Records and Information Management GA-LA-PR2

Responsible Officer: University Attorney
Sponsoring Department: Office of University Compliance and Legal Affairs
Revision Date: 20 March 2018
Errors or changes to: aim@uta.edu

CONTENTS

PROCEDURE OBJECTIVE

Procedure 13-5 provides guidelines for the maintenance and management of UT Arlington's records management program. The records management program's procedures and forms support the management of UT Arlington records and information in accordance with policies in UTS115, Records and Information Management and Retention Policy and *Records Management and Retention* (HOP ADM 5-402).

RATIONALE

The University of Texas at Arlington recognizes the need for orderly management and retrieval of official records congruent with all state and federal laws and related regulations. The University also recognizes the need to apply records management principles in order to promote the efficient use of University resources and ensure legal and appropriate storage and destruction of University records. The president of UT Arlington is responsible for the proper management of the University's official state records. State law requires each state agency to appoint a records management officer (RMO) to administer a records management program, disseminate records management information, and to act as the University's representative in all issues of records and information management policy, responsibility, and statutory compliance pursuant to Texas Government Code 441.184. The University Attorney is the appointed RMO for UT Arlington.

SCOPE

All UT Arlington departments which create, receive, process, store, reproduce, retrieve, and dispose of University records and information are required to abide by this procedure.

WEBSITE ADDRESS FOR THIS PROCEDURE

http://www.uta.edu/policy/procedure/13-5

RELATED STATUTES, POLICIES, REQUIREMENTS OR STANDARDS

UT System Administration Policies and Standards	Other Policies and Standards
UTS115, Records and Information Management and Retention Policy UTS139, Texas Public Information Act	Texas Government Code, Chapter 552, Public Information Texas State Library and Archives Commission, State Records Management Laws Texas Government Code, 441.183, Records Management Programs in State Agencies *Records Management and Retention* (HOP ADM 5-402) *Open Records Requests* (Procedure 13-1) Texas State Library State Bulletin No.1: Electronic Records Standards and Procedures Texas State Library State Bulletin No.3: Records Retention Scheduling Rules Texas Administrative Code, Title 13, Part 1, Chapter 6, State Records, Subchapter A,Records Retention Scheduling Texas Administrative Code, Title 13, Chapter 6, State Records, Subchapter B,Microfilming Standards for State Agencies Texas Government Code, 441.186, Archival State Records Texas State Library and Archives Commission State and Local Government: Disaster Preparedness Manual Texas State Records Management Manual

CONTACTS

If you have any questions about this procedure, contact the following departments:

Subject	Office Name	Telephone Number	Email/URL

All topics in Procedure and Website Address	Records Management	817-272-0222	rim@uta.edu

DEFINITIONS

Archival University Records: Records that are used for research and reference by University offices, students, and the general public and may be retained permanently due to their lasting historical value: Special Collections, The University of Texas Library serves as the official archives for UT Arlington.

Certification: The process, inclusive of recertification, by which the records retention schedule or amendments to the schedule are approved for use.

Confidential Records: Records to which public access is denied under the Texas Government Code, Chapter 552, or other state or federal law: some examples are student records, personnel files, some litigation records, records that contain trade secrets, records that relate to bid competition, and memos consisting of advice, opinion or recommendations on University policymaking matters.

Departmental Records Management Contacts (RMCs): University employees designated to work with the University's records management administrator (RMA) to collect or distribute records management information and help maintain the University's records management program within their departments.

Electronic Records: Information captured through electronic means. Examples include, but are not limited to: emails, word processed documents, databases, websites, intranets, spreadsheets, PowerPoint presentations, and digital images.

Final Disposition: Final processing of state records by either appropriate destruction or archival preservation in accordance with Government Code, Chapter 441, Subchapter L.

Microfilm: The photographic process of creating miniaturized images of records on film.

Official University Record: This term applies to any written, photographic, machine-readable, or other recorded information created or received by or on behalf of the University that documents activities in the conduct of business or use of public resources. The term excludes:

- library or museum material made or acquired and preserved solely for reference or exhibition purposes

- extra copies preserved only for reference

- stocks of publications or blank forms

- correspondence, notes, memoranda, or other documents not containing a final written agreement associated with a matter conducted under an alternative dispute resolution procedure in which university personnel participated as a party, facilitated as an impartial third party, or facilitated as the administrator of a dispute resolution system or organization

Public Information Officer (PIO): Under provisions of the Texas Public Information Act (Texas Government Code, Chapter 552), the president may delegate authority as the custodian of records to the public information officer (PIO). The University Attorney has been appointed PIO at UT Arlington in accordance with procedures outlined in UTS139, Texas Public Information Act. Written requests for documents under the Texas Public Information Act are directed to the PIO and addressed pursuant to provisions of *Open Records Requests*(Procedure 13-1).

Records Management: Texas Government Code 441.180, Definitions(7) defines records management as the application of management techniques to the creation, use, maintenance, retention, preservation, and destruction of records for the purposes of improving the efficiency of recordkeeping, ensuring access to public information and reducing costs. The term includes:

- development of records retention schedules

- management of filing and information retrieval systems in any media

- adequate protection of records that are vital, archival, or confidential according to accepted archival and records management practices

- economical and space-effective storage of inactive records

- control over the creation and distribution of forms, reports, and correspondence

- maintenance of public information in a manner to facilitate access by the PIO

Records Management Administrator (RMA): An employee appointed by the records management officer to assist in the daily administration of the UT Arlington records management program.

Records Management Officer (RMO): The records management officer administers the records management program established in each state agency under Section 441.183, Texas Government Code. The president appoints the RMO and reports the appointment to the Texas State Library. The RMO for UT Arlington is the University Attorney.

Records Series: A group of identical or related records that are normally used and/or filed together, and that permit evaluation as a group for retention scheduling purposes is referred to as a records series. Records retention schedules generally apply to records series.

Records Retention Schedule: The records retention schedule provides a list of official records for each department and prescribes their periods of authorized retention and other data necessary for the records management program. The schedule is periodically updated to reflect the addition or deletion of records series and changes in retention needs and/or requirements.

Transitory Records: Records that are not part of an official university records series listed on the records retention schedule and that do not meet the definition of official university record.

Vital Record: An official university record necessary to the resumption or continuation of operations in an emergency or disaster, the recreation of legal and financial status, or the protection and fulfillment of obligations to the people of the State of Texas.

Departmental Records Management Contacts (RMCs) and Additional Designated Staff

- Retain departmental records according to the current posted records retention schedule.

- Dispose of records that have met retention requirements using appropriate methods.

- Maintain vital records plans for departmental records as needed for disaster recovery.

- Notify UT Arlington Library's Special Collections Division regarding availability of archival records.

- Provide retention schedule changes for departmental records to the RMA.

- Maintain records on microform and electronic media in accordance with the administrative rules of the Texas State Library.

- Assist users and department heads or equivalents in assessing records to determine their appropriate storage, retention, and disposition.

Public Information Officer/University Attorney

- Coordinate responses to requests for public information appropriately submitted.

Records Management Administrator (RMA)

- Provide assistance with the implementation and daily administration of the UT Arlington records management program.

Records Management Officer (RMO)/University Attorney

- Submit the UT Arlington records retention schedule for recertification to the Texas State Library.

- Maintain records management websites, procedures, and forms.

- Act as representative in all issues of records and information management, policy, responsibility and statutory compliance.

- Disseminate to employees information concerning state laws, administrative rules, and agency policies and procedures relating to the management of state records.

- Provide annual reports on the status of the records management program to the president.

- Submit amendments to the records retention schedule to Texas State Library.

- Provide records management training and resources for UT Arlington employees.

- Promote access to public information and protection of confidential and vital records.

- Appoint a Records Management Administrator to assist with the implementation and daily administration of the UT Arlington records management program.

University Archivist

- Provide guidance in identifying records appropriate for transfer to the University archives.

- Maintain UT Arlington archival records in accordance with applicable standards.

PROCEDURES

Section I. Recertification of UT Arlington Records Retention Schedule

The UT Arlington records retention schedule is prepared and maintained by the RMA. The schedule lists all records created or received by the University, and specifies how long the records are to be retained. The retention schedule also contains other information useful to the records management program.

A. The Records Retention Schedule is Recertified Every Three Years.

    1. The Texas State Library notifies the UT Arlington RMO when UT Arlington's records retention schedule is due for recertification.

    2. One month prior to the deadline for submission of the schedule for recertification, the RMA distributes a *Records Retention Schedule Departmental Records Amendment* (Form 13-8) by email to departmental RMCs, requesting retention schedule updates for their records.

    3. Departmental RMCs access their posted retention schedule information, compare the current status of the records in their departments, and identify needed changes which may include:

        a. adding a new records series: RMCs can review the schedule or contact the RMA to be sure the records series does not already exist before adding it. See Subsection I.F. of this procedure for identification of records to be added to the retention schedule.

        b. deleting an existing records series or transferring a records series to another storage medium: RMCs should understand the impact on other departments when the records are no longer available as well as the associated costs and possible retrieval issues if the records are public.

        c. changing the records' operational retention requirements: RMCs should consult with the RMA regarding this type of change.

4.   Changes are forwarded to the RMA, who will produce an updated records retention schedule and submit a copy of the new schedule to the Texas State Library for recertification.

        a.   The records retention schedule format is based on Texas State Library form SLR105, *State of Texas Records Retention Schedule.*

        b.   The retention schedule is submitted with form SLR105C, *State of Texas Records Retention Schedule Certification*.

5.   Upon receipt of the updated schedule and request for recertification, the Texas State Library notifies the RMO when the schedule is recertified.

6.   Records of departmental updates are maintained by the RMA .

7.   The RMA will ensure that changes receive appropriate follow up.

B.   During a certification period, the RMA will keep the retention schedule current by submitting amendments to the schedule. Amendment information is gathered from departments, using *Records Retention Schedule Departmental Records Amendment* (Form 13-8) form.

C.   The RMA posts updated records retention schedules on the Records and Information Management website and notifies departmental RMCs when updated schedules are posted.

1.   The RMA sends an email with a link to the new schedule to the RMCs requesting that they review changes to ensure that the information posted for their departments is correct.

2.   Note: Where there is no documented interdepartmental workflow, the addition or deletion of records in one department may impact the work in a downstream department.

3.   The RMA will work with affected departments to resolve any questions or issues that result from the review.

D.   The RMA, after receiving approval from the RMO, may submit a complete retention schedule for recertification at any time during a certification period.

E.   The RMA will use retention schedule update information to assess accumulation, activity and volume of active and inactive records, appropriate access to public and confidential records, and redundancies and gaps in critical pieces of the University's information infrastructure.

F.   To be considered for listing on the records retention schedule, records must be organized into a unique records series, or logical grouping of records that can be referred to altogether in function, e.g. a personnel file.

1.   An official University record may be written, photographic, machine-readable, or other recorded information created or received by or on behalf of the University, that documents activities in the conduct of University business or use of public resources.

2. The term does not include:

    a. library or museum material made or acquired and maintained solely for reference or exhibition purposes

    b. an extra information maintained only for reference

    c. a stock of publications or blank forms

3. For assistance in determining if records should be added to the records retention schedule, departmental RMCs should contact the RMA.

Section II. Destruction of University Records

Although a small percentage of our records are retained for archival preservation or "permanent" retention requirements, the majority of our records must eventually be destroyed in an appropriate and timely manner.

A. Destruction of Transitory Records and "Non-records"

1. "Transitory" records are not part of an official University records series listed on the records retention schedule and do not meet the definition of official University record. They are not essential to the documentation of University business or the fulfillment of statutory requirements.

    a. Examples of transitory records are meeting notices, routing slips, and other records having one time or short term value.

    b. Transitory records that do not contain confidential or restricted information may be disposed of in general trash pickup when they are no longer useful.

    c. Transitory records containing confidential or restricted information should be shredded.

    d. "Non-records" include obsolete blank forms and duplicate records.

B. University records may be destroyed when the following criteria are met:

1. Notification that the record is currently identified as part of any records or group of records that are subject to current, planned or possible actions requiring their review, e.g. open records request or litigation hold, has not **NOT** been received, or official notification has been received indicating that a litigation hold on the records has been lifted.

    a. Types of holds on records include litigation (the records may be on "litigation hold"), claim, negotiation, audit, open records request, and administrative review. For more information regarding litigation holds on email and other electronic records, contact the Information Security Officer at iso@uta.edu or call 817-272-5487.

b. Destruction should be placed on hold until notification has been received that all reviews, appeals, issue resolution, etc. have been officially completed.

c. Documentation of notification that records are no longer on hold and may be destroyed should be retained.

2. The records appear on the UT Arlington records retention schedule and the retention period has expired, or the records are exempted from the need to be scheduled.

a. Criteria for adding a records series to the retention schedule can be found in Subsection I.F of this procedure.

b. University records that have not yet been scheduled cannot be destroyed until a records destruction request is submitted by the RMO to the State Records Administrator and approved.

I. Departmental RMCs will submit a *Request for Authority to Dispose of Unscheduled University Records* (Form 13-7) to the RMO when there is a need to dispose of unscheduled records.

II. The RMO will submit State Library form SLR102, *Request for Authority to Dispose of State Records* to the Texas State Library and Archives Commission (TSLAC) State and Local Records Management Division for approval and notify the RMC when approval to dispose of the unscheduled records has been received.

3. The records are not flagged as archival in the records retention schedule. If the records series is flagged "archival", or if the records are not flagged archival but have archival characteristics, notify the UT Arlington University Archivist at extension 27511 or email questions to spcoref@uta.edu.

C. Destruction of Scheduled Records that Meet Criteria Listed in II.B.

1. Prior to the disposal of official records that are listed on the state-certified UT Arlington records retention schedule, a *Records Disposition Log* (Form 13-6) should be completed by the RMC. If the records will be disposed of through trash collection or shredded in the department, forward a copy of the destruction log to the RMA.

2. Choose a destruction method based on:

a. security level of the records (confidential, restricted, public);

b. space available for storage, staging, and destruction; and

c. costs associated with options available.

3. **General Disposal** (trash collection or bulk recycling) may be used for records that do **not** contain confidential or restricted information.

4. **Shredding** (or disintegration or pulping) is **REQUIRED** for **ALL** records (including transitory, official record copies and duplicates) containing information **confidential** or **restricted.** Records containing both confidential and public information should be considered confidential in its entirety.

   a. Shredding may be done in the department when costs of equipment and labor are justified and adequate secured space is available.

   b. If the shredding services are coordinated through Asset Management, complete a *Document Destruction Request Form* ([Form 2-50](#)). Attach the destruction log to the records destruction request and send both to Asset Management, inter campus mail box #19536. Asset Management will use a third party vendor for the destruction of the records.

   c. If records to be shredded contain confidential or restricted information, they should be boxed and taped. The boxes can then be held in a secured area until they are picked up by Asset Management or taken directly to Asset Management.

   d. Marking boxes with the sending department's name, the date sent, and either a description of box contents or a box number referencing the list of boxes with contents described on the destruction log can help track the records and ensure that they reach their destination.

   e. When the records have been destroyed, Asset Management staff will note when the records were destroyed and return the destruction log and destruction request to the department.

      I. A certificate of destruction will be produced by the vendor and forwarded to Asset Management who will route it to the departmental RMC.

      II. The department will then send the certificate of destruction and destruction log to the RMA and, if desired, retain a copy in the department.

D. E-mail and other electronic records are disposed of according to the retention requirements and the security status of their contents. Most emails are transitory in nature and may be deleted when no longer in use. See [UT Arlington's Information Security Classification Standards](#) for information regarding the security classification of data.

   1. Records listed on the retention schedule and stored electronically are disposed of when their retention requirements are met.

   2. Disposition methods must ensure the protection of any confidential information.

   3. Magnetic storage media may be reused if the information stored was public information, or if previously stored information has been removed and is no longer accessible.

4. **If electronic records are not listed on an approved retention schedule, a request must be submitted by the RMO to TSLAC and approved *prior* to erasing the records. To initiate this procedure, a *Request for Authority to Dispose of Unscheduled University Records* (**Form 13-7**), should be completed by the appropriate RMC and forwarded to the RMA.**

5. Discarded computers are transferred to Central Receiving for destruction. Managers or others with authority to send computer hard drives to Central Receiving for destruction are responsible for the completion of all required steps to ensure that no official University records remain on the hard drive when it is sanitized and the computer is transferred. Department managers or others with authority to transfer computers to Central Receiving for destruction should ensure that all information stored on computers transferred to Central Receiving has been inventoried and disposed of, saved, protected if confidential, transferred, printed, or distributed as needed prior to transfer of the computer in order to effect compliance with TAC 202.78 Removal of Data from Data Processing Equipment.

   NOTE: Departmental managers are responsible for ensuring all hard drives are sanitized prior to transfer to Central Receiving.

   a. Authorizer of transfer initiates the process by informing the user that his/her computer will be sent to Central Receiving after the hard drive is sanitized. The user is directed to comply with information security's acceptable use policy and to remove all critical records from the hard drive. At this time, any records that may be official University records should be moved to a shared drive for greater security and to prevent inadvertent destruction of official records. Information will be available to help the user distinguish official records from other records and non-records.

   b. User complies with the acceptable use policy and notifies the authorizer of transfer that all critical records have been moved off the hard drive.

   c. If the user does not know if certain records on the hard drive are official University records then the departmental RMC will be consulted to assist. If official record copies are identified and deleted due to their having met retention requirements, then the RMC will document the destruction on a disposition log to be forwarded to Records Management

   d. The RMC will notify the authorizer of transfer that there are no remaining official records on the hard drive. If the user states there are no official record copies on the hard drive to be assessed by the RMC, the user will then provide this information to the authorizer of transfer.

   e. The authorizer of transfer will approve the user or IT staff to sanitize the hard drive. When sanitization is complete, the authorizer will be notified.

   f. The RMC will document the actions taken to assess and properly address any official record copies on the hard drive. Documentation will be sent to Records Management Administrator.

g.   If the hard drive of a computer crashes, an inventory transfer form will be used to document the fact that any records on the drive could not be inventoried or assessed.

h.   If a computer is replaced and all records on the hard drive of the old computer are migrated successfully to the new computer, the records on the old computer become reference copies and do not require disposition documentation.

Section III. Maintenance of University Records on Electronic Media

Microfilmed and electronic records are classified, retained and disposed of according to the approved records retention schedule as it applies to the content of the records. There are specific state standards for how these media are used to store University records.

A.   **Electronic Records General Procedures**

1.   Administrative rules that help ensure retrievability can be found in the Electronic Records section of the Texas State Records Management Manual. These rules apply to electronically maintained official record copies of University records.

2.   A file index can be maintained manually or in a simple database to track the title, years, content, location, public or confidential status, etc. of any group of electronic files and related files in other media.

3.   The integrity of electronic University records should be protected to prevent unauthorized access, alteration, or deletion.

4.   Authorized users with different software/operating systems will all need to be able to access and/or process the records.

5.   Electronic files stored in logical functional order can ensure retrievability and proper management when the records are ready to be deleted. The RMA can assist in developing filing systems, and information is available in the Filing Systems section of the Texas State Records Management Manual.

6.   File names that coordinate with files in other media can ensure the ability to organize and retrieve all related information. File names are particularly important when backup versions and previous versions are retained.

7.   E-mail sent or received is considered a state record; therefore, all e-mail messages must be retained or disposed of according to the records retention schedule.

a.   E-mail generally falls into several common record series categories:

I.   Transitory Information describes records of temporary usefulness that are not part of a records series, not regularly filed, and are required only for a short period of time. Examples include meeting notices and routine information used for

communication, but not documentation, of a transaction. Transitory email can be deleted when it is no longer useful.

II. Administrative Correspondence includes incoming/outgoing and internal correspondence. Correspondence related to policies and procedures is maintained by records retention schedule requirements and reviewed for archival value.

b. General Correspondence, including non-administrative incoming/outgoing and internal correspondence, pertains to routine operations. General correspondence is maintained by records retention schedule requirements.

8. University records maintained in personal computers should be protected with measures to address the physical security of the computer hardware and by controlling access to the data. Information regarding steps that can improve security are available in the Electronic Records section of the Texas State Records Management Manual. Also see UT Arlington's Information Security Classification Standards for information regarding the security classification of data.

9. Magnetic media storage conditions are best at about 70 degrees and 40% humidity, and optical disks can be stored in areas with temperature of 14 to 122 degrees and humidity of 10% to 90%.

10. **The University's** Information Resources Acceptable Use Policy prohibits the storage of critical records on University computer hard drives. If this rule is not followed, the amount of time required to assess records on the hard drive prior to sanitation will increase considerably. All official records must be stored on shared drives which are backed up. The advantages and disadvantages of storing records on various media such as hard drives, magnetic tape cartridges, optical disks, etc. can be found in the *Electronic Records* section of the Texas State Records Management Manual.

B. **Electronic Records (including imaging) - General Guideline and RegulationsIf the official record copy of an official state record is maintained on microfilm or in an electronic format, the State requires compliance with rules that assist in preserving and protecting the records and making them be accessible and retrievable until their required retention has been met.**
Given their limited stability and dependence on particular hardware and software configurations, it is highly unlikely that a single set of imaging components will be able to satisfy retention and access requirements for long term and permanent documents. All storage or maintenance of state government records electronically must adhere to the state *Standards and Procedures for Management of Electronic Records*(13 TAC ¤6.91-¤6.99). The RMA staff can assist in reviewing the costs and benefits of storage options.

1. **From State Agency Bulletin Number One, "Electronic Records Standards and Procedures"**

Any electronic records system developed or acquired by a state agency must meet the following requirements:

a. have the capability for preserving any electronic state record resident in the system for its full retention period; or, there must not be any system impediments that prevent migrating the record to another electronic records system, in as complete a form as possible;

b. sufficiently identify records created on the system to enable agency staff to retrieve, protect, and carry out the disposition of records in the system;

c. ensure that any electronic state records can be identified that are part of a records series maintained in multiple records media such as paper, microform, etc.; and

d. provide a standard interchange format, when determined to be necessary by the agency, to permit the exchange of records on electronic media between agency computers using different software/operating systems and the conversion or migration of records on electronic media from one system to another.

2. **Standard Operating Procedures must be Documented and Followed:**

a. **Document Prep**

Document preparation is often overlooked during the planning stage. Document preparation can be very labor intensive and costly. Procedures must be developed to receive and track documents as well as preparing them. Resolve any problems with files (missing pages, out of sequence, poor quality) during document preparation before it gets to the scanning station.

b. **Scanning**
There are many types of scanners on the market today, from hand held scanners to large engineering drawing scanners. Determine the most cost-effective type that will meet your needs, based on volume and variation in the documents, indexing procedures, etc.

3. **Indexing**

Proper indexing is critical to the successful implementation of an imaging system. If the index is poorly planned, document images will be unretrievable and system performance will be degraded.

a. First, find out how users typically ask for and use documents in a particular application.

b. Design an indexing scheme. This would include such items as how many indexing fields there will be, how long the fields will be and what characters will be included in the field.

c. Design the indexing procedures such as manual data entry from the hard copy or entered from the displayed scanned image. Optical

character recognition (OCR) can be used to eliminate manual data entry.

    d.   Run a test on actual documents and determine what the operational cost will be to index the documents.

4.   **Quality Control**

The successful implementation of the imaging system depends on effective quality control procedures that are properly documented, administered and maintained.

    a.   Image Inspection- Images may be displayed for inspection either immediately after scanning or just prior to index entry. Documents may be scanned in batches for inspection at some later time. The combination of image inspection and index data entry can be very effective.

        I.   State standards require that every scanned image is visually inspected. Images should be checked to see whether the document was scanned right-reading, the document passed through the scanner without skewing or folding edges, or the document is obscured in any way. The operator must confirm that the small print, light pencil marks, and faded areas are legible.

        II.   Scanner testing provides a means of quality control from document input to output. The use of ANSI/AIIM MS44-1988 is required for paper scanners and ANSI/AIIM MS49-1993 is required for film scanners. The purpose of these procedures is to allow the operator to determine that the scanner is properly setup before scanning documents. Original documents should not be discarded until reliable, consistent recording is confirmed and all state standards are met.

        III.   Indexing - Since many retrieval operations involve an exact match of a specified character string, or numeric value, a data entry error involving a single character in an index record can render its associated image unretrievable. Two methods of index verification can be used. Visual proofreading is one method in which the operator visually verifies each index. This can be done in conjunction with the visual review of each image. Sampling can be done in order to save time; however, there is the risk of missing an indexing error, which can make an image "disappear".

5.   **Backup Procedures**

Backup procedures must be established to protect against loss of access to imaged records.

a. If the user chooses to backup images on electronic media, procedures must be established to create security copies of digital records and any software or documentation that is necessary to read the records in the backup system.

b. For vital records, the backups must be stored in a separate building from where the records are maintained.

c. Index backup - indices are generally stored on magnetic disks for online retrieval and can be backed up on magnetic tape.

d. Software and documentation backup - software will probably be backed up on magnetic media, but can also be printed out for a backup.

6. **Third Part Electronic Records Storage (Cloud)**

"Businesses that are regulated and have a high priority on information security are under threat if they move to the cloud." Michael Geist, JSD, Canada Research Chair in Internet and E-Commerce Law. If a decision is made to store official record copies of official UT Arlington records with a "cloud" service, then you will be as responsible for the actions of the service as you would be if the records were stored in your office. For this reason it is important to have an SLA (service level agreement) that holds the service responsible for following all applicable state guidelines while the records are in their custody, including retention and disposition requirements.

a. When your contract with the cloud expires, all records and metadata will have to be migrated securely to another system if retention on the records has not been met.

b. If there is a breach in security, everyone who has information in the cloud has to be notified by both the cloud provider and the University.

c. The SLA cannot cover all possible unplanned service interruptions, but it should include their service interruption strategies.

d. You will be held responsible for making sure the SLA covers data preservation, privacy and security. Test their projected recovery time and data integrity.

e. Compare ROI in hardware and personnel with the monthly service provider subscription costs, costs of migration (platform lock-in?) and download fees, any software purchases required, integration costs of apps from different vendors, possible needs to purchase more bandwidth, the cost of maintaining backups, and extraction fees. Will there be a charge to extract data? If so, how much per gigabyte?

f. If you enhance your data in the cloud, will you get a copy of the enhanced data as well or is the agreement just for the original data? Will the provider be required to keep the data during a transition period?

g. Courts do not usually distinguish between "data in possession" and "data under control" for purposes of discovery. Make sure that if documents in the cloud are subpoenaed the provider will retrieve them for you. The SLA should address destruction of records and ensure data will not be erased or overwritten by the server. Cloud servers located in other states or countries may be subject to the laws of other jurisdictions.

Section IV. Preservation of Archival University Records

Archival records have been appraised for archival value that warrants their preservation past their required retention period. Official UT Arlington records that are identified as archival are transferred for appropriate cataloging and preservation by Special Collections, The University of Texas at Arlington Library after they have met their retention requirements.

A. **Identification of Archival University Records**

Archival records are indicated on the records retention schedule with an "I"or an "O" in the "Archival" column.

1. Records that have an "I" and that have met their retention requirements are transferred to Special Collections, The University of Texas at Arlington Library, when transfer has been authorized by the University Archivist.

2. Records that have an "O" may or may not be archival. These records require review by the University Archivist to determine their archival value after they have met their retention requirements.

B. **Transfer of Archival Records to Special Collections, The University of Texas at Arlington Library**

1. If the records retention schedule "Archival" column contains an "I" or an "O", contact the University Archivist at extension 27511 or email Special Collections at spcoref@uta.edu. Please do not send records to Special Collections until the University Archivist has provided notification that they are ready to receive the records.

2. If the records are determined not to be archival and the records will be disposed of, refer to Procedure Section II, Destruction of University Records.

   a. If the records are sent to Special Collections, The University of Texas at Arlington Library, and are not destroyed, indicate the transfer in the "disposition" column of the *Records Disposition Log*(Form 13-6) and forward a copy of the log to the RMA.

C. For more information regarding archival records, you may contact the University Archivist at extension 27511 or email questions to specoref@uta.edu.

Section V. Maintenance of Vital University Records

Vital records plans are developed and maintained for these records to ensure continuation of daily business operations when a disaster such as flood or fire destroys offices and buildings where the working copies are being used.

A. Records may be vital if they are:

1. necessary for the operation and continuation of the University's business

2. legal documents needed to provide proof of authority or activity

3. specifically designated to be vital by state or federal law or regulation

B. Vital records may not always be permanent records. Examples are accounts receivable, which are vital until payment is received, and contracts that are vital until they are no longer in effect.

C. Vital records may not always be archival records, but vital records may have archival value and be important resources for historical or research purposes.

D. Vital records are usually protected by producing and maintaining one or more current duplicates and dispersing them.

E. Vital record duplicates may be maintained offsite or onsite.

1. Onsite storage of duplicates may require the appropriate placement of specialized storage equipment that provides resistance to fire damage and damage caused by water or chemicals used to suppress fire.

2. Environmental (temperature and humidity) needs for storing vital records in different media can be found in the Disaster Preparedness section of the Texas State Records Management Manual.

3. If offsite records storage is provided by a vendor, the vendor should contractually agree to maintain the records in conditions that meet the TSLAC standards.

F. Vital records planning information for electronically stored vital records is available in Texas State Library State Bulletin No.1: Electronic Records Standards and Procedures.

G. Vital records plans for records that are updated frequently may involve simply making and dispersing paper copies and exchanging them for updated ones when appropriate.

H. Vital records plans include duplication schedules, responsibilities, and locations of dispersed duplicates.

I. More detailed information on vital records planning is available in the Texas State Records Management Manual section titled Disaster Preparedness.

Section VI. Release of Public Information

Under provisions of the Texas Public Information Act (Texas Government Code, Chapter 552), the President may delegate authority as the custodian of records to the PIO. The University Attorney has been appointed PIO at UT Arlington in accordance with the procedures outlined in UTS139, Texas Public Information Act.

Written requests for records and information under the Texas Public Information Act should be directed to the PIO immediately.

Public records and information must be available and accessible until their retention requirements have been met. All records listed in the retention schedule are subject to various types of requests. Records and information that the University and/or UT System may not wish to disclose or records that contain information that might be protected from disclosure by law must be reviewed by the University Attorney. In some cases, the University Attorney may confer with the Office of General Counsel (OGC). OGC staff may then decide to request an Attorney General opinion to determine if the records must be made public. Within ten business days of the University's receipt of an open records request, an action must be taken and communicated to the requestor by staff who process open records requests or, in some cases, by OGC staff; therefore, it is critical that any request for records be forwarded to the Public Information Officer immediately. If an adequate response is not forthcoming within ten business days, the information may be required to be disclosed to the requestor.

FORMS AND TOOLS/ONLINE PROCESSES

- *Records Disposition Log* (Form 13-6)

- *Request for Authority to Dispose of Unscheduled University Records* (Form 13-7)

- *Records Retention Schedule Departmental Records Amendment* (Form 13-8)

- *Document Destruction Request Form* (Form 2-50)

- *Shredding of Records Through Asset Management*(Procedure 2-74)

- Texas State Records Retention Schedule

- UT Arlington Records Retention Schedule

- UT Arlington's Information Security Classification Standards

- Information Security Resources Acceptable Use Policy

APPENDICES

Appendix 1 - Texas Administrative Code, Title 13, Part 1, Standard Procedures for Management of Electronic Records
http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=5&ti=13&pt=1&ch=6&sch=C&rl=Y

Appendix 2 - Guidelines for the Management of Electronic Transactions and Signed Records Prepared by the UETA Task Force of the Texas Department of Information Resources and the Texas State Library and Archives Commission (TSLAC)
http://www.dir.texas.gov/pubs/pages/uetaguide.aspx