

**State Records Board**  
**11 April 2013**  
**Executive Conference Room, Center for Historical Research**

Present: Lisa Mendoza, chair, Attorney General's designee  
Matt Veatch, State Archivist, Kansas State Historical Society (KSHS)  
Pat Michaelis, KSHS Executive Director's designee  
Bill Sowers, State Librarian's designee  
Frank Burnam, Secretary of Administration's designee

Also present: Karen Stattelman, Pooled Money Investment Board  
Darrell Garwood, KSHS  
Lu Harris, KSHS  
Karl Hockenburger, Department for Children & Families (DCF)  
Sandy Powell, DCF  
Marcella Wiget, KSHS  
Teresa Anderson, Johnson County

Meeting commenced at 8:38 a.m.

*2. Minutes from previous meeting:* Mr. Veatch made a slight revision to the wording in section 10 regarding the discussion of local personnel records. He also commended Ms. Wiget for her meeting minutes. Ms. Mendoza made a minor change for a typographical error.

**Motion:** Ms. Michaelis moved, Mr. Veatch seconded, unanimous approval of minutes as amended.

*3. Department of Agriculture – Noxious Weeds:* Ms. Wiget explained that this series has existed at the local level for several years but was never scheduled at the state level. With the creation of this new schedule entry, transferring all county annual reports to the State Archives from the Department of Agriculture, the local entry can be changed so that counties can destroy their records rather than retaining them permanently. Ms. Wiget has spoken with a couple counties about this change and intends to contact a few more; she has also asked Teresa Anderson to ask their Noxious Weeds director how long he thinks these reports need to be kept locally.

**Motion:** Mr. Veatch moved approval, Mr. Burnam seconded, unanimous approval of retention schedule entry as submitted.

*4. Department of Corrections – Central Office and Facilities:* Ms. Mendoza noted that the records under discussion are probably being kept electronically; Ms. Wiget explained that the "Inmate Files" series (as described in 0159-521) already has been approved for electronic retention by the board, but the board has not yet seen the Electronic Recordkeeping Plan for the systems that Corrections uses.

**Motion:** Mr. Veatch moved approval, Mr. Burnam seconded, unanimous approval of revised schedules as submitted.

*5. Pooled Money Investment Board:* Karen Stattelman has been revising her agency's retention schedule for the past several months, taking care of duplicative and obsolete entries. She is now beginning to work on the new and revised retention schedule entries. She had one change at the meeting to make to series 0034-671, Statutory Loan Files, so that the descriptive language would be more inclusive and read "and other entities" instead of "other state agencies."

The board discussed the general “May contain confidential banking information” restriction that appeared in some of the entries. The board preferred a statutory citation of some kind. KSA 45-221(a)(1) could be used, though it is not specific. Ms. Stattelman explained these records can contain account numbers, wiring information, and other confidential institutional information that would not be provided in an open records request and would be shredded. She will ask her agency’s legal counsel about what specific state or federal statute or law closes these records. The board tabled discussing those series, both new and revised, that included this restriction.

Ms. Michaelis requested that “and data” be added to the remarks regarding off-site back-up storage of software in several series, all of which were tabled for further discussion regarding restrictions.

**Motion:** Ms. Michaelis moved, Mr. Veatch seconded, unanimous approval of retention schedule entries as amended, minus the four tabled records series.

*6. Department for Children and Families – Prevention and Protection Services:* Sandy Powell explained that the agency is completely restructuring its organization and therefore also its retention schedule. She and Karl Hockenburger were present to discuss entries for Prevention and Protection Services (PPS). Children and Family Services, a former sub-section under SRS, is now Family Services, under which is Prevention and Protection Services.

Ms. Michaelis requested that “by agency” be added to the comments under 0050-629 to note that the agency will hold the records internally permanently.

Ms. Powell noted that 0695-629, Guardianship/Adoption Records – State Wards will require an electronic record-keeping plan. Mr. Veatch stated that he and Ms. Wiget had discussed this series and thought that these records may be transferred annually into KEEP in future. He also wanted clarification about 0067-629, Client Case Files – Adoption Services, and why this series is both retained permanently at the agency and at the State Archives. Ms. Powell explained that the microfilm is used daily at the agency and that the State Archives’ copy is backup copy, but DCF considers that copy the State Archives’ and not the agency’s anymore. Mr. Hockenburger noted that Adoption Services gets two or three inquiries a week for client records, but he does not know how many of those are responded to or are deflected due to lack of legal right to view the records. Ms. Michaelis suggested that the disposition be State Archives and that the comments state “Agency keeps a copy to handle reference requests” for both 0067-629 and 0695-629.

Ms. Michaelis requested more information about why the record copy field states “Unknown” for three of the four series. The group discussed what the record copies are for these three series. Mr. Hockenburger noted that the agency is moving toward digitization.

**Motion:** Ms. Michaelis motioned, Mr. Sowers seconded, that the revised schedules be approved as amended.

*7. Local records – Personnel records:* This agenda item concerned the retention schedule entry as discussed and revised at the last State Records Board meeting. Teresa Anderson noted that some verbiage had since been added to the comments, as requested by other county records managers, to further clarify what goes into an abstracted work history. She thanked the board for their support during this process.

Ms. Mendoza asked whether personnel records at the local level include test scores. She suggested that both KSA 45-221(a)(9) and (30) be added to the restrictions for test scores and unwarranted invasions of personal privacy.

Mr. Veatch asked Ms. Anderson if Johnson County would be willing to share the research Julianne Gonatas had done; Ms. Anderson indicated she would provide what she could. Mr. Veatch noted that the state-level retention schedule entry for abstracted personnel records still shows these

records must be kept for 65 years and that there has been a lot of push back to reduce the amount of time these records need to be kept. He hopes that the State Archives will be able to work with Administration's Personnel Services to revise the state-level schedule entry.

**Motion:** Mr. Veatch moved, Mr. Sowers seconded, unanimous approval of revised general schedule entry for local personnel records as amended.

*8. Local records – Johnson County: electronic records migration:* Ms. Anderson gave the board some additional background regarding Johnson County's move to electronic records. Their records management staff have been working with the legal and information technology departments to create a records vetting procedure. She noted that they attempted to do a beta test of the process with the Public Health Department and realized that first the department's retention schedule needed to be cleaned up. She also informed the board that a lot of departments are already using ImageNow, and that legal has directed that source documents in paper form cannot be destroyed until the ImageNow system has gone through the vetting process.

Mr. Veatch asked Ms. Anderson about ImageNow. She has a good relationship with their local expert on ImageNow and has legal backing in the county. She also explained that Johnson County has purchased a separate records management module to add appropriate records management features to their existing system.

Ms. Anderson asked who would have responsibility for deleting electronic records, once records management and archives have worked with and initiated the process with the individual departments. Mr. Veatch said that hopefully the system would allow for rule-based automation of deletion, unless there was a legal hold.

The board noted that they had received the letter from Johnson County regarding the migration of paper records to electronic.

*9. Housekeeping changes:* Ms. Mendoza questioned some retention schedule entries that had moved from the Department for Children and Families to the Kansas Department for Aging and Disability Services, noting that these still used the Social and Rehabilitation Services language. Mr. Hockenbarger suggested that this remain as is to show the historical background of the retention schedule. Ms. Wiget explained that records management staff plan to transfer all the retention schedules and then discuss with program staff what has been revised and made obsolete.

The board accepted the report.

*10. Other business:*

*a. Electronic Records Committee update:* Ms. Mendoza has had several inquiries lately regarding social media and whether it is considered records by the state or not. She also noted that there are no retention schedule entries governing social media. The Electronic Records Committee (ERC) discussed this at their last meeting, but this was a low-attended meeting and nothing substantive came out of the discussion. Mr. Veatch believes the state must deal with this, rather than shirking responsibility. He noted that both North Carolina and Alabama, the only states that have dealt specifically with social media, have appraised social media as archival because of the direct interaction between government and citizen in a completely new way. He explained that this is not yet the Kansas policy and that it may not be. Both Mr. Veatch and Ms. Mendoza noted that the new social media policy from the Kansas Office of Information Technology Services does not address recordkeeping and retention. The State Records Board can issue either a general retention schedule entry or a more general policy or guideline regarding these and other records issues. Mr. Veatch has explained to the Chief Information

Technology Officer that it is not good practice to allow the third party source solely to house the records.

Ms. Mendoza requested that at the next meeting staff present information and that the board discuss this topic further.

Mr. Veatch also provided a KEEP update for the board.

*b. Implementation of housekeeping changes:* Lu Harris has been working on agencies' retention and disposition schedules, gathering information for superseding entries into the general schedule. As she has worked on this project, she has found some entries match exactly but many others do not. Agency entries may have more specific information, different restrictions or descriptions, and other minor changes in their specific entries. Ms. Harris needs guidance from the board about how to proceed on these issues.

As an agency records officer, Ms. Mendoza noted that some of these entries would be simple to supersede but that others she would need to visit with program staff before making any change. She also noted that she would like to be aware of what was happening with the schedule entries as a courtesy. Ms. Michaelis suggested working first with a few agencies and then preparing reports to send to the rest of the affected agencies and discussing the process at the next records officers' meeting. This would be an opportunity also for those initial agencies with whom Ms. Harris tested the project to talk about the process. Ms. Wiget asked whether there was anything in the samples provided in the board packet that would require board approval, and Ms. Mendoza thought all the changes presented were non-substantive changes but that there could be other instances where board approval may be needed, including instances where agencies want to change their specific schedule entries even more to make them more substantially different from the general schedule.

Meeting adjourned at 10:18 a.m.