Schedules. Subfolders should be set up by year (or month and year).

**Reference Files**

These are not official records which need to be retained for business purposes because they are typically copies of information found elsewhere. If you are keeping paper or electronic files specifically for your own reference, be sure to label them as such. When you leave your position, this will make it easier for you or your supervisor to clean out files which you were keeping specifically for your personal reference.

It may be that you have a reference file related to aspects of your job which could be beneficial to others and a reference file specific for you. Keep these separately if you do.

**Leaving Your Position**

When a Maine State Archives employee leaves a position, computer files, including email, may NOT be automatically deleted. Records need to be retained as per General and Agency schedules. Any reference files which may be beneficial for the next employee should be retained and labeled as such. Your supervisor will ultimately be responsible for your files. The State Archivist or others retaining archival records need to notify the Digital Archivist for preservation purposes. Consult with your supervisor or director for guidance.

**Pending Litigation**

Once notice is received of a pending litigation or investigation, destruction of any records involved is put on hold pending its outcome. Serious consequences are involved for the agency and for anyone who destroys records during this process. Typically, Maine State Archives day-to-day records would not be involved in anything of this nature but there always exists the possibility. We have had the circumstance where we have had to hold records (due for destruction) at the State Records Center for another department which was under litigation.

**Transfer**

Although we would not think of transferring records within our own agency, this might occur for archival records. Keep in mind if you are creating archival records within your office which need to be housed and made available for public inspection within Archive Services, the same procedures must be followed as for any outside agency.

**Roles and Responsibilities**

All state employees are responsible for creating records needed to do the business of their agency, and documenting activities for which they are responsible. As a government employee, you are responsible for managing all public records (including email) for which you are the custodian. (See Appendix D for further explanation)

State Archivist/Director: The State Archivist and Director are ultimately responsible for the management of information and records within the agency. They have authorized this policy. The State Archivist and Director promote compliance with this policy, delegate responsibility for the operational planning and running of information and records management to others in the agency and ensure the agency’s information and records program is being adequately maintained.

Agency Records Officer/Assistants: Under the leadership of the administration, records management is responsible for overseeing the management of information and records in this agency consistent with the requirements described in the policy. This includes providing training, advice, and general support to staff; creating, developing or acquiring and implementing information, including developing and implementing strategies to enable sound records management practices, monitoring compliance with information and records management policies and directives. Felicia Kennedy is our current Records Officer. Assistants include Samuel Howes, Heather Moran and Tiffany Tattan-Awley.

**Where Specific Records Can Be Found**

**Staff meeting minutes**

Located on G drive under the Administrative folder in the Staff Meeting folder. These should be purged after 2 years per General Schedule 12\*\* (see Appendix C).

**Business Records**

Our agency copies are kept by CEC. An Archives copy is recommended to be kept for reference for 1 year. Business records are kept in the Archives Services section or on the G drive. (For further information on retention of business records, see the [State General Schedules](http://www.maine.gov/sos/arc/records/state/generalschedules.html))

**Archive Policies**

Located on G drive under the Administrative folder in the Policy folder – retained until superseded per our agency schedules. (See Appendix A – Schedule 1993, Series 70)

**Other Records**

* Paper records related to Retention Schedules are kept in filing cabinets in the Management Analyst room. (Temporary placement – file room at the Williams Pavilion.)
* Paper records related to transmittals and disposition of records are kept in the PT Inventory and Property Associate’s office within the Research Room. (Temporary placement – file room at the Williams Pavilion.)
* Patron records are kept in the Archives Services section or on the G drive. (Temporary placement for paper records – file room at the Williams Pavilion.)
* The Records Management database is located on the G drive and contains information related to schedules, transmittals, locations, Records Officers and Assistants and cardholders.

**Website**

Prior to 2014 - Major template/web changes saved on Management Analyst II’s F drive previous to SOS control

Anything retained on website only (records not found elsewhere) with a retention time must be migrated as necessary. Anything transitory can be destroyed/removed once replaced. Archives has very little to no original records on their website.

After 2014 – responsibility falls to SOS

**Social Media**

Responsibility falls to SOS

**IMPORTANT NOTE**

**Training**

Minimum standards training and other RM information is available to employees on our website: <http://www.maine.gov/sos/arc/records/state/statetraining.html>

The Management Analysts are available for individualized or group training as necessary.

**Resources**

See Appendix D for further resources and information.

\* Now General Schedule 5

\*\* Now General Schedule 8

**APPENDIX A – AGENCY SCHEDULES**

**DEPARTMENTAL RECORDS RETENTION SCHEDULES**

**Schedule No.** **305** **Series**  **5#**

**Reports, Monthly/Weekly**

In Agency Retention Period 1

Records Center Retention Period 0 Last Updated: 8/20/2020 Media: Digital File

Disposition (Archives or Destroy): D

Description: Monthly Narrative Reports and Weekly Time & Production Reports.

**Schedule No.** **709** **Series**  **37#**

**State Archivist's Correspondence/Administrative Files**

In Agency Retention Period 6

Records Center Retention Period 0 Last Updated: 8/20/2020 Media: Mixed

Disposition (Archives or Destroy): A

Description: Correspondence documenting such activities as: agency changes/structure revisions; development of background to policy decisions; discussions of legal issues specific to the agency; staff and organization structure decision-making; crisis management.

[Most files are now in digital format; however some might still be in paper; so mixed media.]

**Schedule No.** **709** **Series**  **40#**

**MSA Publications**

In Agency Retention Period 0

Records Center Retention Period 0 Last Updated: 12/16/1998 Media: Paper

Disposition (Archives or Destroy): A

Description: The State Archives is authorized by Title V, Chapter 6 to publish and sell to the public archival material, reports, etc. On copy of each revision (excluding "revisions" which are confined to minor corrections of the text) is to be retained by the agency.

In Agency Retention Period 0

Records Center Retention Period 0 Last Updated: 12/16/1998 Media: Digital File

Disposition (Archives or Destroy): X

Description: Same as paper; original digital publications are archival; if they are a copy of an original print publication, copies can be destroyed once updated.

**Schedule No.** **863** **Series**  **107#**

**Archives Advisory Board Minutes**

In Agency Retention Period 5

Records Center Retention Period 0 Last Updated: 08/20/2020 Media: Mixed

Disposition (Archives or Destroy): A

Description: Official record of all actions taken by the Archives Advisory Board, including Mixed approval of disposition schedules and disposal lists for State Records. Minutes include: correspondence and related reports and memoranda presented to the Board at each meeting.

Records include: Local Government Board Records 1989-1996; Committee on Destruction of Old Records 1949-1976 (not consecutive years); Municipal Board records 1975-1990; County records Board materials 1974-1988.

Mixed records include paper and digital files.

**Schedule No.** **1655** **Series**  **100**

**Maine Historical Records Advisory Board - Minutes and Policy Management**

In Agency Retention Period Length: 5

Records Center Retention Period Length: 0 Last Updated: 8/20/2020 Media: Mixed

Disposition (Archives or Destroy): A

Description: The Maine Historical Records Advisory Board is charged with supporting the preservation of, and access to, Maine’s historical records. These records include minutes of the Board and other relevant policy

management and standard documents which help to plan future projects and document the activities of the

Board. Records may include: policy documents describing project operation (purpose, application

requirements, expected outcomes); correspondence and memos documenting any unusual events; reports required by the Board.

Mixed media contains paper and digital files.

**Schedule No.** **1655** **Series**  **102**

**Maine Historical Records Advisory Board - Planning Documents**

In Agency Retention Period Length: 6

Records Center Retention Period Length: 0 Last Updated: 8/20/2020 Media: Mixed

Disposition (Archives or Destroy): D

Description: These records provide background information on historical records collections in Maine. They are used to provide background information in setting priorities, in planning projects for the Board, and to provide

guidance to individual records repositories. Records may include: consultant reports for historical records repositories; correspondence; sample final reports/rejected reports from grantees; project results, awards, etc.

Mixed media contains paper and digital files.

**Schedule No.** **1655** **Series**  **103**

**Maine Historical Records Advisory Board - Regrant Applications/Supporting Documents**

In Agency Retention Period Length: 3

Records Center Retention Period Length: 0 Last Updated: 8/20/2020 Media: Mixed

Disposition (Archives or Destroy): D

Description: These records are used in managing the applications for specific deadlines of the Regrant Program, a

grant program for non-profit historical records repositories and local and county government (Basic and Major Grants awarded). They include the detailed information pertinent only to the projects as they are taking place. Records may include: completed applications; rejected/withdrawn applications; correspondence related to funded grant projects; printed summary of written Board review comments and numerical ratings prior to Board review meeting; original Board review forms not included in summary.

Mixed media contains paper and digital files.

**Schedule No.** **1762** **Series**  **106#**

**Maine State Library Digitized Maps**

In Agency Retention Period Length: 0

Records Center Retention Period Length: 0 Last Updated: 5/4/2010 Media: Digital File

Disposition (Archives or Destroy): A

Description: Digitized map collection from the holdings of the Maine State Library. These are invaluable Maine related historical maps which include information on the history and geography of Maine of archival interest to

historians and citizens of Maine.

**Schedule No.** **1989** **Series**  **69#**

**Maine State Archives Training Materials**

In Agency Retention Period Length: 3

Records Center Retention Period Length: 0 Last Updated: 1/26/2016 Media: Mixed

Disposition (Archives or Destroy): D

Description:

Materials created for the purpose of trainings, tours and conferences.

[Materials kept in electronic and paper format. Media format mixed.]

**Schedule No.** **1993** **Series**  **70#**

**Maine State Archives General Policy/Procedure Manuals**

In Agency Retention Period Length: 0

Records Center Retention Period Length: 0 Last Updated: 4/4/2016 Media: Mixed

Disposition (Archives or Destroy): D

Description: Internal policies and procedures covering routine, day-to-day operations of the Maine State Archives.

Includes Disaster Preparedness and Recovery Plans. Retain until superseded then destroy.

**Schedule No.** **1999** **Series**  **71#**

**Odiorne Grants - Applications Denied**

In Agency Retention Period Length: 6

Records Center Retention Period Length: 0 Last Updated: 4/4/2016 Media: Mixed

Disposition (Archives or Destroy): D

Description: These records are used in managing the applications for the Odiorne Grants. The grants were established from a bequest from the late Elizabeth D. Odiorne of Brunswick. Applications are submitted to the Maine State Archives for review and approval. Denied applications are kept on file for 6 months.

**Schedule No.** **1999** **Series**  **72#**

**Odiorne Grants - Applications Approved**

In Agency Retention Period Length: 0

Records Center Retention Period Length: 0 Last Updated: 4/4/2016 Media: Mixed

Disposition (Archives or Destroy): D

Description: These records are used in managing the applications for the Odiorne Grants. The grants were established from a bequest from the late Elizabeth D. Odiorne of Brunswick. The Maine State Archives established a grant program to support archaeological work within Maine that has a relationship to archival material in

accordance to the terms in the bequest. Grants are for one year and require that a final report be

submitted at the end of the project no later than three months after the close of the grant period. Approved

applications are kept on file until the final report is submitted.

**Schedule No.** **1999** **Series**  **73#**

**Odiorne Grants - Final Report**

In Agency Retention Period Length: 6

Records Center Retention Period Length: 0 Last Updated: 4/4/2016 Media: Mixed

Disposition (Archives or Destroy): D

Description: These records are used in managing the applications for the Odiorne Grants. The grants were established from a bequest from the late Elizabeth D. Odiorne of Brunswick. The Maine State Archives established a grant program to support archaeological work within Maine that has a relationship to archival material in accordance to the terms in the bequest. Grants are for one year and require that a final report be submitted at the end of the project no later than three months after the close of the grant period.

**Archives Services**

**Schedule No.** **305** **Series**  **0002#**

**Search Room Registration**

In Agency Retention Period Length: 1

Records Center Retention Period Length: 0 Last Updated: 2/18/1981 Media: Paper

Disposition (Archives or Destroy): D

Description: Daily registration of signatures of searchers using the Search Room.

**Schedule No.** **305** **Series**  **0003#**

**Reference Requests, Archives Services Division**

In Agency Retention Period Length: 2

Records Center Retention Period Length: 0 Last Updated: 8/20/2020 Media: Mixed

Disposition (Archives or Destroy): D

Description: Inquiries addressed to Maine State Archives or referred from other agencies regarding requests for

information from records held at the Archives. These include mail, email, telephone and in-person

requests.

**Schedule No.** **305** **Series**  **0004#**

**Researcher Applications**

In Agency Retention Period Length: 6

Records Center Retention Period Length: 0 Last Updated: 8/20/2020 Media: Paper

Disposition (Archives or Destroy): D

Description: Application forms for researchers who have visited the Search Room. These forms include photocopies of drivers licenses and a signed acknowledgement that the researcher has read the Search Room policies.

**Schedule No.** **305** **Series**  **0005#**

**Registry of Deed Receipts**

In Agency Retention Period Length: 1

Records Center Retention Period Length: 0 Last Updated: 1/26/2016 Media: Paper

Disposition (Archives or Destroy): D

Description: Signed forms for Registries of Deeds confirming receipt of film and the location of the film.

**Schedule No.** **305** **Series**  **0006#**

**Researcher Renewals**

In Agency Retention Period Length: 3

Records Center Retention Period Length: 0 Last Updated: 8/20/2020 Media: Paper

Disposition (Archives or Destroy): D

Description: Signed forms from Research Cardholders acknowledging that they have reviewed the Search room

policies when they renew their Research Cards. They will also contain current address.

**Schedule No.** **305** **Series**  **0007#**

**Intern and Volunteer Files**

In Agency Retention Period Length: 2

Records Center Retention Period Length: 0 Last Updated: 1/26/2016 Media: Paper

Disposition (Archives or Destroy): D

Description: Records pertaining to interns and volunteers at the Maine State Archives, including application forms,

confidentiality agreements and letters of reference.

**Schedule No.** **1021** **Series**  **0031#**

**Search Room Daily Statistics Sheet**

In Agency Retention Period Length: 1 month

Records Center Retention Period Length: 0 Last Updated: 1/29/1993 Media: Paper

Disposition (Archives or Destroy): D

Description: To keep a record of the number of patrons, phone calls, microfilm, and other research materials or

services rendered by the search room on a daily basis. Information is then used to compile monthly report. Retain one month.

**Schedule No.** **1994** **Series**  **407**

**Gift Registry**

In Agency Retention Period Length: Permanent

Records Center Retention Period Length: 0 Last Updated: 4/4/2016 Media: Mixed

Disposition (Archives or Destroy): A

Description: Registry of gifts to the Maine State Archives.

**Schedule No.** **1994** **Series**  **408**

**Maine State Archives Gifts**

In Agency Retention Period Length: Permanent

Records Center Retention Period Length: 0 Last Updated: 4/4/2016 Media: Mixed

Disposition (Archives or Destroy): A

Description: Materials donated to the Maine State Archives from outside of State agencies. These materials are given a gift number which can be used to trace the material back to the donor. The number should be included in all references to the material so as not to lose provenance.

**Schedule No.** **1994** **Series**  **409**

**Deeds of Gift**

In Agency Retention Period Length: Permanent

Records Center Retention Period Length: 0 Last Updated: 4/4/2016 Media: Paper

Disposition (Archives or Destroy): A

Description: Forms signed by staff of the Maine State Archives and donors acknowledging the gift of records to the

Archives.

**Schedule No.** **9999** **Series**  **0998#**

**Town Records Stored by Maine State Archives**

In Agency Retention Period Length: 0

Records Center Retention Period Length: 0 Last Updated: 1/29/1993 Media: Paper

Disposition (Archives or Destroy): A

Description: These are town records already in storage. Archives Services needs to create individual series for them when time permits. (Includes deorganized towns and plantations.)

**Records Management Services**

**Schedule No.** **312** **Series**  **13#**

**Photoduplication Work Orders**

In Agency Retention Period Length: 2

Records Center Retention Period Length: 0 Last Updated: 12/14/1983 Media: Paper

Disposition (Archives or Destroy): D

Description: Form and 3 copies used to process orders for all copy work done by the photoduplication laboratory.

Various copies retained in Search Room where orders are taken; in the Photolab; and in the Administrative Office.

**Schedule No.** **334** **Series**  **15#**

**Application for Records Retention Schedule**

In Agency Retention Period Length: Contingent Upon Event, See Description

Records Center Retention Period Length: 0 Last Updated: 5/31/2018 Media: Paper

Disposition (Archives or Destroy): X

Description: A retention schedule is a document listing all the titles of the records series (groupings of records that

support similar business processes having related legal and operational retention requirements), length of

time each document or record will be retained as an active record, the reason for its retention

(administrative, legal, fiscal, and historical) and disposition agreed by the agency and Records

Management. Included with the schedule application are the inventory form, samples and proper

justification.

These records will be retained as long as they serve the business needs of the Records Management

Department and show any historical background of agency schedules not provided elsewhere. If no longer

 needed for agency business or historical background (no records and no associated current

schedules/series), any disposition "destroy" schedule can be destroyed once it is made obsolete.

(Disposition archives schedules will be retained for recording purposes.)

**Schedule No.** **334** **Series**  **16#**

**Application for Authorization for Records Center Use Cards/State Agency Records Officer**

**Designation**

In Agency Retention Period Length: 5

Records Center Retention Period Length: 0 Last Updated: 1/26/2016 Media: Mixed

Disposition (Archives or Destroy): D

Description: Form used by state agencies to apply for records center access and also to appoint Records Officers and Assistants. This form is also used to make corrections and removals.

**Schedule No.** **334** **Series**  **17#**

**Transmittal of Records and Continuation Sheet**

In Agency Retention Period Length: Contingent Upon Event, See Description

Records Center Retention Period Length: 0 Last Updated: 5/31/2018 Media: Paper

Disposition (Archives or Destroy): X

Description: Authorization form required for state agencies to transfer records to the Records Center and Archives.

Retention is counted from last box date listed on transmittal. Transmittals are kept permanently.

Once records have met the required retention period, these forms become part of the disposition, then

retained in the agency as long as the associated disposition.

**Schedule No.** **334** **Series**  **18#**

**Request for Reference Service**

In Agency Retention Period Length: 2

Records Center Retention Period Length: 0 Last Updated: 8/20/2020 Media: Mixed

Disposition (Archives or Destroy): D

Description: The State Records Center provides agencies with centralized, economical storage for their inactive and pre-archival government records. Agencies use the Request for Reference Services form to order files

they have stored at the Records Center. Only those persons who have been issued an access card may

order agency records. Archival records may not leave the building and must be viewed at the Maine State

Archives.

Information includes: name of requestor, access card number, contact information and file information.

**Schedule No.** **334** **Series**  **19#**

**Records Center Disposition Notification**

In Agency Retention Period Length: Permanent

Records Center Retention Period Length: 0 Last Updated: 5/31/2018 Media: Paper

Disposition (Archives or Destroy): X

Description: Authorization form required for state agencies to destroy records which have met their retention periods according to their agreed to schedules. These are the forms sent out once the records have met the

required disposition date, signed by required personnel and returned to the Records Center so that

records can be destroyed.

Forms are retained permanently in the agency.

**Schedule No.** **1995** **Series**  **40#**

**Alternative Repository Applications**

In Agency Retention Period Length: Contingent Upon Event, See Description

Records Center Retention Period Length: 0 Last Updated: 4/4/2016 Media: Paper

Disposition (Archives or Destroy): D

Description: Institutions submit an application to the Maine State Archives to become an Alternative Repository. An

institution must be approved by the Archives Advisory Board as a depository for local government records

before a local government agency may deposit its records with the institution. An institution must be

approved by the Archives Advisory Board to accept confidential records before a local government agency

 may deposit confidential records with the institution. The application shall be kept on file until the institution

 no longer serves as an alternative repository by the terms and conditions agreed upon.

**Schedule No.** **1996** **Series**  **41#**

**State General Schedule Records**

In Agency Retention Period Length: Contingent Upon Event, See Description

Records Center Retention Period Length: 0 Last Updated: 8/20/2020 Media: Mixed

Disposition (Archives or Destroy): A

Description: The general schedules provide retention and disposition authorizations for records commonly created and maintained by state agencies to support administrative, personnel, and fiscal activities. These records

show schedule adoptions, authorizations and other significant records related to the formation of the State

General Schedules.

Records will be retained for 10 years after superseded or obsolete.

**Schedule No.** **1998** **Series**  **42#**

**Records Management Policy Acknowledgement Receipts**

In Agency Retention Period Length: 3

Records Center Retention Period Length: 0 Last Updated: 4/4/2016 Media: Digital File

Disposition (Archives or Destroy): D

Description: These are the records management policy acknowledgements signed by state employees on an annual basis. This information is frequently requested. Keep final version of excel spreadsheet once new policy

is released.

**Schedule No.** **2193** **Series**  **43**

**Local Government Record Retention Schedule Records**

In Agency Retention Period Length: Contingent Upon Event, See Description

Records Center Retention Period Length: 0 Last Updated: 8/20/2020 Media: Mixed

Disposition (Archives or Destroy): A

Description: The Local Government Record Retention Schedules provide retention and disposition authorization for all local governments and their agencies and offices: municipalities, quasi-municipal organizations (such as

school administrative districts, water or sewer districts, etc.), offices of county government (such Register

of Deeds, County Sheriff, etc.), and offices of District Attorney.

The schedules list those records which any local agency may create or receive during daily business. The

schedules indicate the minimum length of time records must be retained before they may be disposed of

legally. This is a replacement of the Chapter 10 Rules for Disposition of Local Government Records. These

 schedules have been prepared, approved and issued by the Maine State Archives pursuant to Maine Title

 5, Chapter 6, §95-B. This approval provides the legal basis for local agencies to incorporate these

schedules as part of an active records management program.

These records show schedule adoptions, authorizations and other significant records related to the

formation of the Local Government Record Retention Schedules.

Records will be retained for 10 years after superseded or obsolete.

**Schedule No.** **2194** **Series**  **44**

**Records Management Database Records**

In Agency Retention Period Length: Contingent Upon Event, See Description

Records Center Retention Period Length: 0 Last Updated: 8/20/2020 Media: Digital File

Disposition (Archives or Destroy): X

Description: The Records Management database gives State employees and citizens a central registry of all records being created at public expense. The database allows us to keep track of our holdings—Archives and

Records Center both. Every container on the shelves should be identified as belonging to a particular

record series, and the database should let us know where it is stored, what agency created it, whether it

still belongs to that agency or has been officially transferred to State Archives custody; and, if/when it’s

scheduled for destruction. Records Management also uses the database to keep track of the

departmental Records Officers, Assistant Records Officers, and Cardholders who are our customers.

The RM database contains the following information: Record Retention Schedules, Transmittal Records,

Reference Service Request Records, Disposition Records, Cardholder Records.

The records listed above (from which data is recorded into the database) are mirrored in other

schedules/records stored in the office. Different data sets in the database have different retention periods; some are retained permanently in the agency while others are updated as changes occur.

**APPENDIX B – GS 13**

**General Schedule Number:** **13** **State Agency Correspondence**

**1**  **COMMISSIONER/EXECUTIVE CORRESPONDENCE**

Incoming or outgoing correspondence in any media format of a commissioner or other governing official. Correspondence may pertain to the functions, policies, procedures or programs of an agency. The records will most often document executive decisions made regarding agency interests (not filed as part of another approved record series). Note: Each department has the option of retaining its commissioner's correspondence on site for longer than 2 years.

 **Agency of Record:** Creating Agency

 **Retention of Record Copy:** 2

 **Disposal:** Archival

 **Retention of Copies:** N/A

 **Date Adopted:** 6/4/2015

**2**  **PROGRAM CORRESPONDENCE**

Incoming and outgoing correspondence in any media format created in the course of administering agency functions and programs. Administrative correspondence documents work accomplished, transactions made, or actions taken. This correspondence documents the implementation of agency functions rather than the creation of functions or policies. Business-related correspondence that is related to a core function with an associated retention schedule should follow the associated schedule. File with related record series, or (if there is no related series) establish appropriate departmental retention schedule.

 **Agency of Record:** Creating Agency

 **Retention of Record Copy:** Variable (see description)

 **Disposal:** Destroy

 **Retention of Copies:** N/A

 **Date Adopted:** 6/4/2015

**3** **GENERAL CORRESPONDENCE**

Incoming and outgoing correspondence in any media format to or from employees that are made or received in connection with the transaction of public business, and that are not covered by a more specific records series. Consists of routine correspondence of a general nature that are associated with administrative practices but that do not create policy or procedure, document the business of a particular program or act as a receipt. Includes, but is not limited to: Requests for and provision of information/advice; agency-initiated information/advice.

 **Agency of Record:** Creating Agency

 **Retention of Record Copy:** 2

 **Disposal:** Destroy

 **Retention of Copies:** N/A

 **Date Adopted:** 6/4/2015

**4** **TRANSITORY CORRESPONDENCE**

Incoming and outgoing correspondence in any media format that is purely informational in nature, only documenting information of temporary, short-term value (normally would not need to be kept more than 30 days). These records would not be needed as evidence of a business transaction and not covered by a more specific records series. Includes, but is not limited to: miscellaneous notices or memoranda which do not relate to the functional responsibility of the agency (notices of government events, employee meetings, etc.); letters of thanks; invitations and responses to invitations; basic information requests that require no special compilation or research (such as hours open); letters of transmittal that do not add any information to that contained in the transmitted material; and notices including memoranda and other records that do not serve as the basis of official actions, such as holiday notices, charity and fund appeals, etc.

 **Agency of Record:** Creating Agency

 **Retention of Record Copy:** Retain until no longer needed

 **Disposal:** Destroy

 **Retention of Copies:** N/A

 **Date Adopted:** 6/5/2015

**General Schedule Number:** **13** **STATE AGENCY CORRESPONDENCE**

**5 NON-BUSINESS RELATED CORRESPONDENCE**

Non-business related correspondence is correspondence in any media format that is not relevant to the conduct of agency business. Any correspondence not received or created in the course of state business, may be deleted immediately, since it is not an official record: the "Let's do lunch" (not a State-business lunch) or "Can I catch a ride home" type of note. This would include spam or junk mail, personal message, or unsolicited messages from coworkers such as jokes, news reports or announcements which are non-work related. Promotional material from vendors, and similar materials that are "publicly available" to anyone, would also not be considered official records unless incorporated into a file for specific program purposes and reference needs.

 **Agency of Record:** Creating Agency

 **Retention of Record Copy:** Delete/destroy immediately

 **Disposal:** Destroy

 **Retention of Copies:** N/A

 **Date Adopted:** 6/4/2015

**APPENDIX C – GS 12**

**General Schedule Number:** **12** **MINUTES OF MEETINGS**

**1** **MINUTES OF MEETINGS - BOARDS AND COMMISSIONS**

All official meetings held or conducted by boards and commissions, where official minutes are kept with an accurate record of votes and actions. Records may include, but not limited to: agendas, meeting/agenda packets (briefs, reference materials, etc.); speaker sign-up, written testimony; minutes. Minutes typically contain the date, time, place, attendance, approval of prior meeting's minutes, motions made, votes, and actions taken.

Note: These are archival records which must be transferred to the Maine State Archives. The General Schedule is for guidance purposes only. A state agency schedule must be created for records transfer.

 **Agency of Record:** Creating Agency

 **Retention of Record Copy:** 10

 **Disposal:** Archival

 **Retention of Copies:** N/A

 **Date Adopted:** 3/22/2019

**2** **MEETING NOTES - BOARDS AND COMMISSIONS**

Shorthand notes/preliminary notes made by the secretary in the course of the meeting, used to prepare the official minutes for approval and adoption. Destroy when official minutes are approved.

 **Agency of Record:** Creating Agency

 **Retention of Record Copy:** Contingent Upon Event - See Description

 **Disposal:** Destroy

 **Retention of Copies:** N/A

 **Date Adopted:** 3/22/2019

**3** **RECORDINGS OF MEETINGS - BOARDS AND COMMISSIONS**

All official meetings held or conducted by boards or commissions, documenting the actual proceedings with audio or visual recordings. The recordings are generally used as a transcribing aid. Retain recordings five (5) years if not transcribed and official minutes have been approved. If recordings are transcribed, they can be destroyed once verbatim transcription has been approved (along with official minutes). Retain transcripts permanently with minutes.

Note: If minutes are challenged within the 5-year retention, recordings should be retained until any legal disputes are resolved.

 **Agency of Record:** Creating Agency

 **Retention of Record Copy:** Contingent Upon Event - See Description

 **Disposal:** Destroy

 **Retention of Copies:** N/A

 **Date Adopted:** 3/22/2019

**4** **MINUTES AND FILES OF GENERAL OFFICE MEETINGS**

Minutes, agendas and meeting files from office staff meetings, internal committees, and other internal meetings which meet to coordinate activities, work out problems, serve as sounding boards, or as vehicles for communication but where agency policy decisions are not coordinated.

 **Agency of Record:** Creating Agency

 **Retention of Record Copy:** 2

 **Disposal:** Destroy

 **Retention of Copies:** N/A

 **Date Adopted:** 6/4/2015

**APPENDIX D – TRAINING RESOURCES**

# **Records Management**

**Basic Principles for All State Employees**

**Why Does the Records Management Program Exist?**

**The program was established under Title 5, Chp. 6, §95-C, Paragraph 2 and states:**

**A.** A state agency shall retain records of value, and transfer custody to the Maine State Archives, or dispose, as provided by the records retention schedule, of records no longer possessing sufficient administrative, legal or fiscal value to warrant they’re further keeping for business purposes; and

**B.** The head of each state agency shall establish and maintain an active, continuing program for the economical and efficient management of records in compliance with the standards, procedures and regulations issued by the State Archivist. The head of each state agency shall appoint a records officer and the head of each large state agency shall appoint a records officer assistant. The head of each state agency, through that agency's records officer, shall enable and ensure the transfer to the Maine State Archives of those records that, in the opinion of the State Archivist, with advice from the Archives Advisory Board, have archival value.

**What is Records Management?**

Records management is the continuous and efficient program by which we identify and classify records, establish schedules and manage records throughout their lifecycle. In other words, what to keep, how long you keep it and whether or not it is destroyed or kept as Archival.

**What are Your Responsibilities?**

According to the Rules of Chapter 1 (Under APA Rule 29/255) it is the responsibility of the head of each agency to maintain an efficient and continuous records management program. It is also the responsibility of the head of each agency to appoint a Records Officer. Assistant Records Officers will be appointed as needed.

The Records Officers will: appoint cardholders as needed; have a thorough knowledge of the agency, its records, and functions; and create and maintain appropriate records schedules.

All state employees are responsible for creating records needed to do the business of their agency, and documenting activities for which they are responsible. As a government employee, you are responsible for managing all public records (including email) for which you are the custodian.

All state employees are responsible for maintaining records so that information can be found when needed. This means setting up good directories and files, and properly filing records in a manner that allows them to be stored and efficiently retrieved when necessary.

All employees are responsible for carrying out the disposition of records under their control in accordance with approved records schedules. All employees should be made aware of records schedules and which records they are responsible for keeping (custodian of the record).

**Why Is Records Management Important?**

Agencies produce records every day. They are the vital component to the functionality of the agency for administrative, fiscal, legal, and historical purposes. Not knowing what to keep is not the answer to Records Management and neither is keeping everything. There are implications for both.

An effective records management program offers several benefits:

**Promotes a positive reputation 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 with law, the state’s reputation is improved as is the public's confidence in state government.

**Helps the Agency Fulfill its Mission**

It will help identify and protect the essential records of your agency; those records needed to keep the agency functional. Locating what you need, when you need it is a vital component to running an agency effectively.

**Promotes Cost Effective Business Practice**

A proper records management program will reduce the volume of records stored; improve storage and retrieval systems and help to 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 (both which state agencies can pay for). An efficient records program will limit the risk and cost associated with FOAA requests and any possible litigation. Any penalties for the inability to produce requests could be avoided by having an organized program where employees can locate records.

## **What is a Record?**

## "Record" means all documentary material (books, papers, photographs, maps or other documentation, including digital records such as email messages and attachments), 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 and be retained in electronic, paper or other media.

## **Examples of records:**

## Board and Commission Minutes of Meetings

## Contracts

## Commissioner’s Correspondence

## Project files

## Client Case Files

## Personnel files

## **Non-record examples:**

### Duplicate copies of documents maintained in the same file

### Informational copies on which no administrative action is recorded or taken (convenience copies)

### Documents received that provide information but are not connected to the transaction of agency business

### Extra copies of printed or processed materials for which complete record sets exist

**How Do Agencies Manage Their Records?**

Records are managed by creating agency schedules. Schedules provide the guidance necessary to prevent unneeded records from cluttering agency offices and help preserve mid to long-term records until they have served their purpose. The purpose of the Records Management Division is to apply retention periods to ALL state government records and update them as changes occur.

**Four Key Items Every Employee Needs to Know**

* Records must be managed throughout their life cycle, according to their retention schedules
* All agency records should be on up-to-date retention schedules
* All agencies should have an active Records Officer
* There are General Schedules and Agency Specific Schedules
* General Records Schedules (for records common to most agencies): <http://www.maine.gov/sos/arc/records/state/generalschedules.html>
* State Agency Schedules (pertaining to specific agencies): <http://www.maine.gov/sos/arc/records/state/agencyschedules.html>

# **The Records Everyone Has - General Schedules**

## General Record Schedules are issued by the Maine State Archives to provide retention and disposition standards for records common to several or all State agencies. They are located on our website. Before an agency schedule is created, be sure a General Schedule does not already exist.

# **Determining Retention Periods**

## In order to dispose of records at the appropriate time, it is necessary to evaluate them in relation to their period of usefulness to the department.

## **Total Retention Period -** Time kept in your agency **PLUS** time kept in the Records Center **EQUALS** total retention period.

## **Record Retention 4-part Criteria:**

## **Administrative use:** What is the value of the records in carrying out the function of the organization? How long are they needed for immediate retrieval? *Day to day business operation; correspondence, memos, reports – typical need for these records is under 5 years and remain within the agency.*

## **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? *Records mandated by law or regulation which may be needed as evidence in legal cases or leases, contracts, 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.*

## **Fiscal requirements:** How much time must be allowed for the completion of fiscal activities such as audit or budget? *Document an agency’s fiscal responsibilities; invoices, receipts, purchase orders. Typically, audit records are kept 6 or 7 years. Some Federal requirements may be 10 years.*

## **Historical or research purposes:** Do these records document historical events or the history and development of the organization? *Records which have archival/enduring value; board minutes, agency policy decisions, Commissioner’s correspondence.*

# **Disposition Archives or Destroy**

## *Temporary (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 (Permanent) retention* is based on the record’s value after it no longer serves the agency’s business.

# **The Structure of the Archives**

## The State Records Center, located in Hallowell, is for those temporary 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 either the Records Center or Archives must first be on an approved records retention schedule before they will be accepted for transfer.

**APPENDIX E - EMAIL**

# **Email Management & Retention**

# **How Long to Keep Email**

## Email is a format, not a record. Retention is determined by the content of the email.

## If you are conducting government business in an email it is considered a record (communication sent or received in the transaction of 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 is subject to the same retention requirements as paper correspondence.

# **Email as Public Records**

## Email received or created (incoming or outgoing), in the course of state business, can be an official public record. Depending on the topic, it may or may not be a *confidential* record under the Freedom of Access Act (FOAA). No official public records may be destroyed unless authorized. Clear authorization and a practical management system are essential to insure the proper disposition of official email records.

# **Freedom of Access Act**

## The Freedom of Access Act defines a public record as “any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of an agency or public official of this State or any of its political subdivisions, or is in the possession or custody of an association, the membership of which is composed exclusively of one or more of any of these entities, and has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business” *with specific exceptions for confidentiality purposes* [1 MRSA 402 (3)].

# **Legal Implications**

## Organizing and managing email and other electronic records will reduce legal exposure in discovery proceedings on records that otherwise should have been destroyed.

## If public records exist and someone asks to see them, the agency must produce them.

## Records that are requested in discovery proceedings that were supposed to have been destroyed, but weren’t, must be produced regardless of when they were *supposed* to have been destroyed.

## Records management limits the agency’s liability for deleting records indiscriminately while giving authority to delete records which have fulfilled retention requirements.

**How to Manage Email Records**

* When a message is created or received, determine if it is part of agency business. A retention decision will need to be made based on the nature of the message and scope of responsibilities of the originator or recipient. Non-recordmaterials should be deleted immediately. Examples may include: personal messages, spam, and unsolicited email.
* All email messages do not have the same value or same retentions. Retention of email records must be assessed according to content and functions the messages perform. Just as it wouldn’t make sense for an agency to retain all paper records under a single retention period (based on the fact they are paper), the same principle would apply for email.
* Most employees will have email with short term value. However, email is also used to discuss program records, policy information and other records having significant administrative, legal, or research value requiring longer retentions (including archival records).
* As public records, email messages must be retained and disposed of according to approved retention schedules.

# **Email Schedules/Retention Periods**

The Archives’ General Schedules (covering records in all agencies) establish retention periods for correspondence, regardless of media. In the General Records Schedules, most general correspondence, and therefore most email, has a retention period of 2 years or less. There are some exceptions.

**Series 1** – Commissioner/Executive Correspondence

Retention: 2 Years (in agency) Disposition: Archival

**Series 2** – Program Correspondence

Retention: Variable Disposition: Variable

**Series 3** – General Correspondence

Retention: 2 Years Disposition: Destroy

**Series 4** - Transitory Correspondence

Retention: Retain until no longer needed (less than 30 days) Disposition: Destroy

**Series 5** – Non-Business Related Correspondence

Retention: Delete/destroy immediately

## **Email Retention Summary**

## The majority of state employees will have little, if any, email requiring permanent retention. Generally, senior administrators through the division director level have a greater proportion of permanently valuable email, given its greater degree of policy content.

Most state agency correspondence and email have a retention of 2 years or less. Keep in mind this speaks to correspondence. There are also program records associated with your emails which would be filed with related records series according to their appropriate records schedules.

# Transitory Correspondence (General Schedule #13, Series 4) - Correspondence received/created by a state agency that is purely informational in nature is considered transitory correspondence and should be kept up to 30 days or until no longer needed. These include routine questions from the public, letters of thanks, etc.

## Junk mail such as advertisements and any personal emails an employee may have in their state e-mail accounts do not need to be preserved, since these are not official state government records.

## **Main Categories of Email Records**

* Correspondence
	+ Administrative
	+ General
	+ Routine/transitory
* Records related to your specific responsibilities (Program Records)

# **How to Determine What Emails to Retain**

## First, determine whether or not it is a record

## Second, determine if this email is related to your job or should go to someone else

## Third, decide if you are the custodian – the person who has the “record copy” of the email

# **First Step – Non Records**

These can be deleted immediately because they are not records subject to a retention schedule.

* **Personal Correspondence:** Any email not received or created in the course of state business, may be deleted immediately, since it is not an official record: the "Let’s do lunch" (not a State-business lunch) or "Can I catch a ride home" type of note.

## **Publications:** Promotional material from vendors, and similar materials published outside the agency that are "publicly available" to anyone, are not official records unless specifically incorporated into other official files (such as a research project).

## **Spam**

## **CC’s:** If this is strictly a convenience copy where you are not adding to the document and no action is required, most often these will be non-retention records which can be destroyed when no longer needed.

# **Second Step – Not Part of Your Job**

## Determine if the content of the email is directly related to your job or responsibilities as a state employee. Should it go to somebody else? If you can answer YES and either delete or forward the email (again, no action is required on your part), then it is not a record you are not responsible for.

# **Third Step – Custodian of Record**

## If you have determined that the email is a record and is part of your job (step 1 and 2) the final step would be to determine if you in fact hold the “record copy.” Are you the designated person in your agency responsible for retaining these records?

## If NO (and no action is required on your part) you can either delete or forward accordingly.

## **If YES this email is the official record copy and YOU must retain it according to approved records retention schedules.** This is where appropriate agency schedules and file plans are vital because employees would know what records they are responsible for keeping.

# **Some Suggested Email Folders**

## Personal email (delete at will)

## Non-record material (delete at will)

## Transitory email (delete within 30 days or until no longer needed)

* Commissioner correspondence (potentially Archival depending on content)
* General Schedule correspondence (retain 2 years)

## Program Records (retain according to agency schedule)

## Permanent Program Records – such as board meeting minutes, corporate charters (Archival)

Email is auto-archived after 2 years (default setting, which can be changed to 5 years or never), moving email from the primary mailbox to a secondary online archive mailbox.

# **Email Tips**

## Avoid using personal email for professional business

## Don’t delete emails indiscriminately

## Limit the use of “Reply All”

## Fill in/use meaningful subject lines

## Use email rules to help sort email

## Use email retention policies on folders for short retention items

## **When Employees Leave a Position**

When a Maine State Archives employee leaves a position, computer files, including email, may NOT be automatically deleted. Records need to be retained as per General and Agency schedules. Any reference files which may be beneficial for the next employee should be retained and labeled as such. Your Supervisor will ultimately be responsible for your files. The State Archivist or others retaining archival records need to notify the Digital Archivist for preservation purposes. Consult with your supervisor or director for guidance.

**APPENDIX F: SCANNING**

**Scanning Records**

**Records Eligible for Scanning (and Tossing)**

* 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 if they are not archival (permanent) and no other state or federal laws apply requiring the original document. Archival records can only be scanned for access, not replacement. (Contact Archives for further information/alternatives.)

**Accurate Copies**

Records must be scanned and verified in a systematic and consistent fashion that ensures a complete and accurate copy of the original. Records not completely and accurately captured must not be destroyed. Agencies should develop written quality control procedures and work instructions to ensure a consistent capture; training all staff with scanning responsibilities.

**Electronic Record Formats**

Short-term records - agencies can use standard file formats such as TIFF, JPEG or PDF. Long-term records - PDF/A is an ISO-standardized version of the Portable Document Format (PDF) specialized for use in the archiving and long-term preservation of electronic documents.
Image Density - minimum of 200 DPI

**Organizing, Indexing and Metadata**

Indexing is a way to attach metadata that facilitates access, retrieval, and management of information. Developing a consistent structure is key to managing and maintaining scanned files, including naming conventions and file/directory structures. Be sure these elements are established before the scanning process begins.

**Importance of Metadata**

Metadata describes, explains, locates, or otherwise makes it easier to retrieve, use, or manage an information resource. Metadata specifically tracks creation of and alterations to an electronic record.

**Protecting Scanned Records**

Imaged records must be protected against alteration and/or deletion, damage, or loss throughout the entire retention period. They must remain accessible for the minimum retention period, while being properly managed, not just stored, and purged per their retention schedules.