

# RECORD RETENTION POLICY

In concurrence with the State Law, the City of Forest Park shall comply with the Georgia Records Act, as presented in O.C.G.A §50-90-18 et seq. for public entities.

## A. PURPOSE – STATEMENT OF POLICY

The City of Forest Park recognizes that its citizens have a right to expect, and the City has an obligation to maintain an efficient and cost-effective Records Management Program and it further recognizes the importance of City records in the lives of its citizens. The City of Forest Park has a responsibility to its citizens to manage, protect, preserve, and make available City records. The decision to adopt Forest Park's Records Management Program is a commitment to improving the City's overall record keeping system.

It is the policy of the City of Forest Park to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, retention, and disposition of all records of the City of Forest Park. This policy will be implemented through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Georgia Open Records Act and accepted records management practice.

All City records must be created, maintained, and disposed of in accordance with this chapter and all requirements, policies and procedures established pursuant to this chapter, and in no other manner.

## B. DEFINITIONS

1. **Approved Records Retention and Disposition Schedule** – a records retention and disposition schedule that has been approved by the City Manager, the Records Management Officer and the Georgia Secretary of State Records Management Office and adopted by the City Council of Ordinance through this policy. Website for Georgia Archives to view the Retention and Disposition Schedule – [www.georgiaarchives.org](http://www.georgiaarchives.org)
2. **City Record** – every document, paper, letter, record, book, map, drawing, photograph, tape (sound or video recording), and all copies, duplicates, photographs, including microfilm, or other reproductions thereof, or any other documentary materials, regardless of physical form or characteristics, including information contained in electronic data processing equipment and on floppy disks, optical disks, and compact disks, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under State law, that is created or received by the City of Forest Park or any its officers or

employees pursuant to law or in the transaction of public business. A City record does not include library material acquired solely for reference, exhibit, or display or stocks of publications, advertisements, or other unsolicited written materials received by the City or any of its officers or employees. The provisions of the State of Georgia Open Records Act or any successor provisions thereof shall govern regarding the status of the records described herein as public records or as exempt from the public records laws.

3. **Department** – any department, division, commission, authority, committee, task force, or similar entity of the City.
4. **Director/Division Head** – the person who oversees a department of the City that creates or receives City records.
5. **Essential Record** – any City record necessary to resume or continue operations of the City in an emergency or disaster; recreate the legal and financial status of the City; or to protect and fulfill obligations to the citizens of the City.
6. **Form** – a document on which captions are pre-printed for entering variable data and which is used to transmit information from one point to another. Forms are generally used to cause some action, establish a memory and/or give a report. This includes stationery, envelopes, memo pads, checks, etc.
7. **Open Records Law** – O.C.G.A. §50-14-1 through §50-18-76, also known as the Georgia Open Records Act and the Sunshine Law.
8. **Permanent Record** – any City record for which the retention period on Records Retention and Disposition Schedule is given as permanent.
9. **Records Center** – the facility used to provide centralized and secure storage for non-current and permanent City records.
10. **Records Disposition** – the removal or destruction of a City record from a department or from a non-current records storage center and for a City record that has passed its minimum legal retention period and no longer has value to the City, or a permanent City record, transfer of the record to Records Center for archival accession.
11. **Records Inventory** – the process of locating, identifying, and describing in detail the records of a department.
12. **Records Liaison** – a person designated by each Director/Division Head to implement the Records Management Program in their department.

13. **Records Management** – the creation and implementation of systematic controls for City records from the point where they are created or received through final disposition or archival retention, including distribution, use, maintenance, storage, retrieval, protection, preservation, and disposal, for the purpose of achieving adequate and proper documentation of the policies and transactions of City government and reducing costs and improving the efficiency of record keeping. The term includes: development of Records Retention and Disposition Schedules; management of filing and information retrieval systems; protection of essential and permanent records; economical and space-effective storage of non-current records; control over the creation and distribution of forms, reports, and correspondence; management of manual, micrographic, electronic, and other records storage systems; and identification of functional record keeping requirements that ensure City records are created to adequately document the City’s business transactions.
14. **Records Management Officer** – the person appointed by the City Manager, *primarily the City Clerk*, to administer the City’s Records Management Program.
15. **Records Management Program** – the requirements, policies, and procedures developed by this document.
16. **Records Retention and Disposition Schedule** – a document prepared by or under the authority of the Records Management Officer and describes recurring records or records series on a continuing basis, indicating for each record series the length of time it is to be maintained in a department or in Records Center; when and if the record or records series may be destroyed or otherwise disposed of; and other records disposition information that the Records Management Program may require.
17. **Retention Period** – the minimum time that must pass after the creation, recording, or receipt of a City record, or after the fulfillment of certain actions associated with a City record before the record is eligible for disposition.

### C. OWNERSHIP AND CUSTODY OF CITY RECORDS

Every City record is the property of the City of Forest Park. No City officer or employee has any personal or property right to a City record even though they may have developed or compiled the record. The unauthorized alteration, destruction, deletion, removal of use of a City record is prohibited. A City record exempted from public disclosure under State or Federal law is not made subject to disclosure by its designation as City property under this section.

A City record may not be sold, loaned, given away, destroyed, or otherwise alienated from the City’s custody unless in accordance with this chapter. This subsection does not apply to a City record that is temporarily transferred to a contractor for purposes of microfilming, duplication,

and conversion to electronic media, restoration, or a similar records management and preservation procedure if the transfer is authorized by the Records Management Officer.

Except when a City record is transferred into the archival custody of a records center, legal custody of a City record created or received by a department during business remains with the Director/Division Head. The legal custodian, as guardian of record, does not relinquish responsibility for the care, preservation, or legal disposition of the record even though physical custody of the record for maintenance and preservation purposes may be held by another department or agency. The physical custodian of the record is also responsible for complying with all Records Management Program requirements, policies, and procedures. An original City record may not leave the custody of the department concerned when it is being used by a member of the public.

#### **D. PASSWORD PROTECTED ELECTRONIC RECORDS PROHIBITED**

Because all City records including all electronic records, are public records, electronic records may not be password protected unless it is a record specifically exempt from the Open Records Law. Only confidential documents as specified in the Open Records Law may be password protected if the creator of the document provides his/her supervisor with the password. Written confirmation from the supervisor shall be forwarded to the Records Management Officer confirming the record is confidential. Such confirmation shall note the specific law that exempts the record from being an Open Record.

#### **E. RECORDS INVOLVED IN PUBLIC INFORMATION REQUESTS, REQUEST BY MEDIA, AND RECORDS PENDING LITIGATION OR PENDING AUDITS**

The destruction of a City record involved in a pending request under the Public Information Act, pending litigation, or a pending audit is prohibited, even if the destruction of the record is authorized by an approved Records Retention and Disposition Schedule. Retrieval and release of all records to the public or media shall be in accordance with rules and regulations of the Open Records Act and City of Forest Park Open Records Policy. *All retrieval and release of records for litigation or media purposes shall ALSO be in accordance with the advice and consent of the City of Forest Park Legal Department and City Clerk's office.*

#### **F. RECORDS MANAGEMENT OFFICER – DUTIES AND RESPONSIBILITIES**

In addition to other duties assigned by this chapter and State Law, the Records Management Officer shall:

1. Administer the City's Records Management Program and provide advice and assistance to Directors/Division Heads in its implementation.
2. Prepare the requirements, policies, and procedures for the City's Records Management Program.

3. Review and approved the Records Retention and Disposition Schedules for all departments.
4. In cooperation with Directors/Division Heads, identify essential records and establish a records disaster and recovery plan of each department to ensure maximum availability of the records to re-establish operations quickly and with minimum disruption and expense.
5. Monitor retention/disposition schedules and administrative rules issued by the Georgia Secretary of State to determine if the Records Management Program and the City's Records Retention and Disposition Schedule are in compliance with State regulations.
6. Disseminate information concerning State Laws and administrative rules relating to City records to the Directors/Divisions Heads.
7. Instruct or train the Records Liaison Officers and other personnel in the Records Management Program.
8. Direct Records Liaison Officers and other personnel in the conduct of records inventories (of file types, not individual files) in preparation for the development of Records Retention and Disposition Schedules.
9. Ensure that the creation, maintenance, preservation, microfilming, electronic storage, destruction, and other disposition of City records are carried out in accordance with the requirements, policies, and procedures of the Records Management Program, this chapter, and State Law.
10. Bring to the attention of the City Manager any non-compliance by Director/Division Head or other personnel with the requirements, policies, and procedures of the Records Management Program, this chapter, and State Law.
11. Develop procedures to ensure the permanent preservation of the historically valuable records of the City.
12. Conduct periodic reviews of departmental record keeping practices and Records Retention and Disposition Schedules to ensure that the schedules are kept current.
13. Provide uniform standards and efficient controls over the identification, appraisal, maintenance, protection, preservation, transfer, retention, and disposition of City Records.
14. Review City-wide and departmental policies to ensure compliance with the Records Management Program, this chapter, and State Law.

15. In cooperation with Directors/Division Heads, incorporate records management policies, objectives, responsibilities, and authorities in pertinent departmental directives.
16. Review user requirements, cost feasibility studies, systems requirements, systems specifications, and other systems design documents to ensure that record keeping requirements and public access requirements are incorporated into electronic record keeping systems as the design phase.
17. Establish procedures for the use of approved general retention and disposition schedules by City departments.
18. Serve as the City's liaison to the Georgia Secretary of State for Records Management Program requirements.

#### **G. DIRECTORS/DIVISION HEADS – DUTIES AND RESPONSIBILITIES**

Every Director and Division Head shall:

1. Cooperate with the Records Management Officer in carrying out the policies, procedures, and requirements of the Records Management Program, this chapter, and State Law.
2. Maintain City records in their custody and carry out the preservation, microfilming, electronic storage, destruction, and other disposition of those records only in accordance with the Records Management Program, this chapter, and State Law.
3. Review and approve Records Retention and Disposition Schedules and requests to dispose of City records that are prepared and submitted by or under the direction of the Records Management Officer.
4. Notify the Records Management Officer within 24 hours of the discovery of any loss, theft, or damage to a City record.
5. Ensure the ability to access records regardless of form or medium.
6. Notify the Records Management Officer of proposed electronic record keeping systems to ensure compliance with electronic record keeping requirements established by the Records Management Program, this chapter, and State Law.
7. Under the direction of the Manager of Information Systems, ensure electronic records in the director's custody are migrated forward as technology changes, for as long as the records are determined to have value, and to ensure that requests for funding for new systems or systems enhancements address requirements for backup, recopying, disaster

recovery, security, public access, audit trails, and other record keeping requirements in accordance with the Records Management Program, this chapter, and State Laws.

8. Appoint a department Records Liaison Officer in accordance with this program.
9. Incorporate the Records Management Program requirements in pertinent departmental policies and procedures.
10. In cooperation with the Records Management Officer, identify essential records of the department and establish a Records Disaster Recovery Plan to ensure maximum availability of the records to reestablish operations quickly and with minimum disruption and expense.

## **H. RECORDS LIAISON OFFICERS – DUTIES AND RESPONSIBILITIES**

Each Director/Division Head shall designate in writing to the Records Management Officer a member of their staff to serve as the Records Liaison Officer for the implementation of the Records Management Program for each department/division. If the Records Management Officer determines that more than one Records Liaison Officer is need for the department/division, the Director/Division Head shall designate more Records Liaison Officers as specified by Records Management Officer.

A person designated as a Records Liaison Officer shall be thoroughly familiar with department policies and activities and have full knowledge of and access to all City records created and maintained by the Department/Division and by all officers and employees of the Department/Division. If a person designated as a Records Liaison Officer resigns, retires, or is removed by action of the Director/Division Head, the Director/Division Head shall promptly designate another person to fill the vacancy and, also serve in the position until it has been filled.

In addition to other duties assigned in this chapter or by State Law, a Records Liaison Officer shall:

1. In cooperation with the Records Management Officer, coordinate and implement the requirements, policies, and procedures of the Records Management Program in the department.
2. Disseminate information to department staff concerning the Records Management Program.
3. In cooperation with the Records Management Officer, coordinate the records inventory of the department (inventory of file types, not individual files).

4. Verify the accuracy, content, and completeness of the records inventory prior to submission to the Records Management Officer.
5. Review departmental record keeping practices for compliance with the Records Management Program and, in consultation with the Records Management Officer, identify practices that require improvement for the purposes of increasing efficiency or implementing corrective action for program compliance.
6. Report any non-compliance with the Records Management Program to the Director/Division Head in writing and correct and re-submit to the Records Management Officer any records inventory that is incomplete or inaccurate.
7. Periodically inventory records in department or division and give report to the Record Management Officer.

## **I. RECORDS RETENTION AND DISPOSITION SCHEDULES**

The Records Management Officer, in cooperation with Directors/Division Heads and Records Liaison Officers, shall prepare Records Retention and Disposition Schedules on a department-by-department basis that describe and establish the retention periods of all City records created or received by each department. The schedule should list the periods of time that the records are to remain in the original department, the records center, as well as the ultimate disposition. (Microfilm, scan, or transfer to archives, or destroy).

Any Records Retention and Disposition Schedule, amendment to a schedule, or request for destruction of a record that contains general terms such as “miscellaneous” and “various” to describe any record identified in such a document may not be submitted to the Records Management Officer for consideration.

Each Records Retention and Disposition Schedule must be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that the schedule is in compliance with Records Retention and Disposition Schedules issued by the State and City of Forest Park Records Management Program that the schedule continues to reflect the record keeping procedures and needs of the department and the Records Management Program of the City.

Records may not be destroyed prior to the time periods stated, however, they may be retained for longer periods for sufficient reason.

The Georgia Department of Archives and History publishes a Retention Schedule for Local Government Records. The City shall comply with the retention schedule timelines as outlined within this schedule. A copy of the entire retention schedule is included within this policy for reference purposes.

## **J. IMPLEMENTATION**



The Director/Division Heads and Records Liaison Officer of a department for which a Records Retention and Disposition Schedule has been approved shall implement the schedule in accordance with the requirements, policies, and procedures of the Records Management Program, this chapter, and State Law.

A City record whose retention period has expired on an approved Records Retention and Disposition Schedule must be destroyed unless an Open Records Request is pending on the record; the subject matter of the record is pertinent to pending litigation or a pending audit, the Director/Division Head request to the Records Management Officer in writing that the record be retained for an additional period, which request must clearly state the reason for the continued retention; or the Records Management Officer sends written notification to a Director/Division Head that the records must be held pending review for historical appraisal.

## **K. DESTRUCTION OF RECORDS**

The Records Management Officer shall approve City records proposed for destruction on a regularly scheduled basis, according to the maximum retention and records disposition guidelines provided in the manual. No original record shall be destroyed without the review and concurrence of the Records Management Officer and the appropriate Director/Division Head. The Records Management Officer is directed to supervise the destruction or records approved for final disposition on a regularly scheduled basis. Any City record, the subject matter of which is in litigation, shall not be destroyed until such litigation is final.

**Destruction of Original Records that have been Duplicated** – Original paper records that have been duplicated on microfilm, microfiche, data processing, or work processing equipment may be destroyed prior to the retention period specified in the records schedule without further approval provided the following three conditions are met:

1. The duplicate copy of the information contained in the original records is maintained for the specified time.
2. The original paper record has not been scheduled for permanent preservation.
3. The Records Management Officer has agreed to the destruction of the original paper record and the destruction is recorded.

**Unscheduled Records** – A City record that is obsolete or that has not been identified on an approved Records Retention and Disposition Schedule may be destroyed if its destruction has been approved in the City of Forest Park Records Management Program in the same manner required in this chapter, and the Records Retention officer has approved a request for destruction authorization.

## **L. RECORDS CENTERS**

The Records Centers serve as centralized records storage facilities for all departments for the storage of non-current City records and is under the direct control and supervision of the Records Management Officer. The Records Management Officer shall establish policies and procedures regulating the operation and use by City departments. The City Hall Records

regulating the operations and use by the departments. The City Hall Records Center (Archive Room) shall serve as the repository for current permanent City records that are transferred to the Records Management Officer by all departments. Additional off-site locations are designated by the City Manager for storage of records of less importance.

Fireproof storage systems shall be utilized and serve as repository for current records of the City Treasurer's Office and permanent and historical records of the City Clerk only.

#### **M. MICROFILMING/DIGITAL STORAGE OF CITY RECORDS**

City records may be microfilmed, scanned, or digitally stored in accordance with the Records Management Program. Every Director/Division Head shall coordinate the microfilming, scanning, or digital storage of a City record with the Records Management Officer. The Records Management Officer shall periodically review each department's electronic storage programs as to cost-effectiveness, administrative efficiency, and compliance with the Record Management Program.

#### **N. ELECTRONIC RECORDS – STORAGE and DESTRUCTION**

The creation, maintenance, preservation, electronic document imaging, and storage of the electronic records of the City must comply with the Records Management Program, this chapter, and State Law. All operational procedures of document imaging and electronic systems are under the supervision of the Manager of the Information Systems.

**Destruction of Data Processing Records** – Computer printouts and other data processing input/output may be destroyed without specific authorization and recording provided the following conditions apply.

1. The information is retained on magnetic media (e.g., magnetic tape, diskettes, etc.), and the media is scheduled in a Records Retention and Disposition Schedule.
2. The output copy is not specifically listed and scheduled in this Records Retention and Disposition Schedule.

#### **O. ELECTRONIC MAIL**

The City of Forest Park provides E-mail services to help its employees conduct business effectively. E-mail is a public record and should be used for City Business. It is intended to expedite communications, reduce paperwork, and automate routine office tasks; thereby increasing productivity and reducing costs. The same discretion should be used in maintaining and storing E-mail messages as you would maintain any other city produced record. The policies for E-mail are further explained in other publications of the City of Forest Park.

#### **P. GENERAL GUIDELINES and PROCEDURES for STORAGE IN RECORD CENTERS**

- A. **The Department's Records Liaison** – appointed by and under the direction of the Director/Division Head, will be responsible for the coordination of the Department/Division's records storage in conjunction with the guidelines and procedures outlined in the Records Management Policy. The Records Management Officer (City Clerk) will witness receipt and approve all record storage deposits into the Records Center (Archive Room).
- B. **The Records Liaison** – for each department will be responsible for inventory and coordination of filing and records management in their department's storage and filing facility in conjunction with the rules and regulations of this policy and State of Georgia records retention requirements.
- C. **Type of Storage Box** – All records must be stored in one cubic foot size boxes (10"x 12" x 15 ¼"). Any larger boxes are hard to handle and dangerous! Large boxes will not be accepted in the Records Centers.
- D. **Packing of Box** – Records must be categorized by date and item description. Disposition of records will be by year and type of record. Please store records in similar categories and dates (years). Leave room equivalent to "**one hand's width**" (about ½ inch) in each box when packing. **Do not over pack the box.**
- E. **Paperwork Submittal** – An entry form must be completed with record descriptions and signed by Department/Division Head and Record Liaison.
- F. **Receipt of Records** – All boxes of records for deposit in the records center (Archive Room) must be inventoried, reviewed for retention schedule assignments, and logged in through the City Clerk's Office by appointment.
- G. **Entry into Record Center** – All employees must sign in and receive a key prior to entering the records center. The key and sign in sheet are available in the City Clerk's Office. The Records Center should be locked at all times.
- H. **Record Disposition** – A Disposition notice in compliance to the retention schedule will be sent to the Department/Division Heads and Records Liaisons prior to any destruction of records.
- I. **Disposition** – Records must be approved by the Department/Division Head and Records Management Officer (City Clerk) and in compliance with State Records Retention Regulations.
- J. **Any Permanent Records** – Converted to computer-based scanning programs must also be saved in microfilm format or as paper.

- K. **Surplus/Used Items** – Surplus and Used office items **are not allowed** in the Records Center for storage.
- L. **Finance Department Record Center** – This center is for the *City Treasurer's Office and City Clerk's use only*. The City Treasurer's Office Records Liaison is appointed and under the direction of the City Treasurer, will be responsible for the coordination of the City Treasurer's Office Record Center.
- M. **Permanent Records (e.g., deeds and minutes)** – Permanent Records located in the Records Center must be always stored in a locked file cabinet. Access to these records require the signing out of a key and supervision of the Records Management Officer (City Clerk).
- N. **The Doors of All Record Centers** – *Must be always closed*. All entries into the Records Centers, other than authorized employees, must have permission and/or supervision from the City Clerk before entering.

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