


SUBJECT RECORDS MANAGEMENT	POLICY NUMBER 9.04	
POLICY MAINTENANCE ADMINISTRATOR: Director, Division of Administrative Services		
PURPOSE/SCOPE: To establish an effective department records management program for retention and destruction of public records.		

I. AUTHORITY

Section 97.057, Florida Statutes, Voter registration by the Department of Highway Safety and Motor Vehicles

Chapter 119, Florida Statutes, Public Records

Chapter 257, Florida Statutes, Public Libraries and State Archives

Section 320.833, Florida Statutes, Retention, destruction and reproduction of records; electronic retention

Section 321.23, Florida Statutes, Public records; fees for copies; destruction of obsolete records; photographing records; effect as evidence

Section 322.20, Florida Statutes, Records of the department; fees; destruction of records

Section 328.40, Florida Statutes, Administration of vessel registration and titling laws; records

Rule Chapter 1B-24, Florida Administrative Code, Public Records Scheduling and Disposition

Rule Chapter 1B-26, Florida Administrative Code, Records Management – Standards and Requirements

Department of State Handbooks:

1. General Records Schedules
2. Basics of Records Management
3. Records Storage and Facilities Guidelines for Archives and Historical Records Repositories
4. Micrographics Handbook
5. Electronic Records and Records Management Practices
6. Files Management Handbook

Executive Director SIGNED ORIGINAL ON FILE	Effective Date 04/01/1986
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II. RELATED POLICIES

- MP 9.01, Member Personal Files and Records
- MP 9.02, Personal Information Exempted from Public Disclosure
- MP 9.03, Providing Records to the Public
- MP 12.02, Data Governance
- MP 13.01, NTIS Limited Access Death Master File Compliance

III. DEFINITIONS

- A. Electronic Mail- Electronic mail or E-mail is the electronic transfer of information typically in the form of electronic messages, memoranda and attached documents from a sending party to one or more receiving parties by means of an intermediate telecommunications system. Electronic mail which is created or received by any agency in connection with official business is a record that is subject to access and records management laws and regulations.
- B. Electronic Record- Any public record that is recorded in machine-readable form.
- C. Exempt Records- Public records specifically exempted by law from public inspection.
- D. Public Record- All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business of the Department. Text messages may be public records and therefore retention could be required depending upon the content of those texts. See Department of State, General Records Schedule GS1-SL for State and Local Government Agencies, V., Electronic Records.
- E. OSA- Obsolete, superseded or administrative value lost. A record that is eligible for destruction whenever it is no longer of any use or value. The retention could vary from one day to any length of time thereafter.
- F. Record Copy- The public record that constitutes the official record maintained by the Department.
- G. Records Retention Schedule- A schedule describing the records and setting the retention period for each record series or type of record. This schedule issued by the Department of State officially determines the minimum length of time that the

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record series must be retained to meet administrative, legal, fiscal and historical needs.

IV. POLICY

The Department will establish and maintain an effective records management program for the custody, retention and disposal of public records.

V. ROLES AND RESPONSIBILITIES

- A. The Executive Director has appointed the Director, Division of Administrative Services (DAS), as the Records Control Officer for the Department. The Director of Administrative Services will appoint a Records Management Liaison Officer (RMLO) to assist divisions with their records management responsibilities.
- B. Each division should ensure that one contact person and one back-up person are assigned the division's records management responsibilities. The contact person shall serve as the division RMLO. It is recommended that these individuals attend the Department of State's Bureau of Archives and Records Management training program. In addition, they are required to acquaint themselves with the applicable Florida Statutes, Florida Administrative Codes and, where appropriate, use of the Department of State's handbook publications in the development and maintenance of their record management program.
- C. Records custodians are members within each division who have custody of public records. The records custodians are responsible for the records in their custody and should ensure records are maintained appropriately.

VI. PROCEDURES

- A. Establishment of Retention Schedules
 1. General Records Schedules for State Agencies are issued by the Department of State, Division of Library and Information Services, to establish disposition standards and provide minimum retention periods for records common to agencies within the State of Florida.
 2. Individual Records Schedules are established when an agency submits a Records Retention Schedule to the Department of State, Division of Library and Information Services and receives approval authority.

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B. Maintenance of Department Records

1. The Department RMLO will:
 - a. Serve as the Department liaison with the Department of State, Bureau of Archives and Records Management.
 - b. Attend the Department of State's Bureau of Archives and Records Management training program at least once every two years.
 - c. Establish and maintain secure storage facilities for public records that are stored within the Kirkman Building.
2. All division RMLOs will:
 - a. Serve as the division liaison with the Department RMLO.
 - b. Oversee the division records management program in conjunction with the individual records custodians to ensure the security and maintenance of public records, that public records are available for inspection and examination, and that they are properly disposed of after retention requirements are met.
3. The Department and division RMLOs will assist records custodians to ensure the record copy of all public records are maintained in accordance with the appropriate records retention schedule.
4. If a retention schedule needs revision, the Records Custodian and division RMLO will notify the Department RMLO who will provide the necessary information to the Department of State for processing. The retention will not change until officially approved by the Department of State.
5. Electronic Mail Records requirements:
 - a. E-mail is a method of transmitting information and must be evaluated just like information received through the mail, via fax, or in person. Electronic messages must be maintained according to the retention schedule of the record series they represent.
 - b. E-mail messages are automatically archived from the e-mail servers in "near real time". E-mail messages are retained on the archiving system for five (5) fiscal years from the date that it was archived. Though the e-mail archiving system will maintain archived e-mail for the period of five (5) fiscal years, it may be determined by business need, policy, or record retention that certain e-mail messages relate specifically to a particular record series, and are therefore required to be maintained for a period of more than five (5) fiscal years.
 - c. If e-mail pertains to a specific record series that requires a longer retention period than that described above, the e-mail must be retained with the other records pertaining to the subject, and follow the appropriate records retention schedule. It is the responsibility of the office that maintains the record copy of a record to comply with this sub-paragraph.
 - d. E-mail records received by the Department shall be maintained and retained as the record copy by the office that performs the last

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administrative act concerning the record. All other copies may be treated as OSA records.

C. Destruction of Departmental Records

1. The Records Custodian will use approved records schedules to determine record retention requirements.
2. The Records Custodians must document the destruction of public records on the Department of State Records Disposition Document. A copy of this form shall be sent to the division RMLO and the Department RMLO.
3. Hard copy records must be disposed of in accordance with Department of State General Records Schedule (GS1-SL) for State and Local Government Agencies.