

State Records Board, 28 July 2011, 8:30 a.m.

*Attendees:* Lisa Mendoza (Attorney General, Chair of Board); Matt Veatch (KSHS, Board member); Patricia Michaelis (KSHS, Board member); Duncan Friend (Administration – DISC, Board member); Bill Sowers (State Library, Board member)

*Also present:* Marcella Wiget (KSHS); LuAnn Harris (KSHS)

*Guests:* Patsy Samson (Aging); C.W. Klebe (Attorney General – Concealed Carry Division); Susan Maxon (Transportation); Athena Andaya (AG); Laura Graham and Nicole Dekat (KBI – on conference call)

1. Introductions and announcements: Matt noted that Scott Leonard, staff support to the Records Board, is no longer with the Historical Society; Marcella and Lu are filling in until the position is re-filled.
2. Pat moved approval of the minutes, Bill seconded, unanimous approval.
3. Kansas Bureau of Investigation: Laura summarized the history of the Offender Registration Act, noting that as it has changed over the years the retention schedule for the records series has not kept up, so KBI staff would like to make the schedule more generic, and lengthen the retention, in order to make it more useful in the long term. They would prefer to retain the records electronically rather than in paper form, due to space concerns. Matt noted that there is a high-level plan started for the electronic system K-SOURCE, in which at least some of these materials will be dealt with. He also noted that because KEEP is becoming a viable option, electronic recordkeeping plans may no longer be necessary, and that the situation can be a little confusing during this transitional period. Duncan requested information about the shortest retention for any of these records; juvenile records are currently still retained for five years, and he was concerned about the incongruity between how long the registry information is kept and lengthening the retention of this series to the life of the offender. Laura stated that the information would be retained permanently, no matter whether it was publicly registered or not. Lisa requested information about how long juvenile facility or community files are kept; Matt indicated they are kept fifteen years after release. Pat moved approval of the series entry, Matt seconded, unanimous approval of amended schedule entry.
4. Kansas Department of Transportation: Matt discussed a burst water pipe in the KDoT basement that Susan is dealing with; she talked with Bob Knecht, map curator for KSHS, and Matt also mentioned that we in Kansas are part of IPER (Intergovernmental Preparedness for Essential Records). The Board and Susan found it an object lesson in disaster planning. Susan then went on to discuss the proposed new series: Kansas Dept. of Revenue has been given authority to handle permits for hazardous and oversize/overweight limits. KDoT and Highway Patrol also need access to these records, so the new K-TRIPS system will be web-based, allowing all stakeholders access to these records. The system provides an automated routing process, instead of manual – will provide better response time when receiving request for permit. Four schedules were brought before the Records Board a few meetings back; these schedules will be modified or superseded when K-TRIPS goes live. Matt noted that this is another project over which he as State Archivist has IT project approval; Susan as Transportation's records officer has ensured that her approval is part of any project procedures, which will streamline procedures and ensure that records are properly and legally documented and retained. Susan noted that she worked with Revenue's and Highway Patrol's records officers in order to ensure everyone agreed with the retention – it has been a learning process, getting all the agencies to collaborate and ensure their procedures agree. KDoT will be the record owner of this series of records, and this will need to be reflected in Highway Patrol's and Revenue's records schedules. Will make a note in the Comments field for this series that KDoT owns the record copy of this

series; Highway Patrol and Revenue participate and may hold convenience copies. Lisa asked for clarification about how this system will affect KORA, and whether individuals will be able to make KORA requests through any of the three involved agencies – Susan thought they would be able to do so, and that this system would expedite and smooth the process for KORA requests. Matt requested information from Duncan about whether there were any concerns over the data being held outside Kansas (it will be stored in Texas), and he did not think there would be, so long as the project follows ITEC policies for storing and securing data. Discussion followed over cloud computing – who owns the records, whether agencies can sever contracts and retrieve the records in a usable format, etc. Matt moved approval of new series entry as amended, Duncan seconded; unanimous approval of new series. Susan will work with Matt on records related to this system that may need to be specifically identified and brought out in separate schedules.

5. Accountancy: Susan Somers, head of the Board of Accountancy, requested that these two series be amended, basically regarding the retention period and disposition of these series. Bill had questions regarding the statistical reports and whether they would be useful outside of the agency; other Board members thought they were a purely internal record. Pat moved approval, Duncan seconded, unanimous approval of amending these two series entries.
6. Attorney General, Concealed Carry Division: C.W. noted that the division has been in existence for five years and has amassed 40,000 applications of a variety of lengths – some brief, some quite voluminous. The space problem has been compounded by the start of renewal applications, so staff would prefer to scan the records and keep them electronically so as to destroy the paper copy. Pat suggested amending Comments in this series to say, “As paper documents are scanned into system...” (instead of “If paper...”) and “If not scanned, paper is retained permanently.” C.W. requested advice about whether renewal applications need to be scheduled differently; Matt stated that the License Files series (0185-082) description simply needs to be modified to note the series covers both original and renewal applications. Both series 0183-082 and 0185-082 need to be amended to Retention Period: Permanent; Disposition will say “See Comments”; investigation files comments also should be amended (take out “Offline data should be refreshed...”). Question of system space and migration came up; Matt again mentioned KEEP being available in future for permanent data. Pat moved approval of both series as amended, Bill seconded, unanimous approval by the Board.
7. Aging: Patsy has been asked to update the agency's records and retention schedule. The agency came to the Board last July with five new series entries, and only one was approved; this led the agency to realize that their records schedules have lagged behind. Small programs within the agency have taken on a life of their own; schedule entries were created for records the department probably inherited from other agencies but have never created themselves; and many entries duplicate the general retention schedule, so Patsy wants to completely update and clean up the overall schedule. She also wants to revise series descriptions so they match current practices; learn more about electronic recordkeeping practices (their legal department has been scanning records); create new series for new records; and update retention lengths for some series. This includes records that Aging have stored offsite. Matt admitted that he drafted the original records retention schedule for Aging, in the mid-1990s; he noted that sending agencies to the general records schedule (rather than creating duplicate entries under individual agencies) is only a recent development, partly because of the changing electronic world. Duncan questioned whether there were any series or type of series that the Board and staff should be worried about particularly; obsolete series that could be destroyed might warrant more attention, and that even if a series is obsolete, disposition and retention periods should still be followed. For future reference, Remarks and/or Comments field should state, “[Destroy] [Archive] all remaining records in accordance with retention and disposition periods.” Pat also

wanted to ensure that agency staff were instructed that while the schedules were approved as obsolete or superseded, retention periods must still be followed. Lisa suggested that ensuring these series entries still show up publicly so staff know what to do with them, even if they are obsolete. The Board agreed that obsolete schedules generally should be kept public, though Patsy pointed out that having those obsolete schedules public will only confuse staff; a specific browse option regarding obsolete schedules may be the best solution. Bill moved approval, Pat seconded, unanimous approval of amending these 66 series entries.

8. KSHS: Discussion over length of retention for accepted internships (0043-288); all agreed in the end that keeping for 10 calendar years was not a problem because KSHS may hire on the intern later as a state employee, and because the intern may need a letter of reference (academic careers may be long). Marcella pointed out that these only cover unpaid internships; paid internships and their records go through the private foundation and are not state records. Bill moved approval, Matt seconded, unanimous approval of amended and new series.
9. Other business: Duncan suggested that KEEP and other electronic record keeping policies and discussions be brought up at State Records Board meetings, in order to keep the Board up to speed on all that is happening with government records and situations that may come under their purview. Matt recommended that the KEEP policy framework be brought to the October Records Board meeting at least for discussion and endorsement, since the Board has been proposed as owner of this policy. Duncan suggested that the Records Board also have some kind of briefing meeting prior to that so that the Board will be able to digest this information; he pointed out that as KEEP is being fleshed out, gaps in electronic and other recordkeeping practices within the state are becoming more apparent and should be addressed by the SRB. Duncan also pointed out that the Board should be proactive and ensure that the concept of records preservation is marketed to state agencies, rather than concerns they may have regarding payment for preserving those records. Lisa remarked that often practices change and then policies follow. The State Archivist can recommend standards for electronic and other records preservation; the Board sets the standards.

Meeting was adjourned at 10:30 a.m.