

OFFICE OF THE SECRETARY OF STATE
POLICY MANUAL

Subject: ELECTRONIC MAIL RETENTION POLICY

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6.14.1 Electronic mail (e-mail) messages transmitted or received via computer access provided by the Secretary of State are considered the agency's property. Certain e-mail records are official state records and must be retained according to records retention policies. This section sets forth the rules for the retention of e-mail messages. Rules regarding the use of e-mail for personal communications and other limitations on the use of Secretary of State computers are set forth in Chapter 7 of this Manual.

6.14.2 E-mail messages that contain records are subject to management under the office-wide records management function as mandated by the State Records Act (5 ILCS 160). Employees have the same responsibilities in managing e-mail records as they have in managing paper, microfilm or other digital-based recordkeeping systems. E-mail messages include both the message transmitted and any files attached to and transmitted with the message. E-mail messages also include both messages received by an employee as well as copies of messages sent by the employee in circumstances where the employee would retain a copy of that message if a different means of delivering the message had been utilized.

Employees must distinguish between record, non-record and office-of-record messages.

“Record” messages include but are not limited to: messages produced or received by any agency in connection with the transaction of public business and appropriate for preservation by that agency as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of state government. Examples of “record” messages may include, but are not limited to: inter-office memoranda, budget worksheets, requisitions, vouchers, agendas and minutes of meetings, requests for leave of absences, correspondence to and from the public and forms and documents submitted electronically by the public. Messages determined to be records should be properly preserved and disposed of as specified in approved records retention and disposition schedules.

“Non-record” messages should be disposed of immediately or after their use is complete. These include personal correspondence, publications and promotional material from vendors and/or similar material that are publicly available unless specifically incorporated into other official records. In the electronic world, this includes list serve messages (other than those an employee posts in his or her official capacity), unsolicited promotional material (spam) and files copied from Internet sites.

“Office-of-record copies.” Generally, incoming and out-going correspondence with outside agencies are considered records, with the exceptions noted above. However, an individual who sends an e-mail message within the Secretary of State’s office should retain the agency record copy. This will be the “office-of-record copy.” For example, if the Department of Personnel sends an announcement to all Secretary of State employees, it can be assumed that the Department of Personnel will keep the official record of the message and the Secretary of State employees may discard the message when it is no longer needed. However, if an employee responds to the message, that response must be retained by the employee sending the response.

Record messages must be stored in the “SOS Documents” folder in the employee’s Outlook program. In the alternative, record messages and any attachments may be printed in paper format and retained in the same manner as other paper documents. All stored messages must fully detail the e-mail record (i.e., name of sender and receiver, and date sent). If a message is retained in one format it is not necessary to retain it in another format as well. E-mail messages that are not moved to the “SOS Documents” folder, and are left in the employee’s “Inbox”, “Sent Items”, or other Outlook folder will be periodically purged from the system.

Any messages saved as records must be retained in compliance with the State Records Act. For assistance with the retention and/or disposal of any records, employees should contact their departmental records officer.