

**KANSAS STATE RECORDS BOARD
RECORDS APPRAISAL REPORT FOR
REVISION TO
RETENTION/DISPOSITION SCHEDULE
13 October 2011**

1. **Agency:** Kansas Department of Agriculture
2. **Records Officer:** Amanda Sprengeler **Phone:** 296-5197
3. **Appraising Archivist:** Lu Harris, Marcella Wiget
4. **Date of Appraisal:** 30 August 2011
5. **Total records - No. of Series:** 1
6. **Archival/Permanent records - No. of Series:** 0
7. **Records Eligible for Immediate Transfer to Archives:**
No. of Series: 0
8. **Appraisal Based Upon:**
Discussions with Rhonda McClelland and Records Officer Amanda Sprengeler.
9. **Appraisal Narrative:**
Agriculture records officer requested the creation of a new retention schedule series entry for the disposition of commodity assessment reports. Previously filed with deposits, these reports need to be scheduled separately. They are not archival.

Retention/Disposition Schedule Entries

046-010

Department of Agriculture

Agricultural Commodities Assurance Program

Commodity Assessment Reports (Series Unknown)

Commodity assessment reports from first purchasers including grain elevators and feed lots on monthly grain purchases based on tonnage or bushels related to the fees due to commodity commissions.

Entry Status: Ready for SRB

Retention Period: 005 calendar years

Disposition: Destroy

Restrictions: None

Comments: Retain in office 3 fiscal years, transfer to the State Records Center for 2 fiscal years, then destroy.

Schedule Authority: Agency schedule

Last Surveyed 30 August 2011

Record Copy: Paper

Retention/Disposition Schedule Entries

039-000

Department on Aging All Divisions

Correspondence - Area Agencies on Aging (Central File) (Series 0011-039)

Incoming and outgoing letters relating to requests for information, the administration of grant funded aging programs, and all other agency activities.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain in office 2 years after the end of the grant period, transfer to the records center for 3 years, then transfer to the archives. Supersedes general schedule retention requirements for "Grant Files."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: Series superseded by 0028-000 on the general schedule, Correspondence - routine. Changes disposition to Destroy from Archives.

Correspondence - Constituent Concerns (Series 0036-039)

Correspondence and other documents pertaining to concerns expressed by individuals on aging related issues and the agency's responses to the complaints.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: KSA 45-221(a)(14)

Comments: Retain until no longer useful, then transfer to the archives. Supersedes general schedule retention requirements for "Correspondence." Such correspondence may be filed with program or grant records; if so, it should not be purged but should be transferred to the archives.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 30 June 1993

Record Copy: Unknown

Correspondence - Department of Administration (Series 0012-039)

Incoming and outgoing letters and memoranda relating to purchasing and other support services provided to the agency by the Department of Administration.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: See Comments

Restrictions: None

Comments: Retain purchasing records in accordance with general schedule entry for

"Purchasing Records." Retain remainder until no longer useful, then destroy. Supersedes general schedule retention requirements for "Correspondence."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: Superseded series. Correspondence is no longer maintained this way by the agency, but is instead filed with appropriate program/project/unit/etc. and therefore general retention schedule requirements for each type of record should be followed.

Correspondence - Federal Administration on Aging (Series 0013-039)

Incoming and outgoing letters and memoranda between the Dept. on Aging and the Dept. of Health and Human Services' Administration on Aging Regional Office.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain until no longer useful, then transfer to the archives for purging. Supersedes general schedule retention requirements for "Correspondence."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Records are either maintained by the federal Administration on Aging or are maintained as part of a specific program/project/unit's records (no longer centrally filed). General retention requirements should be followed instead; these records will therefore generally be destroyed.

Correspondence - Information Requests (Series 0014-039)

Incoming and outgoing letters and memoranda relating to requests for information or publications received by the Dept. on Aging and agency responses to the requests.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: KSA 45-221(a)(14)

Comments: Retain until no longer useful, then destroy. Supersedes general schedule retention requirements for "Correspondence."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Series superseded by general schedule entry 0028-000, Correspondence - Routine.

Correspondence - Internal (Series 0015-039)

Internal memoranda exchanged by Department on Aging staff relating to agency policies, activities, and concerns.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain until no longer useful, then transfer to the archives for purging. Supersedes general schedule retention requirements for "Correspondence."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: Important information is being retained elsewhere; truly is routine correspondence that can be destroyed and should be superseded by general schedule 0059-000.

Correspondence - Miscellaneous Organizations (Series 0016-039)

Incoming and outgoing letters and memoranda between the Dept. on Aging and various public and private organizations with an interest in aging issues.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain until no longer useful, then transfer to the archives for purging. Supersedes general schedule retention requirements for "Correspondence."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: No longer centrally filed; truly is routine material that should be superseded by general schedule series 0028-000 (Destroy).

Correspondence - State Agencies (Series 0017-039)

Incoming and outgoing letters and memoranda between the Department on Aging and other Kansas state agencies.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain until no longer useful, then transfer to the archives for purging. Supersedes general schedule retention requirements for "Correspondence."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Obsolete series - no longer centrally filed; documentation typically consists of either memorandum of understanding and retained as such, or filed with specific program/project/unit's records/etc. Records will therefore be destroyed or sent to Archives.

Food Service Contracts (Series 0018-039)

Copies of agreements, submitted for Department on Aging approval, between area agencies on aging and private food service caterers providing meals to the elderly as part of nutrition

programs.

Entry Status: Ready for SRB

Retention Period: 005 fisc yrs

Disposition: Destroy

Restrictions: None

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: Obsolete series; no longer submitted.

Kansas State Advisory Council on Aging Files (Series 0021-039)

Minutes, correspondence, reports, and other documents related to the activities of the Advisory Council on Aging which reviews and comments upon Dept. on Aging programs, policies, and operations.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain until no longer useful, then transfer to the archives for purging.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011- Series SUPERSEDED by General schedule entry: 0022-000-Committee files.

Nutrition Plans (Series 0024-039)

Plans submitted by local area agencies, used as the basis for grant funding decisions, that contain information on nutrition program characteristics, objectives, coordination, and service levels.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain in office 2 fiscal years after the end of the grant period, transfer to the records center for 3 fiscal years, then transfer to the archives. Supersedes general schedule retention requirements for "Grant Files."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011- Series SUPERSEDED by agency schedule: 0004-039 - Area Plans.

Retired Senior Volunteer Program Files (Series 0028-039)

Applications, correspondence, reports, and other documents relating to the Dept. on Aging's administration of grants for programs to encourage elderly Kansans to participate in volunteer activities.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain in office 2 fiscal years after the end of the grant period, transfer to the records center for 3 fiscal years, then transfer to the archives for purging. Supersedes general schedule retention requirements for "Grant Files."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011 - Series SUPERSEDED by General schedule: 0040-000 - Grant files-Funded.

Rules and Regulations Working files (Series 0001-039)

Notes, staff suggestions, copies of regulations, and other documents relating to the process of revising the agency's administrative regulations.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain until no longer useful, then transfer to the archives for purging.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Slightly revised series title and description in order to incorporate language from 0130-039, which will be superseded by this series.

State Program Reports - Title III Older Americans Act (Series 0030-039)

Annual report submitted by the Dept. on Aging to the federal Administration on Aging providing aggregate statistical data on services provided to older Kansans under OAA Title III.

Entry Status: Ready for SRB

Retention Period: See comments

Disposition: See comments

Restrictions: None

Comments: Retain working files for five calendar years, then destroy. Send copy of final State Plan to archives.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Changed comments from "Retain in office 2 fiscal years, send to records center for 3 years, then send to archives for purging"; also required that a finalized copy of the plan is sent to archives.

Subaward Files (Series 0031-039)

Documents relating to Department on Aging efforts to monitor by area agencies on aging

disbursement of grant funds to local subgrantees operating specific programs for the elderly.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain in office 2 fiscal years after the end of the grant period, transfer to the records center for 3 fiscal years, then transfer to the archives for purging. Supersedes general schedule retention requirements for "Grant Files."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011 - Series SUPERSEDED by General schedule: 0049-000 - Grant Files-Funded

Subject Files - Central (Series 0032-039)

Variety of documents related to specific agency activities and concerns and to general issues affecting the elderly.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain until no longer useful, then transfer to the archives for purging.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 9/14/2011 - Series OBSOLETE - Central office filing system no longer maintained. Transfer all remaining records to the Archives.

Subject Files - Federal Government (Series 0033-039)

Correspondence, reports, publications, and other documents relating to the Department on Aging's interaction with the legislative and administrative branches of the federal government.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain until no longer useful, then transfer to the archives for purging.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: Obsolete series. No longer maintained as a subject file; all information is either found online or is filed with specific program/project/etc. records.

Training Grants Files - Title IV-A Older Americans Act (Series 0034-039)

Applications, reports, correspondence and other documents related to Dept. on Aging applications for and implementation of federal grants to fund training programs for personnel in

the aging field.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain in office 2 fiscal years after the end of the grant period, transfer to the records center for 3 fiscal years, then transfer to the archives for purging. Supersedes general schedule retention requirements for "Grant Files."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: Obsolete series; program has been transferred to the Dept. of Commerce. Purging should follow guidelines used on general retention schedule series 0049-000.

039-001

Department on Aging

Office of the Secretary

Assessment Reports - Area Agencies (Series 0152-039)

Assessment report created by the Department on Aging based upon the periodic evaluation of the effectiveness of each area agency on aging.

Entry Status: Ready for SRB

Retention Period: 003 fisc yrs

Disposition: Archives

Restrictions: None

Schedule Authority: Agency Schedule

KAR Number 53-2-122

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011 - Series SUPERSEDED by duplicate agency schedule: 0006-039 - Assessments-Area Agencies on Aging (All Divisions)

Accounting Unit

Income Eligible and Senior Care Act Program Files (Series 0156-039)

Application, correspondence, budgets, contracts, etc. relating to the establishment and implementation of the program designed to provide in-home services for senior citizens.

Entry Status: Ready for SRB

Retention Period: 007 fisc yrs

Disposition: Archives

Restrictions: None

Comments: Retain in office 2 years, transfer to the records center for 5 years, then transfer to the archives for purging.

Schedule Authority: Agency Schedule

KAR Number 53-2-129

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Income Eligible program was discontinued sometime around 2003 or 2004 and was funded through the state general fund; should follow 0049-000 when purging these records and transferring to the State Archives. Senior Care Act monies were granted to AAA but are now contracted out on a yearly basis. Therefore this series should be superseded by general schedule 0026-000 (Destroy). [The records were joined in this series because the programs provided the same services, only their eligibility requirements differed.]

Nursing Facility Program

Correspondence - Routine (Series 0045-039)

Incoming and outgoing letters and memoranda which pertain only to routine matters handled in accordance with existing policy and procedures: requests for information, letters of transmittal, etc.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: None

Comments: Retain until no longer useful, then destroy.

Schedule Authority: General Schedule

KAR Number 53-2-116

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011 - Series SUPERSEDED by General schedule: 0028-000 - Correspondence-Routine.

039-003

Department on Aging Operations

Grant Application Files (Series 0050-039)

Applications and supporting documentation relating to agency efforts to secure federal and private grants.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain 5 years after the end of the grant period, then transfer to the archives for purging.

Schedule Authority: General Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011 - Series SUPERSEDED by general schedule entry: 0049-000 - Grant Files - Funded

Subject Files - Fiscal (Series 0063-039)

Variety of documents relating to fiscal issues affecting the agency.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: None

Comments: Retain until no longer useful, then destroy.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: Obsolete series, no longer maintained as a subject file. Look to specific general or agency retention schedules for each type of document.

039-004

Department on Aging

Aging Policy, Planning, and Advocacy

Kansas Senior Pharmacy Assistance Program Files (Series 0171-039)

Applications, pharmacy printouts, payment reports, program summaries, etc. relating to a program designed to assist elderly citizens with pharmaceutical costs.

Entry Status: Ready for SRB

Retention Period: 005 fisc yrs

Disposition: Archives

Restrictions: 42 CFR Part 460

Comments: Retain in office 2 fiscal years, transfer to the records center for 3 fiscal years, then transfer program summaries to the archives. Destroy remaining files.

OBSOLETE SERIES. Transfer program summaries to archives and destroy all remaining documents.

Schedule Authority: Agency Schedule

KAR Number 53-2-133

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Program discontinued in 2004, taken over by Medicare Part D. Obsolete series.

Newsletters - Aging Organizations (Series 0069-039)

Variety of newsletters produced by both in and out of state aging organizations maintained for reference purposes.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: See Comments

Restrictions: None

Comments: Retain until no longer useful, then transfer in-state newsletters to the archives, destroy the remainder.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Do not gather newsletters from other organizations; agency should simply follow general schedule series 0091-000 for internally-produced publications (superseded).

State Plan on Aging - Working Files (Series 0071-039)

Correspondence, notes, drafts, and other documents pertaining to the formulation of the State Plan on Aging.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: None

Comments: Retain until no longer useful, then destroy.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Superseded by 0029-039, State Plan on Aging Files under All Divisions.

State Plan on Aging Monitoring Reports (Series 0072-039)

Reports summarizing actions taken by the Department on Aging to implement the objectives defined in the State Plan on Aging.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain until no longer useful, then transfer to the archives.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Superseded by general schedules series 0049-000 for grant reports.

Aging Network Specialist

Case Management Grant Files (Series 0073-039)

Documents related to case management grants to area agencies on aging used by the department to make award decisions and to administer the state grants for aging services case management.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain in office 2 fiscal years after the end of the grant period, transfer to the records center for 3 fiscal years, then transfer to the archives for purging. Supersedes general schedule retention requirements for "Grant Files."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 9/14/2011: Was handled through Older Americans Act grants, now is contracted out through Medicaid or the AAA. Series should be superseded by either 0049-039 grant files or 0026-000 contracts files.

Case Management Working Files (Series 0074-039)

Copies of correspondence, portions of area plans, budget data, and other documents relating to the administration of the case management program for aging services provided by area agencies on aging.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: None

Comments: Retain until no longer useful, then destroy.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 9/14/2011: Would be considered Older Americans Act grant files, therefore should be superseded by general retention schedule series 0049-000.

Pre-Admission Assessment Files (Series 0075-039)

Correspondence, notes, and other documents relating to the agency's involvement with the state program that requires nursing home applicants to have their needs assessed prior to admission.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: K.S.A. 75-3520; HIPAA

Comments: Retain 2 years in office, transfer to the State Records Center and retain 5 years, then destroy

Schedule Authority: Agency Schedule

KAR Number 53-2-163

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 4/1/10 -- Reappraised as part of the MPLP grant; changed disposition from "Archives" to "Destroy" and set retention period.

4/8/2010 -- added restrictions covering release of medical information & SSN's based on SRB action.

9/14/2011: Obsolete series; records are not maintained this way and agency staff should look to general retention schedules for disposition of document types.

Director's Office

Correspondence - Routine (Series 0076-039)

Incoming and outgoing letters and memoranda which pertain only to routine matters handled in accordance with existing policy and procedures: requests for information, letters of transmittal, etc.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: None

Comments: Retain until no longer useful, then destroy.

Schedule Authority: General Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Series entry should be superseded by general schedule 0028-000, Correspondence - Routine.

Subject Files (Series 0077-039)

Variety of documents relating to the operations, activities, and concerns of the Aging Policy, Planning, and Advocacy unit.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: None

Comments: Retain until no longer useful, then destroy.

OBSOLETE SERIES. Destroy all remaining documents.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/21/2011: Aging Planning, Policy, and Advocacy went away about 8 years ago as a department within the agency, making this series obsolete.

Legal Services Developer

Americans With Disabilities Act Files (Series 0078-039)

Correspondence, self-assessments, outside publications and other materials relating to the Department on Aging's response to the Americans With Disabilities Act.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: None

Comments: Retain until no longer useful, then destroy.

OBSOLETE SERIES. Destroy all remaining documents.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Legal Services Developer position no longer exists in a department that no longer exists. Obsolete series.

Employment Application Process Files (Series 0080-039)

Applications of unsuccessful applicants for employment and interview notes, correspondence,

rating forms, and other materials relating to the application/interview process for all job applicants.

Entry Status: Ready for SRB

Retention Period: 003 cldr yrs

Disposition: Destroy

Restrictions: KSA 45-221(a)(4)

Comments: Retain in office 1 calendar year, transfer to the records center for 2 calendar years, then destroy.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011 - Series SUPERSEDED by: 0043-000 - Employment Applications - Not Hired.

Legal Services Reports (Series 0083-039)

Quarterly reports submitted by providers containing demographic data on the participants in the legal services program and the nature of services provided to older Kansans through the program.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain in office 2 fiscal years after the end of the grant period, transfer to the records center for 3 fiscal years, then transfer to the archives for purging. Supersedes general schedule retention requirements for "Grant Files."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 13 September 2011

Record Copy: Unknown

Remarks: 9/14/2011: Demographic data is gathered for every program and is part of larger reports sent to federal agencies. This series should be superseded as part of 0049-000.

Telephone Log (Series 0090-039)

Register summarizing the content of telephone calls from individuals seeking advice on legal issues affecting older Kansans.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: KSA 45-221(a)(25)

Comments: Retain until no longer useful, then destroy. Supersedes general schedule retention requirements for "Telephone and Visitors Logs."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 9/14/2011: Superseded by general schedule series 0114-000, Telecommunication Logs.

Training Materials - Equal Employment Opportunity Issues (Series 0091-039)

Documents related to training sessions conducted on employment discrimination issues for aging services providers throughout the state.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: None

Comments: Retain until no longer useful, then destroy.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Follow 0041-000, Employee Training Records, instead (superseded).

Training Materials - Legal Issues (Series 0092-039)

Handouts, presentation notes, and other materials related to training sessions conducted on living wills, elder abuse, durable powers of attorney, and other legal issues affecting older Kansans.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: None

Comments: Retain until no longer useful, then destroy.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011 - Series SUPERSEDED by agency schedule: 0035-039 - Training/Meeting/Field Reports.

Public Health Educator

Kansas Alzheimer's and Related Diseases Task Force Files (Series 0097-039)

Correspondence, draft reports, and other documents related to the activities of the state task force charged with examining Kansas' services for persons with Alzheimer's and related diseases.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Obsolete series. Transfer to the archives immediately.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011 - Series OBSOLETE. Transfer any remaining documents to the archives.

Telecommunications Logs (Series 0104-039)

Log of incoming calls to the Alzheimer's helpline maintained to track productivity and the nature of information requests and responses.

Entry Status: Ready for SRB

Retention Period: 006 months

Disposition: Destroy

Restrictions: None

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Superseded by general schedule 0114-000, Telecommunications Log.

Senior Care Act Coordinator

Senior Care Act Grant Files (Series 0105-039)

Documents related to Senior Care Act grants to area agencies on aging used by the department to make award decisions and to administer state grants for in-home services for the elderly.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain in office 2 fiscal years after the end of the grant period, transfer to the records center for 3 fiscal years, then transfer to the archives for purging. Supersedes general schedule retention requirements for "Grant Files."

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011 - Series SUPERSEDED by general schedule: 0049-000 - Grant Files - Funded

Subject Files - General (Series 0108-039)

Copies of publications, reports, correspondence, and other documents related to aging issues maintained for convenience of reference.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: None

Comments: Retain until no longer useful, then destroy.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Filing practices no longer match this type of series - follow specific retention guidelines for each type of document instead (obsolete series).

039-005

Department on Aging Client, Assessment and Referral Program

Annual Reports (Series 0112-039)

Reports generated detailing agency activities for the year.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Transfer 2 copies to the archives yearly and destroy the remainder after 5 fiscal years.

Schedule Authority: General Schedule

KAR Number 53-2-118

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011 - Series SUPERSEDED by general schedule: 0005-000 - Annual and Special Reports.

CARE Level I Contract and Rate Applications (Series 0113-039)

Application and supporting documentation submitted by Area Agencies on Aging to provide services with the Department on Aging and maintained to ensure compliance with the contract.

Entry Status: Ready for SRB

Retention Period: 007 fisc yrs

Disposition: Destroy

Restrictions: None

Comments: Retain in office 2 fiscal years, transfer to the records center for 5 fiscal years, then destroy.

Schedule Authority: Agency Schedule

KAR Number 53-2-123

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011 - Series SUPERSEDED by general schedule: 0026-000 - Contracts.

CARE Level II Assessors File (Series 0115-039)

Application and supporting documentation relating to state required qualifications to work as a mental illness or mental retardation assessor and make recommendations regarding placement.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: See Comments

Restrictions: None

Comments: Retain in conjunction with PASARR Files.

Schedule Authority: Agency Schedule

KAR Number 53-2-118

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Obsolete series. No assessors on Aging staff; this function has been

contracted out, and Aging only creates and concerns itself with the PASARR files.

Policy Statements (Series 0122-039)

Original copies of formal explanations of agency policies and procedures issued in collective manual or individual statement formats.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain until superseded or no longer in effect, then transfer to the archives.

Schedule Authority: General Schedule

KAR Number 53-2-118

Last Surveyed 14 September 2011

Record Copy: Paper

Remarks: 9/14/2011 - Series SUPERSEDED by general schedule: 0084-000 - Policy Statements.

Working Files - Manual (Series 0125-039)

Working documents relating to the preparation of the field services manual for the CARE Level I and Level II program.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: None

Comments: Retain in office until no longer useful, transfer to the records center for 2 years, then destroy.

Schedule Authority: Agency Schedule

KAR Number 53-2-118

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Superseded by general schedule series 0027-000 and 0058-000 for policy-related correspondence and memoranda. Highly dynamic document, constantly being updated; should be captured electronically (is available online).

039-006

Department on Aging

Budget, Finance, and Analysis

Kansas Minority Resource Directory Working Files (Series 0126-039)

Documents related to the preparation of a directory listing organizations that either serve or are composed of minorities that assists area agencies on aging in increasing minority participation.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Destroy

Restrictions: None

Comments: Retain until no longer useful, then destroy.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Obsolete series; was done as part of Older American Act work but is not done now.

Rules and Regulations Working Files (Series 0130-039)

Notes, staff suggestions, copies of regulations, and other documents relating to the process of revising the agency's administrative regulations.

Entry Status: Ready for SRB

Retention Period: 004 fisc yrs

Disposition: Archives

Restrictions: None

Comments: Retain in office 2 fiscal years, transfer to the records center for 2 fiscal years, then transfer to the archives for purging.

Schedule Authority: Agency Schedule

KAR Number 53-2-100

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Superseded by 0001-039, Administrative Regulations Reference Files.

Reimbursement

Resident Level Summary Report (Series 0148-039)

Computer printout generated quarterly and used to indicate the level of risk of residents in each nursing facility.

Entry Status: Ready for SRB

Retention Period: 005 fisc yrs

Disposition: Destroy

Restrictions: KSA

Comments: Retain in office 1 fiscal year, transfer to the records center for 4 fiscal years, then destroy.

Schedule Authority: Agency Schedule

KAR Number 53-2-116

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Superseded by 0149-039, Resident Listing Report.

Subject Files - Director (Series 0151-039)

Variety of documents relating to the operation and administration of the division.

Entry Status: Ready for SRB

Retention Period: See Comments

Disposition: Archives

Restrictions: None

Comments: Retain until no longer useful, then transfer to the archives for purging.

Schedule Authority: Agency Schedule

KAR Number 53-2-116

Last Surveyed 14 September 2011

Record Copy: Unknown

Remarks: 09/14/2011: Obsolete series; records no longer being maintained this way.

**KANSAS STATE RECORDS BOARD
RECORDS APPRAISAL REPORT FOR
REVISION TO
RETENTION/DISPOSITION SCHEDULE
13 October 2011**

1. **Agency:** Local records – Housing office
2. **Records Officer:** _____ **Phone:** _____
3. **Appraising Archivist:** Marcella Wiget
4. **Date of Appraisal:** 18 August 2011
5. **Total records - No. of Series:** 6
6. **Archival/Permanent records - No. of Series:** 0
7. **Records Eligible for Immediate Transfer to Archives:**

No. of Series: 0
8. **Appraisal Based Upon:**

Discussions with records management staff in Sedgwick County, housing staff in Topeka.
9. **Appraisal Narrative:**

Sedgwick County records management staff request a revision to the current Retention & Disposition Schedule for local records. These new series address a lack of retention schedules regarding records created from grants awarded for a variety of public housing and building programs, including one series of records created solely in Sedgwick County. None of these records are to be retained permanently.

Retention/Disposition Schedule Entries

000-120

Housing Office

Affordable Housing Program Project Files (AHP) (Series Unknown)

Applicant files for this first time home buyers program which is also called the Homeownership Program or Neighborhood Builder Program. This program is funded through the Federal Home Loan Bank of Topeka and provides long-term lending for owner occupied and rental housing that is affordable to very low-, low-, and moderate-income households.

Entry Status: Draft

Retention Period: See comments

Disposition: Destroy

Restrictions: Portions may be restricted per KSA 45-221(a)(1)(30).

Comments: Retain until 5 years after closing, or if no closing, 5 years from date established by the bank in its AHP Implementation Plan. For rental properties, retain for 15 years from date of project completion.

Schedule Authority: Agency schedule

Last Surveyed 15 June 2011

Record Copy: Unknown

Community Development Block Grant (CDBG) Project Files (Series Unknown)

Program participant files. Projects may include Owner-Occupied, Public Facilities (Infrastructure, community centers, etc), Public Services, Economic Development, and removal of slum and blight.

Entry Status: Draft

Retention Period: Retain until 6 years after close of grant, then destroy.

Disposition: Destroy

Restrictions: Portions may be restricted per KSA 45-221(a)(1)(30).

Schedule Authority: Agency schedule

Last Surveyed 15 June 2011

Record Copy: Unknown

Remarks: Reference 24 CFR 570.490(d) requires the greater of 3 years from closeout of the grant to the state, or the period required by other applicable laws and regulations as described in 570.487 and 570.488, therefore retention should be six years after the end of the grant period. Kansas Dept of Commerce, Kansas City, Lawrence, Leavenworth, Manhattan, Overland Park, Shawnee, Topeka, Wichita & Johnson County all receive CDBG allocations each year.

HOME Program files (Series Unknown)

HOME provides formula grants to States and localities that communities use--often in partnership with local nonprofit groups--to fund a wide range of activities that build, buy, and/or rehabilitate affordable housing for rent or homeownership or provide direct rental assistance to low-income people. May contain correspondence, canceled HOME Rehab files, denied applications, property appraisal documents, project completion reports, environmental documents, lien releases, monthly reports, financial reports, verification of Construction Contractor Eligibility documents, tax exempt waivers, match cost documentation, and other related documentation.

Entry Status: Draft

Retention Period: See comments

Disposition: Destroy

Restrictions: Portions may be restricted per KSA 45-221(a)(1)(30).

Comments: Owner-occupied rehabilitation and tenant-based rental assistance projects: retain for 5 years after completion of work/assistance, then destroy. Rental housing and homebuyer assistance projects: retain for 5 years after the 5 to 20-year affordability period, then destroy. Records regarding litigation should be retained until completion of action or end of retention, whichever is later.

Schedule Authority: Agency schedule

Last Surveyed 15 June 2011

Record Copy: Unknown

Remarks: Reference 24 CFR 92.508.

Kansas Mortgage Savers Program (Mortgage Credit Certificates) (Series Unknown)

Kansas Mortgage Savers Programs is a program that provides a federal tax credit for first-time homebuyers in Kansas. Consists of MCC quarterly reports providing statistical information.

Entry Status: Draft

Retention Period: 003 fiscal years

Disposition: Destroy

Restrictions: None

Comments: Sedgwick County-specific program.

Schedule Authority: Agency schedule

Last Surveyed 15 June 2011

Record Copy: Unknown

Remarks: 10/03/2011: Program is obsolete, but records are still being created and retained for earlier recipients refinancing their homes.

Section 8 Program Tenant files (Series Unknown)

Also called the Housing Choice Voucher Program. Contains tenant application information including necessary identification and background information; income, racial, ethnic, gender and disability status of participants; HUD required reports, unit inspection reports, and lead-based paint records.

Entry Status: Draft

Retention Period: See comments

Disposition: Destroy

Restrictions: Portions may be restricted per KSA 45-221(a)(1)(30).

Comments: Retain until close of project plus 3 years, then destroy. Documentation must be maintained of all verification efforts throughout the term of each tenancy for at least three years after tenant moves.

Schedule Authority: Agency schedule

Last Surveyed 15 June 2011

Record Copy: Unknown

Remarks: See 24 CFR 982.158 for 3-year retention; this series seems to match up with 0037-175 under the KHRC, which has a 5 year disposition.

TBRA Tenant files (Series Unknown)

Tenant Based Rental Assistance (TBRA) files contain tenant application and verification

paperwork.

Entry Status: Draft

Retention Period: Close of project + 5 years.

Disposition: Destroy

Restrictions: Portions may be restricted per KSA 45-221(a)(1)(30).

Comments: TBRA records may be housed together with other HOME project files.

Schedule Authority: Agency schedule

Last Surveyed 15 June 2011

Record Copy: Unknown

Remarks: Reference 24 CFR 92.508 (c)(3) TBRA: 5 years after rental assistance terminates

**KANSAS STATE RECORDS BOARD
RECORDS APPRAISAL REPORT FOR
REVISION TO
RETENTION/DISPOSITION SCHEDULE
13 October 2011**

1. **Agency:** Local records – Treasurer’s Office
2. **Records Officer:** _____ **Phone:** _____
3. **Appraising Archivist:** Lu Harris, Marcella Wiget
4. **Date of Appraisal:** 1 September 2011
5. **Total records - No. of Series:** 1
6. **Archival/Permanent records - No. of Series:** 0
7. **Records Eligible for Immediate Transfer to Archives:**

No. of Series: 0
8. **Appraisal Based Upon:**

Discussions with Douglas County, Ellis County, Haskell County, and Scott County treasurers; and with Johnson County auditor Mark Dick, CPA.
9. **Appraisal Narrative:**

Douglas County Treasurer Paula Gilchrist requested that a retention schedule series be created regarding public moneys investment records. No such series already existed. These records are not considered permanent or archival.

Retention/Disposition Schedule Entries

000-109

Local Government Records

County Treasurer

Public moneys investment records (Series Unknown)

Records of public moneys not immediately required for the purposes for which the moneys were collected or received and therefore invested by the county. Contains original safekeeping receipt or custodial agreement issued in the county's name showing amount, issuer or institution, date of purchase, maturity date, type of instrument and initial pledged securities; ongoing monthly statements verifying securitization; interest earned at maturity.

Entry Status: Draft

Retention Period: Close of investment + 003 fiscal years

Disposition: Destroy

Restrictions: None

Schedule Authority: General schedule

Last Surveyed 01 September 2011

Record Copy: Paper, Electronic

Electronic Recordkeeping Plan Not Required

**KANSAS STATE RECORDS BOARD
RECORDS APPRAISAL REPORT FOR
REVISION TO
RETENTION/DISPOSITION SCHEDULE
13 October 2011**

1. **Agency:** State general schedule - Communications

2. **Records Officer:** _____ **Phone:** _____

3. **Appraising Archivist:** Marcella Wiget

4. **Date of Appraisal:** 6 September 2011

5. **Total records - No. of Series:** 1

6. **Archival/Permanent records - No. of Series:** 0

7. **Records Eligible for Immediate Transfer to Archives:**

No. of Series: 0

8. **Appraisal Based Upon:**

Discussions with Theresa Schwartz, records officer for the Kansas Board of Regents

9. **Appraisal Narrative:**

The Kansas Board of Regents staff have requested that a new schedule entry be added to address the lack of a general schedule series regarding notices of meetings to be sent out to the public. These types of records are not considered permanent or archival.

Retention/Disposition Schedule Entries

000-003

State General Retention and Disposition Schedule Communications

Notices of meetings (Series Unknown)

Records related to notifying the public regarding an open meeting, including those notices mandated through the Kansas Open Meetings Act (KOMA).

Entry Status: Draft

Retention Period: Retain for one calendar year, then destroy.

Disposition: Destroy

Schedule Authority: General schedule

Last Surveyed 06 September 2011

Record Copy: Unknown

45-501. Records made on electronically-accessed media; authorization; conditions and procedures, application; notice to state records board. (a) Whenever any state agency or local agency is required by law to make a record or to record any transaction or any instrument, paper or document, the making of such record on computer disk, tape or other electronically accessed media, in accordance with this section, shall be deemed to be recording or the making of the record as required by law.

(b) When any such records are made on computer disks, tapes or other electronically accessed media under this section, such records shall be maintained and adequate provisions shall be made for their preservation, examination and availability for ready use by those persons lawfully entitled to view them through the use of computer terminal displays, computer printouts, other computer-generated displays or other suitable facilities which may be made available at one or more locations designated by the state agency or local agency therefor. The capability to produce a computer printout or other printed version of such records stored on computer disks, tapes or other electronically accessed media shall be maintained by the state agency or local agency at all times so that such a printed copy of such records may be made available to persons lawfully entitled to view the records, subject to any applicable fees for such printed copies, from one or more locations designated by the state agency or local agency therefor. Each computer or other electronically accessed media system used to make records under this section shall include adequate security procedures and other provisions for a permanent record of all persons who have access to and make, amend or delete any records or other data in such system.

(c) No state agency or local agency which records or stores information on computer disks, tapes or other electronically accessed media shall be required to satisfy the standards and procedures imposed under this section, unless such records and information are records required by law and such records are not also made or maintained in another manner required or permitted by law. Each state agency or local agency which makes records or stores information on computer tapes, disks or other electronically accessed media in accordance with this section and which does not keep such records or information in another manner shall give written notice to the state records board thereof and shall identify all such records and information in such notice.

(d) As used in this section, the words and phrases set out in K.S.A. 45-402 and amendments thereto have the meanings ascribed to them in that section, unless the context requires a different meaning.

(e) This section shall be supplemental to existing statutes.



Procedure to validate e-records systems and destroy paper source materials

PURPOSES

The purposes of this procedure are to ...

- ensure electronic record keeping systems and the e-records they maintain meet needs of all County stakeholders,
- confirm that any paper source materials or other use duplicates are redundant,
- enable destruction of accumulated paper source materials and a procedure to destroy paper source materials on an on-going basis,
- schedule e-records for destruction when they become eligible, consistent with County Records Management Policy and State law, and
- identify areas in which systems should be enhanced as record keeping systems over time.

Normally, the Procedure would be applied to validate an e-records system already in place and destroy paper source, but it also could be applied to evaluate an existing system, identify deficiencies and correct those deficiencies by either enhancing or replacing the system, without the immediate intent of destroying paper source materials.

AUTHORITY

Multiple State statutes authorize making and retaining records in electronic formats and on electronic media (KSA 19-250, 45-501, 45-402 and 45-412). These statutes set certain standards for e-records systems as to accuracy of representing original source materials, application of good professional practice, preservation and access. In addition, State law specifically requires that the County inform the State Records Board when it goes “all digital” for any records series required by law.

RESPONSIBILITY

County Records Management Policy assigns the Records Manager responsibility to apply State records retention schedules to all records that fit the statutory definition of “government records,” which specifically includes all recorded information “regardless of physical form or characteristics, storage media or condition of use, made or received ... in ... transaction of official business” (KSA 45-402(d)). *That is, e-records are records, and must be managed actively just like records recorded on any other media – e-records with “enduring value” must be preserved, e-records require approval of the Board of County Commissioners to destroy, and the County must provide access (including printed copies) to anyone with a right to access.*

Other County officials and employees depend upon e-records maintained by other departments to execute their responsibilities, such as ensuring (or demonstrating) compliance with laws, regulations and contracts, or responding to legal demands. These officials and employees are stakeholders in the process to ensure that systems maintaining e-records are at least as functional as the paper records they replace.

PROCESS OVERVIEW

This process takes an overtly reductionist approach, similar to the disposal process used since 1997 to destroy County paper records. It identifies the various stakeholders in using records for administrative, operational, compliance and other purposes, informs each stakeholder and asks each whether e-records meet needs specific to his/her area of responsibility. If e-records meet needs in all areas and systems maintaining them meet essential standards, then actions would be to declare e-records “copies of record,” destroy paper source materials as non-record use duplicates, and otherwise act to validate the e-records system. The distinct process steps are ...

1. **Initiate request.** The custodial department and Records Management together **initiate the request**, normally when it is recognized that e-records are *de facto* copies of record, when paper source has been destroyed or should be destroyed. RM begins by asking both the custodial department and the DIO/IT Business Solutions staff responsible for the application(s) involved to provide base information to support reviews by stakeholders.
2. **Custodial department provides base information.** The custodial department responds to a set of specific questions, providing **base information about the e-records systems and paper source materials**.
3. **DIO/IT Business Solutions Group provides base information.** BSG staff respond to specific questions, providing **base information about the e-recordkeeping system and technical compliance**.
4. **Custodian confirms and approves.** The Custodian of the e-records confirms the base information, confirms that the e-records and the system maintaining them meet all administrative needs, and approves destruction of paper source materials.
5. **Stakeholders review.** Other Stakeholders each review the base information and respond to questions about the value of paper source materials and the risk (or lack thereof) involved in going all e-records. These reviews can proceed concurrently. In the event any reviewer has questions or concerns, the Records Manager will work with the custodial department staff and DIO/IT-BSG to resolve, and report to all Stakeholders.
6. **Records Manager compiles and recommends.** The Records Manager compiles results, analyzes results, and reports findings and recommended actions to Stakeholders.
7. **Stakeholders have opportunity to concur or object** within a one to two week period, which the Records Manager will state when reporting on each case. *Unless a stakeholder objects or revises, then his/her previous review will stand.*
8. **Records Manager reconciles objections.** If the Records Manager receives objections from one or more stakeholders, then he will confer with other stakeholders to determine whether objections prevent validating the e-records system, or if the system can be conditionally validated and objections can be remediated over time.
9. **Records Manager acts.** If there are no objections or if they can be reconciled, the Records Manager will act consistent with reviews, findings, recommendations and approvals.
10. **Case complete.** With recommended actions completed, e-records will be managed consistent with County Records Management Policy, including scheduling for destruction.

The desired result of the process is to ensure that e-records possess all values of the paper source materials and meet all needs, and that destruction of paper source materials does not increase risks.

VALUE AND RISK REVIEWS

The Records Manager compiles base information provided by the custodial department and DIO/IT and routes to Reviewers for their consideration. Base Information consists of answers to specific questions and also may include additional information about the subject e-records, e-recordkeeping system and paper source materials. The Records Manager adds supplementary information describing State retention requirements, volumes involved and other information.

Stakeholder reviews can proceed concurrently. Stakeholders will respond to the basic questions of whether they (1) support validation of the e-recordkeeping system as meeting the needs in their own area of responsibility, and (2) support destruction of paper source materials. Prompt questions provided in this procedure document are intended to support reviewing in these specific terms. Stakeholder reviewers should respond with one of the following four responses:

- I support validation and destruction of paper source, without qualifications. The e-records and the system meet needs in my area of responsibility. *(Additional comments are welcome, but not necessary.)*
- I support validation and destruction of paper source, but with concerns or reservations *(reviewer must provide specific description of concerns and reservations).*
- I do not support validation of the system nor destruction of the paper source *(reviewer must provide specific reasons).*
- I have no opinion on this case – I am not a stakeholder for these specific e-records. *(Additional comments are welcome, but not necessary.)*

Any form of short affirmative response by any reviewer (e.g., OK, yes) will be interpreted as a response to support without qualifications. A reviewer should support any negative or qualified response with specific explanation. For all reviewers the standard for evaluation is whether e-records and systems meet or exceed the value of paper source materials, and whether risks are equal to or less with e-records. *That is, equal or better value and equal or lesser risk should yield a positive review response.*

The objective of the process is to achieve positive consensus, identifying any deficiencies so that they may be remediated. In the event any reviewer votes to not support validation, then the Records Manager will confer with all reviewers, to determine if the no vote(s) require denying validation of the e-records system and continuing to maintain paper source materials, or if validation can be conditional and/or paper source may be destroyed or must be retained, pending certain remediation(s).

The following table lists stakeholder value/risk areas, prompt questions for review and reviewers.

	Value/risk responsibility	Review prompt questions	Reviewer
1	IT standards	<p>Does BSG Manager concur with base information reported and current technical standards compliance? If any deficiencies were noted, what are BSG plans and timeframe to address?</p> <p>Is BSG prepared and able to implement future destructions of e-records maintained in the e-recordkeeping system, if so ordered by the BOCC?</p> <p>Based upon the retention period required for the records, does BSG Manager support destruction of paper source materials and reliance on e-records maintained in the e-recordkeeping system?</p>	Roger Taylor DIO/IT Business Solutions Group Manager
2	Legal	<p>Are the subject records involved in a “legal hold” for current or prospective litigation?</p> <p>Does Legal counsel have questions or concerns about the capability of the e-records and the e-recordkeeping system to meet County needs for compliance with laws, regulations and contractual obligations?</p> <p>Does Legal counsel support destruction of paper source materials?</p>	Jennifer Magaña Deputy County Counselor
3	Financial	<p>Do the e-records meet all audit needs, if any exist?</p> <p>Does the Chief Financial Officer see any continuing fiscal value to retaining the paper source materials?</p>	Chris Chronis Chief Financial Officer
4	HIPAA Privacy	<p>Do e-records meet all HIPAA Privacy compliance needs?</p> <p>Does the HIPAA Privacy Officer see any continuing HIPAA Privacy Rule compliance value to retaining the paper source materials?</p>	Bob Parnacott Assistant County Counselor
5	Personal Privacy Red Flag PCI-DSS Data Breach	<p>Do e-records meet all Red Flag compliance needs?</p> <p>If payment card information is involved, is the department compliant with PCI-DSS? If deficiencies exist, so note.</p>	Sara Jantz Director of Accounting
6	HIPAA Security	<p>If the custodial department is a HIPAA department, is the e-records system compliant with the HIPAA Security Rule? If deficiencies exist, so note.</p>	Rick Nuss IT Manager
7	KORA	<p>To support KORA compliance, can e-records be accessed, redacted (if needed) and exported or printed to paper for the full retention period required by law? If deficiencies exist, so note.</p>	Douglas King Records Manager / FIO
8	Electronic Document Discovery (EDD)	<p>Does the e-records system support effective and efficient EDD? If deficiencies exist, so note.</p>	Karen Leslie, DIO/IT Contracts Manager
9	DIO/IT Contracts	<p>Do any aspects of the e-recordkeeping system require revisions to IT contracts?</p>	Karen Leslie, DIO/IT Contracts Manager

RECORDS MANAGER ROLE

The Records Manager's role in managing the review process is to ...

- Compile the responses received from Reviewers into a summary document.
- Answer or reconcile Reviewers' questions and concerns.
- Analyze results.
- Recommend actions.
- Report findings and recommendations to Reviewers.

The Records Manager will use SharePoint features and other available tools to implement the review process, to streamline the process to the extent possible and minimize reviewers' time demands.

ACTIONS

When review is complete and all positive, or positive with no disqualifying concerns, then the Records Manager will ...

- Declare the e-records the "copies of record."
- Confer with Legal counsel to determine if the County needs to report to the State Records Board.
- Destroy any backfile paper source materials.
- Implement a procedure for routine destruction of paper source by the custodial department.
- Document the case, including updating the RM database to show that from the case point forward records are e-records and paper source materials are use duplicates.
- Report final results to stakeholders.
- Schedule e-records destruction consistent with State retention schedules, as revised by Sedgwick County.
- Identify any deficiencies or weaknesses in the e-recordkeeping system that should be corrected by configuration, training, system enhancements or at time the system is replaced, and report to the Business Solutions Group for appropriate action.

MAINTENANCE OF PROCEDURE

Any stakeholder should report to the Records Manager any needed update or revision to this procedure. The Records Manager will review at least annually, and will revise and update, as needed. The Records Manager will post the current procedure on the Records Management eline site.

Electronic recordkeeping system validation review

Case Summary

Case ID ERS 2011-01	Case name JDF Residents Medical Records	Date initiated 05/20/2010
Department Corrections		State records series Juvenile Files Medical Files - Juveniles
Custodian Mark Masterson, DOC Director		Department contact(s) Larry Ternes, Youth Srvcs Admin Janet Reed, Admin Officer (JDF)
Problem statement Corrections scans paper source materials for JDF residents' medical files into OnBase. Redundant paper source are no longer needed, but are being retained, pending validation of the e-recordkeeping system (ERS). ERS validation would allow destroying paper source and discontinuing costs/risks to retain.		

Base findings (Custodial department)

1	What does the custodial department call the paper materials? Describe information content. Please provide samples, if they would assist in description (redact any confidential portions). Juvenile Medical Files. Pediatric medical services are provided by KU. Sedgwick County owns these medical records, not KU. Corrections also receives medical records from other, outside providers that are then filed with records provided by KU.
2	What is the volume involved and rate of accumulation? 7,287 documents with 307,905 pages for 2010
3	Is the proposed destruction a one-time backfile or does it represent an ongoing destruction after quality assurance (QA) is complete? Ongoing. Currently, Corrections has an accumulation of paper source materials awaiting destruction. When a juvenile reaches 18 years of age files are purged out of active working files, and places in a "ready to be scanned" area.
4	Where are the paper materials currently stored or located? Juvenile Detention Facility (JDF) in the medical unit, in the file room.
5	How are the paper materials secured? JDF is a secure facility requiring authorized access. Records are behind a locked door as well.
6	Are the paper materials source for scanning into OnBase (or another digital imaging system) or for database data capture or both? Corrections uses an OnBase application to scan medical files. There are no other medical applications in use.
7	Briefly describe the system containing/maintaining the e-records. Once a juvenile's age exceeds 18 years, the medical file is pulled and moved to another location in the file room. Only administrative support staff access the system. Corrections has not begun scanning medical records into OnBase.
8	Are the paper materials organized so as to be fully accessible as records? That is, could a specific item (i.e., client chart, case file or specific document) be retrieved directly and relatively quickly, knowing only its date, sequence or other identifiers? Yes
9	Are the paper source materials organized to support quality assurance (QA) only? That is, are materials organized only by dates scanned, employee who scanned, scan batches or similar? Scanning is controlled by a small group of individuals (6 – 1 person scanning, 4 people indexing and 1 manager) and a specific percentage of files would be reviewed each month. Corrections will be doing random sampling for QA, performed by the Administrative Officer. If errors are found, the file will be resubmitted to correct.

10	<p>When and why were these paper source materials last accessed? And for what purpose(s) – correction of capture errors, audit, litigation support, subpoena?</p> <p>Required per medical regulations to be accessible for 15 years past their 18th birthday. According to current policy and procedure Corrections maintains paper medical records until the residents reach 18 years old. At that time the files are purged from the “active” area and placed in the “ready to be scanned” area. Copies of paper files may be sent to the youths’ next placement upon discharge. A paper request can come at any time prior to 18 years of age. Other providers will accept imaged copies if paper does not exist</p>
11	<p>What is the cost to continue to maintain/retain the paper source materials?</p> <p>Corrections’ existing storage space for paper files is close to maximum capacity. Corrections seeks to avoid incurring costs for commercial records storage.</p>
12	<p>Is there any other information relevant to issue of retaining or destroying the paper source materials?</p> <p>No</p>

.....

Base findings (DIO/IT Business Solutions)

13	<p>Provide a brief description of the e-recordkeeping system (ERS) – the software and hardware components used and other relevant characteristics.</p> <p>OnBase Application. Corrections also enters certain information from the paper source into a State, web-based application. OnBase does not interact with the State application.</p>
14	<p>If the paper materials are scan source for an OnBase application, does DIO/IT-BSG Document Imaging confirm the application is compliant with appropriate OnBase application standards and best practices (i.e., QA, security, user training, backup, COOP, etc.)?</p> <p>Yes.</p>
15	<p>If the paper materials are source for a non-OnBase imaging application/database application, does the responsible DIO/IT BSG application manager confirm the application as implemented complies with appropriate DIO/IT standards and best practices (i.e., QA, security, user training, backup, COOP, etc.)?</p> <p>The Corrections Dept. is going to go with OnBase as their imaging solution. The State application is accessed via the Internet. DIO/IT-BSG does not manage nor maintain the State application.</p>
16	<p>How would DIO/IT-BSG implement and document a destruction of a defined subset of e-records from the e-recordkeeping system, if ordered by the Board of County Commissioners as part of a records destruction case?</p> <p>Standard retention policy to be established, when department needs submission of destruction documents list report will be created to destroy, and documents would be destroyed.</p>
17	<p>What plan is in place (if any) to provide for the eventual migration of data and the e-records they represent, so that the County can retain and provide records access consistent with law?</p> <p>Migration of data will be dependant upon hardware storage and system upgrades.</p>
18	<p>Is there any other information relevant for understanding the e-recordkeeping system’s capability to capture and maintain e-records?</p> <p>No.</p>

Base findings (DIO/IT Records Management)

<p>19</p>	<p>What State Records Series provide retention and destruction authority?</p> <p>The State has a specific retention schedule that applies: Agency Code 000-112 (Local Government Records/ Juvenile Detention Facility). Two series are relevant:</p> <p>SERIES ID: 0002-112 TITLE: Juvenile Files DESCRIPTION: Admission form, intake form, evaluation and management plan, incident and grievance forms, etc. relating to the juveniles transferred to the facility until permanent placement arrangements are made. RETENTION: See Comments COMMENTS: Transfer to CD-ROM after juvenile transfer or release and retain for 15 calendar years, then destroy. DISPOSITION: Destroy RESTRICTIONS: K.S.A. 38-1608 APPROVED: 1998-04-16 / K.A.R. 53-2-115</p> <p>SERIES ID: 0003-112 TITLE: Medical Files - Juveniles DESCRIPTION: Lab reports, examination reports, medical history, etc. used to provide continuity of medical care for the youth. RETENTION: See Comments COMMENTS: Retain until student is discharged, then transfer to CD-ROM and retain 15 years, then destroy. DISPOSITION: Destroy RESTRICTIONS: K.S.A. 45-221(a)(3) & 38-1609 APPROVED: 1998-04-16 / K.A.R. 53-2-115</p> <p>The first series would appear to apply if medical records were filed with a general case file, and the second if medical records were filed in a separate set of files. The advisory comment to transfer to CD-ROM (at least without further media migrations) is not recommended, as most CDs would deteriorate well before the end of the 15 year retention period.</p>
<p>20</p>	<p>Do the department and DIO/IT-BSG appear prepared to retain, migrate (if necessary) and eventually destroy the e-records?</p> <p>The requirement to retain these records for 15 years after transfer/release would require migrating underlying data from active system to active system, and/or migrating inactive data off to some form of accessible system and media. Multiple media migrations could be required to assure access over a 15 year period. Any off-line media would need to be tested periodically, to ensure access reliability.</p>
<p>21</p>	<p>Do there appear to be system and/or operational deficiencies that should be remediated over time?</p> <p>Sedgwick County needs to acquire at an early opportunity the specific OnBase modules that facilitate ERM for all OnBase applications.</p>
<p>22</p>	<p>Do any system and/or operational deficiencies present an obstacle to destroying paper source?</p> <p>Lack of additional OnBase modules do not prevent destroying paper source.</p>

Stakeholder review results

Stakeholder / Reviewer	Response Date	Support validation	Support validation with reservations	Do no support validation	No opinion – not a stakeholder	Reservations or other comments
<p>IT Standards Roger Taylor DIO/IT Business Solutions Group Manager</p>	<p>06/22/2011</p>	<p>X</p>				

Stakeholder / Reviewer	Response Date	Support validation	Support validation with reservations	Do no support validation	No opinion – not a stakeholder	Reservations or other comments
Legal Jennifer Magaña Deputy County Counselor	06/22/2011	X				No litigation holds.
Financial Chris Chronis Chief Financial Officer	06/16/2011				X	
HIPAA Privacy Bob Parnacott Assistant County Counselor	06/16/2011	X				
Personal Privacy (PCI-DSS and Red Flag) Sara Jantz Director of Accounting	06/16/2011	X				
Kansas Open Records Act Douglas King Records Manager & Freedom of Information Officer	06/22/2011				X	It would appear these records most likely would be excluded from “mandatory disclosure” under KORA as both medical records of individuals and as records of juvenile offenders.
Electronic Document Discovery Karen Leslie DIO/IT Contracts Manager	06/17/2011	X				
DIO/IT Contracts Karen Leslie DIO/IT Contracts Manager	06/17/2011	X				
TOTALS (8)		6	0	0	2	All responses received by email.

Records Manager’s findings, analysis & recommendations

Findings

Six Stakeholders supported validation of the e-records system and destroying paper source materials, and two had no opinion, as their area of responsibility was not involved.

Analysis

Paper source materials are not needed by the custodial department or for any Stakeholder’s area of responsibility.

Cost avoidance for validating the ERS and destroying paper soon after QA are substantial. Estimated costs to continue to store paper source at commercial storage sites would be \$4,710 at current rates for 100 boxes (about the 300K pages produced in 2010). At the 15 year point the County would have spent about \$42,930 for the 15-years accumulation of paper source materials.

As these records require 15 years retention after close of case, they present significant, but not serious, access issues over the full retention period. Any records maintained in the active OnBase application (or its successor application) should be accessible (or migrated to successor systems). If any records are archived to offline media, they should be written to open formats and indexes and/or metadata created to facilitate access for the full retention period, and access to these inactive records should be periodically tested to ensure access is possible.

QA procedure Corrections describes (Response# 9) is general, even vague, at this early stage. More experience will help develop this and make it more specific, as to sample percentage and what further checks would be triggered by finding errors. The intended result of any QA procedure is to ensure risk resulting from error is kept down to acceptable, if not minimal levels, recognizing that error is inevitable in any human activity (including previous, paper-based systems). It may help Corrections and other departments if DIO/IT would develop a model QA procedure and guidelines as a starting point.

This application would benefit (as would all OnBase applications) from addition of the Document Management and Records Management OnBase modules, which would improve controls, apply retention scheduling and document record destructions. However, lack of these modules at this time is no reason to continue to retain paper source materials, which will not be arranged and structured to provide long-term access.

Recommendations (06/24/2011)

As Records Manager I recommend the following:

1. ***Unless there is objection on or before 07/05/2011 from one or more Stakeholders, the e-records system described will be considered validated, and the e-records it maintains will be the copies of record.***
2. Corrections JDF should refine and document quality assurance (QA) procedures and provide to Records Management as part of the documentation of this case. QA procedure should include the percentage sample, steps to be taken if errors are found to remediate, the period paper source materials will be retained, and describe how they will be stored and destroyed. Corrections may need to revise the QA procedure in the future, based upon its experience, other improved knowledge and any general standards or guidelines that we may develop.
3. Upon validation of the e-records system and documentation of QA procedures, paper source materials will become use duplicates, which may be destroyed after completing QA, without requiring further review or approvals. Records Management could assist in scheduling and authorizing periodic bulk pickups by the shredding vendor.
4. At some future point when County capacity to schedule and destroy imaged e-records becomes available (by implementing additional OnBase models), this ERS should be included. Until such time, we should implement such *ad hoc* procedures as are necessary and appropriate to destroy e-records as they complete the required 15-year retention period.
5. The Records Manager will confer with Legal Counsel, to determine if maintaining these records only as e-records requires reporting to the State Records Board, and report, if needed.
6. The Records Manager will confer with DIO/IT-Business Solutions about developing a model QA procedure for departments to use in documenting future e-records validation cases.



KEEP

Kansas Enterprise Electronic Preservation

KEEP System Policy Framework

Version 1.0

September 2010



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Glossary

(will be combined into single KEEP System Glossary)

Access: The OAIS entity that contains the services and functions which make the archival information holdings and related services visible to Consumers.

Archival Information Package (AIP): An Information Package, consisting of the content information and the associated Preservation Description Information (PDI), which is preserved within an ISO 14721 (OAIS) based digital repository.

Authenticity: The degree to which a person (or system) regards an object as what it is purported to be. Authenticity is judged on the basis of evidence.

Born Digital: Refers to materials that originate in digital form.

Consumer: The role played by persons or client systems who interact with OAIS services to find preserved information of interest and to access that information in detail. This can include other digital archives and/or repositories, as well as internal OAIS persons or systems.

Dissemination Information Package (DIP): The Information Package, derived from one or more AIPs, received by the Consumer in response to a request to the ISO 14721 (OAIS) based digital repository.

Fixity Information: The information which documents the authentication mechanisms and provides authentication keys to ensure that the Content Information object has not been altered in an undocumented manner.

Information Package: The content information and associated Preservation Description Information which documents the preservation of the Content Information. The Information Package has associated Packaging Information used to delimit and identify the Content Information and Preservation Description Information.

Ingest: The OAIS entity that contains the services and functions that accept Submission Information Packages from Producers, prepares Archival Information Packages for storage, and ensures that Archival Information Packages and their supporting Descriptive Information become established within to the ISO 14721 (OAIS) based digital repository.

Long-Term: A period of time long enough for there to be concern about the impact of changing technologies on the records held in the repository. For purposes of the KEEP System, long-term records are those with retention periods of 10 or more years.

Open Archival Information System (OAIS): An archive, consisting of an organization of people and systems that has accepted the responsibility to preserve information and make it available for a Designated Community. It meets a set of responsibilities, as defined in 3.1 of the ISO 14721:2003 standard that allows an OAIS archive to be distinguished from other uses of the term “archive”. The term “Open” in OAIS is used to imply that this Recommendation and future related Recommendations and standards are developed in open forums, and it does not imply that access to the archive is unrestricted.

Preservation Description Information (PDI): The information which is necessary for adequate preservation of the Content Information and which can be categorized as Provenance, Reference, Fixity, and Context information.

Producer: The role played by persons or client systems who provide the information to be preserved. This can include other OAISs or internal OAIS persons or systems.

Refreshment: A Digital Migration where the effect is to replace a media instance with a copy that is sufficiently exact that all Archival Storage hardware and software continues to run as before.

Repackaging: A Digital Migration in which there is an alteration in the Packaging Information of the AIP.

Replication: A Digital Migration where there is no change to the Packaging Information, the Content Information, and the PDI. The bits used to represent these Information Objects are preserved in the transfer to the same or new media instance.

Submission Information Package (SIP): An Information Package that is delivered by the Producer to the OAIS for use in the construction of one or more AIPs.

Technology Neutral Open Standard File Format: A technology neutral file format is one that is designed to run on multiple platforms in a variety of software applications. It is an open file format in that the design of the specification involves collaboration in an open, public environment. Technology neutral open file formats can evolve as technology changes and thereby provide a backward compatibility to older versions. Examples of technology neutral file formats are XML and PDF/A.

Transformation: A Digital Migration in which there is an alteration to the Content Information or PDI of an Archival Information Package. For example, changing ASCII codes to UNICODE in a text document being preserved is a Transformation.

Trusted Digital Repository: A trusted digital repository is one whose mission is to provide long-term access to managed digital resources; that accepts responsibility for the long-term maintenance of digital resources on behalf of its depositors and for the benefit of current and future users; that designs its system(s) in accordance with commonly accepted conventions and standards to ensure the ongoing management, access, and security of materials deposited within it; that establishes methodologies for system evaluation that meet community expectations of trustworthiness; that can be depended upon to carry out its long-term responsibilities to depositors and users openly and explicitly; and whose policies, practices, and performance can be audited and measured.

1.0 Purpose

1.1 Policy Adoption

This policy is approved by the State Records Board and implemented in conjunction with the Kansas Information Technology Executive Council (ITEC), and may be revised and updated at any time.

1.2 Scope

This policy governs the establishment and operation of the Kansas Enterprise Electronic Preservation (KEEP) System to provide preservation processes that ensure the long-term readability, accessibility, and authenticity of electronic Kansas government records.

The mission of the KEEP System is to ensure reliable, long-term preservation and access by Kansas citizens to state government records retained for historical, legal, fiscal or administrative reasons, or for research purposes as foundations of government accountability, transparency, and public trust.

The legal authority for the KEEP System is the Government Records Preservation Act, the Public Records Act, and the State Archivist's Duties, as amended by HB 2195.

1.3 KEEP System Objectives

The objective of the KEEP System is to establish and sustain a scalable and auditable trusted digital repository infrastructure for the state of Kansas in order to preserve the readability and accessibility of electronic records across successive generations of information technology.

The KEEP System provides capabilities to ensure access to all of the electronic Kansas government records that user communities are entitled to see, and to restrict access to records to those users communities with appropriate access rights and privileges.

The KEEP System authenticates electronic Kansas government records upon request.

The KEEP System automates, to the extent possible, the capture of all required descriptive, contextual, administrative, and preservation metadata for records ingested into the KEEP System and persistently links that metadata to the electronic Kansas government records to ensure understandability of the records over time.

The KEEP System provides a mechanism for ingesting electronic records from all Producers of Kansas government records as early in the life cycle of the records as practicable.

The KEEP System maintains the chain of custody for the entire lifetime of electronic Kansas government records once they are ingested into the KEEP System.

The KEEP System interfaces with other information technology systems and networks implemented by the State of Kansas.

2.0 COMPLIANCE

2.1 Open Archival Information System (OAIS) Conformance

The KEEP System shall use the terms and concepts and support the model of information defined in the Open Archival Information System (OAIS) Reference Model approved as ISO 14721:2003. The KEEP System shall fill functional responsibilities including Ingest, Archival Storage, Access, Preservation Planning, Data Management, and Administration.

2.2 Producer-Archives Interface

The KEEP System shall conform to the Producer-archive interface - Methodology approved as ISO 20652:2006. The recommendation identifies, defines and provides specific structure to the relationships and interactions between Producer of Records and the Archive covering the initial contact between Producer and Repository until the objects of information are received and validated by the Repository.

2.3 Preservation Metadata

The KEEP System shall integrate core preservation metadata needed to support long-term preservation of electronic records and comply with the PREMIS data dictionary and supporting schemas (PREMIS 2007). PREMIS is a Digital Library Standard of the United States Library of Congress.

2.4 Metadata Transmission

The KEEP System shall adhere to the principles of the Metadata Encoding Transmission Standard (METS: 2003) in the transfer of digital content from Producers to the Repository.

2.5 Trusted Digital Repository Certification

The KEEP System will prepare to be certified as a Trusted Digital Repository once an international certification process has been finalized. The Trustworthy Repositories Audit & Certification: Criteria and Checklist (TRAC: 2007) represents best current practice and thought about the organizational and technical infrastructure required for a digital repository to be considered trustworthy and capable of certification.

2.6 Compliance with requirements of Kansas Uniform Electronic Transmissions Act (Kansas Rev. Statute 16-601)

The KEEP System shall comply with all requirements of the Kansas Uniform Electronic Transmissions Act (UETA) that pertain to the delivery of digital content to the public.

2.7 COBIT Compliance

The KEEP System shall comply with selected sections of the Control Objectives for Information and related Technology (COBIT 4.1) including:

- PO 3 Determine Technological Direction; PO 8 Manage Quality; PO 9 Access and Manage IT Risks; AI 1 Identify Automated Solutions; AI 4 Enable Operation and Use; AI 5 Procure IT Resources; AI 6 Manage Changes; AI 7 Install and Accredite Solutions and Change;
- DS 1 Define and Manage Service Levels; DS 3 Manage Performance and Capacity; DS 4 Ensure Continuous Service; DS 5 Ensure System Security; DS 7 Educate and Train Users; DS 8 Manage the Service Desk and Incidents; DS 10 Manage Problems; DS 11 Manage Data; DS 13 Manage Operations;
- ME 1 Monitor and Evaluate IT Performance; ME 3 Ensure Regulatory Compliance

2.8 Compliance Audit Procedure

The KEEP System shall employ a customized audit compliance checklist that incorporates features of ISO 14721, ISO 20652, PREMIS, TRAC and COBIT and conducts a self-audit every two years.

The KEEP System Operator shall arrange for an independent third party to conduct a Compliance Audit (when this service becomes available) within one year after each self-audit and will issue a public report of the audit findings.

3.0 KEEP SYSTEM ORGANIZATIONAL VIABILITY

3.1. Roles and Responsibilities

3.1.1 Kansas State Historical Society

The Kansas State Historical Society (KSHS) encourages the effective and efficient management of state government records and provides services and resources to preserve and enable access to long-term electronic records through the KEEP System. Responsibilities of the KSHS include but are not limited to:

- Ensure technical viability of the KEEP System through preservation planning, administrative oversight and monitoring of the KEEP System Operator.
- Manage access to permanent Kansas government electronic records and ensure compliance with the Kansas Open Records Act (KORA), other Kansas statutes, and federal law.
- Manage access to non-permanent Kansas government electronic records that have a retention period of ten years or more and ensure compliance with the Kansas Open Records Act (KORA), other Kansas statutes, and federal law.
- Ensure authorized retention and disposition rules are applied to non-permanent electronic records in the KEEP System and restrict access to the records based on written authorization and certified identification protocols.
- Provide access to records and/or execute holds on stored Kansas government electronic records upon the written request of the records Producer in the event of a public records request, litigation or investigation.

3.1.2 Director, KSHS State Archives and Library Division

The Director of the Kansas State Historical Society's State Archives and Library Division shall provide executive oversight of the KEEP System. Specific duties include:

- Sign and provide oversight for legal agreements including Memorandum of Understanding with record Producers, submission agreements, and third party contracts.
- Ensure financial sustainability and oversight of the KEEP System through approval of the three (3) year IT Management and Budget Plan submitted by the KEEP System Operator.

3.1.3 State Archivist

The State Archivist shall be accountable for all activities related to the digital preservation function of the Kansas State Historical Society. Specific duties include:

- Chair the committee that advises the State Records Board and the Information Technology Executive Council on digital preservation issues, requirements and standards.
- Prepare recommendations, in accordance with HB 2195, for preservation processes to maintain the authenticity of electronic Kansas government records and submit to the Electronic Records Committee for review and endorsement, and to the State Records Board for approval.
- Certify the authenticity of electronic government records ingested and stored in the KEEP System.
- Identify and develop digital preservation standards and best practices. Submit to the Electronic Records Committee for review and endorsement, and to the State Records Board for approval.
- Recommend fees for records authentication and other Repository services.

- Develop digital preservation cost models to determine the long-term storage costs that agencies will pay for storage of non-permanent Kansas government electronic records with an approved retention period of ten years or longer.
- Review IT Project Plans under the authority of ITEC Guideline 2400A to ensure long-term preservation requirements are adequately addressed. Specific attention shall be given to estimating the costs of digital preservation and storage services as well as ensuring new systems have State Records Board authorized records retention schedules.
- Administer the KEEP System Policy Framework by monitoring external trends and developments related to digital repositories, and by revising and updating the framework as needed to conform to national and international standards and best practices.
- Ensure compliance by state agencies in all branches of government with KEEP System digital preservation standards and requirements through the standardization of Information Package designs for specific preservation methods and file formats and the promulgation of mandatory policies, procedures, standards and metadata requirements. (See Appendix 1)

3.1.4 State Records Board

Under the authority of the Kansas Public Records Act (K.A.A. 75-3502 through 75-3504) the State Records Board is mandated to oversee “the permanent preservation of important state records and to provide an orderly method for the disposition of other state records.” HB 2195 augmented the authority of the State Records Board by requiring the State Archivist to prepare and present recommendations regarding preservation processes for maintaining the authenticity of electronic records.

In addition to these roles and responsibilities the State Records Board also has the statutory authority to:

- Approve Executive Branch retention and disposition rules
- Approve Executive Branch recordkeeping plans for electronic records series
- Approve recommendations from the State Archivist based on national and professional standards for preservation processes for maintaining the authenticity of electronic Kansas government records
- Issue administrative regulations that support the KEEP System.

3.1.5 Other Records Retention and Disposition Authorities

The Legislative and Judicial Branches of Government shall be responsible for identifying business considerations and practical requirements relating to managing and preserving electronic Kansas government records and to submit these considerations to the ITEC Electronic Records Committee for review and adoption. In addition, these authorities shall have the following responsibilities:

Judicial Branch

- Approve Judicial Branch retention and disposition rules
- Approve District Court retention and disposition rules
- Approve Judicial Branch recordkeeping plans for electronic records series
- Adopt recommendations from the State Archivist based on national and professional standards for preservation processes for maintaining the authenticity of Judicial Branch records

Legislative Branch

- Approve Legislative Branch retention and disposition rules
- Approve Legislative Branch recordkeeping plans for electronic series
- Adopt recommendations from the State Archivist based on national and professional standards for preservation processes for maintaining the authenticity of Legislative records

3.1.6 Electronic Records Committee

The Electronic Records Committee (ERC) is an advisory committee to the Information Technology Executive Council (ITEC). The Committee is chaired by the State Archivist and membership is composed of legislative, judicial and executive branch agency representatives who have electronic records management and digital preservation domain knowledge and authority.

The Electronic Records Committee shall recommend and regularly review policies, guidelines, and best practices for the creation, maintenance, long-term preservation of and access to Kansas state government electronic records. Specific duties shall include but are not limited to:

- Participates in preservation planning activities and submits digital preservation policy, standards, acceptable file formats and best practices recommendations to the State Records Board and/or the Information Technology Executive Council for consideration.
- Assists in the development of procedures related to Kansas government electronic records retention and access for the review of Information Technology Project Plans under the authority of ITEC Guideline 2400A.
- Reviews recommendations developed by the State Archivist for preservation processes to ensure the authenticity of Kansas government electronic records prior to submission to the State Records Board for approval.
- Reviews annual reports from the KEEP System Operator with regard to system performance issues, adequacy of the existing information technology infrastructure for supporting the KEEP System and projected operating and capital investment costs.
- Promotes use and expansion of the KEEP System among state entities.
- Promotes education and awareness of digital preservation standards and practices across all branches of government.
- Participates in the preparation and review of proposed updates to relevant sections of the Kansas Statewide Technical Architecture.
- Participates in the preparation and review of proposed additions to the Strategic Information Management (SIM) Plan.
- Collaborates with the Kansas State Historical Society to identify and develop new records series entries to propose to the State Records Board for inclusion in the General Retention and Disposition Schedule.
- Reviews recordkeeping plans for electronic records series that have been designated by the State Records Board as requiring long-term retention.

3.1.7 Information Technology Executive Council (ITEC)

The Kansas Information Technology Executive Council (ITEC) is responsible for approval and maintenance of all enterprise information technology policies, IT project management procedures, the statewide technical architecture, and the enterprise strategic information management plan for all branches of government. Each branch also has its own information technology policies, strategic planning, and project management procedures compatible with policies at the enterprise level.

ITEC shall support the authority of the State Archivist in complying with the requirements of ITEC Guideline 2400A. In addition, it will facilitate implementation of KEEP System standards and policies of the Electronic Records Committee approved by the State Records Board.

3.1.8 KEEP System Operator

The KEEP System Operator shall have broad responsibilities for operating system, network, and security services for the Repository including facility management and operational controls. Responsibilities include but are not limited to:

- Establish and operate all components of an infrastructure sufficient to ingest, authenticate and provide access to state government electronic records with long-term value
- Report on performance of operations in meeting its obligations as a Repository including potential risks
- Plan and forecast expenditures and resources necessary to maintain the viability of the KEEP System infrastructure

3.1.9 Organizational Leadership

The director of each state government agency and the heads of all Branches, Boards, Commissions, Departments, and Divisions shall be responsible for ensuring the preservation of long-term electronic records through compliance with policies, procedures, and methodologies approved by the State Records Board and endorsed by the Information Technology Executive Council.

The director of each state government agency and the heads of all Branches, Boards, Commissions, Departments, and Divisions shall be responsible for assigning sufficient resources to ensure that digital preservation issues are taken into account in the delivery of services to the citizens of Kansas.

Organizational leadership shall be authorized to enter into agreements with the KSHS State Archives and Library Division for the transfer and storage of permanent records as well as non-permanent Kansas state government records that must be retained for ten years or longer.

3.1.10 Agency Records Officer

Agency Records Officers shall maintain a liaison with the KEEP System, the retention and disposition authority, and the KSHS Archives and Library Division.

Agency Records Officers shall be authorized to sign and submit state government records to the KEEP System in accordance with submission requirements and standards.

3.1.11 Chief Information Technology Architect (CITA)

The Chief Information Technology Architect (CITA) publishes plans and standards under the auspices of ITEC. The CITA shall be responsible for incorporating KEEP System policies and requirements into the Kansas Information Technology Architecture, Strategic Information Management (SIM) Plan, and Kansas project management training curriculum and certification processes.

3.1.12 Chief Information Technology Officers (CITO)

Branch Information Technology Officers (CITO) provide leadership and direction for state entities and their IT investment.

Each CITO shall be responsible for ensuring compliance with digital preservation policies and best practices in all systems and functions under his/her purview. Toward this end, each CITO shall designate a Digital Preservation Officer to serve on the Electronic Records Committee and to coordinate digital preservation initiatives, priorities, and methodologies within their respective branch of government.

CITOs shall advise the State Archivist of digital preservation requirements, changes in technologies, and other evolving issues in their operations.

3.1.13 INFORMATION NETWORK OF KANSAS

The Information Network of Kansas (INK) shall support public access to the KEEP System and payment portal services.

Kansas Network Consortium, Inc. (KIC) shall collect and distribute revenue for online KEEP System authentication services.

User feedback on the KEEP System shall be routinely collected and analyzed by the network manager. Feedback results and public access requirements shall be provided to the Kansas State Historical Society.

3.2 Financial Sustainability

3.2.1 Rate Setting Process

The rate setting process is done in accordance with OMB Circular A-87 and appears as part of the annual statewide cost allocation plan (SWCAP). SWCAP filings are approved each year by the federal Department of Health and Human Services Office of Cost Allocation.

Rates must be reviewed annually to ensure they are adequate for KEEP System sustainability.

3.2.2 Fee Basis

- On demand records authentication services
- Storage of other electronic Kansas state government records that must be retained for 10 years or longer
- KEEP System pre-ingestion services including design of Submission Information Packages
- Estimated digital preservation services under the authority of ITEC Guideline 2400A
- KEEP System preservation planning and archival storage services
- Customized services

3.3 KEEP System Operating Principles and Procedures

3.3.1 General Principles

- Mandatory Repository for electronic Kansas government records with enduring value and is available for other electronic records required to be retained for 10 years or longer
- Specifically designed Repository for electronic Kansas government records preservation and access that can handle a variety of formats and supports use of open source software
- Periodic self-audits and third party audits for conformance to best practices and standards
- Sufficient human, technical and financial resources to ensure sustained attention to the management and preservation of electronic Kansas government records
- Capable of integrated life cycle records management, including the scheduled transfer of government records from records Producers to the KEEP System as soon in the life cycle of the records as practicable
- Comply with federal and state requirements for digital evidence, data privacy and data security
- The long term success of the KEEP System depends upon upstream records management programs that ensure digital records are initially created in technology neutral open standard formats. Toward this end an Enterprise Records Management Model based on the requirements of ISO 15489 should be implemented to ensure that upstream records management issues bearing on digital preservation are identified and addressed in the design and implementation of records systems.

3.3.2 KEEP SYSTEM

- Records that originate in digital form or are digitized and designated to be of permanent value shall be retained in perpetuity by the KEEP System in accordance with State Records Board (and other disposition authority) requirements.
- Other records that originate in digital form or are digitized that have an authorized retention period of ten years or more shall be stored in the KEEP System
- Access to records stored in the KEEP System shall be administered in accordance with the provisions of the submission agreement.
- Producers file signed permissions for authorization to access non-permanent electronic records with a retention period of 10 years or longer. PKI shall be used to certify the authenticity of rights to access such records.
- State Archivist authenticates KEEP System records on demand
- Capability to auto-ingest records, close to the point of creation/finalization from records Producers according to scheduled records life cycle transfer protocols specified in submission agreements
- Records Producers must have approved (by their respective branch retention and disposition authority) retention and disposition instructions and complete a Submission Information Package (SIP) in order to transfer records to the KEEP System
- Agency Records Officers shall have the authority to transfer electronic state government records to the KEEP System
- KEEP System provides for future migration of the electronic records to provide preservation and access over time, including migration of file formats and periodic media renewal

3.4 Records Selection Criteria

KEEP System shall accept Kansas government records that originate and are maintained in digital form and digitized Kansas government records that have authorized retention and disposition instructions which identify them as having permanent value.

The KEEP System shall accept Kansas government records that originate or are and maintained in digital form or digitized Kansas government records that have a retention of 10 years or longer

Non-permanent electronic records with a retention period of 10 years or longer will be retained in the KEEP System until their authorized retention period expires after which they will be destroyed in accordance with approved disposition instructions

KSHS shall identify and periodically update a list of a limited number of archival preservation standard formats and support their use in the KEEP System to ensure the retrievability, usability, and authenticity of electronic Kansas government records.

KEEP System may accept government electronic records from Producers that are in proprietary and obsolescent file formats

3.5 Records Acquisition

3.5.1 Submission Agreements

KEEP System shall implement State Records Board requirements for the transfer of legal custody of records of permanent value to the Kansas State Historical Society

KSHS shall negotiate agreements with Kansas government agencies/entities (Producers) that produce business records with a permanent value and non-permanent electronic records with retention periods of 10 years or longer

Submission agreements for permanent as well as non-permanent electronic records shall include any and all restrictions for access based upon statutes or regulations

3.5.2 Ingest

The KEEP System accepts Kansas government electronic records through a process called Ingest. The Ingest process shall use standardized information packages and protocols for the actual transfer of electronic records from a records Producer to the KEEP System.

Core OAIS ingestion protocols that are supplemented with features customized for the KEEP System shall be developed and implemented. (See Appendix 1).

The KEEP System shall support the automated, semi-automated, and manual transfer of Kansas government electronic records that meet the selection and acquisition criteria from records Producers and records management systems and business applications.

Electronic Kansas government records shall be transferred to the KEEP System through secure protocols: Web Portal, File Transfer Protocol (FTP), LTO Magnetic Tape, DVD or CD.

3.6 Preservation Approaches

Technology obsolescence is inevitable as new computers, processing methodologies, and storage devices displace current ones. Typically, there is a window of time between five to ten years after displacement has occurred before the pace of technology obsolescence begins to escalate sharply as vendor support declines. Complete technology obsolescence that results in digital content no longer being accessible or usable is inevitable unless addressed within the time window referenced above. The KEEP System will maintain evidence of any preservatin actions performed on records in the repository.

The KEEP System shall use a variety of approaches to mitigate technology obsolescence:

- Storage device and media refreshment and replication
- Migration repackaging
- Migration transformation
- Viewer technologies
- Technology neutral file formats
- Open source software

3.6.1 Storage Device and Media Refreshment and Replication

The KEEP System shall preserve the bit streams of electronic Kansas government records through periodic storage device and media refreshment and replication.

3.6.2 Repackaging

The KEEP System shall preserve evidence of any preservation activities that result in changes to KEEP Repackaging Information.

3.6.3 Transformation

The KEEP System will employ Transformation to convert Archival Information Packages (AIPs) to new archival storage file formats as they become available.

3.6.4 Viewer Technologies

The KEEP System shall use Viewer Display Technologies to render electronic records stored in proprietary file formats and provide access to static, non-processible renditions of the records. (See Appendix 2)

3.6.5 Technology Neutral File Formats

The KEEP System shall adopt technology neutral file open standard formats for archival storage (See Appendix 3).

During the Ingest process, non-legacy proprietary file format records will be transformed to an archival storage format where such tools are available.

Producers will be encouraged to implement these same technology neutral open standard file formats in their operational records systems. Digital records in these formats are “preservation ready” so no transformation activities will be required during Ingest.

3.6.6 Migration

The KEEP System shall mitigate technology obsolescence through migration unless emulation tools are established and widely used and become a digital preservation best practice. (See Appendix 4)

3.6.7 Repository Software

Sustainability of the KEEP System will be supported wherever possible through the design and use of community-supported open source software and systems.

3.7 Records Authentication and Integrity Protection

The KEEP System shall protect the authenticity of Kansas government electronic records by requiring records Producers to authenticate records at the time of transfer and by creating and maintaining preservation activity and other metadata that supports an electronic chain of custody.

3.8 Access and Use Criteria

3.8.1 Access

The KEEP System shall ensure access to electronic Kansas government records that have been retained for long-term preservation and use by the public, legislators, courts, and Kansas agencies.

The KEEP System shall enable access to its holdings for different user communities and sets of security rights.

The KEEP System shall comply with Kansas Open Records Act exemptions and other state and federal laws restricting access to Kansas government records.

The KEEP System shall comply with access requirements of ADA Section 508 and related statutes as well as ITEC Policy 1210.

3.8.2 Usage

KEEP System shall support persistent access to Kansas government electronic records of enduring value through multiple access points, including the Kansas.gov portal and the portal of the Kansas State Historical Society.

KEEP System shall disseminate electronic records in selected technology neutral open standard formats.

The KEEP System shall support authorized Producer access to Kansas government electronic records in its physical but not legal custody through a portal restricted to Kansas government employees with certified authorization.

3.8.3 Restrictions, Including Redaction

KEEP System shall redact or otherwise restrict public access to Kansas government electronic records based on the restrictions identified in the submission agreement. This includes but is not limited to redaction using the appropriate technology tools in accordance with the current redaction policy of the KSHS.

KEEP System will comply with legal holds issued by the records Producers on electronic records stored by the KEEP System by temporarily suspending all disposal actions associated with the records.

4.0 Facility Management and Operational Controls

4.1 Physical Controls

4.1.1 Site Location and Construction

The location and construction of the facility housing the KEEP System will be consistent with Tier 4 facilities used to house high-value, sensitive information. The site location and construction, when combined with other physical security protection mechanisms such as guards and intrusion sensors, will provide robust protection against unauthorized access to the KEEP System.

4.1.2 Physical Access

The facility that houses the KEEP System will implement physical access controls to reduce the risk of equipment tampering and malicious manipulation of the software system.

At a minimum, physical access controls must:

- ensure that no unauthorized access to the hardware is permitted,
- ensure that all removable media and paper containing sensitive plain-text information regarding access to or operation of the system and its configuration is stored in secure containers, be manually or electronically monitored for unauthorized intrusion at all times
- ensure that an access log is maintained and inspected periodically and require two-person physical access control to both the database and storage subsystems
- ensure physical security systems (e.g., door locks, vent covers) are functioning properly.

A person or group of persons will be made explicitly responsible for making such checks. When a group of persons is responsible, a log identifying the person performing a check at each instance will be maintained. If the facility is not continuously attended, the last person to depart will initial a sign-out sheet that indicates the date and time and asserts that all necessary physical protection mechanisms are in place and activated.

4.1.3 Power and Environmental Conditioning

The KEEP System will have backup capability sufficient to automatically lock out input, finish any pending actions and record the state of the equipment before lack of power or environmental conditioning causes a shutdown.

The equipment will be installed so that it is not in danger of exposure to water, e.g., placement on tables or elevated floors. Moisture detectors will be installed in areas susceptible to flooding.

4.1.4 Water Exposure

This policy makes no provision for prevention of or exposure of KEEP System equipment to water beyond that called for by practices that are commercially reasonable within the industry for Tier 4 facilities. Equipment will be installed so that it is not in danger of exposure to water, e.g., racks or elevated floors. Moisture detectors must be installed in areas susceptible to flooding.

The KEEP System Operator that has sprinklers for fire control will have a contingency plan for recovery should the sprinklers malfunction or cause water damage outside of the fire area.

4.1.5 Fire Prevention and Detection

This policy makes no provision for prevention of exposure of the KEEP System to fire beyond that called for by practices that are commercially reasonable within the industry for Tier 4 facilities. An automatic fire extinguishing system will be installed in accordance with local code.

The KEEP System Operator must have a contingency plan which contemplates and addresses damage by fire.

4.1.6 Off Site Backup

System backups, sufficient to provide recovery from system failure will be made on a periodic schedule that provides for complete recovery of the system and data. At least one backup copy must be stored at an offsite location separate from the KEEP System. Only the latest backup is required to be retained. The backup will be stored at a site with physical and procedural controls commensurate with that of the operational system.

4.2 Personnel Controls

4.2.1 Qualification of Personnel

The KEEP System Operator will implement and comply with personnel and management policies sufficient to ensure the trustworthiness and competence of their employees and of the satisfactory performance of their duties in a manner consistent with this policy.

4.2.2 Background Check Requirement

At a minimum the KEEP System Operator staff with direct access to the repository will pass a background investigation covering the following areas:

- employment
- education
- place of residence
- law enforcement and
- references.

The period of investigation must cover at least the last five years for each area, with the exception of the residence check which must cover at least the last three years. Regardless of the date of award, the highest educational degree must be verified. Any personnel who fail an initial or periodic background check must not serve in a trusted role.

The Director, KSHS Archives and Library Division may request conduct of periodic background checks at their discretion.

4.2.3 Training Requirements

All personnel performing duties related to the operation of the KEEP System will receive comprehensive training appropriate to their roles, and the training will be documented. Training will be conducted in the following areas:

- security principles and mechanisms;
- all software versions in use on the system including special storage media;
- all duties they are expected to perform;
- disaster recovery and business continuity procedures; and
- provisions of the law and this policy.

All persons responsible for KEEP System operations will be made aware of changes in the operations appropriate to their roles. Any significant change to the operations will have a training awareness plan, and the execution of the plan must be documented. Examples of changes are software or hardware upgrades, changes in automated security systems and relocation of equipment. In any event, the KEEP System Operator will review operational requirements with persons performing significant or trusted roles at least once a year.

The KEEP System Operator will document the training program, identity of all personnel who receive training and the level of training completed.

4.2.4 Sanctions

The KEEP System Operator will take appropriate administrative and disciplinary actions against personnel who have performed actions not authorized by law, this policy or who have been negligent in performing their duties in the operation of the KEEP System.

5.0 Compliance Reviews and Other Assessments

5.1 Frequency

The KEEP System Operator shall submit to and pay for compliance reviews applicable to trusted digital repositories and file the review report with the State Records Board.

Once every three years an external review by a competent third party must be conducted. An internal review performed by the KEEP System Operator must be prepared annually except in those years in which a third party audit is performed.

5.2 Qualifications of Auditor

A compliance auditor shall be qualified to conduct a compliance review pursuant to those standards recognized by this policy law and must be sufficiently familiar with the best practices of a trusted digital repository. The auditor must be thoroughly familiar with the requirements of TRAC and other applicable standards as identified in Section 2 of this policy.

The auditor shall have a contractual relationship for the performance of the review, and the auditor shall be sufficiently separated legally and organizationally from the KEEP System Operator to provide an arms-length, unbiased, independent evaluation. To ensure this, the selected auditor shall be approved by KSHS.

5.3 Scope of Audits

Audits shall be conducted in accordance with Kansas law, this policy, other applicable standards and with TRAC. The purpose of the compliance audit is to verify that the KEEP System Operator complies with all of the requirements of Kansas law, this policy and standards for trusted digital repositories.

5.4 Actions Following Audit

If audit findings report any material noncompliance with Kansas law, this policy, applicable ISO standards or TRAC, the following actions shall be performed:

- the compliance auditor must note the discrepancy in writing;
- the compliance auditor must notify the parties in section 3 of the discrepancy and
- the party responsible for correcting the discrepancy shall propose a remedy in writing, including an expected time for completion, to the State Archivist

Depending upon the nature and severity of the noncompliance, the KEEP System Operator may be required to suspend ingestion of any new content until the non-compliance is remedied. If the severity of the noncompliance is determined by the Electronic Records Committee not to warrant lapse of ingesting new content, it may negotiate a timetable and project plan for the successful completion of the remedy.

The final order concerning the remedy and the status of the KEEP System Operator will be made by the management of the KSHS (or it could name Pat's position, or say the State Records Board in conjunction with the State Archivist, etc.).

6.0 Policy Administration

6.1 Policy Review

This policy will be reviewed by the State Records Board on an annual basis.

6.2 Suggested Changes and Notice

Suggested changes to this policy will be communicated to the State Records Board on or before October 1 each year. Such communication must include a description of the change, a change justification and contact information for the person requesting the change. On or before October 31st of each year, the State Records Board will provide notice of proposed changes under consideration.

6.3 Review and Comment Period

Interested parties may file comments concerning the proposed changes with the State Records Board on or before November 31 each year. After receipt of the comments, the State Records Board will use its best efforts to review the comments and provide its approved policy changes, if any, to Information Technology Executive Committee (ITEC) by December 31 each year.

6.4 Final Decisions

Final decisions on the proposed changes to this digital preservation policy are at the sole discretion of the State Records Board, with the support and advice of the State Archivist and ITEC Electronic Records Committee. If a proposed change is adopted as a result of the policy review, a notice of the change will be given to all branches of government and all parties for whom Submission Agreements with the KEEP System exist.

6.5 Changes Outside Annual Review

Notwithstanding the foregoing, if, in the judgment of the State Records Board or the State Archivist, it is determined changes to the policy should be made prior to the annual review, the State Records Board reserves the right to modify the policy upon notification of the proposed changes to all branches of government and all parties for whom a Submission Agreement exists.

7.0 Privacy and Data Protection

7.1 Protection of Confidential or Personal Identifiable Information
TBD

7.2 Release of Information for Criminal or Civil Matter

Only the State Archivist may authorize disclosure of protected information to a law enforcement agency or other duly-authorized agent in a criminal or civil matter and only under the following circumstances: when (1) required to be disclosed by law, governmental rule or regulation or court order; or (2) authorized by the producing entity. Any request for such disclosure of private and/or confidential information must be made in accordance with applicable law.

7.3 Limitation on Liability
TBD

7.4 Severability

Should it be determined that one section of this policy is invalid, the other sections will remain in effect until the policy is updated. The process for updating this policy is described in section XXX.

7.5 Governing Law

The laws of the United States of America and the State of Kansas will govern the enforceability, construction, interpretation and validity of this policy.

7.6 Contact Information

Communication to the State Records Board should be addressed to:

Name

Address 1

Address 2

Appendix 1 Minimum Ingest Standards

At a minimum the KEEP System Ingest process will include:

- Virus check and quarantine
- Specification of permanent or non-permanent digital records
- Authenticated legal or physical custody agreement with records Producer
- Digital record content
- Authentication of transfer of Submission Information Packages (SIP)
- Notification of SIP receipt to Producer
- Transmission integrity validation
- Version of software used to create or store digital record content
- File format validation
- Required descriptive, structural, administrative and preservation metadata
- Procedures for conversion to an Archives Information Package (AIP), including normalization as appropriate
- Retain a copy of the original bit stream ingested before normalization
- Specification of normalization storage standards

The KEEP System will protect the integrity of digital records by the use of hash digests, digital signatures, and time stamps to validate that no change has occurred.

Appendix 2 Viewer Technology

File formats provide critical information about special operations (e.g., compression), instructions on how to interpret the digital content (e.g., image, text, audio), specifications of a software application required to process the bit stream, and identification of non-printing characters that represent rendering specifications, such as a type font. They are essential in the creation, use, storage, and preservation of digital records but transparent to users.

Many file formats can be characterized as proprietary, native formats that are application dependent and therefore can only be opened and used by the original software application. Proprietary file formats are subject to technology obsolescence as vendors displace them with new file formats and cease supporting the older ones. Over time, these formats become “legacy file formats” because tools to convert them to newer formats are not available or may be prohibitively expensive to develop.

Fortunately, viewer display technology can render representations of many electronic records without using the native applications originally used to create them. This rendering capability includes display viewing and printing functionality that can run on multiple technology platforms.

Viewer display technologies, which currently enable this rendering capability for more than 500 native file formats, can be used to render electronic records embedded in legacy file formats and applications. This is only a short term solution because in the future at some point current viewer technologies may not be supported.

Appendix 3 File Formats Accepted By KEEP System

File formats accepted by the KEEP System include:

- Text
- Extended American Standard Character Information Interchange (ISO 8859-1)¹
- Open Document Format (ODF)
- Portable Document Format/Archives (PDF/A)
- Extensible Markup Language (XML)
- Hypertext Markup Language (HTML)
- Comma Separated Values (CSV) for spreadsheets

Photographic Images

- Lossless JPEG 2000 (Joint Photographic Experts Group)

Scanned Images

- PDF/A (Portable Document Format Archives)
- PNG (Portable Network Graphics)

Vector Graphics

- SVG (Scalable Vector Graphics)

Geospatial

- PDF/E (Portable File Format Engineering)

Audio

- BWF (Broadcast Wave Format)

Digital Video

- JPEG 2000 (Motion JPEG 2000)

In some instances it may be appropriate to ingest digital content in native legacy formats for which no software tools currently exist for normalizing them in archival preservation formats. In such instances the KEEP System will support the bit preservation (rendering will be accomplished by a compatible viewer) through media and device renewal until new tools are available that can normalize them into archival preservation formats..

¹ It can be argued that Unicode, which is an International Standard that can support text in more than 65,000 languages, should be the recommended standard for text. However Unicode requires 16 bits as opposed to the 8 bits of Extended ASCII. The first 8 bits of Extended ASCII and Unicode are identical but transforming Extended ASCII to Unicode would add 8 “null” bits to each alphanumeric, which has the net effect of doubling the storage space requirements with no appreciable gain.

Appendix 4 Software Obsolescence

A software application is required to interpret the bit streams underlying electronic records and render these representations of 1s and 0s into a human useable form. In this sense all electronic records are software dependent. Software applications are vulnerable to technology obsolescence as vendors develop new platforms and products and discontinue support of others. Over time software applications that vendors no longer support cannot open, retrieve, and use electronic records.

Two approaches may be considered to mitigate application software application obsolescence: migration and emulation. Migration is the process for repeated conversion or transformation of digital records from one technology platform to a more stable one. No special computer code is required in migration because it relies on interoperable, backwardly compatible technology neutral open standard formats. In contrast, emulation replicates the functions and capability of a software package by emulating the hardware and operating system on which it originally ran. Because emulation replicates the original software used to create and use digital records, the digital records remain in their original native file format. Unlike emulation, migration is an established and widely used approach to mitigate technology obsolescence.