


**RECORDS RETENTION
FOR WATER DISTRICTS**

**TEXAS RURAL WATER
ASSOCIATION
CONFERENCE
OCTOBER 2020**


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Meet the Presenters

BONNIE ZUBER




REBECCA HANNA



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<https://www.tsl.texas.gov/slr>

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 Forms

 Laws and Rules

 Local Retention Schedules

 Training

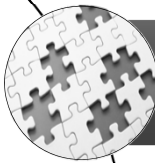
 The Texas Record Blog


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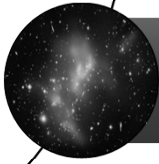
512-463-7610
slrminfo@tsl.texas.gov

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 Fundamentals

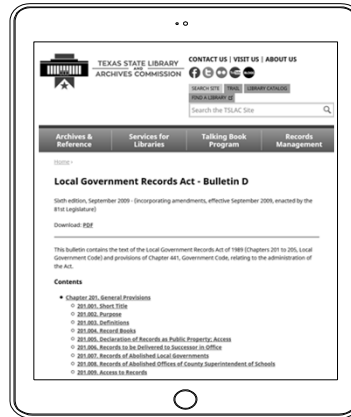
 Compliance

 Retention & Disposition

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Laws Published as Bulletin D

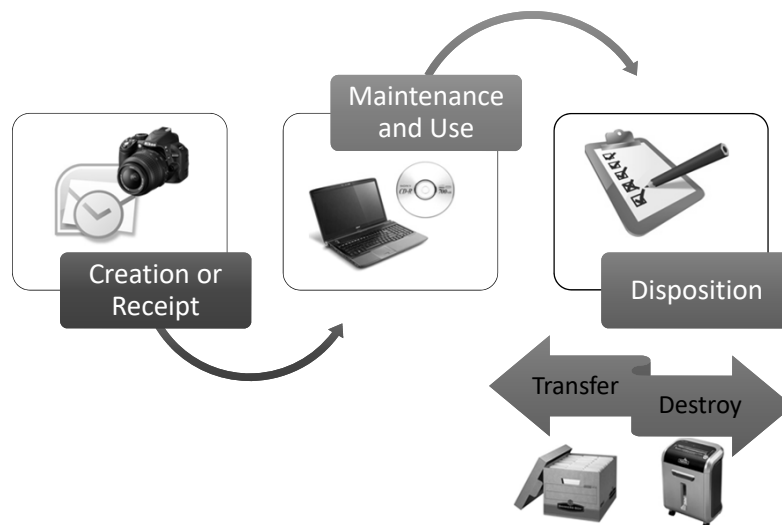
- Definitions
- Local authority
- Role of the Records Management Officer
- Compliance requirements



<https://www.tsl.texas.gov/slrn/pubs/bulletind>

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The Records Life-Cycle



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Benefits of Records Management

- Legal requirement and protection
- Workflow efficiency
- Timely disposition
- Cost reduction
- Protection of essential records



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Some Consequences of *Not* Managing Records

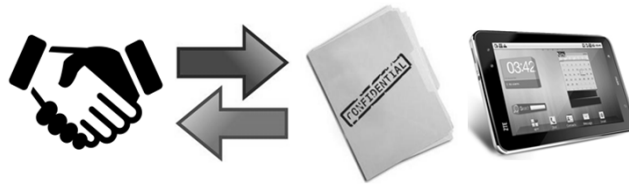
- Legal risk
- Longer retrieval times
- Higher costs
- Ongoing obligation to protect records
- Potential criminal penalties
- Negative perception



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A Local Government Record:

- Documents the transaction of public business
- Is created or received by a local government
- Is a record whether it is open or closed
- May exist in any medium



LGC §201.003

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Non-Records



Convenience Copies



Blank Forms and Stocks of Publications



Library or Museum Materials



Alternative Dispute Resolution Working Files

LGC §201.003

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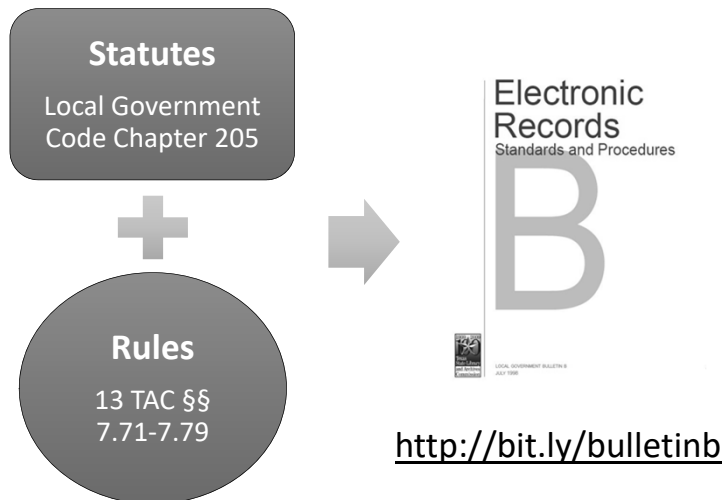
An Electronic Record:

- Any information that is recorded in a form for computer processing; **machine-readable**.
- Meets the definition of a local government record.
- **Two types:**
 - Born digital – original record was always electronic
 - Digitized – original record was analog and then made electronic.



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Legal Obligations for E-Records



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BULLETIN F:

“...preserve valuable historic records by establishing **minimum and enhanced storage standards** for pre-1951 court records and permanent records held by local governments.”

- Records in storage
- Paper records

<https://www.tsl.texas.gov/slrn/pubs/bulletinf>



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COMPLIANCE

Review the 3 Elements of Compliance:

- Designating a Records Management Officer (RMO)
- Filing a records management policy
- Declaration of Compliance

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Designation of RMO

- File RMO contact information with TSLAC
 - Form SLR 504
- Signed by the RMO designated in policy.
- Update within **30 days** of personnel change.
- Option to be subscribed to *The Texas Record* blog for news and updates.



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Policy Templates

- Must designate position of RMO.
- Requires documentation of governing body approval – meeting minutes.
- Template: Policy Model #4



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Declaration of Compliance

- **Form SLR 508** – Adopt the retention schedules that apply to the records maintained by your office
- Signed by RMO designated in policy and mail hard copy to TSLAC for filing.

I declare that this local government will comply with the retention schedule:

Schedule GR (Records Common to All Governments)

I declare compliance with the following additional retention schedules issued by the commission:
(check all that apply):

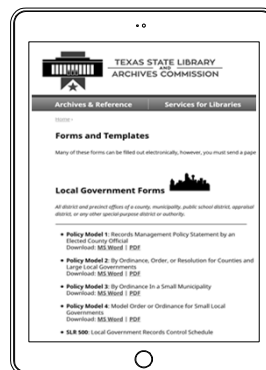
- | | |
|--|---|
| <input type="checkbox"/> Schedule CC (Records of County Clerks) | <input type="checkbox"/> Schedule PS (Records of Public Safety Agencies) |
| <input type="checkbox"/> Schedule DC (Records of District Clerks) | <input type="checkbox"/> Schedule PW (Records of Public Works and Services) |
| <input type="checkbox"/> Schedule EL (Records of Elections and Voter Registration) | <input type="checkbox"/> Schedule SD (Records of Public School Districts) |
| <input type="checkbox"/> Schedule HR (Records of Public Health Agencies) | <input type="checkbox"/> Schedule TX (Records of Property Taxation) |
| <input type="checkbox"/> Schedule JC (Records of Public Junior Colleges) | <input type="checkbox"/> Schedule UT (Records of Utility Services) |
| <input type="checkbox"/> Schedule LC (Records of Justice and Municipal Courts) | |

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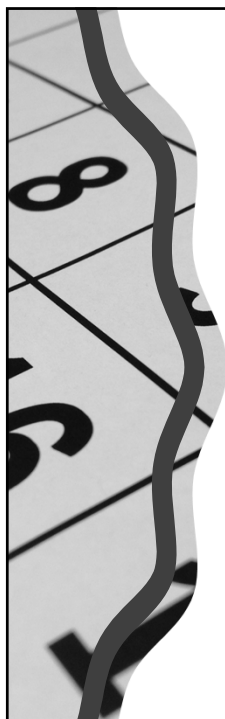
Download Forms and Templates

<https://www.tsl.texas.gov/slr/form/forms>

- SLR 504 – Designation of RMO
- SLR 508 – Declaration of Compliance
- Policy models
- Sample inventory worksheet and disposition log



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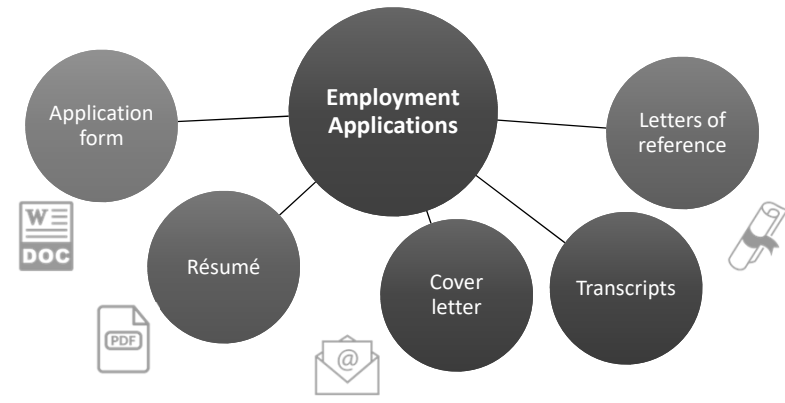
RETENTION

How to use a retention schedule to find the retention periods of your records.

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A Record Series Is:

- A grouping of records that all serve the same function and are all kept the same length of time.



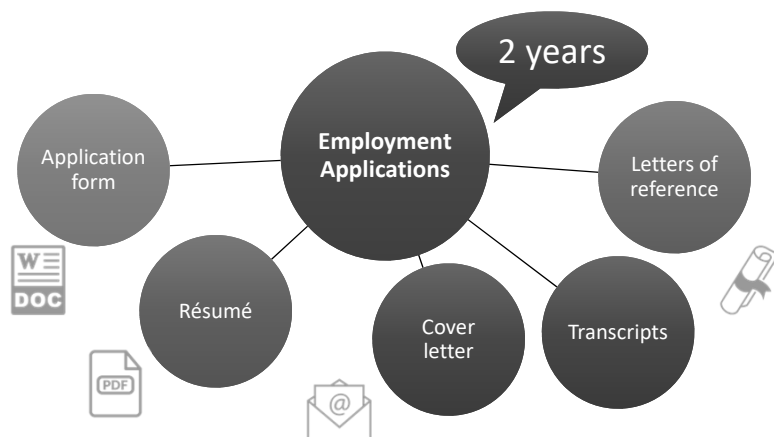
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graph TD
    EA((Employment Applications)) --- AF((Application form))
    EA --- R((Résumé))
    EA --- CL((Cover letter))
    EA --- T((Transcripts))
    EA --- LR((Letters of reference))
  
```

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A Retention Period Is:

- The minimum length of time you must keep a record.



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Common Retention Codes:

[just a number]	Add this number to the creation/receipt date of the record
AV	As long as administratively valuable
CE	Calendar Year End: December 31st
FE	Fiscal Year End: August 31st ? September 30th? http://bit.ly/FYEcalc
LA	Life of the Asset
PM	Permanent
US	Until superseded

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A Retention Schedule:

- Lists all **records series** with mandatory minimum **retention periods**.
- Schedules are format-neutral.
- **Benefits:**
 - Comply with records laws and provide some legal protection.
 - Convey retention rules to agency staff.
 - Identify, secure, and protect vital records.



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Elements of a Retention Schedule

Record Number	Record Title	Record Description	Retention Period	Remarks
UT5025-09	Sanitary Surveys	Surveys, studies, reports, summaries, or communications examining the overall sanitary condition of water and wastewater systems.	10 years	By regulation - 30 TAC 290.46(f)(3)(E)(iii).
Unique # assigned by TSLAC	General identifier for records in this group	The scope of records that would be classified here	Minimum amount of time the records must be kept.	Citations or other notes affecting the retention

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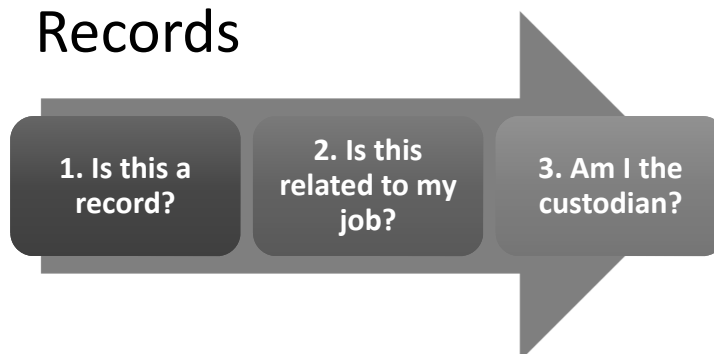
Retention Schedules for Water Districts

- Local Schedule GR (General)
 - Part 1: Administrative Records
 - Part 2: Financial Records
 - Part 3: Personnel and Payroll Records
 - Part 4: Support Services Records
 - Part 5: Information Technology Records
- Local Schedule PW (Public Works)
 - Part 5: Soil and Water Conservation Records
- Local Schedule UT (Utility Services)
 - Part 2 – Water and Wastewater Services

<https://www.tsl.texas.gov/slr/localretention>

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3-Step Drill for Managing Email Records



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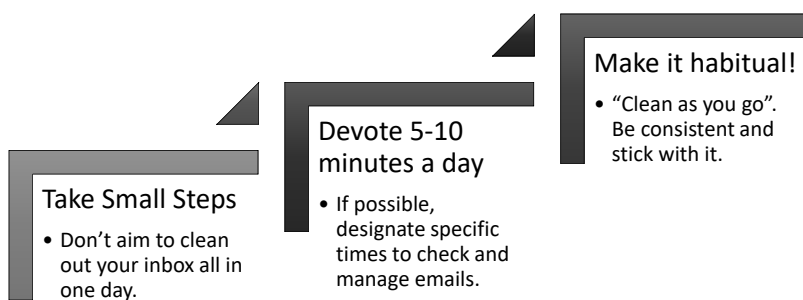
Transitory Information

- Temporary usefulness - Not essential to documenting business, fulfilling statutory obligations, and not regularly filed within your office's recordkeeping system
- Examples:
 - Outlook meeting reminder
 - Telephone message
 - "Where are you?" text



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Managing Email *Can* Become an Easier Task



Printable, super-simple 3-step drill flow-chart available at <http://bit.ly/3-stepEmail>

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Text Message Records

- Government officials texting during open meetings.
- Public Information Requests filed with the city.
- OAG: text messages about city business **are** subject to the Public Info Act.



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New Legislation: S.B. 944 – Amendment to Public Information Act

- “Temporary Custodian” – past or present officer or employee creating or receiving public government records on a personal device.
- Must:
 - Forward or transfer records to the governmental body; or
 - Preserve the public information in its original form on the privately-owned device.

<https://www.texasattorneygeneral.gov/open-government>



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Managing Text Messages

- Don't create government records in this format. Use email, phone, or talk in person.
- If necessary, use separate devices/accounts for work and personal use.
- If messages are government records, decide how to capture them:
 - Screenshot, save image
 - Forward to email



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Social Media Records

- Does your local government currently utilize a social media account?
 - Have you checked to make sure no 'ghost' accounts exist?



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Managing Social Media Records

Social Media is public information.

Usage of social media results in records retention and public access obligations.

Developing a Social Media Strategy will help satisfy those obligations.

Webinar: Managing Social Media Records:
<https://www.tsl.texas.gov/slrn/webinars/socialmedia>

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DISPOSITION

“A comprehensive term that includes destruction as well as other actions, such as the transfer of permanent records.”

– National Archives and Records Administration (NARA)

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When to Do Disposition



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Before Destroying Records

- Has the record met the retention period?
- Are there any copies?
- Did I receive internal approval?
- Do I have a disposition log?
- Is there a destruction hold?



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Types of Destruction Holds

- Litigation
- Public Information Request
- Audit
- Claim
- Negotiation



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Destruction Methods

Confidential
Records



Burning



Shredding



Pulping

Open Records



Recycle



Landfill

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Destruction of Electronic Records

- Reformat (enlist IT)
- Overwrite three times
- Degauss (neutralize magnetic field)
- Physically destroy
 - Shred
 - Pulverize
 - Drill holes



<https://www.tsl.texas.gov/slr/pubs/bulletinb>

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We Can Do Even More

- TSLAC Storage Services
 - <https://www.tsl.texas.gov/slr/storage>
- TSLAC Imaging and Microfilm Services
 - <https://www.tsl.texas.gov/slr/imaging-micro>

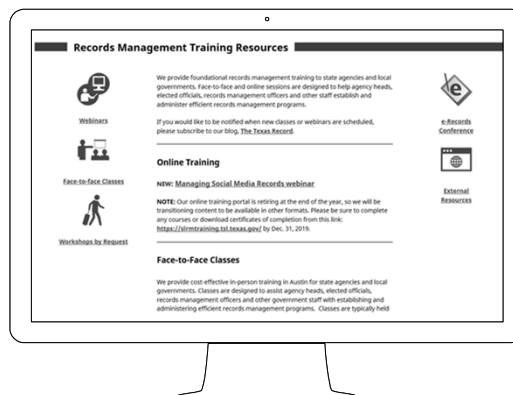


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More Training

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- Webinars and online courses
- Conferences
- Regional workshops



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QUESTIONS?

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Call:

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Email:

slrinfo@tsl.texas.gov

