

MINUTES
RECORDS MANAGEMENT INTERAGENCY COORDINATING COUNCIL
MEETING
June 12, 2012

The Records Management Interagency Coordinating Council (RMICC or Council) held a meeting on Tuesday, June 12, 2012, at the Lorenzo de Zavala State Archives and Library Building, 1201 Brazos Street.

MEMBERS PRESENT

Peggy D. Rudd, Chair
Chris Foster (representing Cathy Nelson Hartman), Member
Thomas Johnson (representing Lori Person), Member
Julie Leung, Member
Hope Morgan, Member
Dan Procter, Member
Stephen Quick, Member
Kim Scofield, Member

GUESTS

Erinn Barefield, Texas State Library and Archives Commission
Jan Ferrari, Texas State Library and Archives Commission
Chris Foster, University of North Texas System
Margaret Hermesmeier, Office of the Attorney General
Maryrose Hightower-Coyle, The University of Texas – Austin
Sarah Jacobson, Texas State Library and Archives Commission
Craig Kelso, Texas State Library and Archives Commission
Jon Lee, Department of Information Resources
Dan McGowan, Texas Department of Family and Protective Services
Angela Ossar, Texas State Library and Archives Commission
Laura Saegert, Texas State Library and Archives Commission
T. J. Wasden, Texas Department of Family and Protective Services

I. CALL TO ORDER

A quorum being present, Chair Peggy D. Rudd called the meeting to order at 10:35 a.m.

II. APPROVAL OF THE MARCH 6, 2012 MINUTES

A minor grammatical change was suggested on page five of the minutes. The minutes to the Council meeting held March 6, 2012 were approved as follows:

MOTION made by Ms. Kim Scofield, seconded by Mr. Dan Procter, and carried unanimously to approve the minutes of the meeting of the Records Management Interagency Coordinating Council held March 6, 2012, as amended.

III. AGENDA ITEM 2 – REPORT FROM THE UNIVERSITIES RECORDS MANAGEMENT COMMITTEE

Mr. Chris Foster of the University of North Texas presented the progress update from the Universities Records Management Committee (URMC).

- Mr. Chris Foster noted there are now three co-chairs for the Universities Records Management Committee (URMC). Maryrose Hightower-Coyle is the new co-chair, in addition to Mr. Foster and Ms. Sarah Jacobson.
- Mr. Foster noted the existing workplan for the URMC, which includes the nine strategic areas of focus for the URMC. In late 2011 and the first quarter of 2012, the URMC steering group agreed to focus on the development of a university records retention schedule (URRS). He noted the URRS is of interest to all the URMC's member universities, and the URRS project touches on all nine proposed directions in the URMC's workplan.
- The draft of the URRS should be completed by the end of the summer, Mr. Foster noted. Ms. Peggy D. Rudd said the URRS will serve as the foundation for all of the other work of the URMC, and Mr. Foster agreed. URMC members will review the draft, as will the Records Management Assistance (RMA) unit of the Texas State Library and Archives Commission (TSLAC).
- The end of the summer timeline will be for URMC review, Mr. Foster clarified. URMC members will be asked to look at each item in the proposed URRS and analyze whether they could implement the item. If not, the member should post a comment with their concerns so they may be addressed. Feedback concerning the URRS from the URMC members should be available at the September Council meeting, Mr. Foster said. Currently, about 370 items are available for URMC members to review.
- The URMC has restructured and added an additional co-chair, Mr. Foster said. Ms. Hightower-Coyle is the new co-chair. URMC members will be formed into ad-hoc committees or task forces focused on each of the nine proposed directions for the URMC. Ms. Hightower-Coyle will be focused on project management and support for the individual task forces, and will update the URMC steering group.
- The URMC plans to host another roundtable event or give an update on its work as part of the Council presentation at the upcoming e-Records conference. The purpose of the update would be to inform conference attendees about the URMC's work.
- A change was made to the structure of the URRS project during the last quarter, Mr. Foster said. The URMC originally planned to benchmark the

new URRS against the records retention schedules from universities that are outside of Texas. The URMCM found that in many states, the state's library and archives commission and not the individual university system is the entity putting forth the records retention schedule. As a result, the URMCM plans to focus on requirements released by the individual states' library and archives commissions rather than the university systems.

- Ms. Kim Scofield asked if the URRS project addressed medical records, since many universities have medical institutions. Mr. Foster said the URMCM is focused on more generic records types found at all universities. He noted two members of the URMCM (Steve Woodall of the University of North Texas Health Sciences Center at Fort Worth and Anne Comeaux of the University of Texas Health Sciences Center at San Antonio) have expertise with medical records and will have input into which medical records series need to be included in the new URRS. Campus health science center records may or may not fall under the same requirements as records at other health care institutions, Mr. Foster said. Ms. Scofield noted the importance of maintaining the confidentiality of such records. Ms. Hope Morgan noted that health records stored electronically may have more or different recordkeeping requirements, including access and security requirements, associated with them.
- Mr. Foster said the URMCM plans to have an update on the URRS project available for the Council at the Council's September meeting.

IV. AGENDA ITEM 3 – REPORT FROM THE BEST PRACTICES COMMITTEE

- Mr. T.J. Wasden and Ms. Jan Ferrari, co-chairs for the Best Practices Committee (BPC), presented the report from the committee.
- The Best Practices for Managing Digital Information Committee Draft Report represents the work of more than 30 individuals from multiple state agencies, Mr. Wasden noted. The BPC would like guidance and input from the Council concerning the report, he said.
- As directed by the Council at the Council's last meeting, the final report to be presented to the legislature will be shorter than the draft, Mr. Wasden said.
- The draft report includes information from BPC's three workgroups. The largest part of the draft report is from the Electronic Records Management Workgroup, chaired by Ms. Nanette Pfiester. Ms. Erinn Barefield chairs the Email Records Management Workgroup, and Ms. Sarah Jacobson chairs the Social Media Management Workgroup.
- The work done by the Social Media Management workgroup mirrored similar work done by the Department of Information Resources (DIR), Mr. Wasden noted.
- Good responses were received to the survey sent out by the BPC, Mr. Wasden said. Raw data from the survey was included in the informational materials provided to the Council for this meeting.

- The BPC would like any written feedback from the Council regarding the draft report to be submitted by July 12, 2012.
- Mr. Wasden highlighted the recommendations from the Electronic Records Management Workgroup:
 - Strategic organizational alignment of the records management program. Records management officers are not uniformly placed in the organizational structure across agencies, Mr. Wasden noted. Even though guidance exists in statute, it is not adhered to uniformly.
 - Expansion of electronic records management partnerships.
 - Long-term access and archives.
 - Development of compliance monitoring and enforcement capability. This seems to be the direction the federal government is moving in, Mr. Wasden said. He noted the National Archives and Records Administration (NARA) has begun publishing an annual records management self-assessment of all federal agencies. This might be helpful at the state level, he said.
 - Provide records manager training similar to that held for information resource managers. An effort will be made to find the resources and enhance collaboration to further this goal.
 - An underlying tone to the report is that additional resources are needed, Mr. Wasden said. The committee is aware this a difficult recommendation to make given the current state budget situation.
- Ms. Hope Morgan indicated she hoped the report included information about standardizing electronic records management tools, and said DIR might be able to offer guidance on this issue. She stressed as more and more records are created digitally, focus needs to be placed on the storage of such records and the original artifact created. Web-based information gathering from constituents adds to this concern.
- Ms. Peggy D. Rudd noted that long-term archivable storage space might be cheaper under the new state data center contract. Mr. Thomas Johnson noted he would find out that information for the Council. Ms. Morgan noted that her agency has been interested in the state data center since its inception about 12 years ago. She said the Council might want to support the idea that long-term, archivable storage space should be made available through the state data center at a reasonable cost. Restrictions on the use of such space should be reasonable as well, she noted. Mr. Johnson said the new contract is more flexible than in prior years, and noted the Council's input would be welcomed.
- Mr. Wasden presented the six recommendations from the Email Records Management Workgroup as follows:
 - Have a functioning Records Management Program with an approved retentions schedule. This requirement already exists in statute, Mr. Wasden said.
 - Build a business case for email records management solutions.
 - Develop an email policy.

- Follow best practices for managing email.
 - Choose an appropriate and affordable software solution for managing email.
 - Provide staff with an email management training program.
- Mr. Wasden noted that a difficulty with email records management is the tendency to want to treat email as a records series itself, although it is not. Toolkits and training will be helpful to manage email records more effectively.
- Ms. Kim Scofield noted that email records management is difficult for many agencies. Ms. Morgan said such management is becoming increasingly complex with the advent of cloud-based computing solutions. Ms. Scofield and Ms. Morgan noted that access to archived information and security are increasing concerns. Ms. Rudd noted the time considerations involved in accessing archived email as well. The increasingly large quantity of archived email available makes indexing a concern.
- Ms. Scofield said she recently attended a conference where the topic of content analytics was covered. Automated searching is more accurate and comprehensive than what human beings achieve, but it comes with a price tag that may or may not be realistic to solve a specific problem. Storage space considerations may force a solution to the problems with email management in the near future, she said, as the volume of electronic records continues to mushroom.
- Mr. Wasden noted that approximately 90 percent of all email does not need to be archived. Ms. Scofield added that about one percent of email is actually historical, and about nine percent needs to be kept for ongoing business purposes and reference. Ms. Morgan noted that electronic tools for email management can help eliminate information that does not need to be archived and duplication of information. She added that litigation can cause holds on information that should be deleted, sometimes for extremely long periods of time. Ms. Scofield noted that sometimes the litigation hold has been lifted but the records are forgotten and not deleted.
- Mr. Johnson asked about the special recommendation on page 8 of the report regarding the adoption of a standard email management system. He asked if any research had been done on specific systems, or did the workgroup have a consensus about a specific system that should be used. Mr. Wasden said the BPC did not want to recommend a specific product. Mr. Johnson said he anticipates the legislature asking DIR to make such a recommendation. Mr. Wasden noted this special recommendation is a draft and may well be changed in the final report. Mr. Dan Procter asked if by “standard” the workgroup meant that all agencies would use the same email management system. Mr. Wasden noted that suggestion had been raised. Ms. Morgan noted that there is a difference between email “standards” that a program should achieve, and using one “standard” program across all agencies. Mr. Johnson also felt the term “standard email management system” to be too broad.

- Ms. Rudd noted that the Council has done a number of studies in the past and found that there is a broad spectrum of email management programs in use in state agencies. Ms. Morgan noted that these disparate systems were able to communicate among one another, however. Ms. Rudd noted that the use of so many different systems-many of which are proprietary-complicates long range planning for statewide email management. Ms. Rudd noted that statewide guidance from DIR will be necessary in the future. Ms. Morgan noted that the problem might not be with the individual email systems but with the content management system that retains the information in the emails. Technology in this area is rapidly evolving, and many content management systems can retain the information in its native format for later use, Ms. Morgan noted.
- Mr. Rudd noted that in the last legislative session, the House Committee on Government Efficiency and Reform was unable to reach a consensus on recommendations or guidelines concerning open source software due to the diversity of applications in use across state agencies. While complete uniformity across agencies is not necessary, some consensus is needed going forward for an affordable and reasonable electronic state archive to exist, Ms. Rudd said. Ms. Morgan noted that technological advances may make standardization across agencies less of a concern in the future. While there needs to be consensus regarding what information is saved, technology is becoming increasingly flexible as to how that information is saved and in what format, Ms. Morgan said.
- Ms. Rudd noted that not only is cost a limiting factor for what storage options are chosen, so is available staff resources. Currently, there are six government information analysts assigned to deal with all state agencies as well as approximately 10,000 local agencies. A content management system might be able to accommodate software diversity, but such analysts still have to train based on such diversity, she said.
- Ms. Scofield said she recently attended a meeting of the National Association for Government Archives and Records Administrators (NAGARA). At the meeting, information was presented that between 7,000 and 14,000 different document formats currently exist. NAGARA is working on a long-term way to convert such various formats into a system that could be read, even 25 years in the future. Mr. Wasden noted that vendors would want to produce a product that would be able to accommodate more rather than less formats.
- Ms. Rudd asked if the Council had reached a consensus to reword the special recommendation in the Email Records Management Workgroup Report. Ms. Morgan noted the Council had until July 12 to provide recommendations on the report to the BPC.
- Mr. Wasden noted the Social Media Management Workgroup had partnered with DIR. He presented the recommendations from the Social Media Management Workgroup as follows:
 - Each agency that uses social media should develop a structure for its use that includes policies or guidelines regarding the agency's

intended use of social media, and clearly defined roles and responsibilities for its employees and customers.

- Mr. John Lee of DIR noted he felt the most important part of the workgroup's report was the second paragraph on page three stating that "new legislation should not be required". He noted that many agencies are looking to the legislature or to DIR to set some standards regarding social media records retention, but DIR is not making any recommendations at this time. The nature of social media is that is always evolving, and is not a type of record in and of itself. DIR's recommendation has been that agencies should find what works for themselves, and submit information about social media records to TSLAC as appropriate. Some agencies believe social media is a new record type, while some believe it falls under existing records series, he noted. DIR does not believe legislation should be passed to standardize social media records requirements, he said. Mr. Lee noted the DIR guidelines for social media are available on the DIR website. A toolkit is available as well, and additional components to the toolkit will be coming out before the end of the year, he said.
- Ms. Ferrari noted the letter sent out by the Council requesting additional membership to the BPC has produced results. New members added since the last Council meeting are Ms. Sheila Anderson and Ms. Shenny Scheth from the Department of Aging and Disability Services, Ms. Gayle Humpa from the 10th Court of Appeals, and Mr. Robert Marlin and Mr. Bill Fuqua from The University of Texas Medical Branch.
- Ms. Ferrari presented a summary of the responses received from the BPC survey sent out in late March. She noted some additional analysis of the survey results might be required, as some of the questions had very low response rates and some survey respondents submitted conflicting information in their responses.
- The survey followed the three workgroup reports to determine practices in electronic records, email and social media. Qualtrics was chosen as the survey tool after thorough testing by Ms. Ferrari, Mr. Chris Foster and Ms. Sarah Jacobson. The survey was released in late March and was expected to be completed by late April. The deadline was extended until May 31 due to low response rate.
- Ms. Ferrari brought the Council's attention to highlights of the survey responses received as noted in her written report to the Council.
- Ms. Hope Morgan asked if there was a 100 percent response rate to the survey. Ms. Ferrari noted that 88 responses were received out of more than 200 agencies surveyed. However, the response rate is difficult to determine as more than one individual from an agency might have responded.
- Survey responses show that the records management officer may be in senior management, mid-level management or not in management at all. Approximately 45% of agencies have a comprehensive policy for all e-records, but many do not yet have a high-level overall compliance plan.

- Ms. Ferrari noted that survey responses show the records retention schedule itself is better supported than training efforts. Training efforts were generally offered to records management staff but not to all staff.
- Questions 51 through 57 concerned training, but no response was received to questions 53 through 57. The survey is being analyzed to see if there were not responses to the questions for a variety of reasons or if there is a fault in the survey tool that caused the lack of responses. Responses to question 52 note that records management training is new, in development, or not offered often for many agencies.
- Responses to questions on email policy, disposition and archiving indicate that email management is problematic for many agencies. Email retention is often based on arbitrary decisions such as size and age.
- Social media survey questions produced conflicting responses. Some responders noted that social media is being used in their agency, but question 26 asking “list social media used at your agency” received no responses. Social media is much newer than email, so that might account for the lack of response, Ms. Ferrari noted. It may signify the lack of controls in social media practices at present as well.
- In general, electronic archives are either being maintained by the agencies themselves or they are being printed and transferred to TSLAC. Most agencies are not archiving born digital records in their native format, but are mainly scanning and importing such records into repositories.
- To summarize the survey, electronic records management is a necessary function that
 - does not have adequate support from management,
 - does not have enough resources (in staff, expertise, or funding),
 - operates separately from IT, and
 - has users deciding records status rather than staff with expertise or an automated system. Policies may or may not be in place.
- Responses to the last question (#60) were the most enlightening, Ms. Ferrari said. This question allowed for any type of response. Overall, agencies are interested in managing electronic records but face a constant struggle as they lack adequate support, staff participation and funding to do so. Lack of controls and complexity of systems cause problems in managing electronic records as well. Agencies seek expert guidance and support from TSLAC in simplifying electronic records management. Social media use is new to many agencies and many responders said they needed help in determining what records exist both in social media and on personal devices.
- Ms. Morgan asked if the survey included questions about electronic content management tools. Ms. Ferrari noted the survey did not specifically address such tools, but did ask what records management tools were being used.
- Ms. Ferrari noted that the survey took about 45 minutes to complete, so the BPC was pleased with the number of responses received even though the response rate was low.

- Ms. Morgan wondered if responders who noted electronic records management training was new might have received training in conjunction with new content management tools being employed by their agency. Deploying a new content management system often results in a reevaluation of records management practices, she said. Ms. Ferrari noted many responders said that electronic records management policies are new or being developed in their agencies. More analysis of survey results based on the size of the individual agencies who responded will be performed in the next month, Ms. Ferrari said.
- Ms. Rudd asked about the possibility of assembling a focus group of 12 to 14 survey responders, in particular responders who completely filled out the survey. Ms. Ferrari noted the value of a focus group and asked Mr. Foster if it would be possible to find out which responders completely filled out the survey.
- Ms. Rudd commended the BPC for its work on the survey and noted the importance and usefulness of the information gathered.

V. AGENDA ITEM 4 – REPORT ON WORK OF THE LOCAL GOVERNMENT RECORDS TASK FORCE

- Ms. Peggy D. Rudd noted the work of the Local Government Records Task Force might be of interest to the Council as it might result in new legislation during the upcoming legislative session. In 2011, the Honorable Sarah Davis authored legislation directing local courts to retain any court records produced prior to 1951.
- TSLAC brought together a task force to analyze and reach consensus on draft rules for local records retention. The draft rules were published in the *Texas Register* and received a large amount of public comment, Ms. Rudd said. Many comments focused on cost considerations as well as improved physical storage locations.
- The draft rules included three levels of storage requirements, ranging from basic to optimal requirements.
- Based on public comment received and task force input, TSLAC has decided to redraft the proposed new rules. The task force will consider the new draft at their July meeting.
- TSLAC is aware of the financial impact the proposed rules may have on local governments. To offset this impact, legislation previously proposed to add a fee to real property filings might be considered again. Revenue generated by the fee would be used to provide preservation grant funds for both state and local governments, Ms. Rudd said. Such legislation had been considered about four legislative sessions ago but did not pass, she said.
- The draft rules will be presented at the Texas Association of Counties 2012 conference at the end of August, Ms. Rudd said.

VI. AGENDA ITEM 5 – REPORT ON WORK OF COURT RECORDS PRESERVATION TASK FORCE

- As a member of the Texas Court Records Preservation Task Force, Ms. Laura Saegert of TSLAC has been visiting Texas counties over the past year to view their records storage facilities. Counties are doing the best they can, she noted, but conditions are still very disappointing.
- One of the primary goals of the task force has been to increase awareness of the importance of records storage, Ms. Saegert said. The focus has been on court records, especially those dating from prior to 1951. Security issues are also a concern, with many court records being removed from storage—either purposefully or accidentally. Ms. Saegert noted the Office of the Attorney General currently is working on a case involving records that have been purposefully removed from a courthouse in east Texas and sold to private buyers.
- Ms. Saegert invited the Council to examine the task force’s report, which is available on the task force website.
- Additional training for county clerks regarding records preservation will be presented by TSLAC staff, Ms. Saegert said. The training will focus on simple ways to improve records storage and slow down the deterioration of records. Three training sessions will be held in October, she said. A half-day session will be held at the 2013 County and District Clerks Association of Texas meeting in San Antonio as well.
- The State Bar has agreed to create a webinar training session, Ms. Saegert said.
- The task force is attempting to find ways to raise funds for county records preservation, Ms. Saegert said. Funding levels for records preservation vary from county to county, she said. Task force chair William K. Kroger will be drafting a letter to be sent to court clerks asking them to submit records preservation projects that could be completed for under \$5,000. The focus will be on preserving records from the Republic of Texas first.
- Some counties have turned over many of their oldest records to regional repositories, Ms. Saegert said. Mr. Kroger suggested a special meeting of the task force be held in late 2012 to address the role of regional repositories in court records storage. A better system of communication is needed, Ms. Saegert said, as many new clerks are not aware of transfers of records to regional repositories by their predecessors.
- Ms. Saegert will present information about records storage as well as the work of the task force at the upcoming State Bar meeting in Houston. She will present information regarding the recovery of stolen documents program as well. Additionally, documents preserved by the task force will be showcased at the meeting. Donations will be solicited for the task force preservation fund created by the State Bar, she said.
- At the upcoming County and District Clerk meeting in Galveston, Ms. Saegert and task force chair Mr. Kroger will present information on the

task force's work as well as records preservation information. Ms. Alexandra Myers of the State Bar will present information about records preservation funding, Ms. Saegert said.

- Ms. Saegert noted the task force has received favorable media coverage recently. She drew the Council's attention to articles about the task force in the February 2012 issue of *Texas Monthly* as well as the March issue of the *Texas Bar Journal*. Additionally, an exhibit is being planned at the Bob Bullock Texas State Museum in 2015.
- The future work of the task force will be to:
 - continue to raise awareness,
 - continue site visits,
 - provide additional training for clerks, and
 - address the issues raised concerning regional repositories.
- The task force will meet again in September, Ms. Saegert said.

VII. AGENDA ITEM 6 – TSLAC EXECPTIONAL ITEM REQUEST

- Ms. Peggy D. Rudd noted TSLAC will be putting forward a legislative request regarding access and preservation improvements and asking for additional staff members. Two of four new staff members would be dedicated to electronic records/archives programs, she said. She stressed the need for other agencies including DIR and the Council to be involved in this effort as well. TSLAC hopes the legislature will agree with the need for additional staff to further statewide records management goals.

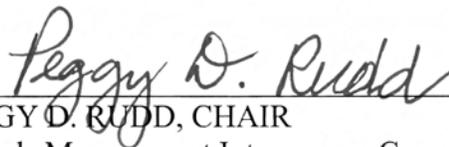
VIII. OTHER BUSINESS

- Ms. Peggy D. Rudd noted the need to fill the vacancy on the Council. The vacant position is for a member who has information resource manager experience. Three suggested candidates were proposed to Ms. Rudd by the TSLAC information resources manager Mr. Manuel Alvarez. The three recommended individuals were Mr. Steven Wilkins from the Texas Veterans Commission, Mr. Greg Wallace from the State Office of Risk Management and Mr. Daniel Julien from the Texas Historical Commission. Ms. Rudd noted she was not acquainted with any of the three suggested candidates, and asked if any Council members had any suggestions regarding them or any other potential candidates. She noted it would be optimal to have the vacancy filled before the September Council meeting.
- Ms. Hope Morgan noted that a representative of the Texas Historical Commission might bring valuable insights to the Council. Mr. Dan Procter noted he had been acquainted with Mr. Julien for a long time. The Council agreed to contact Mr. Julien about membership. If Mr. Julien declined membership, the Council agreed to contact Mr. Wilkins and Mr. Wallace. If all three potential candidates declined membership, Ms. Rudd would notify the other Council members and ask for other potential candidates.

IX. PUBLIC COMMENT

- Ms. Laura Saegert of TSLAC asked that state archives staff be more involved in future Council projects. Ms. Peggy D. Rudd noted that while the membership of the Council is set by statute, archives staff could be present at each Council meeting as a resource for the Council. Ms. Julie Leung noted that it might be informative to have a representative from the General Land Office (GLO) at Council meetings as well. Ms. Hope Morgan noted that a representative from the Railroad Commission might be valuable as well, and indicated the GLO has good communication with counties. Mr. Stephen Quick noted there had been a recent article in the *Texas Tribune* regarding GLO records. Ms. Rudd noted the Council could invite representatives from these agencies to Council meetings as resources even though they are not mentioned in statute as members of the Council.

In the absence of any further business, the meeting stood adjourned at 12:25 p.m.



PEGGY D. RUDD, CHAIR
Records Management Interagency Coordinating Council