Basics: Records Compliance

2023

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Agenda for the day

• Importance of Records Management
• Creation
  • What is a public record
  • Records Schedules
• Active Records
  • Evaluation/inventorying of records
  • Digitization of records
• Inactive Records
  • Records Center
  • Records Request
  • Billing
• Final Disposition
Importance of Records Management

1. Ensures that records are available when needed
2. Protects records from improper or unauthorized destruction and deletion
3. Ensures that records are not retained unnecessarily
4. It’s the law! (defined in Title 30 of SC Code of Laws)
Benefits of Records Management

1. Transparency

2. Defensibility and decreased risk of litigation

3. Increased efficiencies

4. Saves resources such as space, costs, and time

5. Reduced privacy risk
What is a public record?

“includes all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials regardless of physical form or characteristics prepared, owned, used, in the possession of, or retained by a public body...”

Code of Laws of South Carolina, 1976, Section 30-4-20(c) as amended aka The Freedom of Information Act
Creation: What is a record?

- Content: text, data, metadata, symbols, numerals, images, and/or sounds that make up the substance of the record.
- Physicality and internal organization of the Content.
- Organizational, functional, and operational circumstances surrounding a record's creation, receipt, storage, or use.
- Fixity: quality of the Content being stable and resisting change.
- Evidence: maintained as Evidence of an organization's activity(s).

Records
Creation: Records Schedules

• Two types of schedules
  • General (at state level and at university level)
  • Specific

• Purpose
  • Describes the records
  • Length of time retained
  • Final disposition
Types of records

• Official Record
  • Any document, device, or item, regardless of physical form or characteristic, created or received that serve to document the organization, function, policies, decisions, procedures, operations, and other activities of the university
    • Correspondence
    • Completed forms
    • Reports
    • Web pages (in some instances)
    • Photographs

• Non-record
  • Any document, device, or item, regardless of physical form or characteristic, created, or received that DOES NOT serve to document the organization, function, policies, decisions, procedures, operations, or other activities
    • Non-university publications
    • Blank forms
    • Junk mail/spam
    • Listserv messages
    • Faculty papers
Types of Records

• Transient Record
  • Non-substantive records of limited administrative value serving to convey information of temporary importance. They do not set policy, establish guidelines or procedures, certify a transaction, or serve as evidence or a receipt
    • Drafts
    • Copies (not the official record)
    • Scheduling communications
    • Some voicemail and text messages

• Convenience Copy
  • Duplicate of original record, often used for access or reference.
    • Copies (not the original)
    • Reports run on database (example – monthly report for you to conduct your work)
Evaluation of Records/Creation of Records Schedule

• **ARM-1**
  - Creation of Specific Records Schedule
  - Unique to your dept./unit

• **Inventory**
  - Process of locating, identifying, describing, counting, and measuring all records regardless of format in office and storage areas
  - Identifies confidential and privacy concerns
    - FERPA
    - HIPPA
  - Collaboration between Records Management and your office
Value of Records (assists in determining retention length and disposition)

• **Administrative**
  • Needed to conduct program business and/or daily course of business

• **Fiscal**
  • Document receipt, management, and expenditure of public funds

• **Legal**
  • Information on legal rights and obligations of government and its citizens

• **Historical**
  • Documents authority and mission; governmental impact on citizens and state’s resources

• If your department decides to digitize records rather than store them, an ARM-13 is required to dispose of the paper records
• Must verify that the digital image records are legible and correct
• Approved by SCDAH & the University Records Officer
Inactive: Records Center

• Cost-effective
• Meets state storage regulations
• Confidential
• Efficient
• Provide access to documents if a department needs them for review
Inactive: Transferring Records

• Take inventory of your documents
• Box them up according to regulation
  • Standard size bankers box (10x12x15 inches)
  • No hanging folders
  • Correctly labeled to match information on the RTR
  • Don’t overpack
• Submit a Records Transfer Request (RTR)
• Schedule a pickup
Inactive: Records Transfer Request

- Filling out a Records Transfer Request is always the first step in transferring your records.
- Used for both records that need to be transferred for longer storage and records that have met their retention rate.
Inactive: Disposition Forms

• Required by public records law
• A disposition authorization form will be created by someone from Records Management if the records can be destroyed
• Must be signed by both a department representative and the University Records Officer before the records can be securely shredded
Inactive: Records Billing

• Departments with records being stored will receive an annual billing invoice for storage costs

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<td>January - June</td>
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</table>

**Total Amount** $31.20
Inactive: Records Request

• If a department needs a file or box(es) back from records currently being stored, they can fill out a records request form

• Depending on the size of the request, a records management team member will fulfill the order within 1 -2 business days

• We do not provide electronic delivery
Final Disposition

• Bi-annual shreds are completed at the end of the fiscal year and at the end of the calendar year for records that have met their retention rate

• Departments will receive a disposition form if any of their boxes stored at the records center are ready for destruction
• Records *cannot* be destroyed if a department is:
  • Being audited
  • Has pending litigation
  • Going through a government compliance inquest
  • Other event that prevents a department’s records from being destroyed

• Disposition forms must be signed and returned to the records management team before the records are destroyed
Monthly Virtual Records Management Chats

• When: 3rd Wednesday of the month

• Time: 10:30 am

• Where: https://clemson.zoom.us/j/92152211278

Join us on Wednesday, June 21!
Records Management Contact Information

Email – recmgmt@clemson.edu
Website - https://libraries.clemson.edu/records-management/

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