



## **PUBLIC RECORDS POLICY**

The orderly acquisition, storage and retention of records and reports are essential for the overall efficient and effective operation of the Miami Valley Educational Computer Association. The MVECA Board establishes a Records Commission to govern matters pertaining to records, their retention and disposal.

### **Local Records Commission**

The Records Commission shall consist of the Board President, MVECA Treasurer, and Executive Director. The Executive Director shall serve as chairman/secretary of the Records Commission. The members of this commission shall appoint necessary records officers to carry out the necessary work associated with organizational records.

### **WRITTEN RECORDS AND DOCUMENT MANAGEMENT GUIDELINES**

**MVECA will maintain a current inventory of records maintained, a schedule of Records Retention and Disposition, and “written record and document management guidelines”.**

Please note that these guidelines pertain to records maintained by and for the operation of the Miami Valley Educational Computer Association (MVECA). As a part of the services provided by MVECA, the agency retains public records for member school districts. Each district has its own local records commission that oversees the records retention policy; and each district is responsible for ensuring that the district complies with local records law. All data acquired on behalf of school districts is held in trust for those districts. Any transfer or release of school district data requires prior authorization from that district. Ohio Adm. Code 3301-3-06.

### **WHAT IS A PUBLIC RECORD?**

A public record is a record held by a public office. "Records" includes any document, device, or item, regardless of physical form or characteristic,<sup>1</sup> created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

### **WHAT RECORDS MUST MVECA KEEP?**

Under Ohio Law, a public office may only create records that are “necessary for the adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and for the protection of the legal and financial rights of the state and persons affected by the agency’s activities.” ORC 149.40<sup>2</sup> A written disaster recovery plan will be maintained by MVECA for the protection of all records it maintains.<sup>3</sup>

A public office is not required to create new records to respond to a public records request, even if it is only a matter of compiling information from existing records. However, if a public office’s computer is

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<sup>1</sup> E-mail messages are electronic documents created and sent or received by a computer system. This definition applies equally to the contents of the communication, the transactional information, and any attachments associated with such communication. Thus, e-mail messages are similar to other forms of communicated messages, such as correspondence, memoranda, and circular letters. Source: Ohio Electronic Records Commission, Managing Electronic Mail Guidelines for State of Ohio Executive Agencies,

<http://www.ohiojunction.net/erc/email/emailguidelines.html>

<sup>2</sup> Records will be stored in a manner such that they will be protected from excessive heat and humidity or by vermin infestation, safe from floods, fire, and theft. Storage and access will be compliant with federal guidelines established under the Americans with Disabilities Act.

<sup>3</sup> This plan is currently under revision.



already programmed to produce the record described by the requester, the record already exists for purposes of R.C. 149.43.

### **CONFIDENTIAL RECORDS NOT SUBJECT TO PUBLIC REVIEW**

All public records fall under one of three categories:

- 1) Public records that must be disclosed, with no exception
- 2) Public records that are exempt from disclosure - do not have to be disclosed, but it may if the public office chooses to do so without fear of punishment under the law.
- 3) Public records that must not be disclosed - highly confidential records which must not be disclosed and whose release is prohibited by law

The following records must not be released:

- \*Attorney-client privileged information
- \*Criminal background information
- \*Trade secrets
- \*Mediation communications
- \*Student education records and other personally identifiable student information-except for "directory information" (FERPA, 20 U.S.C.1232g; ORC 3319.321)
- \*Information pertaining to the recreational activities of a person under the age of 18
- \*Infrastructure records: records that disclose the configuration of "critical systems", such as computer, electrical, mechanical, ventilation, water, plumbing, or security systems. This does not include simple floor plans.
- \*Security records: any records containing information directly used for protecting or maintaining the security of a public office against attack, interference, or sabotage or to prevent, mitigate, or respond to acts of terrorism. (For a complete list, see the Auditor's Office "Ohio's Open Government Resource Manual" - January 2004.)
- \*Child abuse reports
- \*Sealed records
- \*Social security numbers
- \*Medical records

(The above list is not exhaustive.)

**WHEREAS, The Miami Valley Educational Computer Association (MVECA) has herein designated the following items to be Security and/or Infrastructure records as defined in the Ohio Revised Code 149.33:**

Policy and Procedure manuals and documents regarding Information Technology operations, security, disaster recovery, and business continuity processes; hardware, software, and network (detailed) architecture documents; disaster recovery planning documents; network security assessments; TCP/IP addressing assignments and associated metrics; application, network, and/or device logs containing IP addresses and/or user names; detailed telecommunications schematics; detailed network wiring schematics; detailed electrical wiring schematics; information technology and/or facility heating, ventilation, and air-conditioning detailed schematics; facility security system schematics and/or other information; and grants to the MVECA Executive Director the authority to designate additional information items that, in his/her judgment would represent a potential risk to the security and integrity of MVECA's services and/or infrastructure should they become publicly available.

### **HOW AND WHY CERTAIN INFORMATION MAY BE REMOVED FROM RECORDS BEFORE PUBLIC INSPECTION - REDACTING**

When faced with a record that, in part, contains information that is not subject to public disclosure, the public office should redact the exempt portion of the record (rather than withhold the entire record); the remainder of the record must be disclosed. The person seeking to inspect or copy the record would either be notified regarding any redaction, or, when possible, the redaction would be made plainly visible. An explanation for the redaction must be provided to the requesting party, including legal authority. ORC 149.43 (B)(1),(3).

### **HOURS WHEN RECORDS ARE AVAILABLE FOR INSPECTION**



Records will be available for inspection during MVECA's normal business hours (8:00 a.m. to 4:00 p.m.). Records will be made available without **undue** delay and within a reasonable period.

### **COST FOR OBTAINING RECORDS**

There is no charge for inspection of public records. Copies will be charged at the actual rate of providing the copies. Charges will also be made for the actual cost for the cost of mailing supplies and postage. All copies will be made by a designated employee of MVECA. Prepayment for the cost of copies and mailing will be required. The person requesting the record(s) may choose the medium upon which they would like a record to be duplicated from these choices: 1) on paper, 2) in the same form as the public office keeps it, or 3) on any medium upon which the public office determines the record can "reasonably be duplicated as an integral part of the normal operations of the public office." ORC 149.43 (B)(2).

### **REQUESTING RECORDS**

Any person, corporation, individual, or governmental agency may request public records. The person does not have to be an Ohio resident. MVECA will not limit or condition the availability of records based upon the requestor's identity or the intended use of the requested record, unless permitted by law to do so. The request does not have to be in writing, nor does the requestor need to identify him or herself, though in situations where the identity of the individual or the intended use of requested information would enhance the ability of MVECA to comply with the request, MVECA may ask for this information, but would notify the requestor that s/he is not required to disclose it. The person seeking the records may designate someone else to inspect or retrieve copies. A request must be specific and describe what is being sought. If the request is ambiguous or overly broad, or MVECA staff cannot reasonably identify the public records being requested, the requestor would be notified and given an opportunity to revise the request. If a request for public records is ultimately denied, MVECA would provide the requester an explanation of the reasons for the denial, including legal authority. A limit of ten records per month will be sent to any one commercial requester. MVECA will mail copies via U.S. postal service upon request.

### **STEPS FOR DISPOSITION OF RECORDS:**

1. The Local Records Commission will meet at least once annually.
2. A records inventory will be maintained by MVECA to identify and describe the records types or series possessed by MVECA. The inventory should include the series title, location, information content, dates included, and media type.
3. The commission will decide which records are of ADMINISTRATIVE, LEGAL, FISCAL, or HISTORICAL value when determining which records to retain or dispose of.
4. The MVECA records officer will prepare a Schedule of Records Retention and Disposition (RC-2), and complete the appropriate records disposal form(s). For any records that are not on the RC-2 form, the records officer will complete an application for One-Time Records Disposal (RC-1). Forms are available from the Local Government Records Program of the Ohio Historical Society at <http://www.ohiohistory.org/resource/lgr/forms.html>.<sup>4</sup>
5. Upon the Commission's approval, the records retention schedule or list of disposable records will be forwarded as follows:
  - a. Original – Forward original to Ohio Historical Society Network Specialist for Greene County.
  - b. Copies – Keep one (1) copy with Records Commission Files.
  - c. Ohio Historical Society Records Specialist will make and send a copy to State auditors office.
  - d. A third copy should be retained at MVECA until an approved copy is returned.

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<sup>4</sup> The application for a one-time records disposal (RC-1) is used to request permission to destroy or transfer particular records covering only specified dates. It should be used primarily to dispose of obsolete records that are no longer created or maintained. Unlike the continuing authority provided by a RC-2 records schedule, as RC-1 one-time disposal application allows records to be disposed of one time.



6. Once the retention periods listed on the schedule have been approved by all authorities records beyond the approved retention periods may be disposed of without having a records commission meeting.
7. Each time there are records to dispose of, the MVECA records officer will prepare a Certificate of Records Disposal (RC-3) and submit it to the OHS State Archives 15 business days before the disposal date, and obtain approval before disposing of or transferring any record. The Ohio Historical Society State Archives LGRP will forward the RC-3 to the Auditor of State's records officer, Columbus. The certificate of records disposal serves as the official record of the disposition of the records.
8. MVECA will dispose of records in accordance with approved Schedule or Application.



## MVECA Record Retention Schedule

<b>Agency Policies &amp; Procedures</b>			
Series #	Series Title	Description	Retention Period
1-1	Directives, Manuals and Handbooks	Publications produced by an agency detailing operations, regulations, and/or procedures of an agency. E.g. MVECA policies and procedures manual; MVECA constitution and bylaws, and; annual service fee schedules.	Retain until obsolete, or replaced, then appraise by the Ohio Historical Society for historical value.
1-2	Management and Operations Reports	Reports or publications generated for external audiences; including reports created by MVECA staff or outside consultants concerning the management or operations of MVECA; or other published periodic reports on agency activities.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then appraise by the Ohio Historical Society for historical value.

<b>Reports, Publications &amp; Meetings</b>			
Series #	Series Title	Description	Retention Period
2-1	Newspaper Releases and News Bulletins	Includes newsletters and bulletins issued by MVECA. E.g. Updates to treasurers, EMIS coordinators, and other user bases.	Retain in agency until no longer of administrative value, then appraise by the Ohio Historical Society for historical value.
2-2	Documentation from Agency Staff Meetings	Includes agenda, minutes (if taken) and supporting records documenting internal policy decisions.	Retain 1 year, then appraise by the Ohio Historical Society for historical value.
2-3	Minutes of official public meetings	Board and Assembly meeting minutes.	Retain 5 years, then appraise by the Ohio Historical Society for historical value.
2-4	Event sign-in sheets	Records documenting the participation of individuals at MVECA events.	Retain 1 year, then destroy.



<b>Correspondence &amp; Memoranda</b>			
Series #	Series Title	Description	Retention Period
3-1	Correspondence, Executive	Correspondence of the head of an agency dealing with significant aspects of the administration of their offices. Correspondence includes information concerning agency policies, procedures, program, fiscal and personnel matters.	Retain 2 years then appraise by the Ohio Historical Society for historical value.
3-2	Correspondence, General	Includes internal correspondence (letters, memos); also, correspondence from various individuals, companies, and organizations requesting information pertaining to agency services and other miscellaneous inquiries. This correspondence is informative (it does not attempt to influence agency policy).	Retain 6 months, then destroy.
3-3	Correspondence, Routine	Referral letters, requests for routine information or publications provided to the public by an agency which are answered by standard form letters.	Retain 6 months, then destroy.
3-4	Lists/Directories	Includes mailing lists, directories, rosters, and registers compiled by an agency. E.g. UMP e-mail lists.	Retain until obsolete or replaced, then destroy.
3-5	Transient Documents	Includes telephone messages, post-it-notes, telephone messages, drafts, bulletins, posters, notices, calendars, blank forms, copies of documents where the original exists elsewhere, and other limited documents including e-mail and instant messages, which serve to convey information of temporary importance in lieu of oral communication. Transient documents do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt.	Retain until no longer of administrative value, then destroy.
3-6	Correspondence from state agencies or other grantors	Includes communiqués from state agencies (eTech Ohio Department of Education, eTech)	Retain until no longer of administrative, fiscal, or legal value to agency, then destroy.



<b>Records Retention</b>			
<b>Series #</b>	<b>Series Title</b>	<b>Description</b>	<b>Retention Period</b>
4-1	Records Retention Schedule	A form used to identify the length of time a record must be retained before final disposition.	Retain until superseded by a revised retention schedule, or until record series is no longer maintained, then destroy.
4-2	Records Inventory	Used for conducting an inventory of an agency's record series. Requests vital information to be used in determining the retention period and disposition of a record.	Retain until superseded by an updated inventory or until record series is no longer created, then destroy.
4-3	Certificate of Records Disposal	Form used to certify the destruction or transfer of records according to an approved records retention schedule.	Retain 2 years, then destroy.

<b>Legal Records</b>			
<b>Series #</b>	<b>Series Title</b>	<b>Description</b>	<b>Retention Period</b>
5-1	Attorney correspondence	Formal opinions and informal opinions issued to state agencies with all pertinent materials attached thereto.	Retain until no longer of administrative or legal value to agency, then destroy.
5-2	Licenses, Permits, Certifications	All documents relating to application and grant or denial of an administrative license, permit, etc.	Retain 1 year after final expiration, including all renewals, or 1 year after denial, then destroy.

<b>Office Equipment &amp; Supplies</b>			
<b>Series #</b>	<b>Series Title</b>	<b>Description</b>	<b>Retention Period</b>
6-1	Equipment Inventory	Documents or programs used to complete equipment inventory reports for anything considered of value (over \$200). E.g. laptops, LCD projectors etc.	Retain until superseded, then destroy.
6-2	Direct Purchase Orders, Requisitions and Other Documents Related to Purchase of Goods or Services	e.g. Delivery Slips and packing lists, UPS logs.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.



<b>Office Equipment &amp; Supplies</b>			
<b>Series #</b>	<b>Series Title</b>	<b>Description</b>	<b>Retention Period</b>
6-3	Invoices (Accounts Payable Invoices)	Bill for goods shipped or services rendered. They are matched with purchase orders and receiving reports, and attached to vouchers for payment.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.

<b>Contracts</b>			
<b>Series #</b>	<b>Series Title</b>	<b>Description</b>	<b>Retention Period</b>
7-1	All Bidding Documents, RFP's, RFQ's or Similar Documents (Purchasing, construction, personnel services...)		For services, retain five years, then destroy.
7-2	Vender Master Input Document	Used to establish descriptive information about a vendor or update previously entered vendor data.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
7-3	Contract Encumbrances, Procurements, Complaints to Vendors, and Related Contract Documents		For services, retain five years after contract expires, then destroy, then destroy.

<b>Buildings, Land &amp; Maintenance</b>			
<b>Series #</b>	<b>Series Title</b>	<b>Description</b>	<b>Retention Period</b>
8-1	Lease Records		Fulfill the requirements of O.R.C. 117.49. Retain two years after expiration of lease, then destroy.



<b>Vehicles &amp; Travel</b>			
<b>Series #</b>	<b>Series Title</b>	<b>Description</b>	<b>Retention Period</b>
9-1	Travel Expense Report	Used for claiming travel expenses reimbursement.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
9-2	Vehicle Operations File	Includes service records, compilation sheets, operation maintenance reports of licensed vehicles, warranty and guaranty statements, operating manual, reports and shop-work orders, accident reports, repair records, mileage and usage logs etc.	Retain during ownership of vehicle, then destroy.

<b>MVECA Operations</b>			
<b>Series #</b>	<b>Series Title</b>	<b>Description</b>	<b>Retention Period</b>
10-1	Organizational Charts		Retain until superseded. The current chart will be audited by Auditor of State.
10-2	Employee Personnel File	Employee Discipline and Grievance Records; Accident, Health & Safety Records, Incident Reports, etc.	Retain 7 years after employee leaves employment.
10-3	Hiring Materials	Vacancy postings and applications, resumes, civil service applications and interview questions from applicants not hired.	Retain 7 years after position filled or decision not to fill the position is made.
10-4	Employee FMLA, Disability and Workers Compensation Records		Retain 7 years after employee separation, then destroy.
10-5	Position Descriptions		Retain until replaced or obsolete, then destroy.
10-6	Training Manuals	Manuals produced by an agency for internal personnel training.	Retain until replaced or obsolete, then destroy.



<b>MVECA Operations</b>			
Series #	Series Title	Description	Retention Period
10-7	Employee Training Records, Workforce Development, Tuition Reimbursement and Other Education Assistance Program Records	e.g. CEUs, professional development plans and record of participation in professional development activities.	Retain 5 years, then destroy.

<b>Payroll</b>			
Series #	Series Title	Description	Retention Period
11-1	Payroll files	W-2, W-4, W-9, city taxes, contracts, etc.	Retain 10 years after the expiration of contracts, then destroy provided audited by the Auditor of State and audit report is released and all discrepancies are resolved.
11-2	Attendance Records	Timesheets, leave requests, etc.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
11-3	Payroll Warrant Records and Payroll Disbursement Records		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy. If Federal funds are involved, retain according to appropriate Federal schedules.



<b>Fiscal Records</b>			
Series #	Series Title	Description	Retention Period
12-1	Warrants & Vouchers	Warrants, vouchers, and requests for Stop, Release or Cancellation of Warrant.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
12-2	Grants	Grant Applications and Related Documents	Retain for 1 year after grant is awarded and complete, or audits conducted and closeout documents are received, then appraise by the Ohio Historical Society for historical value.
12-3	MVECA budget	Worksheets used for proposed budgets and related documents.	Retain until budget is in effect, then destroy.
12-4	State or federal audit reports	Copies of audit reports issued by the Auditor of State or federal government.	Retain 2 years, then destroy.
12-5	Bonds & Bond Coupons, Redeemed		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
12-6	Accounting Entity Description, Accounts Payable Ledger and Accounts Receivable Ledger	e.g. bills to districts for services rendered, e-rate.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
12-7	Balance Sheets		Retain 2 years, then destroy.
12-8	Bank Deposit Slips, Ledgers, Bank Statements, Cancelled Checks and Related Documents		Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
12-9	Revenue Receipts and Holding Account Redistribution	Used to deposit and record revenue receipts from any known revenue source and to hold unknown receipts for redistribution.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.



<b>Information Technology</b>			
Series #	Series Title	Description	Retention Period
13-1	Information Resources Management and Data Processing Services Plans	Agency IT plans, data processing services plans, strategic plans, and related records used to plan for information systems development, technology acquisitions, data processing services provision, or related areas.	Retain until superseded, obsolete or replaced, then transfer to the Ohio Historical Society for retention or destruction.
13-2	Data Processing Policies	Records of data processing policies including those covering access and security, systems development, data retention and disposition, and data ownership.	Retain until superseded, obsolete or replaced, then appraise by the Ohio Historical Society for historical value.
13-3	Data Systems Specifications	Records necessary for using the system: user guides, system or sub-system definitions, system flowcharts, program descriptions and documentation, job control or work flow records, system specifications, and input and output specifications.	Retain for 3 years after discontinuance of system and until all system data is destroyed or transferred to new operating environment, then destroy. If all data is not destroyed or transferred, transfer specifications to Ohio Historical Society for retention or destruction.
13-4	Technical Program Documentation	Copy of program code, program flowcharts, program maintenance log, system change notices, original design documents, specifications, requirements, acceptance tests, and other records that document computer programs and the modifications made to computer programs.	Retain until all data in system has been migrated or destroyed. If all data is not destroyed or transferred, transfer documentation to Ohio Historical Society for retention or destruction.

<b>Computer Operations and Technical Support</b>			
Series #	Series Title	Description	Retention Period
14-1	Data Processing Operating Procedures	Records of procedures for data entry, the operation of computer equipment, production control, tape library, system backup, and other aspects of a data processing operation.	Retain until superseded, obsolete or replaced, then appraise by the Ohio Historical Society for historical value.



### Computer Operations and Technical Support

Series #	Series Title	Description	Retention Period
14-2	Data Processing Hardware Documentation	Records documenting the use, operation, and maintenance of an agency's data processing equipment including operating manuals, hardware/operating system requirements, hardware configurations, and equipment control systems.	Retain until the agency no longer uses related hardware and all data is transferred to and made useable in new hardware environment, then destroy.
14-3	Maintenance Contracts Files	Maintenance contracts for data processing equipment, and related records including copies of contracts, service histories, and work orders.	Retain five years after contract expires, then destroy.
14-4	Technology replacement policy	Records relating to the replacement of equipment or computer operating systems.	Retain 1 year after successful conversion, then destroy.
14-5	Disaster recovery/business continuity plan	Records related to the protection and reestablishment of data processing services, equipment and data (back-up files) in case of a disaster.	Retain until superseded by revised plan, then destroy.
14-6	System Backup Files/Computer Usage Files	Copies of master files or databases, application software, logs, directories, and other records needed to restore a system in case of a disaster or inadvertent destruction.	Retain daily tapes for 30 days, then destroy. Retain monthly backup tapes for a minimum of 5 years, then destroy. Retain logs until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.
14-7	System Users Access Records	Electronic or textual records created to control or monitor individual access to a system and its data created for security purposes, including but not limited to user account request forms, security logs, and password files.	Retain for two years for new accounts, or for accounts with modifications, then destroy.
14-8	Summary Computer Usage Reports	Summary reports and other paper records created to document computer usage.	Retain until no longer of administrative value to agency, then destroy.
14-9	Computer Run Scheduling Records	Records used to schedule computer runs including daily schedules, run reports, run requests, and other records documenting the successful completion of a run.	Retain until no longer of administrative or fiscal value to agency, then destroy.
14-10	Input documents or files	Copies of files loaded into district information systems. E.g. fiscal spreadsheets, or testing CDs/files.	Retain until all data has been entered into the system and, if required, verified, then destroy.



### Computer Operations and Technical Support

Series #	Series Title	Description	Retention Period
14-11	Automated Tape Library System Files	Automated records used to control the location, maintenance, and disposition of magnetic media in a tape library.	Retain until related records or media are destroyed or withdrawn from the tape library, then destroy.
14-12	Site/Equipment Support Files	Records documenting support services provided to districts.	Retain until no longer of administrative value, then destroy.
14-13	Help Desk Telephone Logs and Reports	Records used to document requests for technical assistance and responses to these requests.	Retain until no longer of administrative value, then destroy.
14-14	Training Course Information	Memoranda, flyers, catalogues, registration forms, rosters, and other records relating to training courses run by a data processing user support or office automation support unit.	Retain until superseded, obsolete, or replaced, then destroy.
14-15	Training materials/presentations		Retain until superseded, obsolete, or replaced, then destroy.