



Records Management 101

- Workshop will be divided into the following sections:
 - Introduction to Archives, Archivists and Records Managers
 - Public Record Requirements
 - Basic Records Management



First off: What is an Archives?

Does it sound mysterious, archaic, and not very relevant to modern life?
Not so!

Archives preserve *original information* that's useful to society and helps people get at that information when they want or need it. Traditionally, archives held older, hand-written documents, but today they collect and care for all kinds of stuff: computer records, photographs, sound and video recordings, and lots more. The format matters less than the importance and relevance of the information. In modern archives, you're just as likely to find electronic data files as historical manuscripts.

Archives--we're history!



So What is an Archivist?

Archives were once thought of as quiet, dusty places filled with quiet, dusty people, but in reality they are lively places where all kinds of average citizens go: public officials, genealogists, people restoring old houses, doctors, lawyers, students, writers, and many others.

Like librarians, archivists assemble the records containing useful information, organize it, and assist people in using it. You'll find archivists working for federal, state, and local governments; for churches, businesses, hospitals, and charitable agencies; for schools and colleges; and for libraries, museums, and historical societies. There are hundreds of archives, large and small, in the six New England states, and you'll find archivists in them ready and eager to help you (James O'Toole, 1996, www.lib.umb.edu/newengarch/aboutArchives). For a list of archives on the web, see *Repositories of Primary Sources* at www.uidaho.edu/special-collections/Other.Repositories.html#East.



So How Did I Come to Archives?

The long-short story is that I started working in museums twelve years ago. I always applied for the most interesting work-study jobs I could find and that lead to some interesting full-time projects. I researched biographical information at the San Francisco Museum of Modern Art and created a biography database of California artists. Then I worked at the U.C. Berkeley Hearst Museum of Anthropology Registration Department, which involved processing loans, receiving donations, cataloging, and basic conservation. I fell in love with conservation and preservation and started taking prerequisites, including organic chemistry--well, that changed that career path.

After graduating, I had some great full-time projects. At California Indian Library Collections I helped duplicate and index visual, audio and textual resources related to Native Californians like turn of the century songs and ceremonies; copies were distributed to local libraries and reservations. Later I worked on an Egyptology photograph project. The collection originated in Boston, so when the grant--and the California economy --ran out, I went east, trying to relocate mom and me somewhere near mom's native Pennsylvania.

I finally made the connection between museums, archives and libraries, and the digital distribution of cultural heritage material, as I had always used computers and databases to organize and automate projects—ten years ago scanners and electronic publishing were just beginning to take off. I began researching masters programs in information/library science with archives management concentrations. I had a variety of database/computer resource/desktop publishing jobs to support myself when I first moved to Boston and while working on my MLIS at Simmons College in Boston. The archives program required a number of internships, and but my first full-time job out of school was with a Boston private library of Congregational and American religious history. I worked there for two years and then started doing project work, which is how I started working in Burlington. I worked for a short bit at the Massachusetts State Archives, which was not my cup of tea—it's hard enough to try and document Burlington, but the whole of state government with our little staff was just too frustrating. About the same time, Burlington created a full-time archivist/records manager position and I decided to come back. That was a little over 1-1/2 years ago, which hardly seems possible...



So--What is Records Management?

- Facilitates the systematic capture, control, maintenance, dissemination and disposition of information in an organization.
- Is primarily concerned with capturing complete, accurate and reliable documentation



Purpose of Our RM Program

- The purpose of the Records Management Program is to preserve and protect the town's history and to enable the town to fulfill its legal records management responsibilities.
- Per the Town General Bylaws (7.1), the Records Management Program:
 - Creates accurate, complete, and necessary records
 - Effectively administers information resources
 - Organizes, preserves and provides easy access to records in a variety of media
 - Transfers inactive and permanent records to the Archives
 - Legally disposes of obsolete records that do not have long-term value.



What Causes Records to Deteriorate

- **Temperature and relative humidity.** Temperature affects chemical reactions--chemical reactions double with each 18 degree increase. Water is a critical factor in acid formation: the higher the moisture level, the faster the damage occurs. Rapid changes in temperature and relative humidity (RH) cause paper fibers to swell and shrink, which speeds deterioration. High RH increase acid formation and low RH embrittles paper, parchment, adhesives, photographic emulsions, and other materials.
- **Storage containers.** Archival-quality (neutral containers with 6.5-7.5pH) with alkaline materials help neutralize acids. Archival-quality containers also provide micro-climates that protect records for dust and air chemicals, and temperature and RH extremes.
- **Light.** Natural and artificial light contribute to chemical deterioration. Light damage takes many forms and can cause paper to bleach, yellow, or darken. Light also weakens paper fibers.
- **Air pollutants.** Dust and chemicals discolor records and increase chemical reactions. Limiting the intake of outside air and storing records in archival-quality containers protect them from air pollutants.



Why Archives?

- To put it simply, records document history.
- No documents, no history
- Without records, there is no accountability, and no accountability means no democracy.
- Your records are one of a kind and contain unique information that is not documented anywhere else.
- Records help preserve and protect your history!



What is a Public Record?

- Anything created or received by a public official or employee, regardless of media or format
- Governed by: MGL chapter 66; MGL chapter 4, section 7(26); 950 CMR 32.00; 950 CMR 39.00; various statutes; General Bylaw article 1, section 7.1
- Purpose is not to be a nuisance to public officials, but is an aspect of a democratic society
- It is important to remember that they are not our records. The records belong to the town and the citizens



What are the Requirements?

The Public Records Law (chapter 66) provides for the:

- Creation of records (MGL 66: 3 -4)
- Preservation-quality storage and safe-keeping of records, including the requirement of a fire-resistant vault or safe and climate-control (MGL 66: 8-9, 11)
- Custody of records (MGL 66: 7)
- Retrieval of records (MGL 66: 12), including the requirement that records be arranged in an accessible manner
- Disposition of records (MGL 66: 8), including the approval of the Supervisor of Public Records for disposal of municipal and country records

The Public Records Law also gives the Supervisor of Public Records—an office of the Secretary of the Commonwealth, Public Records Division—the authority to set policy. The Public Records Division sets policy for access to public records and the Records Management Unit—a division of the Secretary of the Commonwealth, Archives Division—sets policy for scheduling and record-keeping guidelines



Important Publications

- Publications and technical reports, including
 - Bulletins from the Supervisor of Public Records
< www.state.ma.us/sec/arc/arcrmu/arcpub.htm >
 - Technical bulletins (including *Performance Standards for Safes and Vaults, Establishing a Micrographics Program, Records Security*) < www.state.ma.us/sec/arc/arcrmu/arcpub.htm >
- 950 CMR 32.00 (Public Records Access)
which addresses some of the nitty gritty issues like how much can I charge
<www.state.ma.us/sec/pre/prelaw/law950.htm>
- Guide to the Massachusetts Public Records Law
<www.state.ma.us/sec/pre/prelaw/lawidx.htm>



Public Record Requests

- May use form (see packet)
- Requestor does not have to put request in writing. In order for the request to appeal the decision, the request must be in writing
- Written requests are easier to deal with, since it forces the person to articulate the question and define a specific period of time i.e., *not* all zoning bylaws prior to 1964 but height restrictions less than 30 feet in zone residential A between 1934 and 1964.
- It is the archives' policy to explain appeal process to the requestor
- Can charge for search time at the lowest paid rate of the clerk performing the search
- Can charge up to 20 cents per copy. We waive the fee if it is \$2 or less
- Records must be made available for inspection upon request, unless the records exempt
- We must respond within 10 days



Do We Have to Give Them Everything They Want?


- Certain records are exempt from public access
- You must respond in writing why the record series is exempt from public access, citing appropriate legal citations
- Some reasons records may be exempt (MGL 4:7, section 26):
 - Specified by statute
 - Related solely to internal personnel rules and practices of organization and if proper operation requires withholding
 - Personnel and medical files or information
 - Materials or data relating to a specifically named individual which may constitute an unwarranted invasion of personal privacy
 - Inter-agency correspondence relating to in-development policy positions
 - Investigatory materials compiled out of public view by law enforcement if disclosure would “prejudice the possibility of effective law enforcement that such disclosure would not be in the public interest”
 - “Trade secrets or commercial or financial information voluntarily provided to an agency for use in developing governmental policy and upon a promise of confidentiality.” This does not apply if it was a condition of receiving a governmental contract or other benefit



Exemptions Continued...

- Proposals and bids until the bids are opened and communications that relate to the evaluation process. Both are closed until a decision is made
- Appraisals of real property acquired or to be acquired until:
 - Final agreement is entered into *or*
 - Litigation relative to the appraisal has been terminated *or*
 - Time to commence within which to commence such litigation has expired
- Names and addresses of any persons contained in, or referred to in:
 - Applications for licenses to carry or possess firearms
 - Firearms identification cards
 - Sales or transfers of any firearms, rifles, shotguns, or machine guns or ammunition therefor

As defined by MGL chapter 140 (MGL chapter 66, section 10)
- Library circulation records and patron information records (MGL chapter 78, section 7)



Some Records Exempt Under MGL 4:7, section 26(a) e.g., Exemption A

See attached Examples of Exemption A Statutes
<www.state.ma.us/sec/prelaw/lawstat.htm>



FAQ

- Executive session minutes are closed until the purpose that caused the session to be private has ended.
 - Land negotiations that result in the purchase of property are open after the purchase
 - Personnel matter is open after resolution of dispute, although names should be blocked to protect privacy
- Minutes of open meetings become public upon creation
 - Minutes do not have to be approved before being made available to the public
 - Board or commission is advised to mark copies of minutes not yet approved as "draft" minutes, but minutes cannot be withheld
 - If minutes are not transcribed, board does not have to transcribe minutes in response to request. The audio tape or notes (including shorthand) must be made available. Do not release the original, but provide a copy.
 - The public may address questions regarding content of minutes, requirements to keep minutes or any procedural aspects of the Open Meeting Law to the local district attorney



Examples Continued...

- Historical and Archaeological Sites and Specimen Inventory (those under the jurisdiction of the state archaeologist, per MGL c. 9, § 26A)
- Conflict of Interest, Request for an Opinion (MGL c. 268A, § 22)
- Criminal Offender Record Information (MGL c. 6, § 167)
- Alcohol and Drug Addiction Treatment Records (MGL c. 111B, § 11 and c. 111E, § 18)
- Employment records created under MGL c. 151 (MGL c. 151A, § 46) for instance:
 - Employee contributions and deductions (health insurance, benefits, etc.)
 - Benefit payments

Yes, payroll records are public record, but Social Security numbers and deductions are not. Personally I think it is a privacy issue, but the courts have upheld that this is not the sort of information the legislature intended to be private CITATION
- Fetal Death Reports (MGL c. 111, § 202)



Examples Continued...

- Impounded Birth Records (births to unmarried parents, abnormal sex births, fetal deaths, notices of intention of marriage and marriage records in cases where a physician's certificate has been filed under the provisions of MGL c. 207 § 20A) Exceptions:
 - Proper judicial order
 - Request of a person seeking his own birth or marriage record, or his attorney, parent, guardian, or conservator
 - Person whose official duties, in the opinion of the town clerk or the commissioner of public health, as the case may be, entitle him to the information contained therein
- Patient and Resident Treatment Records, including medical and mental health facilities (hospital, institution for the care of unwed mothers, clinic, infirmary, convalescent or nursing home, rest home, or charitable home operated by the town or state, per MGL c. 111, § 70E)
- Personal Data (information concerning an individual which, because of name, identifying number, mark or description can be readily associated with a particular individual, per MGL c. 66A, § 1)




And Still More Examples...

- Public Assistance Records, Aged Persons, Dependent Children, Handicapped Persons except for inspection only by public officials of the commonwealth (MGL c. 66, § 17A)
- Reports of rape and sexual assault or attempts to commit such offenses and all conversations between police officers and victims of said offenses (MGL c. 41, § 97D)
- Street Lists of children under 17, other than their respective school committee or individuals who provide a court order granting protection, evidence of residence in a protective shelter, or affidavit signed by a chief of police or designee that the individual is entitled to have certain information withheld (MGL c. 51, § 4)
- Student Records (except by parent or guardian of any pupil MGL c. 71, § 34D)



What if I Still Have Questions?

- Ideally exemptions will be noted in the database series description. Until then...
- If you know the records are exempt:
 - Complete form 10-99
 - Copy the archivist, so that records are centrally maintained
- I prefer that you call me, as it might be something we have already dealt with
- If I am not here, call the Supervisor of Public Records office (617-727-2832) to see if they have already issued a written advisory opinion. Remember, many of the issues are not new! There is a good chance that an opinion has already been issued. Please drop me a note and let me know what you find out, or let me know if you'd like me to check.
- If I am not here, request a written opinion from the Supervisor of Public Record (Secretary of the Commonwealth, Public Records Division, 1 Ashburton Place, Boston, MA 02108). If you request a written opinion, please copy the Archivist.



Basically, if Information is Withheld, We May Have To...

- Block a portion of the record
- Must explain why it is being withheld
- Must cite statute, if applicable
- Explanation must be in writing
- Must state that requestor has right to appeal: form 10-99 states this

If you have a feeling it might be a violation of privacy or something you just don't feel right releasing, get a second opinion. Tell the requestor, "I believe that may be exempt from the Public Record Law. Let me check and get the proper legal citation and get back to you. May I get your name, phone number and address and get back to you as soon as possible?"



The Basis for Records Management: Record Surveys

- What to expect
 - Brief (<1 hour interview)
 - Inventory of records (I will note series title, approximate volume, approximate date range, location of records and informational content)
 - After the interview, I am able to work independently, working in a circle around the room.
 - If I look like I am going through the records, I'm not being nosy-- I'm just seeing what information it contains
 - If your office has not been surveyed, *please contact me for an appointment*. I will not resume systematic scheduling until I transfer the database catalog to online finding aids



After the Survey is Complete

- It is your responsibility to adhere to the schedule.
- The schedule should be periodically reviewed and updated. Please contact me if you feel as if this should be done.
- If you have any questions, please let me know!



Transferring Records to the Archives/Records Center

See Records Management Guide #1: What's Archival

Basically:

- Contact me and let me know what records you are sending and let me make sure they are scheduled
- Get standard-sized boxes from Central Supply (I know I have taken other boxes in the past, but no more!)
- Box the records as they were maintained in your filing system, keeping like-types of records (series) together. For instance, keep minutes together, correspondence together, etc. If there is a small amount in each series, you can put multiple series in each box.
- Pack records upright
- Do not overpack boxes
- If records are in hanging files, transfer them to file folders
- All boxes should be labeled on the short end and should be labeled in pencil. Boxes should be labeled with: name of department; name of record series; alphabetical or numerical range; inclusive dates; box number and the total box number in the transfer e.g. box 1 of 4, 2 of 4, etc.; disposition date or status if known e.g., Destroy 12/31/1999 or Permanent.
- Copy box information to the *Records Transfer Form* (form 01-97)
- Department notifies the Archives that the boxes are ready and contacts the custodians transfer the boxes
- When the records are transferred to the Archives, the Archivist assigns a batch transfer number to the records
- Archivist signs and dates the transfer form and provides the Department Head/Records Custodian with a photocopy of the completed *Record Transfer Form*.
- *Records should be transferred when they become inactive e.g., accessed less than once per month!*



What Happens to the Records Once They're in the Archives?

Am I trying to hide away the records, creating a private mound of boxes? No, no, no...! I am trying to make them more accessible and preserve the records that need to be preserved.

If records are permanent:

- They might be microfilmed, if it is permissible to destroyed the paper copy: this is the first priority for microfilming. We have a couple more years on the backlog and then then we will start on new series
- They are refoldered in archival-quality folders and labeled in pencil. Staples will be removed and the total item count will be placed on each folder. When processed folders are used in the archives, it is always under supervised access and I count the folder contents when they are returned.
- They are stored in the climate-controlled, fire-resistant, secured vault
- They are still retrievable and available to your office! I prefer that you use records in the Archives, but I will transfer them to your office. Iron Mountain needs 4 hour notice for same-day delivery. Plato does not.
- Made available for duplication (see Archives' fee schedule)
- They may be scanned and made available on web site, if the use justifies it.
- They will eventually be listed in a folder-level finding aid. See www.burlington.org/archives and follow the link to Collections and Image Collection for an example and for more information on finding aids
- *Nothing is every discarded without the permission of the department head.* If I am processing project files, I will separate out what I think should be discarded and will go over it with you. The Archives only acts as a caretaker for the records.



But First a Bit About Destruction...

- Before destroying any record, we must receive written permission from the Supervisor of Public Records (see attached sample letter)
- If records are in the Archives/Records Center, the Archivist will prepare the destruction request
- If your office holds the records, you prepare the destruction request and *copy the Archivist on the signed copy*
- Records cannot be destroyed if there are public record requests or litigation pending
- Basic elements (see attached).
- If you need a copy of your office schedule, contact the Archivist.
- To locate the current schedule published by the Record Management Unit, see <www.state.ma.us/sec/arc/arcrmu/arcdsm.htm>



Disposing of Records

- Records should be destroyed after the appropriate retention period has expired
- You must obtain written permission to destroy records (see attached)
- If the records are in the record center, I will prepare the destruction request. If the records are in your office, you must prepare the destruction request and forward the signed copy to me. This will change in time as the program develops and the system develops, but for right now, please be patient...
 - Records fall into one of three categories:
 - **Category 1: Personal Information**
 - Records in category 1 contain personal information about the individual or individuals. For example, personnel records, birth dates, social security numbers, bank account numbers or other financial information and search committee records are considered category 1 records. Records in category 1 should be shredded (preferably cross-shredded) and placed in recycling bags. **Material that would compromise the privacy of town employees or appointees or the confidentiality of town operations should be shredded. If you have a large quantity, please let me know, as I have a contract with a commercial vendor and a locked bin in the archives**
 - **Category 2: Universal Distribution**
 - Records in category 2 were in general distribution in their active life. For example, calendars, most committee reports, brochures, town publications, announcements and informational memos are considered category 2 records. *Records in category 2 should be placed in recycling bags.*
 - **Category 3: General Records**
 - Records in category 3 documents administration, policies and programs that do not fall into category 1 or 2. Records in category 3 that do not contain information that would compromise the privacy of town employees or appointees or the confidentiality of town operations *should be placed in recycling bags.*



Filing Systems

- Keep like types of records (series) together
- Depending on annual volume, separate correspondence into three categories:
 - Permanent
 - Needed to carry out future business; protects the Town's legal interest; are needed to comply with retention requirements of a law or regulation; document the town's financial, administrative, or programmatic history; document construction, alteration, or disposition of town-owned land; document the development and implementation official policies, decisions, regulations, organization, functions, procedures, essential transactions and programs.
 - Non-permanent (2 year)
 - Routine correspondence that does not fit into the permanent or very short-term category
 - Almost a non-record (provided the RMU agreed) (currently must be kept for 2 years, but we are hoping for a shorter period)
 - Incoming transmittal messages that are like cover letters e.g., enclosed please find attached copies
 - Internal office announcements e.g., we will be having a meeting on such a such a day
 - Publications and vendor promotional material if they are used to justify a purchase
 - Employee activities e.g., holiday parties, softball games, invitations to work-related events
 - Routine activities e.g., thank you for the copies of, we're open 8-5, be advised that the deadline is...
- Courtesy copies may be disposed of after they are no longer needed
- File permanent correspondence in project/subject files or chronologically, depending on your office system



Minutes

- See *RM Guide #4: Board and Committee Minutes on the Web* for guidelines
- Do not staple or punch holes in the minutes
- Do not attach meeting notices (Town Clerk keeps the record copy)
- At the top of each set of minutes, put the date of the meeting and page x of x
- Recording clerk should sign approved copy
- Documents referenced in the minutes should be included with the minutes e.g., reports, studies, correspondence, etc.



New Admin./Personnel Schedule

- Burlington version of state schedule 23-89, revised 5/3/1993
- New schedule notes office of record i.e., who should hold the original for records held in common by various departments
- New schedule notes who should hold what for how long
- Schedule should help centralize records that have previously been kept in multiple departments and should clear up any confusion over who keeps what
- New schedule should be used in conjunction with your departmental schedule if you already have one.
- If you think of something that should be on the schedule, please let me know!

Key Points of Records Held in Common

- If someone else holds the official copy and you need a copy, make a copy
- Original deeds, easements, agreements, and correspondence related to town-owned land should be deposited in the Town Clerk's office or Archives upon receipt
- Personnel records: the Town Administrator is the designated personnel officer and there should be one centralized personnel file
- Inactive (terminated) personnel files are transferred from TA's office to Archives every 6 months
- If you are copied (cc'ed) on a record, keep it until it is no longer functional. The office of record is the office of origin
- Plans (Building Dept. and Planning Board) are the office of record for comments; copy section of plan you are commenting on to letter-size paper and reference in narrative comments
- Vouchers/Accounts Payable
- Receipts
- Minutes
- Meeting notices
- Contracts
- Consultant reports
- Earning records
- Time cards
- Rules and regulations/policy

Correspondence/Email— How Long Do I Keep It?

Courtesy Copies	Correspondence copied to the recipient for informational purposes i.e., "cc'ed"	Delete or dispose of after no longer required
Non-Permanent	Correspondence that <i>does not</i> document the development of policies, rules, decisions, major acquisitions or programs.	2 years after the end of the calendar year. May be printed and filed separately from permanent correspondence or retained electronically; see RM Guide #2 for instructions
Permanent/ Archival	Correspondence that documents the development of policies, rules, decisions, major acquisitions or programs	Permanent. Print within 3 months of receipt and file in accordance with the office's regular business practice
Unsolicited and Unrelated to Public Business	Unsolicited advertisements, circulars, general mailings, and other unsolicited correspondence not related to the conduct of public business, including professional listservs and mailing lists	Delete or dispose of after no longer required



Email: Special Mentions

- Think about it before you send it
- Use common sense regarding what is appropriate use. Two good benchmarks: would you mind seeing it on the front page of the local paper and would you put it on official letterhead?
- Consensus decisions and votes via email are a violation of the Open Meeting Law
- Manage it like you would all correspondence
- Remember, once you delete it, it is not gone



General Notes on Electronic Records

- Web browsers leave remains (history files and cookies)
- Virus software should be updated as new releases are available
 - Town currently uses McAfee Virus Scan
 - Archivist typically downloads updates to t:\virus
 - You must regular install free updates, otherwise virus software is worthless
- Specific instructions will follow; I am petitioning the Supervisor of Public Records for a electronic resources schedule