

OVERSIGHT COMMITTEE ON PUBLIC RECORDS
Regular Meeting October 26, 2011

11-10-26-01

CALL TO ORDER AND ROLL

A regular meeting of the Oversight Committee on Public Records was held Wednesday, October 26, 2011. The meeting was called to order by Chairperson John Jacob, Designee for Bruce Hartman, State Examiner, State Board of Accounts at 1:30 p.m. in Room 401, Indiana State Library. Members present constituting a quorum: Pam Bennett, Director, Indiana Historical Bureau; Jerry Bonnet, Designee for Charles P. White, Secretary of State; Caroline Bradley, Designee for Brian Arrowood, Chief Information Officer, Office of Technology; Jim Corridan, Director & State Archivist, Indiana Commission on Public Records; and Joe Hoage, Public Access Counselor. Members absent: Roberta Brooker, Director, Indiana State Library; Anita Samuel, Governor's Office; Connie Smith, Designee for Robert D. Wynkoop, Commissioner, Department of Administration. Commission staff in attendance: Ted Cotterill, Deputy Director; Amy Robinson, Records Management; Beverly Stiers, County and Local Government Records Management. Guests in attendance: Scott Huffman, Family and Social Services Administration; Laurie Morone and Rita Reese, Indiana Economic Development Corporation; and Rudy Cansino and Matthew Halas, Indiana State Department of Health.

11-10-26-02

NEXT MEETING

John Jacob announced the next meeting would be held November 16, 2011 at 1:30 p.m. in Room 401, Indiana State Library.

11-10-26-03

PREVIOUS MEETING

Pam Bennett moved approval of the September 21, 2011 minutes as presented, seconded by Jim Corridan. Motion carried.

11-10-26-04

OLD BUSINESS

None

11-10-26-05

DIRECTOR'S REPORT

Jim Corridan stated there are a couple of items on the horizon. The State Records Center is ingesting probably 40,000 boxes of records from Family and Social Services Administration from across the State because of the modernization project. Mr. Corridan stated the Department of Revenue is moving out of their existing Ameriplex Complex into a new facility that will have significantly less storage and lower rent, and so somewhere between 35,000 to 40,000 boxes will be coming to the Records Center. Mr. Corridan reported there is a new roof on the Records Center and State Archives. The Department of Administration is modifying part of the space allocation on 30th Street so we will be losing some offices so they can put in a Department of Correction Parole Office in the building. Mr. Corridan stated they are submitting a request to the State Library for a position to be funded from the State Library's LSTA Funds to pay for a full time Electronic Records Archivist, so they can begin building the necessary pieces to develop a full fledged electronic records system in Indiana. Jerry Bonnet asked if that will eventually supplement microfilm or microfiche or is that a separate thing. Mr. Corridan stated their expectation and hope is that they have a system in place that has enough redundancy where they can move electronic records into the system and they will not need to microfilm electronic records. Mr. Corridan stated he is chairing a National Committee on the whole State electronic records initiative. Mr. Corridan stated they had a meeting last week in Kentucky where more progress was made and he thinks the Institute of Museums and Library Services is looking to maybe provide some grant funding for us to do some significant work in this area and move the field

forward. Mr. Corridan stated it is an exciting time and he thinks they will have a National forum where they ask audit agencies, the head of the Audit Association of United States, the head of the Secretaries of State Association of United States, and NACIO which are the CIO's which were already at this meeting in Kentucky to all come to better understand the issue and help move forward.

11-10-26-06

AGENCY REQUESTS-RECORDS RETENTION AND DISPOSITION SCHEDULES(S)

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

1. FAMILY AND SOCIAL SERVICES ADMINISTRATION

Office of General Counsel

Amy Robinson introduced Scott Huffman from this Agency. A motion was made by Pam Bennett and seconded by Joe Hoage to approve Schedule No. 1 as submitted. Motion carried.

2. FAMILY AND SOCIAL SERVICES ADMINISTRATION

DDRS/Bureau of Quality Improvement Services

A motion was made by Caroline Bradley and seconded by Jim Corridan to approve Schedule No. 2 as submitted. Motion carried.

3. PUBLIC ACCESS COUNSELOR

A motion was made by Pam Bennett and seconded by Jim Corridan to approve Schedule No. 3 as submitted. Pam Bennett asked if legislation changed to make this change to go to Advisory Opinions, which are legal opinions issued in response to formal requests or complaints about public access issues. Joe Hoage, Public Access Counselor, stated it had not and Katie Williams, Legal Assistant, put this together. There had not been any changes made since this office was established, so they are almost inundated with files in the small area they have and that was the reason for the change to move some over from where they are. Amy Robinson stated there was not anything covering the informal opinions and they have never needed to store them or do anything with them before. Jim Corridan stated so they are only opinions to the entity of the question, i.e. if he requested an opinion, the PAC would give it to him but it would not affect anyone else and has no precedent value. Mr. Hoage stated that was correct. Pam Bennett stated this is like the Attorney General. Motion carried.

4. ECONOMIC DEVELOPMENT CORPORATION

Amy Robinson introduced Laurie Morone and Rita Reese from this Agency. A motion was made by Joe Hoage and seconded by Pam Bennett to approve Schedule No. 4 as submitted. Motion carried.

5. STATE DEPARTMENT OF HEALTH

Children with Special Health Care Services

Amy Robinson introduced Rudy Cansino and Matthew Halas from this Agency. A motion was made by Caroline Bradley and seconded by Jim Corridan to approve Schedule No. 5 as submitted. Motion carried.

6. STATE DEPARTMENT OF HEALTH

Vital Records

A motion was made by Jim Corridan and seconded by Caroline Bradley to approve Schedule No. 6 as submitted. Motion carried.

7. DEPARTMENT OF WORKFORCE DEVELOPMENT

All Divisions

A motion was made by Joe Hoage and seconded by Jim Corridan to approve Schedule No. 7 as submitted. Motion carried.

8. INDIANA SCHOOL FOR THE BLIND

A motion was made by Pam Bennett and seconded by Caroline Bradley to approve Schedule No. 8 as submitted. Motion carried.

11-10-26-07

NEW BUSINESS

1. Fee for Use of Camera at Indiana State Archives

Jim Corridan distributed copies of emails between the State Archives, Jim Corridan and Paul J. Davies from Pennsylvania. Mr. Davies informed Jim that other State Archives are charging fees to allow the use of non-flash digital cameras to take pictures of items that are in collections that would have a preservation or damage issue for a fee rather than being required to make copies or have to make photos at an exorbitant cost. Mr. Corridan presented this today with the recommendation in form of a motion they begin the process or authorize allowing a patron to pay a \$20.00 daily use fee for the use of a digital camera without a flash at the State Archives with the caveat that the material they want to access meet the standard criteria where it is not a preservation issue and not a confidentiality issue and they would be appropriately filmed for the use of a patron.

Pam Bennett seconded the motion. Caroline Bradley asked if there would be a disclosure statement they would need to sign and Mr. Corridan stated everyone already signs one, and as a patron coming to the State Archives, you have to sign off agreeing to about 12 to 15 rules and so right now the rules state you cannot do this and this will be modified. Mr. Corridan stated after he received these emails, they checked with probably 12 State Archives across the country that are allowing this to happen. Ms. Bradley stated so this is just a change of the disclosure statement and training of the staff and Mr. Corridan stated yes. Joe Hoage asked if the prohibition was based on policy and Mr. Corridan replied yes, they were formerly approved by the Oversight Committee on Public Records and now one of them is being modified. Ms. Bradley asked if they checked on the rates the other State Archives were charging when they were contacted. Mr. Corridan stated it was between \$15.00 and \$20.00 and we are probably in the middle. Ms. Bennett asked if that was a per-day rate and Mr. Corridan replied yes. Mr. Corridan stated he does not think he has shared this with the Oversight Committee but the Archives hours are slightly reduced to the public, they are still there 8 a.m. to 4:30 p.m. (they are really there 7:30 a.m. to 5 p.m.) but the public hours are now 9 a.m. to 4 p.m. Ms. Bennett asked if they were adopting this with the proviso that it is added to the present agreement and Mr. Corridan stated it will replace the one phrase that deals with the use of a camera. Jerry Bonnet asked if these types of documents available for public handling and Mr. Corridan stated generally yes. Mr. Corridan stated everything that is requested will have to be pulled by the staff, nothing is out in the public, and so if something is fragile, they will not make it available period, so it will not matter. They will have to use a different format or we will have to put it on a different format for him. Mr. Corridan stated those documents that someone could have access to he would have access to as well. Mr. Corridan stated they would have people that are monitoring and cameras monitoring. Mr. Corridan stated he is particularly a Civil War historian and so some of the documents we are dealing with are valuable.

Mr. Bonnet asked if these were documents that are not already scanned, and Mr. Corridan replied no and he would bet the percentage of items in the State Archives that are scanned are less than 1/10 of a percent. The collection is probably measured in the hundreds of millions of pages and we probably have maybe 50,000 or less that have been digitized. Mr. Bonnet said this may be off the topic, but he knows there have been some commercial enterprises that have gone to libraries and scanned things and would the State consider that or if someone is taking digital pictures, would it make any sense for the State to request copies of those and start building up the digital copies. Mr. Corridan stated that is two (2) questions and in the case of an individual patron taking pictures, he does not think they would be interested because they would want to make sure they had the proper light and controls. Mr. Corridan stated on the second side of the question, concerning vendors, they have been in contact with and are in discussion with vendors currently to go through the State Archives collections and a company is interested in digitizing certain records and we would have to work out the details.

Mr. Corridan stated there would not be a charge for the State and he is trying to make sure we would get income from the project as well. Mr. Corridan stated they are interested in the military records. If

they were there, people would not have to travel to Indiana to get them, they would be available on line. Mr. Corridan stated part of the deal they are working on is to make sure that citizens of Indiana would have free access and create some type of portal site so Hoosiers would have free access and anyone else in the world would end up paying so the vendor could recoup their costs. Mr. Bonnet asked if fee would cover staff time or is that miniscule, and Mr. Corridan stated it is in part to help offset the cost of the loss of copy revenue and the staff would have had to pull the documents in order for them to read it, so it is really more about the copying charge loss and we charge about \$1.00 and we do not have to follow Department of Administration's rules as long as the Oversight Committee passes fees and helps us recoup money to help pay for the Archives. Mr. Corridan stated currently we charge about \$1.00 for the first 25 copies and then \$0.50 after that. John Jacob than asked this is just going to stand as it is, we are not going to have an actual formal revision on that page. Mr. Corridan stated what we will do is upon adoption by the Oversight Committee, we will insert the language that was discussed today into the current one to replace the one that says you cannot take digital pictures and a daily fee of \$20.00 will be charged.

John Jacob stated we are looking at a \$20.00 per day charge for using a digitized camera without flash to be modified to the current policy for Archives copies. The motion made by Jim Corridan and seconded by Pam Bennett then carried.

11-10-26-08

ADJOURNMENT

There being no further business, Caroline Bradley moved that the meeting be adjourned. Pam Bennett seconded. Motion carried. Meeting adjourned at 1:53 p.m.