

# The State Records Act and Electronic Records



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Electronic Records Archivist  
Illinois State Archives

# Outline

- The State Records Act & Records Management
- Introduction to E-records
- Dealing with E-communications
- Illinois Administrative Code
- Long-term E-records Management
- Additional Resources

# The State Records Act (5 ILCS 160)

- Covers all state agencies
- Defines what is considered a “Public Record”
- Establishes authority of State Records Commission
- Records must be accessible to public
- All records disposed of per approved schedule

# Record Retention Schedule

- “Application for Authority to Dispose of State Records”
- Lists all agency records, retention periods
- Needs periodic updating
- File Records Disposal Certificate 30 days prior to destruction
- **DOES NOT** allow destruction without Commission approval
- **Pending or active litigation halts process**

# FOIA and Records Destruction

- If a record exists, it is subject to FOIA
- *Even if:*
  - It is past its scheduled retention period
  - A disposal certificate has been filed
  - A disposal has been approved but the actual destruction has not yet taken place.

Secretary of State  
Local Records Unit  
Margaret Cross Norton Bldg.  
Springfield, Illinois 62756  
Telephone (217) 782-7076

Local Records Commission  
Of Cook County, Illinois

APPLICATION FOR AUTHORITY TO  
DISPOSE OF LOCAL RECORDS

Application No. 27:079C

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AGENCY

Metropolis Police Department

ADDRESS

1 Fortress of Solitude way

CITY

Metropolis

ZIP

60712

PHONE

(555)555-5555

I hereby request authority to dispose of local government records according to the schedule below. I certify that any microfilm or digitized copies will be made in accordance with the standards of the Local Records Commission of Cook County and will be adequate substitutes for the original records.

*Clark Kent*

Signature of Agency Head  
Clark Kent, Director

*September 7, 2013*

Date

Approval:  
Local Records Commission  
of Cook County, Illinois  
County Building – Room 801  
Chicago, Illinois 60602  
(312) 603-7832

*Martha Martinez*

Chairman

*David A. Joens*

Director, State Archives

*June 11, 2013*

Date

Application  
Number

LRC  
Approval

RECORDS LISTED ON THIS APPLICATION MAY BE DISPOSED OF:

- After their individual retention period is complete,
- If they are correctly listed on a Records Disposal Certificate submitted to and approved by the Local Records Commission of Cook County sixty (60) days prior to disposal,
- Providing any local, state, and federal audit requirements have been met,
- As long, as they are not needed for any litigation either pending or anticipated.

THIS RECORDS RETENTION SCHEDULE DOES NOT RELIEVE LOCAL GOVERNMENT AGENCIES OF RETENTION REQUIREMENTS MANDATED BY OTHER STATE AND FEDERAL STATUTES AND/OR REGULATIONS. WHEN SUCH AN OBLIGATION DOES EXIST, THEN THE LONGER RETENTION PERIOD TAKES PRECEDENCE.

ANY RECORD ON THIS APPLICATION MAY BE MICROFILMED OR DIGITIZED AND THE RECORD DISPOSED OF IF THE RECORD IS MICROFILMED OR DIGITIZED IN ACCORDANCE WITH THE STANDARDS OF THE LOCAL RECORDS COMMISSION OF COOK COUNTY AND IF THE FILM OR DIGITIZED RECORD IS RETAINED FOR THE PRESCRIBED RETENTION PERIOD.

DISPOSAL OF RECORDS AFTER MICROFILMING OR DIGITIZING  
MUST BE NOTED ON THE RECORDS DISPOSAL CERTIFICATE.

THIS APPLICATION AND ANY RELATED RECORDS DISPOSAL CERTIFICATES  
ARE TO BE RETAINED PERMANENTLY.

Agency Head  
Certification

LOCAL RECORDS DISPOSAL CERTIFICATE

MAIL TO: Cook County Local Records Commission  
Margaret Cross Norton Bldg.  
Capital Complex  
Springfield, Illinois 62756  
(217) 782-7075

**Directions:**

1. Fill in all blanks and columns using your Application For Authority to Dispose of Local Records as a guideline.
2. Sign and send the Disposal Certificate to the address above sixty (60) days prior to the disposal date.
3. Retain records and a copy of this Disposal Certificate until the approved copy is returned.

APPLICATION NO. 27:079C  
 COUNTY: Cook  
 AGENCY: Metropolis Police Department  
 STREET ADDRESS: 1 Fortress of Solitude Way  
Metropolis 60712  
 CITY & ZIP CODE  
 TELEPHONE: (555)555-5555  
 CONTACT PERSON Clark Kent

Note: Please Retain the approved copy of this Disposal Certificate permanently, with your Application for Authority to Dispose of Local Records.

Application Number

Records to be destroyed

APPLICATION ITEM NO.	RECORD SERIES	INCLUSIVE DATES	CUBIC FEET TO BE DISPOSED
405.	Bids, Specs & Proposals (Unsuccessful)	2005-2008	1.5 Cu. Ft.
405.	Bids, Specs & Proposals (Successful)	1992-2002	Neg.
423.	Purchase Orders & Requisitions	2007-2009	Neg.

Certification of Digitization or Microfilming

If any of the above records are filmed, I hereby certify that the film on which the records were reproduced complies with the standards given in Sections 4000.50 and 4000.60 of the Regulations of the Local Records Commission. If records are digitized, I certify that the original is reproduced accurately and legibly in all details in a medium that does not permit additions, deletions, or changes to the images.

I hereby certify that in compliance with authorization received from the Local Records Commission the records listed above will be disposed of on or after the following date:

*November 21, 2013*

This date should be 60 days after the date of signature

X \_\_\_\_\_

(Signature required only if records have been microfilmed or digitized).

X *Clark Kent*

SIGNATURE

*Aug 10, 2013*

ENTER CURRENT DATE HERE

Clark Kent, Director

Please print name and title on the line above

# What are Electronic Records?

- Any record that is created in or converted to an electronic format, and is stored in an electronic environment
- *May* include: text documents, still images, spreadsheets, audio recordings, video recordings, emails, website content, social media posts, text messages



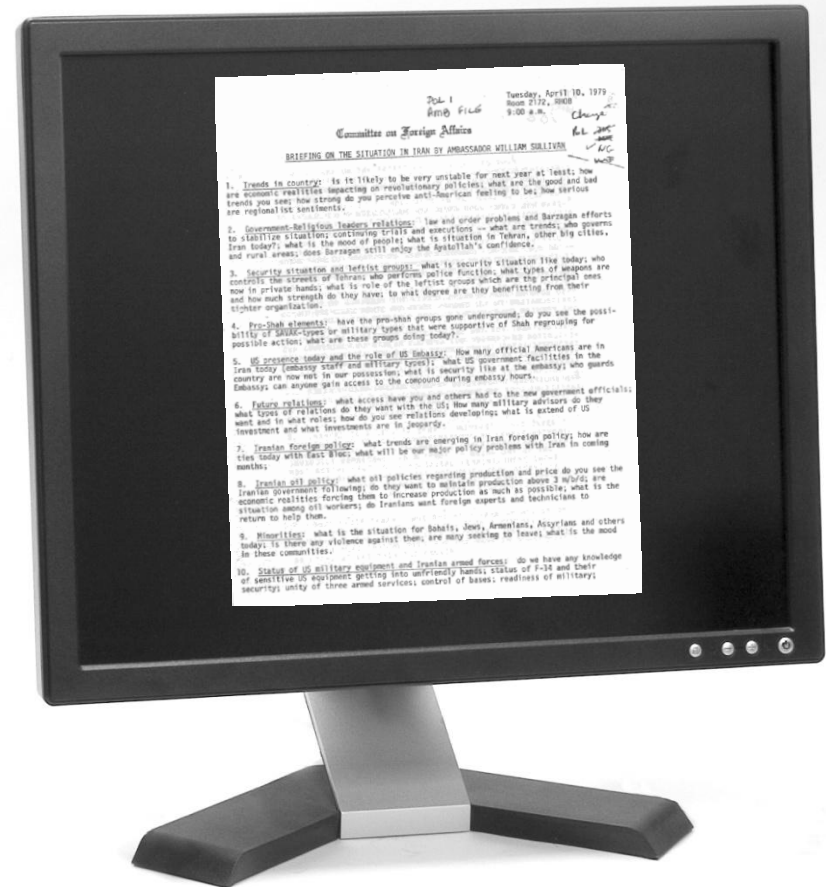
# Record on Paper = Record on the Computer

DOL 1 Tuesday, April 10, 1979  
AMB FILE Room 2172, RHOB  
9:00 a.m. *Change*  
*KL JMS*  
*WJC*  
*WCF*

Committee on Foreign Affairs

BRIEFING ON THE SITUATION IN IRAN BY AMBASSADOR WILLIAM SULLIVAN

1. Trends in country: is it likely to be very unstable for next year at least; how are economic realities impacting on revolutionary policies; what are the good and bad trends you see; how strong do you perceive anti-American feeling to be; how serious are regionalist sentiments.
2. Government-Religious leaders relations: law and order problems and Barzagan efforts to stabilize situation; continuing trials and executions -- what are trends; who governs Iran today; what is the mood of people; what is situation in Tehran, other big cities, and rural areas; does Barzagan still enjoy the Ayatollah's confidence.
3. Security situation and leftist groups: what is security situation like today; who controls the streets of Tehran; who performs police function; what types of weapons are now in private hands; what is role of the leftist groups which are the principal ones and how much strength do they have; to what degree are they benefitting from their tighter organization.
4. Pro-Shah elements: have the pro-shah groups gone underground; do you see the possibility of SAVAK-types or military types that were supportive of Shah regrouping for possible action; what are these groups doing today?
5. US presence today and the role of US Embassy: How many official Americans are in Iran today (embassy staff and military types); what US government facilities in the country are now not in our possession; what is security like at the embassy; who guards Embassy; can anyone gain access to the compound during embassy hours.
6. Future relations: what access have you and others had to the new government officials; what types of relations do they want with the US; How many military advisors do they want and in what roles; how do you see relations developing; what is extent of US investment and what investments are in jeopardy.
7. Iranian foreign policy: what trends are emerging in Iran foreign policy; how are ties today with East Bloc; what will be our major policy problems with Iran in coming months;
8. Iranian oil policy: what oil policies regarding production and price do you see the Iranian government following; do they want to maintain production above 3 mb/d; are economic realities forcing them to increase production as much as possible; what is the situation among oil workers; do Iranians want foreign experts and technicians to return to help them.
9. Minorities: what is the situation for Bahais, Jews, Armenians, Assyrians and others today; is there any violence against them; are many seeking to leave; what is the mood in these communities.
10. Status of US military equipment and Iranian armed forces: do we have any knowledge of sensitive US equipment getting into unfriendly hands; status of F-14 and their security; unity of three armed services; control of bases; readiness of military;



# Advantages of E-records

- Accessibility
  - Fast
  - Simultaneous access from multiple users
  - Remote locations
- Searchability
  - Full text, key words, headings
- Replicability
  - Perfect copies

# Disadvantages of E-records

- Requires machine to interpret
  - Paper just needs eyes and language
- Accelerated lifecycle
  - Rapid obsolescence, higher maintenance
- Exponential volume growth
  - Too many records, not enough infrastructure
- Easy to alter
  - How to prove a record is real?

# Keys to Trustworthy E-records

- **Reliability**

- Comes from trusted source
- Product of established business actions
- Achieved through:
  - Agency authority and documented workflows

# Keys to Trustworthy E-records

- **Integrity**
  - Has not been altered or deleted
  - Achieved through:
    - Limited and controlled access to records
    - Logs of any changes made

# Keys to Trustworthy E-records

- **Authenticity**

- It is what it claims to be
- Achieved through:
  - Assurances of Reliability and Integrity
  - Unbroken chain of custody



# Let's Talk Metadata!

- Textbook definition: “Data about Data”
- We already create and use it in the paper world
  - Just doesn't have a fancy name
- Information that helps us understand and use something

# E-Communications

- Email
- Text Messages (SMS)
- Instant Messages
- Social Media

**These can all be records if used to conduct official business**



Library of Congress Photo Collection



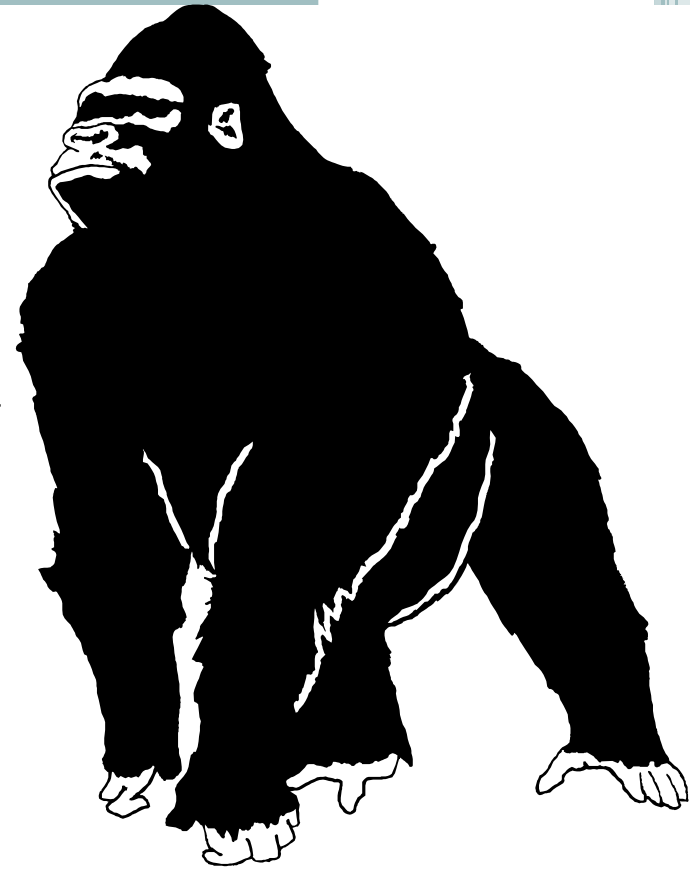
# Non-Record E-Communications

- Transitory Messages
  - Short-term value
  - **Do Not:** set policy, establish guidelines or procedures, certify a transaction or become a receipt
- Examples:
  - Meeting reminders
  - Non-business related correspondence
  - Copies of event announcements



# Email (AAAAAAGH!)

- Exploding volume
- IT policies often control deletion
- A lot of it *is* record material
- Attached documents may be records as well
- How to schedule?
  - Existing retention schedules apply
  - **Content** of record, not format, important



# A Systematic approach to Email

- Two-tier approach
- Tier 1: Series-level sorting, more granular
- Tier 2: Account-level capture, bulk rules



# Managing Email: Tier 1

- Identify
  - Know thy retention schedule
  - Identify functions of employees and likely communication content
- Sort
  - Clean out transitory messages
  - Categorize messages into appropriate series
  - Retain record emails for appropriate period of time, then dispose of them

# Managing Email: Tier 2

- Identify level where to apply
  - Agency head? Department head? Unit supervisor?
- Identify longest likely retention for that account
  - Based on schedule
- Keep all emails for maximum retention
  - Dispose of per normal process at that time

# Text Messages

- Who holds them?
  - Probably not you
- How long are they retained?
  - Weeks-months, no more
- Must control through policy
  - “Substantive business-related discussions are not to take place via SMS”

# Social Media



- Facebook, Twitter, Tumblr, Google+, Blogs, etc.
  - Is it an official account of the agency?
  - Is the content unique?
  - Generally treated like press releases/publications

- How do you capture it?
  - Built-in mechanisms (Twitter)
  - Compose and control locally



# Illinois Administrative Code

- 44 ILAC 4400 – Updated in 2013
- Lists requirements for:
  - Constructing and submitting the Schedule
  - Disposing of records
  - Reproducing records on microfilm
  - Digitization of paper records
  - Management of electronic records



# ALL Electronic Records Must...

- Be accessible for entire length of retention
- Be stored on approved storage media
- Have at least two copies, backed up appropriately
- Be properly identified and indexed

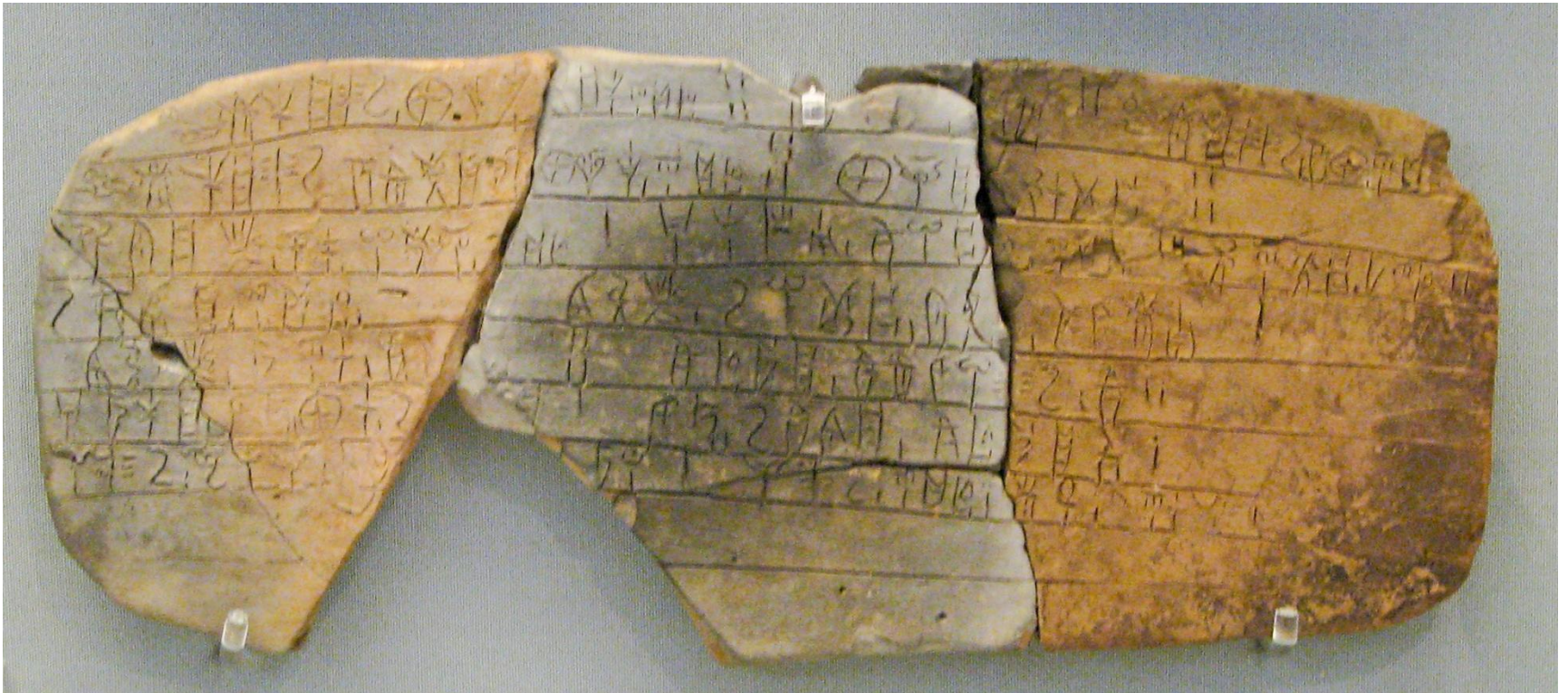
Permanent records must **also** be stored in a system that..

- Maintains critical metadata and captures new metadata for changes and migrations
- Maintains classification schemes of records
- Prevents unauthorized changes or deletions
- Can accommodate format migration of records
- Maintains all crucial documentation for life of system

**IF** agencies are unable to meet the requirements for management of permanent e-records then they **MUST** maintain records additionally in paper or microfilm



# Considerations for the Long Haul



# Storage Considerations

- Storage Media
  - Optical media\*, thumb drives (short term only)
  - Hard drive, Magnetic tape or RAID setups
  - Cloud services
- File Formats (see document)
  - Stable, non-proprietary
  - Widely used
  - Unencrypted
  - Scanned: PDF, PDF/a, TIFF

# Management Considerations

- Retention requirements
  - Worth digitizing short-term records?
  - Migration
- Access frequency
  - Online, Nearline, Offline
- In-house vs. vendor
  - Costs, expertise, security
- Disaster planning
  - One copy is no copy, one place not safe

# Further Resources

- *Quick Tips for E-mail Management*
- *E-mail Management Tips for Administrators*
- *Sustainable Formats for Electronic Records*
- *Decision Tree for Scanning Projects*

# Contact Information

## **Records Scheduling:**

Illinois State Archives

State Records Section

217-782-2647

[www.cyberdriveillinois.com](http://www.cyberdriveillinois.com)

- Departments
  - Illinois State Archives
    - State and Local Records Management

## **Electronic Records:**

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Illinois State Archives

217-557-1085

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