

OVERSIGHT COMMITTEE ON PUBLIC RECORDS
Regular Meeting October 20, 2010

10-10-20-01

CALL TO ORDER AND ROLL

A regular meeting of the Oversight Committee on Public Records was held Wednesday, October 20, 2010. 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 Brian Arrowood, Chief Information Officer, 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; Andrew Kossack, Public Access Counselor; Anita Samuel, Governor's Office; Connie Smith, Designee for Robert D. Wynkoop, Commissioner, Department of Administration. Members absent: None. 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, State Department of Health; Santa Brink, Indiana Department of Education.

10-10-20-02

NEXT MEETING

Liz Keele announced the next meeting would be held November 17, 2010 at 1:30 p.m. in Room 401, Indiana State Library.

10-10-20-03

PREVIOUS MEETING

Caroline Bradley then stated on page 5, under item No. 15, Ports of Indiana, Chief Engineer, it stated there were no questions or comments, but in the next paragraph Roberta Brooker asked about all the deletions to these schedules. Ms. Bradley stated she thinks it was a more general question, but thought it was in regard to the Ports of Indiana retention schedules. Ms. Brooker stated this was a question in regard to all of the schedules. Pam Bennett suggested it be changed to read "in the preceding schedules or all of the schedules above." Ms. Keele stated it could say this was asked in general. Connie Smith then stated in the Next Meeting section on page 1 of the minutes it stated this would be held on November 17, 2010 and should have been October 20, 2010. Caroline Bradley moved approval of the September 22, 2010 minutes as amended, seconded by Andrew Kossack. Motion carried to approve the minutes as amended.

10-10-20-04

OLD BUSINESS

1. State Department of Health, Medical Radiological Services Division Retention Schedule
Jim Corridan stated this is listed in your packet as the third schedule. Larry Hummel introduced Rudy Cansino from this agency and reported that he, Rudy Cansino, and the division director had quite a bit of contact on this over the last several months and the schedule presented today should address the various issues for that section of the State Department of Health. Caroline Bradley stated that Record Series 79-3660, page 2 of the retention schedule needs to be reviewed. Health Physicist Application is destroyed when the individual is deceased and she thinks they discussed in a previous meeting that they have no way of knowing when this occurs. Ms. Bradley stated she saw in this schedule there is another one that basically said the record can be destroyed after the applicant has reached age 65 and has not renewed in two (2) renewal cycles (four (4) calendar years.) Mr. Hummel stated they have not

made any proposed changes to 79-3660 at this point. Ms. Bradley stated this was brought up before and it is something that needs to be changed so those records can be managed more adequately and the record series or anything like that is not an issue, just the way they would be retained.

Jim Corridan made a motion to adopt the State Department of Health, Medical Radiology Services Retention Schedule as revised and place Record Series 79-3660 on Old Business at the next meeting so this specific issue can be addressed. Mr. Corridan stated this is already the retention so they need to visit the issue, but asked that this retention schedule be approved and Record Series 79-3660 will be on next month's meeting under Old Business. Pam Bennett stated this was approved as Old Business and not as No. 3 under the Retention Schedules. Motion carried.

2. State Department of Health, Long Term Care

Jim Corridan stated they anticipate this coming back to the Oversight Committee in November.

3. State Department of Health, Silvercrest

Jim Corridan stated there were questions raised at the last meeting. Pam Bennett stated Item No. 5, page 3 of the Minutes, to do with a record series being ended and then still be on the schedule. Mr. Corridan stated that any admission ledgers that existed at Silvercrest have been transferred to the Commission on Public Records. Mr. Corridan stated that anything that still sits in the Records Center they prefer to keep on a retention schedule until those records disappear. Ms. Bennett asked if they would then automatically drop from the retention schedule and Mr. Corridan stated no, they would have to come before the OCPR Committee to get dropped unless it is written in the schedule that it would be dropped. Ms. Bennett stated that is what she was saying, can't it be written in the schedule at this point so they do not have to come back to it again when they are all gone. Ms. Bennett stated it would save time, money and paper.

Pam Bennett made a motion that the Silvercrest Retention Schedule be deleted for all items that are stored in the Records Center once they met their disposition, seconded by Caroline Bradley. Motion passed.

10-10-20-05

DIRECTOR'S REPORT

Mr. Corridan stated that the Digital Archives continues to be very successful and last week ICPR was notified by Family Tree Magazine, which is the leading genealogist magazine, that the Indiana Digital Archives has been recognized as one of the outstanding state websites in the United States for genealogists. We received a plaque to put up at the State Archives. Mr. Corridan stated in addition in the month of September 81% of all the digital archives traffic of the 10 partners in the Library of Congress project were Indiana searches; we are dominating the partnership. Mr. Corridan stated he had an opportunity to speak at a conference with Library of Congress staff and it sounds as if we will be asked to make a presentation to State Archives' to encourage them to join this consortium and help drive down the price. Mr. Corridan stated this helps move the State Archives in Indiana into the forefront in the leadership role in the archives community.

Jim Corridan stated the second issue is electronic records and through a ~~kind of~~ partnership with the Office of Technology, IOT has purchased an enterprise wide electronic management system which will allow agencies to pay fees to IOT to manage their electronic records, digital images. Some agencies are scanning everything and then storing them on line for access, their ongoing business needs. Mr. Corridan stated there will be a massive repository and the product is coming from Oracle. Mr. Corridan reported the State has already made the purchase and IDEM, INDOT and DOC are all working toward implementation of this. Mr. Corridan stated it will create a significant opportunity and challenge for the Commission on Public Records to help manage the electronic records – we will

need to be applying retention schedules into this system and it will automatically manage the records within the system then, so if INDOT has records and the retention comes up, it will be prompted – do you want to delete your accounting records at this point when they meet the retention schedule 10 years after the information was added. Mr. Corridan stated the concept is that the person who is entering data, because all of these electronic records are based on user initiated information; the user rather than the records clerk is entering all this information. Mr. Corridan stated the user will have a drop down box that will say is this kind of record, this kind of record, this kind of record, based on your active directory identification. Mr. Corridan stated Microsoft active directory will help identify it is an Indiana Historic Bureau employee and their role is accounting. Mr. Corridan stated those are the choices they use when they do their job versus someone from FSSA that is doing something else. Mr. Corridan stated there should be a lot of ways to scale this down so no one has to search through 5,000 record series to figure out what they are supposed to do. Mr. Corridan stated that should help us significantly in managing electronic records.

Mr. Corridan stated they are excited about the opportunity to get this moving and it should move us into a whole different realm and will be very interesting to see how complex this is. Mr. Corridan stated he is not sure what all this will mean as far as the Oversight Committee, our expectations that we will find a lot of records that do not exist on retention schedules that have been generated electronically or created electronically that need to come to the Oversight Committee so that retention schedules apply to them.

10-10-20-06

AGENCY REQUESTS-RECORDS RETENTION AND DISPOSITION SCHEDULES(S)

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

1. INDIANA SECRETARY OF STATE

All Divisions

A motion was made by Jim Corridan and seconded by John Jacob to approve Schedule No. 1 as submitted. Mr. Corridan stated it is almost certain that next month the Securities Division will come back to the OCPR Committee, as there is no change in this Division as of yet. Mr. Corridan stated the remainder of this retention schedule needs to get in place because of the transition in the Secretary of State's office due to the end of his term. Caroline Bradley had a question concerning a couple of items, the first one being on page 4, Record Series 99-05, which sounded like at the end of the description the document and the Apostille are returned to the requestor who submits it to a Hague Convention signor nation and it sounds like everything is returned to the requestor, so she is not sure that a record exists or if there is a copy of it. Ms. Bradley stated it is a little different than the previous version but it seemed like there was nothing there for records. Liz Keele stated she could explain what occurs – an individual requests a document to be authenticated and they track those that they receive by mail as far as the document, the country, how it was processed, the date. Ms. Bradley asked if that was covered in the Daily List on page 6 of this schedule and Ms. Keele replied yes. Ms. Bradley asked if this was two (2) separate records and Ms. Keele stated she was describing the Daily List. Ms. Bradley stated it sounded like the record and forms are returned directly to the person requesting it so there is nothing retained at the Secretary of State's office and or destroyed. Ms. Bradley asked if that record should just be struck from the retention schedule. Ms. Keele stated actually the certificate they provide is a word document and she does think that their ability to recreate what was done as part of the Hague Convention and she does not know that this should be deleted entirely. Ms. Keele stated she can research this. Ms. Bradley suggested they table this Record Series item until next month.

Ms. Bradley stated on page 7, Record Series 90-134, the application is valid for 120 days and the retention states to delete it right at four (4) months which means it is being deleted right as it expires. Ms. Bradley

stated in most cases we are keeping things for a period of time after they expire for historical purposes, not that it has to be but is just a general question if there is a reason to keep it longer. Ms. Keele stated actually their practice has been to consider destroying four (4) months after the 120 days so maybe that is a misinterpretation of how it is read. Ms. Bradley stated the amendment states to destroy/delete four (4) months after approval of the application which would be at the front end, so should it read four (4) months after expiration because it clearly states it is valid for 120 days. Ms. Keele stated the retention period should state destroy four (4) months after expiration of the document.

Ms. Bradley then stated on page 9, Record Series 78-495, Summons Information Sheet, the retention period is not on this schedule – it states this record is transferred from the Administration Division to the Business Services Division with no change in the record description or retention instructions but there are no retention instructions. Ms. Keele stated this will be added to this schedule and Ms. Bradley stated it can be adopted with that added back in.

Pam Bennett stated she just wanted to make sure in looking at the sections on Corporations and Trademarks they eventually end up at the State Archives – is this not correct. Ms. Keele stated that is correct. Mr. Corridan stated the paper goes to the State Archives on both of them. Ms. Bennett stated they are very historically important and they use them all the time.

Caroline Bradley moved approval of the Secretary of State Retention Schedule with the corrections to Record Series 90-134 stating destroy four (4) months after expiration and including the retention instruction on Record Series 78-495 as well as tabling Record Series 99-05, seconded by Jim Corridan. Motion carried.

2. ALCOHOL AND TOBACCO COMMISSION

All Divisions

A motion was made by Connie Smith and seconded by Anita Samuel to approve Schedule 2 as submitted. Caroline Bradley stated on page 3, Record Series 83-898, the retention period now states to delete individual registrants after lapse of the registration, but we previously kept them for two (2) years based on another Record Series that was deleted and is there a reason to have access to those records especially for historical purposes. Pam Bennett stated on the previous schedule the records were retained for two (2) years and not destroyed immediately and what Ms. Bradley is asking is there a reason why now they are not kept for any period of time and should that be added back in the schedule or some period of time to hold them. Amy Robinson stated the old retention was transfer to 83-899 and she told Mr. Hummel they are asking why we did away with keeping it for two (2) years. Mr. Hummel stated because it is not a valid active record, there is no separate inactive registrant file.

Ms. Bradley then stated on page 14 of 17 she thinks this one is simply a typographical error on Item No. 21, which states no state form number shown, but then refers to State Form 51843 in the body of the title/description. Amy Robinson explained that the Beer Keg Tracking Log is not that form number, the log is just a log and the State Form 51843 is a Keg Registration Label. Mr. Hummel stated this has no impact on the retention instructions.

Ms. Bradley stated on page 14 we refer to please delete record series numbers 83-888 and 83-889 and include these record in 83-893 and they are not the same record – it takes them back to dead files and then back on page 6 Record Series 83-907, this microfiche lists dead files by permit number, expiration date and the reason for its termination. If you look at 83-888 and 83-889 these are really excise police files and they are not the same thing as permits. Amy Robinson stated page 6 is 83-907 and not 83-893. Ms. Bradley stated 83-898 is still Dead Permittee Files and Mr. Corridan stated it is Item No. 1 in this schedule. Ms. Bradley stated they appear to be different types of records and Mr. Corridan stated they will go back,

and what is happening is some of these excise police files are getting filed in the dead permit file, so they will go back and make sure they are on the same page. Mr. Corridan stated what he thinks is happening is when the permittee goes out of back they are filed together and they will verify this.

Ms. Bradley then stated on page 16, Item No. 26, it states destroy CD's three (3) years after the employee leaves the Alcohol and Tobacco Commission and it is scanned to a compact disk. Ms. Bradley stated let's say an employee works for 25 years would that be a problem and Amy Robinson stated it is three (3) years after the employee leaves the Alcohol and Tobacco Commission. Ms. Bradley stated then that is not an issue.

Caroline Bradley moved approval of the Alcohol and Tobacco Commission Retention Schedule with the exception of tabling Record Series 83-898 on page 3 and the inclusion of Record Series 83-888 and 83-889 on page 16 into Item No., Record Series 83-893 on page 2 of this schedule, seconded by Pam Bennett. Motion carried.

3. STATE DEPARTMENT OF HEALTH
Medical Radiology Services

This Retention Schedule was covered under Old Business.

4. DEPARTMENT OF EDUCATION
Office of Legal Affairs

Jim Corridan introduced Santa Brink from this Agency. A motion was made by Caroline Bradley and seconded by Connie Smith to approve Schedule No. 4 as submitted. Jim Corridan stated there is an amendment to this retention schedule concerning Item No. 5 on page 4, State Board of Education Adjudication Files. The Title/Description column should read "This is the record created prior to, during and after the administrative hearing. It consists of decisions rendered by the State Board of Education. The files usually involve legal settlement or transfer tuition issues. Disclosure of these records may be subject to IC 4-21.5-3-32, (2004 Edition). Retention is consistent with IC 34-11-2-7, (2004 Edition). Mr. Corridan stated Item No. 4 is 86-686 which is the local complaint policy – does that record no longer exist. Ms. Brink stated it no longer exists. Mr. Corridan stated we need to delete this record series from the schedule. Ms. Brink stated what happened is they are all part of Special Education and two (2) years ago they separated and now they have completely different records and that is why these are all being amended or combined. Mr. Corridan stated delete Record Series 86-686 should be deleted. Mr. Corridan asked if these records have already been transferred to the State Archives and Ms. Brink stated they have not been created in probably 10 years, so if they existed they would have already gone to the State Archives. Jim Corridan moved the original motion be amended to delete 86-686, Local Complaint Policy, and combine State Board of Education Decisions, and the amendment combines the remaining No. 4 and the new No. 5 together into one Record Series. This will be No. 5 so a new number can be assigned to it. Ms. Bradley stated we can basically say instead of amending 86-686 that this will be deleted. Jim Corridan moved to amend the original motion as stated above, seconded by Connie Smith. Motion passed.

10-10-20-07

NEW BUSINESS

None

10-10-20-08

ADJOURNMENT

There being no further business, Pam Bennett moved that the meeting be adjourned. John Jacob seconded. Motion carried. Meeting adjourned at 2:12 p.m.