NDSU Records Management Training for 2018 Extension Support Staff Conference

April 25, 2018
Section I

Introduction
Introduction

NDSU’s teaching, research and outreach mission depends upon the effective and efficient management of information assets and resources.

This presentation outlines basic principles, responsibilities and resources for the management of NDSU records and information.
Why do records matter?

- Records provide evidence of transactions
- Records support the decision making process
- Records document university programs and activities
- Records can be resources for future historical research
- Records are kept to meet legal, administrative, professional, fiscal/audit, historical and research requirements
- NDSU records provide accountability and transparency for the business, research and education of the institution
Why are records management best practices important?

Records management standards and best practices:

- ensure that records are true and complete
- provide confidentiality and protection where needed
- make records available to those with rightful access
- ensure that compliance requirements are met
Who is ultimately responsible for records management at NDSU?

• Anyone who creates, disseminates, stores, manages, destroys and/or has access to NDSU records of any type, classification or description.

• All NDSU employees and students who have access to records.

• External entities, such as vendors whose purpose may be to provide storage space or destruction services for records.
NDSU Records Management Program objectives

- Provide the NDSU community assistance and guidance with managing records throughout their life cycle - from creation or receipt, during use, through the maintenance stage and at final disposal.

- Help assure that management of records produced in the course of university business adheres to federal and state laws and regulations in terms of access, storage, retention and disposal.
NDSU Records Management Program goals

Meeting the objectives of NDSU’s Records Management Program depends on the achievement of the program’s three major goals:

• consistent and cohesive management

• strong security

• privacy practices
NDSU Records Management Program

scope

NDSU’s Records Management Program guidelines and requirements apply to all university records and information, regardless of format, including, but not limited to:

- paper
- microform
- electronic (e.g., USB flash drive, CD/DVD ROM)
- electronic communications (e.g., Skype transcripts)
- digital formats, which include, but are not limited to, electronic word documents, digital presentation formats such as PowerPoint, spreadsheets, email, and text and voice messages

Guidance and recommendations on management and disposal of email records is provided at www.ndsu.edu/recordsmanagement/training
NDSU Records Management Program responsibilities

• The administrators of NDSU’s Records Management Program are responsible for the program’s implementation within the campus community.

• NDSU’s Records Management Program is under the purview of the Vice President of Information Technology.
1. NDSU Records Management Advisory Committee:
   • includes representatives from faculty, students and staff
   • is responsible for records management policy, standards, guidelines, processes and procedures
NDSU Records Management Program

governance, oversight and coordination

2. NDSU Unit Records Coordinators (URCs):
   • are appointed by their department chairs
   • provide assistance and oversight to faculty, staff and administrators in their units for management and disposal of their records in compliance with federal, state and institutional requirements
   • complete annual continuing education and training
   • submit their units’ records disposal forms to NDSU.RecordsManagement@ndsu.edu
   • Each Extension office may either designate a URC or incorporate URC duties into the county office coordinator’s other duties

Continued
3. NDSU Records Management leadership:
   • coordinates retention, preservation and destruction processes for university records in accordance with policy, procedures and best practices
   • assists efforts to comply and respond to any issued litigation hold notices and public record requests in a timely manner
   • ensures that URCs receive ongoing training and education
   • collects and compiles annual disposal records and reports those metrics/statistics to the state’s records management office
   • investigates and reports any potential for non-compliance to the appropriate unit administrator and, if needed, the vice president for information technology
   • where appropriate and needed, recommends and requires remediation to ensure compliance
NDSU Records Management Program governance, oversight and coordination

4. NDSU policies and procedures
5. NDUS policies and procedures
6. State and federal laws
Section II

Applicable policies, procedures and laws
Applicable policies, procedures and laws

NDSU’s records management standards, guidelines and procedures must adhere to applicable policies, procedures and laws.

They are available at [www.ndsu.edu/recordsmanagement/resources](http://www.ndsu.edu/recordsmanagement/resources) and include, but are not necessarily limited to:
Applicable policies, procedures and laws

ND Century Code 54-46 [Records Management]

This NDCC section:
• details the systematic control of records throughout their lifecycle
• outlines requirements for a records management program for public entities such as NDSU
• provides guidance and regulation for management, categorization, retention, disposal and preservation of records in all formats

Continued
Applicable policies, procedures and laws

ND Century Code 44-04 [Duties, Records, and Meetings]:

This NDCC section provides regulations and standards on what is considered a public record and who has access to all records classified as public.

• All records belonging to NDSU are considered to be public records unless otherwise noted or described.

• If you are unsure whether a record for which you are responsible is considered a public record, please contact your URC; if you are a URC, please contact the Records Management leadership.

Continued
Applicable policies, procedures and laws

NDUS Policy 1912 [Public Records]
This policy, together with its associated procedures, provides guidance and standards for public records and further defines what records are not considered public records; it is available at https://www.ndus.edu/makers/procedures/sbhe/default.asp?PID=128&SID=11

NDUS Procedure 1901.2.1 [Data Classification and Information Security Standard]
This procedure provides guidance to members of the NDUS on how to properly classify data so that they can apply the appropriate level of security to the information systems and data for which they are responsible; it is available at https://www.ndus.edu/makers/procedures/ndus/default.asp?PID=488&SID=62

Continued
Applicable policies, procedures and laws

NDUS Procedure 1912.1 [Information Security Procedures]
This procedure describes how records are to be protected; it is available at
https://www.ndus.edu/makers/procedures/ndus/default.asp?PID=316&SID=62

NDUS Procedure 1912.2 [Student Records - Directory Information]
This procedure classifies what is and is not considered to be directory information
and available for public view; it is available at
https://www.ndus.edu/makers/procedures/ndus/default.asp?PID=319&SID=62

NDUS Procedure 1912.3 [Employee Personal Information]
This procedure defines what personal information is considered public and what
information is classified confidential and must be protected; it is available at
https://www.ndus.edu/makers/procedures/ndus/default.asp?PID=322&SID=62

Continued
Applicable policies, procedures and laws

NDSU Policy 713 [Records Management]

This policy identifies the policy and purpose for records management at NDSU, which is to:

- comply with all applicable state and federal laws and regulations, specifically NDCC 54-46, the NDUS Records Retention Schedule and the NDSU Records Retention Schedule, which can be found on the NDSU Records Management Website.
- establish an efficient university-wide records management system for maintaining, identifying, retrieving, preserving and destroying records using best practices and standards and according to the ND Century Code and all applicable federal laws.
- ensure that records are adequately protected and/or preserved.
- ensure that all records which are no longer needed or of no value are destroyed at the appropriate time.
- preserve university history
- limit liability to the university

NDSU Policy 713 is available at [https://www.ndsu.edu/fileadmin/policy/713.pdf](https://www.ndsu.edu/fileadmin/policy/713.pdf)
Applicable policies, procedures and laws

NDSU Policy 713.1 [Litigation Hold]
This policy defines procedures and processes for maintaining records that are required to be kept due to litigation holds; it is available at https://www.ndsu.edu/fileadmin/policy/713_1.pdf

NDSU Policy 718 [Public/Open/Confidential Records]
This policy defines what a public record is, as well as the procedure for handling public record requests; it is available at https://www.ndsu.edu/fileadmin/policy/718.pdf
Records-related definitions per NDCC 54-46-02 [Records Management]

• **“Agency”** means any department, office, commission, board, or other unit, however designated, of the executive branch of the state government, including the state board of higher education and the entities under the control of the state board of higher education.

• **“Record”** means document, book, paper, photograph, sound recording or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business. Library and museum material made or acquired and preserved solely for reference, and stocks of publications and of processed documents are not included within the definition of records as used in this chapter.
“State record” means:

- record of a department, office, commission, board or other agency, however designated by the state government
- record of the state legislative assembly held by an agency
- record of any court of record, whether of statewide or local jurisdiction
- any other record designated or treated as a state record under state law
Records-related definitions per NDCC 44-04-17.1 [Public Records]

• “Record” means recorded information of any kind, regardless of the physical form or characteristic by which the information is stored, recorded, or reproduced, which is in the possession or custody of a public entity or its agent and which has been received or prepared for use in connection with public business or contains information relating to public business. “Record” does not include unrecorded thought processes or mental impressions, but does include preliminary drafts and working papers. “Record” also does not include records in the possession of a court of this state.

• “Closed record” means all or part of an exempt record that a public entity in its discretion has not opened to the public.
Records-related definitions per NDCC 44-04-17.1 [Public Records]

- **“Confidential record”** means all or part of a record that is either expressly declared confidential or is prohibited from being open to the public.

- **“Exempt record”** means all or part of a record that is neither required by law to be open to the public, nor is confidential, but may be open in the discretion of the public entity.

- **“Information technology resources”** includes data processing hardware and software or technology support services necessary to facilitate a response to a request for electronic records.
“Archival resources” means those noncurrent public records which are no longer essential to the functioning of the agency of origin and which the state archivist determines to have permanent value for research, reference, or other use appropriate to document the organization, function, policies, and transactions of government.
Data definitions per NDUS 1901.2.1
[Data Classification and Information Security Standard]

• **“Restricted”** data requires the highest level of protection. It is data protected by federal or state laws, regulations, contracts, or policy.

  A few examples of restricted data are: debit or credit card data; export controlled data; name and Social Security Number; health information

• **“Private”** data should not be available to the public. It is data that may be protected by federal or state laws, regulations, contracts, or policy. This data requires protection, but not at the same level as "Restricted" data.

  A few examples of private data are: gender; trade secrets and intellectual property; citizenship; ethnicity; student or employee ID number

Continued
Data definitions per NDUS 1901.2.1
[Data Classification and Information Security Standard]

• “Public” data can generally be released to the public. It typically requires minimal protection.

A few examples of public data are: budgets; salary; meeting agendas and minutes; job titles and descriptions; existence and status of complaints; expense reimbursements.

The ND University System’s “Classification for Common Data Elements” document provides useful examples and is available at
Section III

Identification of Records
How do I determine if it is a record?

If it is work in a tangible format such as paper, digital, video, audio, and/or a combination of formats created on behalf of the university, it is considered to be a record.

The information or substance contained within the format is one of the keys for determining if it is or is not a record.
To determine if something is a record, ask these questions:

• Is the material related to the duties of my job description or to the department in which I work?
• Am I, or is my department, on behalf of NDSU, the creator or the recipient of the material?
• Is this the official version of the record?
• Was the record created in the course of university business (correspondence, agreement, study, spreadsheets, completed forms, etc.)?
• Was it received for action (e.g., invoice requiring payment)?
• Does it document university activities and actions (calendar, meeting minutes, agenda, project record, etc.)?

Continued
To determine if something is a record, ask these questions (continued):

- Is it mandated by statue or regulation (administrative record, legal/financial record, human resources document, student information, etc.)?
- Does it support financial obligations or legal claims (contract, grant, litigation case file, etc.)?
- Does it communicate organizational requirements (guidance document, policy, procedure, etc.)?

If you are still unsure whether or not the material in question is a record, please contact your URC; if you are a URC, please contact the Records Management leadership at NDSU.recordsmanagement@ndsu.edu.
Things not considered to be records

Some materials do not fit the definition of “record.” Examples include:

- copyrights
- patents
- bequests
- published materials available for sale or available at a public library
- materials prepared for your use by your supervisor
- notices and invitations received by a department that are not solicited by the department
- materials not related to any official action of the department
- routing slips or envelopes
- personal property belonging to an employee or student
- duplicates or convenience copies
- materials that have no relation to the business of the department
To confirm that something is not a record, ask these questions:

• Is it reference material (vendor catalog, phone book, technical journal, etc.)?
• Is it a convenience copy (duplicate copy of correspondence, memo, directive, etc.)?
• Is it a stock copy (organizational publication, blank form, etc.)?
• Is it a draft or working copy (draft with no substantive comments, rough note, calculation, etc.)?

Please note that some drafts are needed to support a decision trail or are a requirement according to the Records Retention Schedule.
Duplicate and/or Convenience Copies

A “Record” does not include duplicate/convenience copies of materials.

• A document is a duplicate/convenience copy if it is a copy of the original document, with the original being under the custody of the Office of Record Retention.

• A duplicate/convenience copy must be protected and stored in the manner identified for the original in the Records Retention Schedule.

• A duplicate/convenience copy should only be kept as long as it is needed and then it must be disposed of in the method specified for the original in the Records Retention Schedule.

• A duplicate/convenience copy may be disposed of any time prior to the expiration of the retention period specified for the original in the Records Retention Schedule.

• Disposal of duplicate/convenience copies should not be included in records disposal reports.
Email, Text Messages and Electronic Conversations as Records

- Email, text messages and electronic conversations may fit the definition of “Record,” as outlined earlier, depending on their substance and purpose.

- Emails and texts sent and received, and transcripts of electronic conversations, must be retained and disposed of according to the Record Series associated with their content.

  For example, an email message related to an invoice for goods ordered and received would be associated with the Record Series that is applicable to that invoice and must be stored in the same file as the invoice, retained for the same time frame and disposed of according to the disposal method specified for that Record Series.
Documents that exist in both paper and electronic format

When a document exists in both paper and electronic form:

- If the electronic version of the document is in Perceptive Content (ImageNow), it is considered the official document.
- If the electronic version of the document is not in Perceptive Content, then the paper version is considered the official document.
Section IV

Life Cycle of a Record
Life Cycle of a Record

The Life Cycle of a Record is initiated by the creation or receipt of the record by the university employee, student and/or department.

After creation or receipt, the record undergoes a period of active use for the completion of business activities on behalf of NDSU.

When that purpose has been accomplished, the record becomes inactive and must be stored for the retention period identified in the Records Retention Schedule.

When the retention period specified for the record has concluded, the record is to be disposed of as designated in the Records Retention Schedule.
Section V
The Records Management Process
What is a Records Retention Schedule?

A Records Retention Schedule is a legal document developed to:

• provide direction on how long records are to be retained in active file systems and inactive storage
• identify records which have important historical or archival value and insure their protection and long-term maintenance
• promote efficiency in records processing, distribution and storage
• eliminate maintenance of duplicate records
• ensure access to public records
Records Retention Schedules used at NDSU

The NDUS and NDSU-specific Records Retention Schedules are approved by the ND Public Records Board and managed by the ND Records Management Department under the leadership of the ND Information Technology Department.

- The NDUS Records Retention Schedule applies to records used by all North Dakota colleges and universities.

- The NDSU-specific Records Retention Schedule contains record series specific to NDSU; it includes Extension record series.

- Instructions on how to access these schedules can be found at https://www.ndsu.edu/recordsmanagement/records_retention_schedule/

- Supplemental information on Extension records is available on NDSU’s Records Management website.

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Components of the Records Retention Schedules used at NDSU

- **Title**: the title for a group of related records
- **Control Number**: the unique six-digit number assigned to a record series Title, based on the North Dakota Subject Classification System
- **Description**: a description of the types of records included within the series
- **Department, Division**: the department and division that use a particular record series (NDUS, NDSU, etc.)
- **Active**: indication of whether a record series is active or not

Continued
Components of the Records Retention Schedules used at NDSU, continued

- **Retention**: the time period during which the Office of Record Retention must maintain records in the series

  - The Office of Record Retention is the organization or administrative unit that is officially designated for the maintenance, preservation and disposition of the official record according to the Records Retention Schedule.
  - The Office of Record Retention is not always the office of origin.
  - The NDUS Records Retention Schedule does not identify Office of Record Retention for the record series it contains, leaving such identification up to each of its institutions.

Continued
Components of the Records Retention Schedules used at NDSU, continued

- **Disposition**: how the record is to be disposed of at the end of the required retention time period. These are the four methods of disposition:
  - **Landfill/Delete backups**: place non-electronic documents in recycling bin and delete electronic documents and their backups; this method applies to non-confidential records
  - **No disposition method**: permanent retention; retain within department/unit
  - **Shredder**: put through a shredder or place in a secured document destruction bin; this method applies to confidential records
  - **Archives**: if you are the Office of Record Retention, give the records to be archived to your URC, who will coordinate the transfer to Archives.
An example of a Records Retention Schedule entry is the following:

- **Title:** Agendas and Minutes
- **Control Number:** 220110
- **Department:** ND University System
- **Division:** General Retention Schedule
- **Description:** This record series contains agendas, minutes, notes, and reports that record the actions and transactions taken by college/university departments, divisions, committees, councils and similar groups
- **Active:** Yes
- **Retention:** ACFY+6 - after current fiscal year plus 6 years
- **Disposition:** Archives
How to identify a record in the Records Retention Schedule

- The first thing you need to do for every type of record you are managing, is to identify its Control Number, which will lead you to remaining components of that record’s management, retention and disposal requirements.

- This identification can be made following the instructions at https://www.ndsu.edu/recordsmanagement/records_retention_schedule/.
Disposition of Records

All who manage NDSU records are responsible to:

• review the records for which they are responsible on an annual basis

• barring the applicability of a pending or reasonably foreseeable litigation hold, ongoing audit, or open records request, dispose of records that have reached the end of their retention period according to the Records Retention Schedule and report such disposal to their URC

• report new programs and/or records to their URC
Records disposal: timeline

- Records disposal at NDSU must be completed, and each unit’s report must be submitted through the URCs, to NDSU.RecordsManagement@ndsu.edu, by May 30 of each year.
- The disposal process can be conducted any time during the fiscal year that works best for each unit, as long as that time is consistent and regular.
- NDSU’s cumulative disposal report must be submitted by NDSU’s Records Management leadership to the ND ITD Records Management office by June 30 of each year.

Records may not be disposed of prior to, or later than, the time stipulated in the Records Retention Schedule for the applicable Record Series.
Records disposal: step by step

- The disposal process is facilitated by the URCs
- Individuals who manage records but are not URCs are to utilize the “NDSU Disposal Form for Employees” and submit that form to their URC
- URCs are to utilize the “NDSU Disposal Form for URCs,” in which they compile the disposal information on the forms they have received from individuals in their unit, and submit it to NDSU.RecordsManagement@ndsu.edu
- Both forms are located at https://www.ndsu.edu/recordsmanagement/disposal_resources/ and document that:
  - the records have been identified for disposal according to the current Records Disposal Report
  - the classification and disposal method of the records included in the report are in accordance with the Records Retention Schedule
- NDSU’s Records Management leadership will compile the information on all the forms received from the URCs into a “Certification of Records Disposal Report” and submit it to the ND ITD Records Management office.
Records disposal: archival

- Records whose disposal method is specified as “archive” must be submitted to NDSU Archives.

- If a record’s disposal method is not specified as “archive,” that record may not be submitted to NDSU Archives.

- The transmittal forms and processes for submitting records to the NDSU Archives can be found at https://library.ndsu.edu/ndsuarchives/university-records-transfer

- Following submission of records to NDSU Archives, confirmation of the transfer will be provided by NDSU Archives.
Records disposal: exception for litigation, audit or open records request

• Records involved in an ongoing audit, open records request, pending or reasonably foreseeable litigation, or investigation must not be destroyed until notification has been received that all legal or audit action has concluded.

• If you have questions or concerns, please contact your URC or, if you are a URC, NDSU’s Records Management leadership at NDSU.RecordsManagement@ndsu.edu.
Records disposal: wrongful destruction or removal

- If you find that records within your department have been wrongfully destroyed, removed or tampered with, please contact your URC or, if you are a URC, contact NDSU’s Records Management leadership, NDSU.RecordsManagement@ndsu.edu.

- ND Century Code 54-46-07 provides additional information on protection of records: All records made or received by or under the authority of or coming into the custody, control, or possession of public officials of this state in the course of their public duties are the property of the state and may not be mutilated, destroyed, transferred, removed, sold, or otherwise damaged or disposed of, in whole or in part, except as provided by law. Each state agency and political subdivision of this state shall notify the state records management administrator unlawful actions affecting records. Public records that have been unlawfully removed must returned to the office of origin or to the state archivist.
Section VI

Conclusion

KEEP CALM AND
MANAGE RECORDS
Conclusion

Understanding and following records management responsibilities result in:

• improved day-to-day management of NDSU records and information

• assurance of compliance with the required retention and disposition of university information resources.

Continued
Conclusion, continued

Benefits of appropriate records management include, but are not limited to:

• compliance with federal and state laws and NDUS and NDSU policy and procedures
• reduction of liability risks
• easy retrieval of records when needed
• lesser volume of records stored
• efficient records storage and retrieval systems
• improved office operations
• lower costs of equipment, supplies, space and personnel
• protected vital records
• improved customer service
Additional information, questions

If you would like more information on records management or have questions concerning records for which you are responsible, please contact one of the following:

• **NDSU’s Records Management:**
  Leadership: ndsu.recordsmanagement@ndsu.edu
  Wendy McCrory: Wendy.McCrory@ndsu.edu
  CeCe Rohwedder: CeCe.Rohwedder@ndsu.edu

• **NDSU Extension Service:**
  Jim Gray: Jim.Gray@ndsu.edu