



**AGENDA
STATE RECORDS COMMITTEE
January 18, 2018
10:00AM**

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. Review of December 21, 2017 Minutes**
- II. Administrative Actions:**
 - A. Announcement of Approval of Destruction Authorization:**
Artemis Request: #541794 – 542277
 - B. Registered Imaging Systems / Amendments / Annual Reviews:**
Report to the State Records Committee: (See Attached)
- III. New Business:**
 - A. Records Retention Schedules: (See Attached)**
 - 1. Department of State – Presented by James Jenkins
Archives and Records Management–Archives and Records Preservation – S740801-003
- IV. Other Business: None**



STATE OF NEW JERSEY
STATE RECORDS COMMITTEE

PO Box 661, TRENTON, NJ, 08625-0661 609.530.3200

www.treas.state.nj.us

MINUTES
STATE RECORDS COMMITTEE
December 21, 2017

Michael J. Tyger, Secretary, called the 433rd meeting of the State Records Committee to order at 10:00 a.m. on the above date. He stated that notice of the 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 present.

Mr. Tyger indicated that this was the last meeting for 2017 and thanked all the members of the SRC for their support over the past year and a special thank you to the staff of State Archives and Records Management Services for all of their expertise and assistance. Mr. Tyger also thanked all of the State and local government agencies for their work regarding records issues and looks forward to working with everyone on the challenges ahead in 2018.

ATTENDANCE:

SRC: State Treasurer, Michael J. Tyger, Designee
Division of Local Government Services, Paul Urbish, Alternate Designee
Attorney General, Susan Scott, Designee
State Auditor, William Robinson, Designee
Division of Archives and Records Management, Department of State, Ellen Callahan, Designee

Staff: James Fruscione, Director, Division of Revenue and Enterprise Services
Elizabeth Hartmann, Administrative Analyst III, Records Management Services
Marcella Campbell, Technical Assistant I, Records Management Services
James Jenkins, Records Analyst III, Records Management Services
Sharon Allen, Technical Assistant II, Records Management Services
Baljinder Pannu, Technical Assistant III, Records Management Services
Vilirie D. Perry, Records Analyst I, Records Management Services

Other: Detective Sergeant Russell Luedecker, Cranford Police Department
Gary Dalina, Middlesex County, MCDARM
Denise Szabo, Bernards Township
Lauren Wiley, Mercer County Clerk's Office, CARMA
Michele Everly, Gloucester County Clerk's Office
Dan Freed, Sussex County Clerk's Office
Art Staerk, AccuScan

Eric Carlsen, ShoreScan
Robert Gallagher, Jersey City
Joanne McKinley, Accses NJ
Argean Cook, Joan DePaolo, New Jersey Transit
Donald Cornelius, NJ State Archives
Mark Szemple, Jay Ruparel, Sunrise Systems
Sharon Young, West Windsor Township, MCANJ

MINUTES:

APPROVAL OF PREVIOUS SRC MEETING MINUTES:

Upon motion, seconded, the Committee voted to approve the September 21, 2017 Minutes five (5) yes, and none (0) no and the October 19, 2017 Minutes five (5) yes and none (0) no.

I. Administrative Actions:

- A. Announcement of Approval of Destruction Authorization:**
Secretary Tyger announced the approval of routine Artemis requests for disposal of public records: #539881 – 541793
- B. Registered Imaging Systems / Amendments / Annual Reviews:**
Report to the State Records Committee: (See Attached)
- C. Archival Review Report: (See Attached)**

II. Old Business:

- A. Records Retention Schedules: (See Attached)**
Municipal General Schedule – Presented by Elizabeth Hartmann
Electronic (E-Mail) Records – M100000-013 – Approved four (4) yes and none (0) no and one (1) abstention (Callahan)
- B. County General Schedule – Presented by Elizabeth Hartmann**
Electronic (E-Mail) Records – C820000-013 – Approved four (4) yes and none (0) no and one (1) abstention (Callahan)

Mr. Tyger asked Ms. Hartmann for an update to the Municipal and County Schedules previously presented at the Special October 19, 2017 SRC meeting. Ms. Hartmann stated that subsection headers were added, the record series was updated to include 7 years or less in the header and there were no changes to the language. Mr. Tyger asked Ms. Hartmann if she had any endorsements per Mr. Klett's request from the Special October 19, 2017 SRC meeting. Ms. Hartmann handed out endorsement letters from the Municipal Clerks' Association of New Jersey (MCANJ) and from Government Management Information Sciences (GMIS) to the SRC members. Ms. Hartmann stated that she had nothing formal from CARMA, but RMS and CARMA did meet to discuss the schedules.

As Mr. Tyger was introducing the Municipal Schedule, representatives from the CARMA Board expressed they would like to make a statement. Ms. Lauren Wiley, CARMA Treasurer, addressed the SRC and said she would like to read a letter signed by herself, Mr. Gary Dalina, and Ms. Michele Everly. At Mr. Dalina's request, this letter is included in these Minutes. The letter makes it clear that

there is no consensus among CARMA members regarding these schedules, and outlines a number of concerns.

In response to Ms. Wiley's letter, Mr. Tyger stated that getting a consensus on this type of matter would be difficult; however schedules can be updated as needed. Mr. Tyger stated that this process began based on comments Treasury received from local governments to address these issues at Municipal and County levels. A panel was formed to respond to these concerns. The panel included representatives from Municipalities, Counties, Records Managers, IT Professionals and RMS staff.

Mr. Tyger then asked for the SRC members' opinion of the proposed schedule. Ms. Callahan stated that Archives would abstain from approval of the schedules if we can't get buy-in from CARMA, but that it is a good schedule and a workable solution with training.

Mr. Fruscione stated that it is understood that consensus is hard to achieve and that some CARMA members have concerns. In this regard, it is important to stress that agencies will not be compelled to use the proposed schedules; that the schedules are optional, but defensible and workable.

Regarding Ms. Wiley's concern for the technical language in the proposed schedule, Mr. Fruscione indicated that the technical language is designed to allow IT professionals to implement the schedules. This is a necessity. Further, the language connects with industry frameworks designed to protect information and records assets. More of such language will be required as records are increasingly kept in digital form. This helps address the need to manage digital records as organizational assets.

Mr. Fruscione stated, in response to the letter read by Ms. Wiley, the use of broad-band or bucket type scheduling is not unusual and is utilized by the National Archives and Records Administration (NARA) under its Capstone program and that regulated industries employ the technique as well. The proposed schedules provide feasible, accountable and transparent options for addressing e-mail retention and disposition and can evolve as time and technology progress. Mr. Fruscione stated that any of the concerns about legal compliance and accountability can be addressed through the use of basic records management approaches as will be seen in DORES' presentation on electronic records management today.

Mr. Fruscione acknowledged that, in order to address interpretational issues, RMS will need to introduce the schedules to records managers, custodians and IT representatives and provide training. DORES IT and RMS staff will provide training to agencies to assist with technical aspects of the record series.

Mr. Fruscione stated the issue of email retention and disposition has been studied for many years. Solutions based on content-based/granular classifications of email records have not come to fruition because agencies lack the means to implement them on an enterprise-wide basis. The proposed schedules provide feasible, accountable and transparent options for addressing email retention and disposition.

There appears to be strong support for the proposed schedules among local governments and county officials as documented by Mr. Freed. Mr. Tyger reiterated that, if needed, schedules can be updated. Mr. Fruscione stated that the schedules are not end points; we will learn from their use and continually hone our practice in this area as time and technology progress. Mr. Fruscione also agreed to convene a group to address alternatives if there is interest in presenting alternatives for consideration.

III. New Business:

- A. Special Requests and Authorization for Damaged Records Disposal: (See Attached) Cranford Police Department – Damaged Records – Presented by Elizabeth Hartmann – Not voted on pending additional information.**

A discussion ensued between the SRC members and the agency representative regarding whether any of the records can be salvaged by the cleaning company. It was decided that RMS and Archives will conduct a site visit to see whether it is feasible to have the records salvaged and the matter will be brought back at a future SRC meeting.

IV. Other Business:

- A. Proposed Dates for State Records Committee Meetings for 2018 – Approved without changes**

B. Department of the Treasury

E-content Plan – Presented by James Fruscione

Mr. Tyger introduced James Fruscione, Director of the Division of Revenue and Enterprise Services, Department of the Treasury. Mr. Fruscione presented the Department of the Treasury's proposed E-content Plan as an example of conceptual framework for e-mail retention. This presentation was a continuation of the presentation that was given at the March 16, 2017 SRC meeting based on Circular Letter 14-12 DORES/IT. Mr. Fruscione's presentation outlined the framework of the proposed E-content Plan and the Treasury's Trusted Digital Repository. After the presentation, there was discussion regarding the disposition and retention of long-term records, and Mr. Fruscione fielded questions from SRC members and the public.

There being no other business, the Committee adjourned at 11:40 a.m.



Michael J. Tyger
Secretary
State Records Committee



CARMA / NJ

County Archives and Records Management Association of New Jersey

Patrimonium acta nostra | "Our records are our heritage"

December 21, 2017

To the members of the State Records Committee:

At this time, there is not a consensus among the CARMA Board regarding the proposed email record retention series for seven year bucket email retention. Questions and concerns have arisen regarding multiple aspects of the proposal.

1. The technical language within the record description denoting rules and regulations regarding attestations is overwhelming and cumbersome. It is disconcerting that the record retention schedule is now being turned into a technical document for IT Network Administrators who specialize in managing data and networks, not actual public records. It is alarming that many municipalities neither have the technical knowledge nor the network, staff, or the equipment to understand or comply with this seven year broadband approach.
 - a. According to the research and findings published by Jesse Wilkins, CDIA for the ARMA International Educational Foundation (AIEF), "Organizations are not doing everything they could to manage email. Where they do anything at all, they generally address email management from a technology and operational perspective – reducing the amount of email stored in order to reduce the amount of storage required or the length of the backup window. Policies are in place to ensure users do not use email for obnoxious behaviors. But very little has been done to ensure that messages are managed according to the value of the individual message, including its attachments and metadata." (Identifying and Classifying E-Messages as Records)
 - b. Perhaps an IT Schedule would account for other records series found under the Agency Internet File on the General Record Retention Schedules. A quick search on Information Technology Record Retention Schedules reveals that quite a number of states have retention schedules specific to the IT field.
2. Additionally, Notes 1, 2, and 3 found in the proposed Email Records Retention Record Title and Description are superfluous, verbose, redundant, and unclear, and the presentation of the amended schedule breaks with previous formatting. Furthermore, the document lacks direction on using individual series, and lacks clarity in explanation overall.
 - a. Note 1 already appears in the preface of the proposed General Schedule Amendment, while Note 2 and Note 3 already appear in the email record series description as part of the attestations. Unquestionably, this needless duplication of technical information only adds to the confusion and uncertainty for the average end user.

- b. In the State's General Schedule, DORES provides some type of classification on email via different records series denoting fiscal records, administrative records, and the like using the "Big Bucket" application (NARA, Flexible Records Scheduling: Strategies for Analysis", 2003). This same "Big Bucket" approach is not applied to the proposed local schedule amendment; instead this is met through the "Notes" and attestations, with which the CARMA Board has concerns as stated previously.
 - c. Regarding Attestations, how many of the municipal clerks have shown the proposed attestations to their respective councils and solicitors for their opinions? What are the rules and implications for entities that choose to categorize their email and destroy it using the respective record series which classifies the content? As presented, the proposal seems to be unclear and dubious.
3. By creating email as a record series, the State of New Jersey is declaring that email is a record and not the vehicle by which communication is delivered. Making this declaration goes against the industry understanding that email is the means by which communication is transmitted and not a record itself, per se. There are concerns about the ramifications of this declaration, as this would be unusual in the realm of records management practices outlined in such professional organizations such as ARMA and AIIM, and incongruent with the guidelines of other states.
4. Concern lies with the adherence to OPRA under a seven year broad band record retention series, which does not call for the categorization of the content of email messages. Longevity of information and archiving long-term and permanent records seem completely ignored in conversation of email and retention, or rather email and destruction presented by the State. The DORES OIT Joint Circular Letter 14-12 references the Destruction of the Public Records Act P. L. 1953, c. 401 (N. J. S. 47:3-16) in the second paragraph under "Purpose", but neglects to address how one must go about meeting the retention of longer than seven years or addressing OPRA requests. In retaining information, one must ensure appropriate finding aids or methods are applied to the information retained in order to recall upon request; otherwise, storing the information becomes useless if it cannot be found.
 - a. Merely providing for the destruction of information without holding agencies accountable for the retention and archiving of information leads to incomplete information on the history of an organization or local government.
 - b. Guidelines or plans for addressing the email accounts of appointed or elected officials should address best practices for retaining the correspondence or potentially policy setting authority of these accounts. What, if any, guidance is provided for managing these officials' email accounts under a seven year destruction window?
 - c. Will legal issues arise with OPRA requests when local governments cannot account for or document which specific records were destroyed with the exception of meeting a seven-year retention?
 - d. Conducting e-Discovery of and applying litigation holds on email correspondence and content are dependent upon the ability to search and sift through the metadata, attachments, and text of the communication.

5. Finally, it appears that little if any research has been performed on how municipalities manage any aspects of their email currently. For example, how many have their own email servers versus how many contract with vendors who host? Do most municipalities have IT staff or are all or most services contracted? Do municipalities even understand that they should be organizing email by its content? Or do they consider all email correspondence as transient? Do they print permanent emails and metadata in lieu of migrating the permanent record due to fiscal constraints?
6. Equally important, how do other states categorize email for record destruction on the local level? Are there different tiers or options depending on the entity's size and resources? What are the different solutions being implemented throughout the country? It appears that little if any research has been performed regarding on how the rest of the country's local governments categorize, archive, and destroy email records despite the fact that each state has a governing body for records and record retention schedules.

In conclusion, the majority of the CARMA Board understands that a succinct system clearly needs to be implemented which allows email to be classified and destroyed per New Jersey record retention rules. However, this implementation should contain multiple, core components and alternatives, it should be representative and attainable by all local governments, it should be clearly articulated to all parties involved, and it should be rooted in reason and most importantly, research. At this time we feel that more research and inquiry into the municipalities' capabilities and current email procedures and systems is needed. And it would not be prudent to implement a short-sighted solution simply because it is easier to address one individual part instead of addressing the issue as a whole. As always the CARMA Board and the CARMA Membership look forward to working with the state regarding all aspects of records management especially concerning the comprehensive management of email including record retention scheduling and destruction.

Respectively,

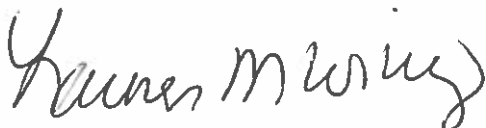
Gary Dalina, President



Michele Everly, Secretary



Lauren Wiley, Treasurer



Registered Imaging Systems / Amendments / Annual Reviews January 18, 2018					
Action Type/Analyst	Registration #	Agency	Comments	Vendor (if Applicable)	
New Registration: Vilirie Perry	17121401- MP	Bloomfield School District	System meets all requirements for registration	AccuScan	
Annual Review & Amendment: Vilirie Perry	12062109- MP	Mahwah Township Board of Education	Approved Migration Path	N/A	
Annual Review: Elizabeth Hartmann	05121502- MF	Camden County Board of Taxation	N/A	N/A	
Annual Review: Vilirie Perry	08121804- MP	NJ Transit Corporation Accounts Payable Department	N/A	N/A	
Annual Review: Elizabeth Hartmann	09091703- NM	City of Clifton, Fire Department and Fire Prevention Bureau	N/A	N/A	
Annual Review: John Berry	11051901- MP	New Jersey State Police, DNA Laboratory	N/A	N/A	
Annual Review: Vilirie Perry	12041902- MP	Atlantic County Vocational School District	N/A	N/A	

Registered Imaging Systems / Amendments / Annual Reviews January 18, 2018

Action Type/Analyst	Registration #	Agency	Comments	Vendor (if Applicable)
Annual Review: Vilirie Perry	12081606- MP	Bergenfield Public Schools	N/A	N/A
Annual Review: John Berry	14011602- NM	Hunterdon County Division of Social Services	N/A	N/A
Annual Review: James Jenkins	14032013- NM	Cumberland County Board of Social Services	N/A	N/A
Annual Review: John Berry	16012101- MP	Township of Hopewell	N/A	N/A
Annual Review: James Jenkins	16020402- MP	Evesham Township Police Department	N/A	N/A
Annual Review: John Berry	16021803- MP	Township of Gloucester Municipal Utilities Authority	N/A	N/A

Records Retention and Disposition Schedule Amendment

DEPARTMENT:	State	AGENCY #	S740801
DIVISION:	Archives and Records Management	SCHEDULE #	003
BUREAU:	Archives and Records Preservation	PAGE #	1
		OF	2

Agency Level Amendments

Former Agency Name (Department/Division/Bureau)	
Former Agency Number	S740801-002

Records Series Level Amendments

Record Series #	Record Series Name	Type of Change	Former Designation (if applicable)	New Designation (if applicable)
0002-0000	Archives Patron Registration	Description	Contains: patron identification information, research purpose, and brief description of topic.	N/A
0002-0001	Archives Patron Registration – Cards	Title; Description; Retention	Archives Patron Registration – Cards 75 Years/Destroy	Patron Record Includes contact information and date. *Periodic Review
0002-0002	Archives Patron Registration – Printout	Title; Description; Retention	Archives Patron Registration – Printout *As updated/Destroy	Patron Registration Cards (signed) Contains the patron's name, contact information, and signature attesting that he/she has read our rules and agrees to abide by them. *As renewed or when expired/Destroy

RECORDS RETENTION AND DISPOSITION SCHEDULE

Record Series #	Record Series Name	Type of Change	Former Designation (if applicable)	AGENCY #	SCHEDULE #	PAGE #
				S740801	003	2 OF 2
					New Designation (if applicable)	
0003-0001	Records Request Form (Original)	Description; Retention	No Description *75 Years/Destroy			Form filled out by researchers to identify specific archival record (folder, box, etc.) they wish to use internal statistical purposes and to provide evidence of use in case of document theft, defacement, or mutilation. *Periodic Review/Destroy
0003-0002	Records Request Form (Copies)	Retention	Until records are returned			Periodic Review
0004-0000	Visitors Register	Obsolete				G100000-010 1418-0000 Visitors' Security Sign-Sheet and Monitoring File. Retention 3 years
0005-0000	Archival Review Files	New				
0006-0000	Series Analysis Reports	New				
0007-0000	Public Records Recovery Files	New				
0008-0000	Depository Agreements	New				

STATE OF NEW JERSEY



State-Archives and Records Management-Archives and Records Preservation

S740801-003

Prepared by:
Department of the Treasury, Division of Revenue and Enterprise Services, Records Management Services
2300 Stuyvesant Avenue, PO Box 307 Trenton, NJ 08625-0307
609.530.3200

Records Retention and Disposition Schedule		Agency: S740801	Schedule: 003	Page #: 1 of 2	
Department: State-Archives and Records Management-Archives and Records Preservation		Agency Representative:			
Title:		Title:			
Phone #:		Phone #:			
SCHEDULE APPROVAL: Unless in litigation, the records covered by this schedule, upon expiration of their retention periods, will be deemed to have no continuing value to the State of New Jersey and will be disposed of as indicated in accordance with the law and regulations of the State Records Committee. This schedule will become effective on the date approved by the State Records Committee.					
Agency Representative Signature: <i>[Signature]</i>		Secretary, State Records Committee Signature: <i>[Signature]</i>		Date: 1/18/2018	
Record Series #	Record Title and Description	Audit	Alternate Media	Archival Review	
		Vital Record	Confidential	Total Retention Period	
				Retention Policy	
				Minimum Period in Agency	
				Disposition	
				Citation	
0001-0000	Accession File --- May contain: accession record, condition report, and public/private transfers of legal title to the Bureau of Archives and Records Preservation.	X		Permanent	Permanent
0002-0000	Archives Patron Registration				
0002-0001	Patron Record --- Includes contact information and date.		P	Periodic review	Destroy
0002-0002	Patron Registration Cards (Signed) --- Contains the patron's name, contact information, and signature attesting that he/she has read our rules and agrees to abide by them.		P	As renewed or when expired	Destroy
0003-0000	Records Request Form --- Form filled out by researchers who need access to archival records. Also used to track patron requests for internal statistical purposes, and to provide evidence of use in case of document theft, defacement, or mutilation.				

Records Retention and Disposition Schedule		Agency: S740801		Schedule: 003		Page #:2 of 2				
Record Series #	Record Title and Description	Audit	Alternate Media	Archival Review	Vital Record	Confidential	Retention Policy		Disposition	Citation
							Total Retention Period	Minimum Period in Agency		
0003-0001	Records Request Form (Original) --- Form filled out by researchers to identify specific archival record (folder, box, etc.) they wish to use. Also used to track patron requests for internal statistical purposes and to provide evidence of use in case of document theft, defacement, or mutilation.					P	3 Years		Destroy	
0003-0002	Records Request Form (Copies)					P	Periodic review		Destroy	
0005-0000	Archival Review Files --- Files documenting the Archives' determination regarding accessioning of records with permanent value.					P	Permanent		Archives	
0006-0000	Series Analysis Reports --- Files documenting the Archives' determination regarding the final disposition of paper records designated as Permanent or Archival Review that have been digitized or microfilmed by a DORES-registered system.					P	Permanent		Archives	
0007-0000	Public Records Recovery Files --- Files documenting the Archives' recovery or attempts to recover New Jersey public records that are in private hands.					P	Permanent		Archives	
0008-0000	Depository Agreements --- Legal agreements between local and county public records custodians, holding organizations and the Division of Archives and Records Management allowing for the physical custody of public records by another entity.					P	Permanent		Archives	