

RECORDS MANAGEMENT

Managing Public Records

Presentation by Becky Hébert,
Alabama Department of Archives and History
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What is Records Law in Alabama

❖ No county, municipal, or other local government official shall cause any county, municipal, or other local government record to be destroyed or otherwise disposed of without first obtaining the approval of the Local Government Records Commission.

(Code of Alabama 1975, 41-13-23)



RDA is Your Legal Authority for Disposition

"The RDA establishes retention periods and disposition instructions for those records and provides the legal authority to implement records destruction."



What is Records Retention?



It identifies the duration of time for which the information should be maintained or "retained"

Records Disposition Authority (RDA)

Composition



What are Public Records

The old definition:

"All written, typed, or printed books, papers, letters, Documents, and maps made or received . . . by the public officers of the state, counties [and] municipalities . . . **In the transaction of public business.** . . ."

(Code of Alabama 1975, Section 41-13-1)

What are "Public Records"

The Uniform Electronic Transactions Act of 2001, now codified as Code of Alabama Sections 8-1A-1 through 8-1A-20, established the terms under which electronic records are legally acceptable, provided that both parties to a transaction agree to their use.

The act states that if a law requires a record to be "in writing," an electronic record—under certain specified conditions—satisfies that law. Electronic records may not be denied legal authority simply because they are electronic.

What are Public Records



Examples of Types of Electronic Records

Word processing	Spreadsheets	PDF	Databases	Scanned Images
Email and attachments	Presentations	Digital Photographs	Websites	Social Media
Audio Recordings	Videos	Electronic Publications	GIS	CAD



Same Rules Apply Regardless of Format



Records Retention is Format Neutral

Irrespective of format (paper,
electronic, or other)



Electronic Records: System Upgrades & Data Migration

If an agency chooses to maintain records solely in electronic format, it is committed to funding and implementing any future system upgrades or data migrations necessary to ensure each record's preservation and accessibility for the full period legally required in the RDA. This commitment may become problematic when permanent and long-term records are involved.

Leave No Data Behind:

Must ensure records preservation and accessibility for the full period legally required in the RDA



Electronic Records: System Upgrades & Data Migration

You need a plan

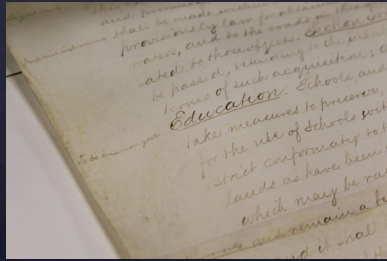


Plan for cost
of data
migration



Permanent Records

Preserve paper
and electronic
Permanent Records



Permanent Records Examples

- ◆ Meeting Minutes and Packets
- ◆ Annual Reports
- ◆ Student Handbooks
- ◆ Student Records
- ◆ Approved Annual Budgets
- ◆ Audit Reports
- ◆ Newsletters





"Basics" of Storing Paper Records

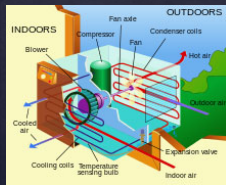
- ◆ Provide proper security in storage areas.
- ◆ Use acid-free storage containers and metal shelving for permanent or long-term records.

"Basics" of Storing Paper Records

- ◆ Remove all non-record "junk" (Christmas decorations, office supplies, old computers, paint, maintenance supplies or equipment).
- ◆ Correct obvious environmental hazards (water pipes, furnaces, leaking roofs, or broken windows).
- ◆ Install adequate lighting. Turn lights off when room is not in use. Long-term records should be protected against ultraviolet light.



"Basics" of Storing Paper Records



- ◆ Provide a stable environment for protecting records. (70 degrees F, 50% humidity with minimal fluctuations is optimum, but may not be needed for short-term records.)
- ◆ Drastic environmental fluctuations can cause mold growth and are much more damaging than stable conditions that are a bit too hot or humid. Never turn off air-conditioners at night or over weekends!
- ◆ Short-term paper records (20 years or less) do not require ideal humidity and temperature. So long as conditions are not extreme or fluctuating, they should last as long as legally required.

Permanent Electronic Records

Library of Congress Recommended Formats Statement

- ◆ Textual Works and Musical Compositions
- ◆ Still Image Works
- ◆ Audio Works
- ◆ Moving Image Works
- ◆ Software and Electronic Gaming and Learning
- ◆ Datasets/Databases

<https://www.loc.gov/preservation/resources/rfs/>

File Format Guide Limited Examples

Types of Works

- ◆ Textual Works
- ◆ Photographs-Digital
- ◆ Audio-Media Independent

Acceptable Formats

- ◆ PDF/A
- ◆ TIFF, JPEG2000, PNG, JPEG/JFIF, DNG
- ◆ Final production PCM WAVE, Broadcast WAVE

Temporary records Records destruction

Temporary records
are kept for a
designated period
of time (listed in the
RDA), then
destroyed



You can't keep it all

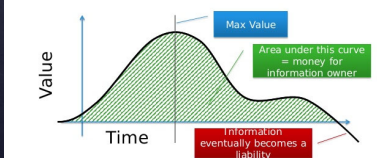


Electronic
Out-of-sight/
Out-of-mind
Mentality

Creates digital
graveyards



The Value of Information Over Time



Information eventually becomes a liability



⚠Warning: All information is potentially discoverable in a lawsuit. This means that in the event of a lawsuit, the plaintiff's attorney can request and organization to produce any information that he or she believes to be relevant. It can be a considerable expense to cull through the volume of files.





How Do I Destroy Records

For the Record

The Records Management Blog of the
Alabama Department of Archives & History



Local Government Records Destruction 101
March 22, 2019

Is your local government conducting a basement cleanup project, carrying out its annual destruction activities, or sorting through electronic files? Did you know that you must request authorization from the Alabama Department of Archives and History (ADAH) each time you plan to destroy local government records?

<https://fortherecordalabama.blog>



Local Government Records Destruction Notice

The screenshot shows a form titled "Local Government Records Destruction Notice" with a header section, a table for recording items, and a footer section. The table has columns for "Item Number", "Description of Item", "Date Recd.", "Date Recd. by", "Date Recd. by", and "Date Recd. by".



Local Government Records Destruction Notice

[illegible][illegible]

```
graph TD; A[www.archives.alabama.gov] --> B[Home | Education | Museum | Records Management | Research]; B --> C["Local Agencies"]; C --> D["Retention Schedules"];
```

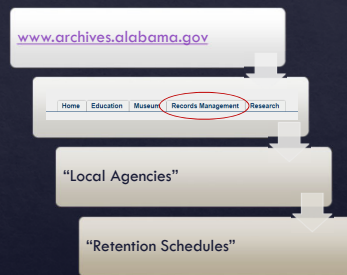
Identify the Appropriate RDA/Retention Schedule

www.archives.alabama.gov

Home | Education | Museum | Records Management | Research

"Local Agencies"

"Retention Schedules"

[illegible][illegible][illegible][illegible]

Local Government Records Destruction Notice First Page	Contact Information	How will records be destroyed
	Name of Applicable Retention Schedule	Total bytes of records to be destroyed
	Signature	

[illegible]

Local Government Destruction Notice

Complete the Contact Information

(Page 1, Section 1)

Date	Local Government	Department	Program Unit
02-12-2019	Montgomery County Board of Education	Human Resources Department	

First Name	Last Name	Job Title	Phone Number
Eric	Lee	Senior Administrative Assistant	(301) 278-2700

Email	Street	City	State	Zip
eric.lee@mcps.k12.md.us	107 S. Decatur Street	Montgomery	MD	06104


Please list name, title, email, and phone number for any other individuals, not listed above, who need to be copied when sending the letter of eligibility.

Local Government Destruction Notice Complete Manner of Destruction, Approximate Date of Intended Destruction, and Type of Retention Schedule (Page 1, Section 2)

Select the manner in which records will be destroyed	Date of Intended Destruction	Select the retention schedule you are using to destroy records
<input type="text" value="Shredding"/>	<input type="text" value="03-31-2019"/>	<input type="text" value="Board of Education"/>
Total cubic feet of obsolete paper records destroyed?	Total bytes of obsolete electronic records destroyed?	
<input type="text" value="114"/>	<input type="text" value="112000"/>	

Local Government Destruction Notice Delay Adding a Signature Until the End of the Process (Page 1, Section 3)

I hereby certify that the records to be destroyed are correctly represented below, that they are eligible for destruction according to the Records Disposition Authority approved by the Local Government Records Commission, that audit and Sunset Review requirements have been fully satisfied, and that the records are not required for any pending or imminent litigation.

Signature of Authorizing Official	Printed Name of Authorizing Official	Title of Authorizing Official
	<input data-bbox="349 1071 511 1081" type="text" value="John Mc"/>	<input data-bbox="527 1071 706 1081" type="text" value="Horry County Superintendent"/>

(Signature may be digital but may not only be a typed name) *For Schools: Must be the Superintendent of Education

Local Government Records Destruction Notice Second Page

RDA Record #	Record Title as Shown on RDA
Date Span	Retention as Shown on RDA
Date Audited	Volume

[illegible][illegible]

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"RDA Record #" Field

RDA Record #	Records Title As Shown on RDA	Date Span	Retention as shown on RDA	Date Audited	Volume
10.08	Grant Project Files - Financial reports, vision narrative reports, and correspondence	1999-2005	Retain 6 years after submission of final report or denial of application.	1/13	1121b



ERROR: Should say 10.08a



REMEMBER

Look online to find the updated RDA
Numbers may change as records are added

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Records Title as Shown on RDA" Field

10.06 Contracts, Leases, Franchises, and Agreements. These records document the negotiation, fulfillment, and termination of all contracts, leases, franchises, and agreements entered into by the board of education, including final contracts that are subject to the bid process. Retain 10 years after termination or expiration of contract.

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Records Title as Shown on RDA" Field

RDA Record #	Records Title As Shown on RDA
10.06	Contracts, Leases, Franchises, and Agreements

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Records Title as Shown on RDA" Field

RDA Record #	Records Title As Shown on RDA	Date Span	Retention as shown on RDA	Date Audited	Volume
10.06	Contracts, Leases, Franchises, and Agreements	2000-03/2009	Retain 10 years after termination or expiration of contract.	na	10

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Date Span" Field

- 10.01 Budgeting Records.** These records document the preparation of a budget request package, reporting the status of funds, requesting amendments of allotments, and reporting program performance.
- a. **Approved annual budget.** This is the final version of the budget approved by the board of education during the school year.
Note: If budget is included with the board minutes, retain additional copies for useful life. **PERMANENT**
 - b. **Original and amended (but not final) budgets.** These are earlier versions of the annual budget, both the version initially approved by the board of education and later (but not final) revisions, as amended during the school year. Retain 2 years following audit.
 - c. **School/departmental budget estimates and requests.** These records are submitted by individual schools or departments and used in preparation of the budget package. (See the Code of Alabama 1975, Section 16-1-8.1.) Retain 2 years following audit.

Date Span

1970-2010

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Date Span" Field

RDA Record #	Records Title As Shown on RDA	Date Span
10.01c	School/departmental budget estimates and requests	1970-2010

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Date Span" Field

RDA Record #	Records Title As Shown on RDA	Date Span	Retention as shown on RDA	Date Audited	Volume
10.01c	School/departmental budget estimates and requests	1970-2010	Retain 2 years following audit.	2011	10

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Date Span" Field

RDA Record #	Records Title As Shown on RDA	Date Span	Retention as shown on RDA	Date Audited	Volume
10.06	Contracts, Leases, Franchises, and Agreements	2009-03/2009	Retain 10 years after termination or expiration of contract.	N/A	10

↑ Notice that if only listing 2009, the records would not meet eligibility requirements

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Retention as Shown on RDA" Field

10.08 Grant Project Files. These files document the school board's application for and conduct of grant projects funded by local, state, federal, or private sources. Disposition is as follows:

- a. **Financial reports, interim narrative reports, and correspondence.** These records include financial reports, interim narrative reports, background materials, and other non-financial supporting documentation for grants awarded. Also included are records relating to unsuccessful grant applications. Retain 6 years after submission of final report or denial of application.
 - b. **Subsidiary financial records.** These records include accounting or purchasing records and any other subsidiary financial documentation of federal grants, including financial reports. (See federal Rule 1354.) Retain 3 years after submission of final financial report.*
- *Note: Subsidiary financial records produced under certain federal grants may be subject to longer retention periods (e.g., 5 years). In such cases, school system grant administrators should follow the applicable federal requirement.

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Retention as Shown on RDA" Field

Retention as shown on RDA

Retain 6 years after submission of final report or denial of application.

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Retention as Shown on RDA" Field

Grant Project Files - Financial reports, interim narrative reports, and correspondence

1999-2005

Retain 6 years after submission of final report or denial of application.

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Date Audited" Field

11.13 Payroll Records

- a. **Salary and wage records.** These records include pre-payroll reports, payroll registers, monthly fund distribution reports, and payroll action forms. Retain 2 years following audit.

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Date Audited" Field

RDA Record #	Records Title As Shown on RDA	Date Span	Retention as shown on RDA	Date Audited	Volume
11.13a	Payroll Record - Salary and wage records	2015-2016	Retain 2 years following audit	01/25/2017	12

Local Government Destruction Notice
Complete Page 2 on Records to be Destroyed
"Date Audited" Field

Date Audited
01/25/2017

Local Government Destruction Notice Complete Page 2 on Records to be Destroyed "Date Audited" Field

RDA Record #	Records Title As Shown on RDA	Date Span	Retention as shown on RDA	Date Audited	Volume
10.08	Grant Project Files - Financial reports, interim narrative reports, and correspondence	1999-2005	Retain 6 years after submission of final report or denial of application.	N/A	1129a

N/A when Date Audited is Not Applicable



Local Government Destruction Notice Complete Page 2 on Records to be Destroyed "Date Audited" Field

RDA Record #	Records Title As Shown on RDA	Date Span	Retention as shown on RDA	Date Audited	Volume
2.01	Child Nutrition Program Operational Records	1999-2012	Retain 2 years following audit. All claims and finding must be settled before records are destroyed.	2015	67

List Latest Audit Date Applicable



Local Government Destruction Notice Complete Page 2 on Records to be Destroyed "Volume" Field

2. Promoting Child Nutrition

No.	Record Title	Disposition
2.01	Child Nutrition Program Operational Records. These records document administration of the child nutrition program. They may include school-based system applications for participation files; policy statement files; free reduced lunch applications; master lists of applicants; eligibility verification summaries; student and parent involvement forms; food production records; commodity inventory files; food and supplies inventories; equipment inventories; meal count records; reimbursement claims; and nutrition education reports.	Retain 2 years following audit. All claims and finding must be settled before records are destroyed.

Volume

67

Local Government Destruction Notice Complete Page 2 on Records to be Destroyed "Volume" Field

RDA Record #	Records Title As Shown on RDA	Date Span	Retention as shown on RDA	Date Audited	Volume
2.01	Child Nutrition Program Operational Records	1999-2012	Retain 2 years following audit. All claims and finding must be settled before records are destroyed.	2015	87

Local Government Destruction Notice "Volume" Field (Page 2)

Paper Records	
1 Box of Copy Paper	1 Cubic Foot
1 Banker's Box	2 Cubic Feet
1 Legal-Sized File Drawer	2 Cubic Feet
Fifty 100 Foot 35mm Microfilm	1 Cubic Foot
3x5 Cards, Ten 12" Rows	1 Cubic Foot
3 Large Bounds Volumes	1.5 Cubic Feet

Local Government Destruction Notice Complete Page 2 on Records to be Destroyed "Volume" Field

RDA Record #	Records Title As Shown on RDA	Date Span	Retention as shown on RDA	Date Audited	Volume
10.08	Grant Project Files - Financial reports, interim narrative reports, and correspondence	1999-2005	Retain 6 years after submission of final report or denial of application.	n/a	11246

Report Volume for Electronic Records Destruction



Local Government Destruction Notice "Volume" Field (Page 2)

Electronic Records	
1 byte (B)	8 bits
1 Kilobyte (KB)	1,024 Bytes
1 Megabyte (MB)	1,024 Kilobytes
1 Gigabyte (GB)	1,024 Megabytes
1 Terabyte (TB)	1,024 Gigabytes
1 Petabyte (PB)	1,024 Terabytes



REMEMBER
After Listing All Your Records on Page Two
Go Back to the First Page

1000-01 Revised 10/2017

Local Government Records Destruction Notice

I, the undersigned, being the authorized official responsible for the records of this local government, hereby certify that the records described herein are no longer needed for the purposes for which they were created and maintained, and that their destruction is in the best interests of the public. I hereby authorize the destruction of the records described herein.

Local Government Information: **Record Information:** **Project Date:**

Local Name: **Local Address:** **City:** **State:** **Zip:** **Phone Number:**

Record Description: **Record Type:** **Record Number:** **Record Date:** **Record Status:**

Reason for Destruction: **Record Type:** **Record Number:** **Record Date:** **Record Status:**

Signature of Authorized Official: **Print Name of Authorized Official:** **Signature of Authorized Official:**

John Doe **John Doe** **John Doe**

(Signature must be signed and dated by the authorized official) (The signature must be the signature of the authorized official)

Local Government Destruction Notice
Complete the Total Record Destroyed
(Page 1, Section 2)

Total cubic feet of obsolete paper records destroyed?

114

Total bytes of obsolete electronic records destroyed?

112000

Total of all numbers from the Second Page
Should MATCH the number entered here

Local Government Destruction Notice
Complete the Signature Section
(Page 1, Section 3)

I hereby certify that the records to be destroyed are correctly represented below, that they are eligible for destruction according to the Records Disposition Authority approved by the Local Government Records Commission, that audit and Sunset Review requirements have been fully satisfied, and that the records are not required for any pending or imminent litigation.

Signature of Authorizing Official

John M.

Printed Name of Authorizing Official

John M.

(Signature may be digital but may not only be a typed name)

Title of Authorizing Official

Emergency County Superintendent

*For Schools: Must be the Superintendent of Education

Remember

The State Board of Education
requires the Superintendent's
signature

Do Not Destroy

Do Not Destroy

Do Not Destroy

Do Not Destroy

When NOT to destroy records


- ❖ Pending or anticipated litigation
- ❖ External investigation
- ❖ Internal audit or investigation
- ❖ Pending request to see a record

Submit Your Completed Local Government Records Destruction Notice via Email

For local, send the form to ADAH by email

Becky.Hebert@archives.Alabama.gov

Email the form at least 10 business days before the potential destruction date.



STATE OF ALABAMA
DEPARTMENT OF ARCHIVES AND HISTORY
1000 North University Blvd., Suite 100
Tuscaloosa, AL 35604
205-878-3000
www.archives.alabama.gov

Wait for an Email including the Letter of Eligibility from the Records Management Section

When Can I
Expect to Receive
My Letter of
Eligibility

If Your Destruction Notice is Correct: Processing Time 2 Weeks	If your Destruction Notice has Problems: Processing Time 1 Month
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Destroy Records
in a Secure
Manner

ASSISTANCE AVAILABLE FROM ADAH

For assistance, contact:

Sophie Howard
334-353-4706
Sophie.howard@archives.alabama.gov

Rebecca Jackson
334-353-4615
Rebecca.Jackson@archives.alabama.gov
