

OVERSIGHT COMMITTEE ON PUBLIC RECORDS

Regular Meeting February 18, 2015

15-2-18-01

CALL TO ORDER AND ROLL

A regular meeting of the Oversight Committee on Public Records was held Wednesday, February 18, 2015. The meeting was called to order by Chairman Caroline Bradley, Designee for Paul Baltzell, Chief Information Officer, Office of Technology, at 1:30 p.m. in Conference Room 9, Indiana Government Center South-First Floor.

Members present constituting a quorum: Pam Bennett, Director, Indiana Historical Bureau; Mike Bozymski, Designee for Paul Joyce, State Examiner, State Board of Accounts; Caroline Bradley, Designee for Paul Baltzell, Chief Information Officer, Office of Technology; Jim Corridan, Director & State Archivist, Indiana Commission on Public Records; Erin Kellam, Designee for Jessica Robertson, Commissioner, Department of Administration; Jacob Speer, Director, Indiana State Library; Mallory Wilson, Designee for Connie Lawson, Secretary of State; Adam Berry, Designee for Mike Pence, Governor.

Members absent: Luke Britt, Public Access Counselor. Commission staff in attendance: Ted Cotterill, Deputy Director; Amy Robinson, Records Management; Beverly Stiers, County and Local Government Records Management. Guests in attendance: None.

15-2-18-02

NEXT MEETING

Caroline Bradley announced the next meeting would be held March 18, 2015 at 1:30 p.m. in Conference Room 10, Indiana Government Center South, 1st Floor.

15-2-18-03

PREVIOUS MEETING

A motion was made by Mike Bozymski and seconded by Jim Corridan to approve the minutes of the January, 2015 meeting. Pam Bennett corrected the word "parody" to "parity" on page 2, and Caroline Bradley pointed out a missing space between the words "federal" and "data.gov" on the same page. Corrections were approved by unanimous consent, and a vote was then taken on approval of minutes as amended. Motion carried.

15-2-18-04

OLD BUSINESS

1. Burial Transfer Permits

A question was raised at the previous meeting as to why the County Coroner retention schedule covers Cremation Releases, but not Burial Transfer Permits. Erin Kellam researched this and explained that the Coroner, who begins the Burial Transfer Permit process, is not the custodian of the final version with all signatures. Caroline Bradley asked if the Burial Transfer Permit was on the Local Health Department retention schedule, as the keepers of that final version. Jim Corridan replied that the Local Health Departments do not yet have an approved retention schedule. Beverly Stiers added that one is in development, but until it exists, they are retaining their copy of the permits permanently. Caroline Bradley asked if the Cremation Release also had a counterpart at the Local Health Department level; Erin Kellam stated that it does not, because that release is only issued by the Coroner's Office. No additional action was required.

2. Public-Private Agreement Retention Schedule

Jim Corridan explained that the PPA is a contract between a local government entity and a for-profit company to provide the operations, management, and potentially even construction of a facility. This creates overlap regarding which records should be retained and who should retain them. After reviewing the General Retention Schedule and consulting with the City of Indianapolis, the PPA schedule, tabled at the previous meeting for further consultation, was created to cover those records. Mr. Corridan added that the State Board of Accounts confirmed they would not audit the records of such an organization. Ted Cotterill provided an amendment to be inserted into Instruction #2 on page 1, adding IC 5-14-3-4(h)(1) to the list of citations providing authority to the Commission on Public Records in this matter. A motion was made by Jim Corridan and seconded by Erin Kellam to adopt the retention schedule as amended. Motion carried.

15-2-18-05

DIRECTOR'S REPORT

Jim Corridan reported that he was informed by the Governor's Office of a new appointment to the Oversight Committee on Public Records: Kurt Webber is an attorney from Carmel, Indiana, who will presumably be the at-large member and join the board at the next meeting.

Mr. Corridan added that the proposed legislation for ICPR passed the Senate by 50 to zero on February 17th, and that the 25 million dollars for a new Archives building found in the state budget has also been included in the House Ways and Means Committee budget. He reported that a meeting was pending with Senate staff to find out if it will also be part of the Senate Appropriations budget; he anticipates that it will. It is thus probable that in a couple of years, most ICPR operations will be consolidated into a single location, likely on the canal bank in downtown Indianapolis, across from the Historical Society.

Mr. Corridan also reported that ICPR has submitted a Request for Sole-Source Purchase of software at approximately \$74,000, with another \$15,000 per year for IOT servers, to run the operations of the Records Center, State Archives, and Records Management retention schedules, so that all of those things are in one database and the process of transferring records from an agency to the Records Center or Archives can be automated. This will save manual effort and later re-keying of information by ICPR staff, and substantially modernize catalog operations, creating a comprehensive, searchable, web-accessible Archives catalog for the first time. Agencies will also be able to search for and electronically request items that they have in the Records Center, and the functionality exists to track and monitor compliance with public records requests. Jacob Speer asked if the \$15,000 for IOT is the only ongoing cost; Jim Corridan replied that there would also be around \$10,000 a year for the software, for an annual total of \$25,000.

Caroline Bradley asked if this would be the final result of the current Archives inventory project. Mr. Corridan confirmed this, but clarified that the Archives was just one part; the Records Center inventory database and Records Retention Schedule information, both already existing as MS Access databases, would also be combined to automate the entire retention process. He stated his concern that once the new Archives building exists downtown, the volume of requests for records may vastly increase, so a full knowledge and presentation of our holdings is essential.

15-2-18-06

AGENCY REQUESTS-RECORDS RETENTION AND DISPOSITION SCHEDULE(S)

The Oversight Committee on Public Records took the following action regarding retention and disposition schedules.

1. INDIANA SCHOOL FOR THE DEAF

Agency Wide

A motion was made by Pam Bennett and seconded by Jim Corridan to approve Schedule No. 1 as submitted. Caroline Bradley stepped down as Chairperson to ask if the reference to 34 CFR 99.30 through 99.37 covers the confidentiality of the student records. Amy Robinson confirmed that this was the case. Motion carried.

15-2-18-07

NEW BUSINESS

Jim Corridan noted that there would be a long list of retention schedules for approval at the next meeting. Caroline Bradley asked if that would potentially include the question of videotape retention; Mr. Corridan said it likely would not, as that issue has not been finalized.

He also noted the existence of a separate bill, Senate Bill 500, which would require the Commission on Public Records to review and revise the retention schedules for school corporations by July 1st of 2015. The bill's author, Senator Pete Miller, has extended that deadline to December 31st, should it pass, to give ICPR time to revise the existing retention schedule. That revision project is already underway, including consultation with school superintendants, business managers, and other affected parties. This is likely to be an ongoing discussion over the next 12 months, however, because there has been pushback from school corporations about retention requirements for e-mail. ICPR is working to reduce their storage burden while maintaining the principle that the content of a record determines its retention requirements, not the storage format. An amendment to the bill has been proposed specifying that ICPR will review general procedures for e-mail retention, rather than creating a separate retention schedule for e-mail.

15-2-18-08

ADJOURNMENT

There being no further business before the Committee, Pam Bennett moved that the meeting be adjourned. Mike Bozyski seconded. Motion carried. Meeting adjourned at 1:50 p.m.