

State Records Board  
July 17, 2014  
Executive Conference Room, Kansas Historical Society

Present: Lisa Mendoza, chair, Attorney General's designee  
John Yeary, Secretary of Administration's designee  
Bill Sowers, State Librarian's designee  
Matt Veatch, State Archivist  
Pat Michaelis, Kansas Historical Society Executive Director's designee

Also present: Sherry Bukovatz, Kansas State Dept. of Education (KSDE)  
Scott Gordon, KSDE  
Joanna Hammerschmidt, Kansas Historical Society (KSHS)  
Marcella Wiget, KSHS  
Madeleine E. Hare, Kansas Department of Administration  
Doug Craig, Administration  
Mike Landman, Administration  
Leah Hubbard, Administration

Ms. Mendoza brought the meeting to order at 8:38 a.m. and began the introductions.

*Minutes:* **Motion:** Mr. Sowers moved, Mr. Yeary seconded, unanimous approval of meeting minutes as presented.

*Kansas State Department of Education (KSDE):* Some awards programs had previously been scheduled, but new awards had been created and older ones discontinued. Records management staff recommended grouping by award type, e.g. by schools, students, teachers, etc., largely because retention, disposition, and access restrictions did not change by these categories. This would also allow the schedule entries to remain relevant no matter what specific awards were being given.

Ms. Mendoza questioned the use of statute K.S.A. 45-221(a)(49) for restricting access; Scott Gordon explained that the agency will communicate with specific individuals about awards, but Ms. Mendoza thought this sub-section referred only to those communications widely distributed by the agency. She suggested using K.S.A. 45-221(a)(30) instead, so that the agency could protect itself from releasing personal information. Ms. Mendoza also suggested adding K.S.A. 45-221(a)(1) to both the School Award Program files and the United States Senate Youth Program files to cover other state or federal laws and regulations that would restrict access to those records.

Discussion turned to the "periodically transfer to State Archives" language; there was a suggestion instead for all applicable series entries with that language to read instead, "Retain all program materials for [X] calendar years. Retain updated list of winners and final lists permanently; bi-annually transfer copy to the State Archives."

**Motion:** Ms. Michaelis moved, Mr. Veatch seconded, unanimous approval of new schedule entries as amended.

Revised entry will also include the "bi-annually transfer to the State Archives" language and remove the K.S.A. 45-221(a)(49) restriction.

**Motion:** Mr. Veatch moved, Mr. Sowers seconded, unanimous approval of revised schedule entry as amended.

**Motion:** Mr. Veatch moved, Mr. Yeary seconded, unanimous approval to supersede 0239-652 into the new schedule entry.

*Kansas Department of Administration:* Discussion surrounded the organizational name changes within the Department of Administration. Doug Craig indicated that the agency is no longer creating several of the schedule entries on their books, in part due to electronic recordkeeping.

If the state is issuing payment to an entity that owes debt to a municipality or to the state, the agency can apply that payment toward the debt; these are called setoff records. Ms. Mendoza had concerns about potential access restrictions on these records. If the information was coming out of public hearings, then the information about the debtor would be public knowledge already, but if the information is coming from administrative documents only, this information would be private. Ms. Mendoza recommended adding K.S.A. 75-3520 and K.S.A. 45-221(a)(14)(30) to the restrictions note field. Discussion also surrounded how long these records are actually maintained; the agency has information regarding debts dating back to the 1980s because those are still considered active debts. Because this changes the retention period, the agency will need to complete an Electronic Recordkeeping Plan for the Kansas Debt Recovery System. The Department of Administration owns the data, but the State Treasurer's Office runs the technology and designed the system.

The 218 agreements, related to Medicare/Medicaid/FICA/etc. are between the state and the federal government in order to withhold for Social Security; the state can also thereafter create agreements with municipalities. The federal government may come in and discover that the municipality has been reporting Social Security but not signed an agreement, or that the municipality has signed an agreement but not been reporting Social Security. These are considered permanently active records by the agency, and the agency would like to scan these documents with an optical reader in order to make them more accessible and not rely on the delicate paper copies. Mr. Veatch also suggested the agency could transfer the paper copies to the State Archives for permanent retention.

The DAFR reports in 0174-173 are both microfiche and paper; the average daily balance reports are 0136-173 and the agency believes those have only been maintained in paper form. Ms. Wiget pointed out that SMART, the system replacing these records, has not yet been scheduled.

**Motion:** Mr. Veatch moved, Mr. Sowers seconded, unanimous tabling of series entry 0506-173, pending the creation of an Electronic Recordkeeping Plan.

**Motion:** Ms. Michaelis moved, Mr. Sowers seconded, unanimous approval of other three revised entries as amended.

**Motion:** Mr. Veatch moved, Ms. Michaelis seconded, unanimous approval of superseding two entries as presented.

The board acknowledged receipt of the housekeeping report.

*Electronic Records Committee update:* At their last meeting, the committee decided to begin work on social media records management guidance for state agencies. The social media policy currently in place for the state is owned by the governor's office. Expected guidelines will include best practices and options for archiving social media, if necessary.

Discussion turned to agencies storing public records in the cloud. Ms. Mendoza indicated that several agencies have been thinking about using cloud storage solutions, and that most agencies do not think intentionally about records retention when storing public records in the cloud; this is not only a concern about retention but also about the Kansas Open Meetings Act. Ms. Mendoza would like the Electronic Records Committee to start thinking about creating recommendations and guidelines for cloud storage.

**Motion:** Mr. Veatch moved, Mr. Sowers seconded adjourning the meeting at 10 a.m.