

State Records Board
24 October 2013
Kansas Historical Society, Executive Conference Room

Present: Lisa Mendoza, chair, designee of the Attorney General
Matt Veatch, State Archivist, Kansas Historical Society
Patricia Michaelis, designee of the KHS Executive Director
John Yeary, designee of the Secretary of Administration

Not Present: Bill Sowers, designee of the State Librarian

Also present: Ruth Glover (Kansas Human Rights Commission)
Kelli Stevens (State Board of Healing Arts)
Michele Mainey (Healing Arts)
Scott Carlson (Department of Agriculture – Division of Conservation)
Lu Ann Harris (KHS)
Marcella Wiget (KHS)
Rick Scheuffler (Agriculture – Legal Section)
Holly Fenton (Agriculture - Legal)
Shawnel Neal (Kansas Department of Revenue)
Jackie Yingling (Kansas Board of Pharmacy)

Introductions and announcements: Ms. Mendoza called the meeting to order at 8:34 a.m. Introductions were made. The Historical Society's recent reorganization was discussed.

Minutes: **Motion:** Ms. Michaelis moved approval, Mr. Veatch seconded, unanimous approval of minutes as submitted.

Kansas Department of Revenue: Ms. Wiget explained that Mr. Veatch did a Chief Information Technology Office-reportable IT project plan review several months ago for the Department of Revenue, during which process it was discovered that records series 0003-565, Licensing files, for the Alcoholic Beverage Control needed to be revised and an Electronic Recordkeeping Plan (ERP) created in order to retain the long-term records electronically. The ERP was handed out to the board in paper form to review.

Motion: Ms. Michaelis moved approval, Mr. Yeary seconded, unanimous approval of ERP.

Motion: Mr. Veatch moved approval, Ms. Michaelis seconded, unanimous approval of revised schedule entry as submitted.

Kansas Human Rights Commission: Ruth Glover described the process the HRC follows regarding active and inactive investigative case files created by the commission.

Motion: Mr. Veatch moved approval, Mr. Yeary seconded, unanimous approval of revised series entries as submitted.

Kansas State Board of Healing Arts: Kelli Stevens explained that the protocols of the new series are paperwork filed between physicians and staff who dispense prescribed drugs. Ms. Wiget explained that this entry is coming before the board, despite the electronic component, due to paper records needing to go immediately to the State Records Center. Discussion surrounded the paper versus electronic

records; a public comment was added, stating “Paper records will be maintained for the length of retention period. Electronic records will be maintained until the Electronic Recordkeeping Plan has been endorsed by the Electronic Records Committee and approved by the State Records Board.”

Motion: Ms. Michaelis moved approval, Mr. Yeary seconded, unanimous approval of new entry as revised.

Discussion moved onto the revised entries; Healing Arts is updating their schedule overall, and Ms. Stevens briefly went through each of the entries. Mr. Veatch questioned 0017-105, Licensing Files, and the 30 calendar year retention, which is from the date of creation rather than from an inactive date. Ms. Stevens also explained that staff are already scanning records and sending paper copies to the State Archives. The board generally expressed concern about this entry and tabled it until they received the agency’s ERP. Mr. Veatch also questioned keeping the renewal records separately, but Ms. Stevens explained that these annual renewal records are in fact filed separately from the initial application file.

Motion: Ms. Michaelis moved approval, Mr. Veatch seconded, unanimous approval of all revised series except 0017-105, which was tabled for further discussion.

Motion: Mr. Veatch moved approval, Mr. Yeary seconded, unanimous approval of superseded entry.

Agriculture – Division of Conservation: The board looked over the department’s Electronic Recordkeeping Plan, provided in paper form. The use of Docuware will be phased throughout the agency, Conservation being the first division to implement it. Scott Carlson indicated the division’s satisfaction with the system and the vendor.

Motion: Mr. Veatch moved approval, Ms. Michaelis seconded, unanimous approval of ERP as submitted.

The board proceeded to discuss the new entry. All five conservation commissioners are elected by conservation district supervisors and serve two-year staggered terms. Ms. Michaelis suggested revising the title to state “Commissioners’ election records” to clarify what kind of election records the series entry described.

Motion: Mr. Yeary moved approval, Ms. Michaelis seconded, unanimous approval of new entry as amended.

Ms. Wiget noted that all the revised entries submitted at this meeting relate to the use of Docuware. Another system used by the Division of Conservation specifically, CSIMS, does not yet have an endorsed ERP, and so several other entries are waiting for board approval.

Motion: Mr. Veatch moved approval, Mr. Yeary seconded, unanimous approval of revised schedule entries as submitted.

Conservation districts discussion: Ms. Mendoza noted that the statutory language “public body corporate and politic” reminded her of the Kansas Turnpike Authority. Mr. Carlson pointed out that in the past when discussing conservation districts, legal counsel have suggested that these districts are like school districts. He explained that the districts have always been told that certain of their records are permanent, even if there has never been formal authority providing for that, such as from the State Records Board. Those records include meeting minutes and certain financial records, over which the Conservation Commission has oversight.

Mr. Carlson proposed that the districts have read-only access to Docuware to deposit their records, and the Department of Agriculture become the official records custodian. Districts could also email their records to the agency. He noted that it is unknown whether all districts have kept all their records since their formation, and that the agency intends to keep the local records electronically no matter what decision the State Records Board makes regarding transfer to the State Archives. Both Ms. Michaelis and Ms. Mendoza pointed out that any records sent to the Division of Conservation should be

scheduled as state records, rather than local records. The outstanding issue becomes legacy paper records from all 105 conservation districts.

Mr. Veatch explained that the State Archives has moved away from being a repository for local records. His concerns focused on the fact that these records, while being sent to a state agency, are not actually state records and whether or not they should be scheduled to come to the State Archives as a permanent record. Ms. Mendoza recommended focusing the board's efforts on those records it can govern through the Department of Agriculture, meaning those records the agency requires the local districts to send.

Ms. Michaelis, as coordinator for the Kansas State Historical Records Advisory Board (KSHRAB), indicated that the board may be able to help the Division of Conservation with finding out more information from the districts regarding what records they still maintain, their quantity, and other related information. She thought KSHRAB may be able to help coordinate granting opportunities from the NHRPC. Mr. Carlson also indicated that many districts are co-located with U.S. Department of Agriculture natural resource agencies, who often provide technical services for the districts. Mr. Carlson thought they would be very cooperative in scanning these records and therefore grants may not be required. Ms. Mendoza pointed out that she does not want these records to disappear but does not want to impose an impossible task on the local districts either. Mr. Carlson thought the districts would be glad for the guidance, particularly as they are going through office consolidation space across the state. Mr. Veatch indicated that these records are of enduring value and open and therefore may be good candidates to transfer to KEEP.

Board of Pharmacy: Ms Yingling, records officer for the Pharmacy Board, explained that her agency wishes to deal with the paper records as soon as possible, recognizing that they also need to deal with their electronic records. The agency has about 30 boxes of paper records ready to be destroyed. Ms. Yingling noted that if a business re-opens it will probably do so within a year, and when re-opening the business has to re-apply and a new record and license number are created for that business.

Motion: Mr. Veatch moved approval, Mr. Yeary seconded, unanimous approval of new entry as submitted.

Discussion briefly centered around the appraisal decisions for licensing files. One suggestion involved capturing data fields that are open and unrestricted from agencies' licensing databases.

Motion: Ms. Michaelis moved approval, Mr. Veatch seconded, unanimous approval of revised entries as submitted.

Office of the Attorney General: Ms. Mendoza explained that the 2 year retention period, as revised in the last Records Board meeting for series 0050-082, General Legal Services – State Agencies, Boards, and Commissions was a mistake; while the agency may maintain some of these records a year or two after a matter is closed, the agency wanted more flexibility in its disposal of matters that are dealt with quickly. Mr. Yeary asked for clarification about the "legal opinion" language, and Ms. Mendoza explained this is part of their daily work and general legal counsel services, not work related to formal opinion-writing.

Motion: Ms. Michaelis moved approval, Mr. Veatch seconded, unanimous approval of revised schedule entry as submitted.

Kansas Housing Inspectors Registration Board: This board was created in 2010 and sunsetted at the end of fiscal year 2013. At that time, the board chair arranged to transfer all electronic records to the Kansas Historical Society; paper records remained at the accountant's office who served as staff support for the board. The majority of the records transferred fell within general retention and disposition schedule entries, but the housing inspector and school application and renewal records needed to be separately scheduled.

Ms. Mendoza suggested that because this is a sunsetted agency that will not be brought back to life by the State Legislature, the disposition should be changed to “destroy immediately.”

Motion: Mr. Veatch moved approval, Mr. Yeary seconded, unanimous approval of new entry as revised.

Local records – County Public Works and General Schedule: Ms. Wiget explained that both these new entries on the local records retention schedule are actually copies of entries on two state agencies’ schedules. Ms. Anderson, records manager with Johnson County, found both these entries on the state schedule and wished to use them for her county. In order to do so, they needed to be added to the local records schedule. The hygrothermograph entry could be useful for any county museum or other entity that may track environmental conditions for its office or storage spaces.

Motion: Mr. Veatch moved approval, Ms. Michaelis seconded, unanimous approval of both entries as submitted.

Housekeeping changes: For the benefit of John Yeary, Mr. Veatch described the purpose of the housekeeping report, focusing specifically on general schedule entries appearing on agency-specific schedules. This is a pre-cursor to a larger project to clean up the actual general schedule.

The board acknowledged the housekeeping report.

Ms. Wiget will send out an email regarding both the upcoming meetings for records officers and the social media survey. There are 28 responses so far, a high response rate, but she would like more input. Ms. Mendoza believes that any guidance from the board regarding social media will be like the email white paper from several years ago, focusing on the underlying content rather than the media, and rather than creating actual specific schedule entries on the general schedule or on agency-specific schedules. Mr. Veatch pointed out that email is typically housed internally and therefore agencies have more control over it, unlike social media. Mr. Veatch requested that Ms. Mendoza be a secondary facilitator on the social media survey discussion at the records officers’ meeting.

Ms. Wiget pointed out the earliness of the January board meeting date and asked whether the board would prefer to meet on a different date. The board agreed to meeting on January 23 instead and proposed in future that the board should regularly meet on the third Thursday of the month instead of the second.

Ms. Mendoza adjourned the meeting at 10:45 a.m.