

Virginia Tech's
Electronic Records Guidelines

Department of Records Management Services
August 1, 2004

<i>Purpose</i>	This document provides guidelines for the management, retention, storage, and disposition of electronic records for Virginia Tech.
<i>Scope</i>	All faculty/staff
<i>Authority</i>	The State Library Board has been given the responsibility of regulating all records including electronic records. These duties are expressly outlined in the <i>Code of Virginia</i> (42.1-82). Virginia Tech is required to cooperate with the Library of Virginia in the implementation of procedures regarding the management of their records (42.1-85).
<i>Responsibilities</i>	The Library of Virginia is responsible for developing and monitoring the adherence to policies that ensure that public records are accessible, protected and preserved for future generations. Virginia Tech Department of Records Management Services shall develop guidelines to assist the chief administrators in proper handling of electronic records. Deans, Directors, and Department Heads (DDD) are encouraged to ensure compliance with the provisions set forth in this <i>Guideline</i> .
<i>Effective Date</i>	The effective date of this publication is August 1, 2004

1. Electronic Records As Public Records

The transition from paper and microform based information systems to electronic ones has generated questions and concerns about the management of electronic records. The purpose of the Electronic Records Guideline is to provide basic guidelines to assist in the university in better managing its electronic records.

Information maintained in electronic format does not have a different records status just because it is electronic. Electronic records are retained under the same standards as paper ones. For example: correspondence is kept for 3 years whether it's a signed paper letter or a saved word document on a hard drive.

Examples of the types of systems that produce electronic records include: e-mail, websites, imaging systems, word processing files, and electronic document management systems. Issues concerning Freedom of Information Act, privacy protection, discovery, retention, and disposition apply whether the information is in paper, microfilm, cd-rom, hard disk, an image, palm pilot or on your laptop. Remember:

- Electronic records are considered records if they meet the definition in Section 42.1-77 of the *Virginia Public Records Act*: "Regardless of physical form or characteristic, the recorded information is a public record if it is produced, collected, received or retained in pursuance of law or in connection with the transaction of public business."
- All electronic records are subject to the provisions of the *Virginia Freedom of Information Act (FOIA)* and the *Privacy Protection Act of 1976* and are subject to the legal discovery process.

2. General Management of Electronic Records

Electronic records are more problematic than other records in the areas of preservation and access since diskettes change size, proprietary systems disappear, and software sometimes can't be updated. Obsolete operating systems and obsolete hardware are common problems. Additionally, electronic records have no obvious physical relationships, unlike papers in a file, since electronic information is stored wherever there is room on the disk. Security, privacy and trustworthiness issues must also be addressed differently with electronic records. The key components of good electronic records management are:

- Electronic records shall be managed by Deans, Directors and Department Heads (DDD) in the *same manner* as all other public records.
- Owners (originators) of electronic records are responsible for effectively managing their electronic records including ensuring that back-ups of vital or permanent records are made and stored at an appropriate offsite facility. The University Storage Facility has a room designed for vital records storage. Contact Records Management Services (RMS) for instructions on its use.
- The practice of maintaining permanent records solely in electronic format, without an analog back up, i.e. paper or microfilm, is highly discouraged.

3. Management of E-mail

E-mail is the largest producer of electronic records and it has special requirements. Because of its immediacy and ease of use, many e-mail users *mistakenly* do not consider it to be a record. In reality, if official business is conducted via e-mail, even if over privately owned equipment, it is subject to the same rules and regulations as hard copy records. The only emails, however, that employees are responsible to treat as an official record are *sent messages* that contain *official university business*.

We strongly encourage all employees to adopt a simple system where they archive (unto a hard drive or a removable disk, tape, or memory chip) their “official” sent messages and retain them for three years as a general correspondence record. We also encourage printing any permanent records (such as university policy, procedures, executive board meeting records) to paper and storing them in folders. Retention of “non records” (unofficial) e-mail is discouraged.

It’s important not to keep every email or other electronic record forever. First and foremost, Virginia Tech, as a state agency, is obligated to follow the state law that requires the timely disposition of official records. Second, keeping every record opens departments, colleges and the University to substantial financial cost should we be required to produce all our records during the course of a legal action. Finally, it is easier to locate what you need when you don’t have to look through every email you’ve ever sent (or received). Points to remember:

- Archive E-mails in one of 2 categories:
 1. Correspondence-- electronically retain 3 years. (GS1110-100072).
 2. Policy, procedures, executive board meeting records-- retain in hard copy IAW GS Guidelines (GS1110-100073).
- In an e-mail the: to, from, date, & subject are metadata and along with attachments, are considered a part of the email. When transferred to another media, the appropriate metadata needs to follow the electronic records.
- When functional programs, sections, or departments of the university are discontinued, notify Records Management Services (231-6188) for instructions.

4. Retention, Storage, & Destruction of Electronic Records

Retention: The Library of Virginia has developed a set of General Records Retention and Disposition Schedules which apply to all records regardless of their format. State Record Schedule- [GS 110, Electronic Records](#), provides specifics for electronic records and can be viewed on the Records Management Services web site at: www.rms.vt.edu.

Storage: Records Management Services operates the University Storage Facility (USF). Inactive (normally referenced fewer than 10 times/year.) paper records may be stored in the warehouse. Electronic records may also be stored at the USF in the vault-room as off-site backup or as inactive records. Call RMS, Kathy Cantrell, 231-6188, for requests to store electronic records.

Destruction: All official records whether electronic or paper must receive an approved Certificate of Records Disposal from RMS **prior to** destruction. The certificate can be found at: www.rms.vt.edu. Owners of electronic records, including back-ups, must take special precautions

to ensure confidential or privacy-protected information is electronically wiped clean (not just deleted) of the tape or disk or physically destroyed. For information regarding removal of Commonwealth data from surplus computer hard drives and electronic media, contact RMS.

5. Responsibilities

RMS will provide guidance to the faculty/staff on the proper method for maintaining electronic records.

- All university personnel are responsible for ensuring their electronic records are managed properly.
- The custodian of permanent electronic public records will assume responsibility for maintaining these records so that essential evidence can be accessed in the future. This will require a migration plan to ensure that access is not thwarted by obsolete hardware or software.
- Vendors performing work for Virginia Tech are responsible for adhering to the Virginia Tech's *Electronic Records Guidelines*.

6. Definitions

Active Record: A record that is currently used routinely (at least once a month) to fill the need for which it was originally produced or acquired.

Archival Records: Permanent records determined to be of sufficient historical, continuing or enduring value as to warrant the added cost of storage, conversion and preservation in an archival facility. This does not include permanent records.

E-Mail (electronic mail, Instant Messaging, etc): Any communication that requires an electronic device for storage and/or transmission. E-mail often refers to a package of services designed to automated office communications.

Electronic Records: Records created or stored by electronic means, including but not limited to, computer files, scanned images, files on tape, disks or internal memory, and sent emails.

Historical Value: The value of a record based on its uniqueness, age, significance or ability to convey an understanding of the operation of the government.

Inactive Record: A record normally accessed fewer than 10 times/year.

Metadata: Metadata is structured data about data. Metadata is descriptive information about an object or resource whether it is physical or electronic. Metadata can be manually created or derived automatically using software.

Permanent Records: Records that require permanent retention based on administrative, fiscal, legal or historic values.

Records Retention and Disposition Schedule: An approved timetable stating the retention and disposition of specific public records.