



AGENDA
SPECIAL STATE RECORDS COMMITTEE
February 21, 2014
9:30AM

Location: New Jersey State Records Center Conference Room
2300 Stuyvesant Avenue
Trenton, NJ 08625-0661
(www.nj.gov/treasury/revenue/rms/directions.shtml)

Announcement of Open Public Meeting

I. ADMINISTRATIVE ACTIONS:

A. Announcement of Approval of Destruction Authorization: None

1. Routine Request:
2. Artemis Request:

B. Records Management:

Report to the State Records Committee: None

C. Image Processing System Certification:

Report to the State Records Committee: None

II. IMAGING CERTIFICATION: None

III. OLD BUSINESS:

- A. Image Certifications: None
- B. Retention Schedules: None
- C. Special Request and Authorization for Records Disposal: None
- D. Other: None

IV. NEW BUSINESS:

- A. Records Retention Schedules: None
- B. Special Request and Authorization for Records Disposal: None

V. OTHER BUSINESS:

Circular Letter – Enterprise Electronic Mail Retention and Disposition Framework – Department of the Treasury, presented by Jim Fruscione.



MINUTES
SPECIAL STATE RECORDS COMMITTEE
February 21, 2014

Michael J. Tyger, Secretary, called the 409th meeting of the State Records Committee to order at 9:40 a.m. on the above date. He stated that notice of the special meeting had been posted in the Secretary of State's Office and published in the state's daily newspapers in conformance with the requirements of the Open Public Meetings Act.

Mr. Tyger stated that there is a quorum with all members represented except for Erin Mallon Knoedler from Community Affairs who was in route to the meeting. Ms. Knoedler arrived at 9:44 am.

ATTENDANCE:

SRC: Attorney General, Lisa Dorio Ruch, designee
Division of Local Government Services, Erin Mallon Knoedler, designee
State Auditor, William Robinson, designee
State Treasurer, Michael Tyger, designee
State Archives, Joseph Klett

Staff: James Fruscione, Director, DORES, Department of the Treasury
Peter Lowicki, Deputy Director, DORES, Department of the Treasury
Stephen Crescenzi, Assistant Director, DORES, Department of the Treasury
Irwin Nadel, Chief of Operations, DORES, RMS, Department of the Treasury
Barbara Goszka, Department of the Treasury, DORES
Kathryn Cornell, Program Technician, Records Management Services
Maureen Hedden, Administrative Analyst II, Records Management Services
Beth Whetstone, Supervisor, Records Management, Records Management Services
Ellen Callahan, NJ Archives, Department of State

Others: Elaine White, Department of Health

MINUTES:

Minutes from the previous SRC Meeting of January 16, 2014 will be reviewed at the next SRC meeting.

I. ADMINISTRATIVE ACTIONS:

A. Announcement of Approval of Destruction Authorization: None

1. Routine Request:
2. Artemis Request:

B. Records Management:

Report to the State Records Committee: None

C. Image Processing System Certification:

Report to the State Records Committee: None

II. IMAGING CERTIFICATION: None

III. OLD BUSINESS:

A. Image Certifications: None

B. Retention Schedules: None

C. Special Request and Authorization for Records Disposal: None

D. Other: None

IV. NEW BUSINESS:

A. Records Retention Schedules: None

B. Special Request and Authorization for Records Disposal: None

V. OTHER BUSINESS:

Joint Circular Letter – Enterprise Electronic Mail Retention and Disposition Framework – Department of the Treasury, presented by James Fruscione

Mr. Tyger stated that the Agenda for this meeting was limited. It was called as a Special Meeting limited to a discussion of a Draft Circular Letter for Enterprise Electronic Mail Retention and Disposition. To begin the topic and the presentation, Mr. Tyger introduced Mr. Fruscione, Director, Division of Records and Enterprise Services in the Department of the Treasury who has been the author and coordinator of this draft and has worked with several other agencies to bring the draft to this point. Mr. Tyger stated that Mr. Fruscione asked him if the draft Circular Letter would be something that the SRC would like to see. Mr. Tyger agreed that the Committee would be very interested in a presentation, which is why the Special Meeting was set up.

Mr. Fruscione began by informing the Committee that the State is now in the process of implementing an Enterprise Messaging System upgrade. It will impact all Executive Branch Agencies, and is being coordinated by the Office of Information Technology (OIT). The upgrade involves the centralization of

email systems using Microsoft Outlook/Exchange and either OIT maintained servers or a cloud-based version using Microsoft Office 360.

The implementation of the new e-mail system provides an ideal time to update and standardize e-mail retention guidance for State agencies. This would be done in the form of a Joint Circular Letter from the Treasury Division of Revenue and Enterprise Services (DORES), the Office of Management and Budget (OMB) and OIT. The proposed Circular would establish a standard seven-year retention period for e-mail records, using a system that automatically journals or archives all outgoing and incoming mail. It is recognized that seven years is likely longer than most e-mail needs to be retained based on current retention schedules, but it establishes a starting point and agencies would develop an electronic file plan to address items that need to be stored longer (these would be segregated and placed on a separate server or system) and items that could be distinctly identified for shorter storage requirements. Agencies would also need to do sustainability assessments and long-term storage plans.

No agency would be required to use the OIT central system, but doing so would provide the agency with compliance, reduced risk, effectiveness and efficiency, and a strategic direction. Agencies could opt to maintain their own e-mail system, but they would need to demonstrate compliance, sustainability, long-term plans, etc.

There would be an effort to reduce the seven year e-mail storage for specific record types which could be identified by an agency, and Mr. Fruscione noted that there is already software on the market that can do this. That software is expected to be enhanced over time. The seven-year retention establishes a consistent baseline for e-mail retention, and that baseline can be adjusted going forward as methods to identify and cull specific records become more sophisticated.

During discussion of the Circular Letter, it was noted that, when approved, there should be an item added to the General Retention Schedule for e-mail destruction after seven years. That would allow agencies to submit a Records Destruction Request (currently paper, but Mr. Fruscione advised that ARTEMIS will be enhanced to allow State agencies to submit requests electronically) to allow the e-mail to be destroyed after seven years. Provisions would be made for storage of litigation holds, records with retention requirements in excess of seven years, or items an agency determines retain value and require retention beyond the seven years.

Mr. Klett noted that there were several references in the draft Circular Letter to “archiving” e-mail or “archives” for e-mail. This could be confusing, as the e-mail would be saved electronically for seven years, but it would not be associated in any way with the State Archives or an Electronic Archive that the SRC has previously endorsed. Mr. Klett suggested a different term be used, and Mr. Fruscione agreed and will modify those sections to use “journalled” or some other term instead of archived in the final Circular Letter. Ms. Mallon Knoedler had some concerns about security of the documents being saved for seven years. She also stated the Government Records Council (GRC) should be briefed on the Circular Letter because it relates closely to the Open Public Records Act (OPRA) and how e-mail would be available and accessible to OPRA requesters. Mr. Fruscione agreed that security is a concern, and noted that it is a concern irrespective of e-mail retention. OIT will guide that security. The final Circular letter will mention OIT as the contact for security issues. Regarding the GRC, Mr. Fruscione will be happy to brief them (or a representative of the GRC) regarding the proposed Circular Letter.

Mr. Klett proposed a motion, seconded by Erin Mallon Knoedler, that the SRC endorse the Joint Circular Letter – Enterprise Electronic Mail Retention and Disposition Framework, with the minor changes in wording regarding *archives* and the addition of language addressing security of electronic mail and OIT. Also, the endorsement from the SRC should be included in the final version of the Circular Letter. Finally, the SRC is recommending review of the Circular Letter by the GRC and encouraging their endorsement and/or participation in the final Circular Letter. The Committee voted to approve the motion endorsing the Draft Circular Letter five (5) yes, none (0) no, and none (0) abstentions.

Ms. Mallon Knoedler will serve as the contact with the GRC (which is in, but not of, the Department of Community Affairs) and will try to set up some time for a presentation of the draft Circular Letter to the GRC or a representative(s) of the GRC.

Elaine White of the Department of Health attended the meeting, and Mr. Tyger asked her if she had any comments or state agency perspective which she would like to share with the Committee. Ms. White liked the idea of a Circular Letter and establishing electronic mail standards, but did express concerns about launching the initiative in a department or agency and how agencies would handle old e-mails and clean-up of files. It was certainly recognized that this is an issue of concern, and that some of the responsibility will be up to individual employees to assist in cleaning up and organizing old e-mail. That issue is faced by agencies and individuals every day, and the proposed Circular Letter at least establishes some standards and consistency upon which an individual employee (and an agency) can take action.

There being no other business, the Committee adjourned at 11:23 am.


Michael Tyger
Secretary
State Records Committee