

OVERSIGHT COMMITTEE ON PUBLIC RECORDS

Regular Meeting October 21, 2009

09-10-21-01

CALL TO ORDER AND ROLL

A regular meeting of the Oversight Committee on Public Records was held Wednesday, October 21, 2009. Liz Keele stated that notice of the meeting was provided more than 48 hours in advance of this meeting excluding Saturdays, Sundays and holidays pursuant to the Open Door Law. The meeting was called to order by Chairperson, Liz Keele, Designee for Todd Rokita, Secretary of State, at 1:30 p.m. in Room 401, Indiana State Library. Members present constituting a quorum: Pam Bennett, Director, Indiana Historical Bureau; Caroline Bradley, Designee for Gerry Weaver, Director, Indiana Office of Technology; Roberta Brooker, Director, Indiana State Library; Jim Corridan, Director & State Archivist, Indiana Commission on Public Records; John Jacob, Designee for Bruce Hartman, State Examiner, State Board of Accounts; Anita Samuel, Governor's Office. Members absent: Andrew Kossack, Public Access Counselor; Nancy Turner, lay member. Commission staff in attendance: Ted Cotterill, Deputy Director; Larry Hummel and Amy Robinson, Records Management; Beverly Stiers, County and Local Government Records Management. Guests in attendance: Rudy Cansino, Indiana State Department of Health; Scott Huffman, Family and Social Services Administration.

09-10-21-02

NEXT MEETING

Liz Keele announced the next meeting would be held November 18, 2009 at 1:30 p.m. in E418, Indiana Government Center South.

09-10-21-03

PREVIOUS MEETING

Caroline Bradley made a motion to approve the minutes of the September 16, 2009 meeting with one amendment, seconded by Jim Corridan. Caroline Bradley stated in the first paragraph of the minutes it stated the meeting was held in Room E418, Indiana State Library, when in fact it was in Room E418, State Board of Accounts, not Indiana State Library. Pam Bennett then stated on page 1 and the carryover to page 2, Old Business, Item No. 3, Department of Child Services, Child Welfare Division Retention Schedule, concerning the whole discussion on the microfilm question and she was not at the meeting and she has no clue in places of what they are talking about. Ms. Bennett stated when she reads minutes she usually reads them with someone 50 years from now reading them and being able to get something out of them. Ms. Bennett stated she believes that whole paragraph, particularly on page 2, pretty much needs to be revised, i.e. "we need to have the Public Access Counselor and ICPR as a member and I will stand in the chair to work on this issue and come back with a recommendation", she thinks this could be pulled out. Ms. Bennett stated that is one place and then a question under Director's Report, page 2, first paragraph, which states "Mr. Corridan stated the record holder should have the copy for inspection." Ms. Bennett stated what is being talked about is the master copy of county records coming to the Indiana State Archives and she was not sure what that last "the copy" is, is that a copy of the master microfilm or the master copy? Jim Corridan stated this is the public copy, so people should not be coming to the State Archives for the public access copy of official records, they should be going to the office holder that generated or created the record. Ms. Bennett stated correct, o.k. Ms. Bennett stated this should be clarified a little bit, inserting those few words that Mr. Corridan stated the record holder should have the copy for inspection by the public.

Mr. Corridan then stated he wanted to address item No. 3 so it can be clarified in the record and then see if the minutes can be approved with this clarification. Mr. Corridan stated there are really two (2) issues being discussed, a direct and indirect one under No. 3 of Old Business. Mr. Corridan stated what

indirectly being discussed was that currently if you have digitized records that they are required to be microfilmed if the length of time they are to be retained is more than 10 years. Mr. Corridan stated there is broad consensus on that. Mr. Corridan stated the secondary issue which is really pertinent to the issue raised here is that these are not records that are being digitized, these are records that are born digital, and what was proposed at last month's meeting was that the Public Access Counselor, the Director of the Commission on Public Records and he is not sure who "I" is in that sentence and he thought there was a third person or they would look for another person to also serve on this committee to flesh out how this needs to be addressed, this born digital issue. Mr. Corridan stated that is where they were headed at the meeting and asked if that was everyone's recollection. Ms. Bennett stated that sounds very good. Mr. Corridan moved they amend the record to reflect that conversation, seconded by Pam Bennett. Motion passed.

Caroline Bradley moved the minutes of the September 16, 2009 meeting be approved as amended, seconded by Jim Corridan. Motion passed.

09-10-21-04

OLD BUSINESS

1. FSSA Request for Waiver from OCPR Policy No. 06-01

Jim Corridan stated with the change at this point as FSSA goes through a transition to determine how they are going to handle the records involved here as part of the eligibility process, it is unclear what impact will occur at this point. Mr. Corridan stated they do not have an answer yet and are going to have to figure out how they are proceeding before they can get there.

2. County/Local General Retention Schedule

Jim Corridan stated this is still being reviewed.

3. Department of Child Services, Child Welfare Division Retention Schedule – Jim Corridan stated they do have some information on this, which is that this is the Department of Revenue issue raised earlier. Larry Hummel stated he can give a report on this, and he stated he contacted the Indiana Department of Revenue and got in touch with their Records Coordinator, who contacted the Returns Processing Section. Mr. Hummel stated they have, indeed, accepted five (5) years and destruction and basically did not have time to attend today's meeting. Mr. Hummel stated the Committee has the amendment to this schedule. Mr. Corridan asked if these are receipt records, and Mr. Hummel stated yes. Mr. Corridan stated generally GRACC 2 would be a receipt related record, which would be five (5) years. Pam Bennett then asked if this should be GRACC 2 as opposed to what is here. Mr. Corridan asked if they flipped this to GRACC 2 or did they just leave it and Mr. Hummel stated it is added as an amendment, not a deletion. Caroline Bradley stated it mirrors what is in GRACC 2, so the record series number stays. Ms. Bennett stated she did have a question about this, and she does not know why she has never thought about this before, but what she did was look these up in the code to see, Mr. Corridan stated they changed the citation on the second one, and Ms. Bennett stated she knew and was trying to figure out why and her question would be why do we use the 2004 edition as a reference when that is available exactly like that which is on line and probably in the 2008 printed edition. Amy Robinson stated she has been making this argument for the last seven (7) years because he will not stop using them and Mr. Hummel stated as the IC 34-11-2-6 2004 Edition has not been amended. Ms. Bennett then asked is he was using the first use of it and Mr. Hummel stated if it had been amended he would use that edition as being the latest. Ms. Robinson contacted the Legislative Services Agency about this a couple of years ago concerning the same question and their representative actually said you do not need to cite the edition from which this came, the assumption is that it is up to date with the most recent edition. Mr. Hummel stated the citation will tell you exactly when it has been amended or repealed or whatever.

Mr. Corridan made a motion to adopt the Indiana Department of Revenue, Returns Processing Center Retention Schedule as amended, seconded by Pam Bennett. Motion passed.

09-10-21-05

DIRECTOR'S REPORT

Jim Corridan stated Micrographics continues to scan and or microfilm about one (1) million images per month or higher. Mr. Corridan stated the Records Center continues to process a lot of records and they have ample space at the moment for additional paper records coming in to the Records Center. Mr. Corridan reported the forms management project (the new forms catalog) continues to move forward. Mr. Corridan stated they are now working with individual agencies to move their forms into the catalog, agency by agency. Mr. Corridan introduced Ted Cotterill who is the new Deputy Director of the Indiana Commission on Public Records.

Jim Corridan mentioned that the Commission on Public Records 2 ½ years began reducing the number of record series and he thinks they are very close to getting there, again thanks to the Records Management staff for having reviewed thousands of retention schedules to get us to this point where we are making that a reality.

09-10-21-06

AGENCY REQUESTS-RECORDS RETENTION AND DISPOSITION SCHEDULES(S)

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

1. LEGISLATIVE SERVICES AGENCY..... 09-01-09

State Tax and Financing Policy Commission

In regard to this schedule, there were no questions or comments. A motion was made by Pam Bennett and seconded by Caroline Bradley to approve Schedule No. 1 as submitted. Motion carried.

2. STATE FAIR COMMISSION.....09-16-09

In regard to this schedule, there were no questions or comments. A motion was made by Caroline Bradley and seconded by John Jacob to approve Schedule No. 2 as submitted. Motion carried.

3. STATE DEPARTMENT OF HEALTH.....09-17-09

Health Care Regulatory Services

In regard to this schedule, Larry Hummel introduced Rudy Cansino from this Agency. There being no questions or comments, a motion was made by John Jacob and seconded by Anita Samuel to approve Schedule No. 3 as submitted. Motion carried.

4. FAMILY AND SOCIAL SERVICES ADMINISTRATION.....09-29-09

Institutional Finance Division

In regard to this schedule, there were no questions or comments. A motion was made by Pam Bennett and seconded by Caroline Bradley to approve Schedule No. 4 as submitted. Motion carried.

5. FAMILY AND SOCIAL SERVICES ADMINISTRATION.....09-29-09

Division of Mental Health and Addiction-Main Schedule

In regard to this schedule, there were no questions or comments. A motion was made by Jim Corridan and seconded by Pam Bennett to approve Schedule No. 5 as submitted. Motion carried.

6. FAMILY AND SOCIAL SERVICES ADMINISTRATION.....09-29-09

Division of Mental Health and Addiction-Legal Division

In regard to this schedule, there were no questions or comments. A motion was made by Caroline Bradley and seconded by Anita Samuel to approve Schedule No. 6 as submitted. Motion carried.

7. FAMILY AND SOCIAL SERVICES ADMINISTRATION.....09-29-09

Division of Mental Health and Addiction-Larue Carter Memorial Hospital

In regard to this schedule, there were no questions or comments. A motion was made by Pam Bennett and seconded by Jim Corridan to approve Schedule No. 7 as submitted. Motion carried.

8. FAMILY AND SOCIAL SERVICES ADMINISTRATION.....09-29-09

Division of Mental Health and Addiction-Richmond State Hospital

In regard to this schedule, there were no questions or comments. A motion was made by Jim Corridan and seconded by Caroline Bradley to approve Schedule No.8 as submitted. Motion carried.

9. DEPARTMENT OF VETERANS' AFFAIRS.....10-06-09

All Divisions

In regard to this schedule, there were no questions or comments. A motion was made by John Jacob and seconded by Pam Bennett to approve Schedule No. 9 as submitted. Motion carried.

10. VETERANS' HOME.....10-01-09

All Divisions

In regard to this schedule, there were no questions or comments. A motion was made by Caroline Bradley and seconded by Jim Corridan to approve Schedule No. 10 as submitted. Motion carried.

11. STATE DEPARTMENT OF HEALTH.....09-25-09

Immunization Division

In regard to this schedule, there were no questions or comments. A motion was made by Jim Corridan and seconded by Pam Bennett to approve Schedule No. 11 as submitted. Motion carried.

12. LAW ENFORCEMENT ACADEMY.....09-22-09

In regard to this schedule, there were no questions or comments. A motion was made by John Jacob and seconded by Anita Samuel to approve Schedule No. 12 as submitted. Motion carried.

Amy Robinson introduced Scott Huffman from Family and Social Services Administration.

09-10-21-07

NEW BUSINESS

1. Election of Vice Chairman of the Oversight Committee on Public Records

Caroline Bradley stated she believes she volunteered in order to get herself out of the Chairman position. Pam Bennett moved that nominations be closed, seconded by Jim Corridan. Liz Keele stated it is an election by acclamation for Caroline Bradley as Vice Chairman of the Oversight Committee on Public Records.

2. Fee for Silver to Silver Duplicator 16 mm and 35 mm Film – Jim Corridan stated he would like to propose a motion to adopt a fee for work done on a new piece of equipment the Commission on Public Records has in the Micrographics Division. Mr. Corridan stated this equipment takes a master silver roll of microfilm and creates another silver master from it. Mr. Corridan stated they have some old rolls of microfilm that need to be converted over (the masters) whether due to age, poor condition, some of the things that have come from the library were not stored correctly, there are some things at the State Archives that got wet at some point and have to be converted over, so

the equipment was purchased. Mr. Corridan stated they will also provide this as a service to outside Agencies, so ICPR would not charge ICPR but there may be counties or historical societies and other groups. Mr. Corridan stated they are proposing is \$15.00 for the 16 mm 100 foot roll of film fee and \$20.00 for the 35 mm roll. Mr. Corridan stated that is based on labor, time, and supplies and materials.

Mr. Corridan made a motion that these fees be adopted, seconded by Pam Bennett. John Jacob asked how they came up with this fee and Mr. Corridan stated they ran the costs and they are slightly above cost and it is in part because they are not exactly sure that everything has been covered when they did this, but they ran up numbers based on the number of minutes it takes for an employee to do this and then they did the equipment over a 10 year depreciation period based on the expected number of rolls they will run and try to come up with an appropriate cost figure. The motion to accept the fee for silver to silver duplicator 16 mm and 35 mm film then carried.

Liz Keele recognized a distinguished guest, Mr. Matt Tusing, from the Department of Education.

09-10-21-08

ADJOURNMENT

There being no further business, Caroline Bradley moved that the meeting be adjourned. Pam Bennett seconded. Motion carried. Meeting adjourned at 1:55 p.m.