



ADMINISTRATIVE DIRECTIVE

Title: Electronic Mail (E-mail) Retention & Storage
Issuing Department: Town Manager/Town Clerk
Effective Date: November 15, 2010
Reviewed: Town Manager, Town Clerk, Legal, Human Resources, Technology Services
Approved: Town Council by Resolution Number 2010-23
Type of Action: New

1.0 PURPOSE

Electronic communications have become the preferred means of communicating in today's business world. E-mail and other electronic communication and information management tools are the fastest and most efficient means of communicating and are being used by nearly every employee and official at the Town of Marana. This Administrative Directive clarifies the Town of Marana's policies governing the use and storage of e-mail communications.

2.0 DEPARTMENTS AFFECTED

All Town of Marana departments, employees and appointed and elected officials.

3.0 REFERENCES

- 3.1 A.R.S. §§ 41-1350, 41-1351, 38-421 and 41-1347
- 3.2 A.R.S. §§ 39-121 *et seq.*: Public records law
- 3.3 A.R.S. § 38-431 *et seq.*: Open meeting law
- 3.4 Town of Marana Personnel Policies and Procedures, Policy 5-4: Use of communications systems and equipment
- 3.5 Town of Marana Code of Principle and Ethics-centered Governance
- 3.6 Town of Marana Town-Issued Computer Equipment/Software and Electronic Communication Usage Policies for Council Members
- 3.7 Email Acceptable Usage Policy #2006-003 and any superseding policy or directive implemented at a later date

4.0 DEFINITIONS

- 4.1 Backup
E-mail records created on a daily basis for the purpose of disaster recovery.

4.2 Electronic Communications

For purposes of this directive, electronic communications refers to electronic mail (e-mail) and electronic calendars

4.3 Non-Records

Messages that do not meet the statutory definition of a record as defined in A.R.S. § 41-1350. Destruction of non-record electronic messages does not need to be reported on a Report/Certificate of Records Destruction form

4.4 Records

Messages that are considered to be official records as defined in A.R.S. § 41-1350. Official records may require short-term storage, long-term storage, or a combination of both

5.0 POLICIES AND PROCEDURES

5.0 Retention and disposition of public records is determined by the Arizona State Library, Archives and Public Records, Records Management Division, in accordance with Arizona state statutes. A record's retention schedule is based upon the legal, administrative, historical, fiscal or informational value of the record, not on the format of the record. "Electronic communication" refers to the format of the record, not its content or value. Thus, electronic communications such as e-mail cannot be assigned blanket retention periods because they are not a type of record or record series. Rather, the value -- and therefore the retention period -- of an electronic message is determined by its content.

It is the responsibility of every town official and employee to retain any electronic communications, depending on the nature and content of the document, as required by the public records retention and disposition schedules. Each town department shall appoint a records coordinator who will work with the Town Clerk's Office and his/her respective department head to assure proper management and disposal of records, including compliance with this directive. Records retention and disposition schedules that apply to town records are available from the Town Clerk's Office.

Electronic messages that are considered to be official records (for example, a citizen complaint that is sent via e-mail) must be maintained and destroyed in the same manner as a paper record. Retention and destruction shall be performed according to the corresponding record series on either a department's custom Retention Schedule or the State's General Schedule.

5.1 Short-Term Retention of Record E-mail Messages

For records management purposes, the majority of the town's e-mails are short communications that function much like phone calls and are considered to be non-records. For the sake of administrative convenience, records with a retention period of 120 days or less will be maintained in the town's archival e-mail system. These records will be visible in the town's primary e-mail system for the first 60 days of this 120-day period. The records will then be available only in the town's archival e-mail system for the remaining 60 days of the 120-day period. At the end of 120 days, all messages will be permanently deleted. It is the responsibility of each individual employee, appointed or elected official to ensure that any record messages that must be retained beyond 120 days and are located in the employee's inbox, sent box, or deleted items box are moved to proper storage locations before the end of the 120-day period.

5.2 Long-Term Retention of Record E-mail Messages

E-mail messages requiring long-term retention (more than 120 days) may be printed out and kept as paper records or may be maintained in archive folders by those employees given access to archive folders as noted below. Additionally, Technology Services staff will work with individual departments to identify a technology solution when a department requires a shared storage location for e-mail in order to minimize duplication of e-mail storage within departments.

Only department heads, assistant/deputy department heads, management staff, and project management staff will be permitted to maintain archive folders. Employees who are not department heads or management-level staff but believe they need longer term storage capability for electronic records should notify their direct supervisor. The employee shall complete a records storage request form which must be signed by the employee's supervisor and department head/general manager. The form will then be forwarded to the Town Clerk's Office and Technology Services for approval. For Development Services staff, the records storage request form will be forwarded to the Development Services Records Manager and Technology Services for approval. Alternatively, staff and elected or appointed officials without permission to create archive folders may simply print out the record to paper, with its contextual information and attachments in place, for filing within the department's existing filing system.

5.3 Public Records Requests

E-mail is subject to the public records law (A.R.S. §§ 39-121 et seq) and may be subject to public disclosure. Employees should have no expectation of privacy regarding the use of the town's systems and equipment or the transmission, receipt or storage of information in these systems or equipment.

5.4 Backup

The Town of Marana creates "backup" records of electronic mail on a daily basis. The primary purpose of creating these backups is for disaster recovery in the case of system failure, not for purposes of public records retention. The backups are retained for the limited period of time required by law for backup data.

6.0 RESPONSIBILITIES

- 6.1 All employees and appointed and elected officials are responsible for understanding the procedures as outlined in this directive and all other applicable town policies and procedures regarding the use of the town's electronic communications.
- 6.2 All employees and appointed and elected officials are responsible for using the town's electronic communication systems responsibly, in the interest and furtherance of the public's business.
- 6.3 Technology Services, the Town Clerk's Office and the Legal Department will ensure proper training for new employees and on-going training for existing employees on a regular basis.

7.0 ATTACHMENTS

Records Storage Request Form