

Policy Type		Approval Authority		Adopted	Effective
Board Approved		NBU Board of Trustees		12/14/2023	
Responsible Executive		Responsible Department		Contact	
Connie Lock		Legal		Pamela Tarbox	
Reviewed/Approved by Chief Financial Officer		Reviewed/Approved by General Counsel & Chief Ethics Officer		Reviewed/Approved by Interim CEO	
Name	Date Signed	Name	Date Signed	Name	Date Signed
Dawn Schriewer		Connie Lock		Ryan Kelso	
Signature		Signature		Signature	
REVISION HISTORY					
May 27, 1998: Adopted Records Management Program Resolution; July 31, 2008: Adopted Records Management Program Policy and Procedures; and December 9, 2021: Revised, renamed and adopted Records and Information Management Policy.					

I. General Provisions

A. Policy Statement

The Board of Trustees of New Braunfels Utilities (NBU) requires all offices, departments, divisions, programs, commissions, bureaus, boards, committees, or similar entities of NBU to adhere to the Records and Information Management (RIM) Policy. The purpose of this Policy is to define appropriate standards to provide for efficient, economical and effective controls over the creation, distribution, organization, maintenance, use and disposition of all NBU company records 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 Texas Local Government Records Act, other applicable law and regulations, and accepted records management practice.

B. Authority

The Texas Local Government Records Act, Chapters 201 through 205, Tex. Loc. Gov't Code, requires that each local government establish an active and continuing records management program administered by a Records Management Officer (RMO). A copy of the resolution establishing or amending the program must be filed with the Texas State Library and Archives Commission (TSLAC). As a local government, NBU prescribes this Policy to facilitate proper administration of a RIM Program in accordance with the Texas Local Government Records Act.

Failure to comply with the RIM Program governed by this Policy may constitute a violation of federal, state and/or local laws or regulations that could result in civil and/or criminal penalties against NBU and/or its officers and employees. NBU's declaration of compliance of August 11, 2008, can be found in Appendix B of this Policy. NBU will continue to submit such certification as may be required by law or regulation.

C. Definitions

NBU records consist of all information, regardless of media, format, operating system, application or storage location and regardless of whether public access to it is open or

restricted under the laws of the state, that is created or received by NBU or any of its officers or employees pursuant to law or in the transaction of public business. All such information is hereby declared to be the local government records of NBU and shall be created, maintained, preserved and disposed of in accordance with this RIM Policy and all procedures authorized hereunder.

Separation from employment with NBU does not relieve a former officer or employee of his or her legal obligation as a temporary custodian under the Texas Public Information Act to preserve any NBU record in his or her possession which has not been transferred to an approved Electronic Document and Records Management System (EDRMS), in accordance with this RIM Policy, the Public Information Act Policy, and all procedures authorized hereunder.

NBU local government records shall be created, maintained, and disposed of in accordance with the provisions of this Policy and other applicable federal, state and local laws and regulations.

For additional definitions related to the RIM Program & Policy, see Appendix A – Definitions.

D. Records Management Requirements at NBU

In the performance of their job duties, NBU employees shall at all times follow and abide by all requirements regarding creation of, access to, and/or retention of any and all local government records, as set forth in APPENDIX C - RIM Requirements of this Policy.

II. Adoption

This Policy applies to all NBU employees and shall become effective immediately upon approval, and supersedes all previous records management policies, instructions, or directives.

III. Administrative Matters

A. Ownership

NBU records are the property of NBU. No NBU official or employee has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, alteration, removal or use of such records is prohibited and may result in disciplinary action against the employee, including possible termination of employment, in addition to possible criminal and/or civil liability, as applicable.

B. No Privacy for Personal Information

NBU employees should not expect privacy of any information that is created, transferred or stored using NBU's property and/or technology systems. NBU reserves the right to review, monitor, and audit all technology systems use at any time. For more information about privacy, refer to the NBU Employee Handbook.

NBU employees shall not store personal information as an Official Company Record. NBU reserves the right to delete any personal information being stored on NBU systems at NBU's sole discretion, without notice.

C. Roles and Committees

The RIM Program is comprised of the following roles and committees. Definitions of each can be found in Appendix A - Definitions of this Policy:

1. *Roles*
 - a. Records Management Officer (RMO)
 - b. Records & Information Management (RIM) Team
 - c. Department Head (executive or director)
 - d. Records Custodian (department manager)
 - e. Records Liaison Officer (RLO)
2. *Committees*
 - a. Records & Information Management (RIM) Committee
 - b. Historical Memorabilia Committee

IV. POLICY OMISSIONS AND LIMITATIONS

A. Matters Not Addressed in Policy

Any matters or issues not addressed by this Policy relating to RIM shall be governed by federal, state, local and/or other applicable laws, regulations or policies.

B. Conflicts between Federal Law, State Law, and this Policy

This Policy does not supersede any applicable federal, state, local and/or other applicable laws. In the event of a conflict between a provision of this Policy and any applicable federal, state or local law or regulation, the latter shall control.

APPENDIX A
DEFINITIONS

1. **Convenience Copy:** Consists of all duplicate/extra copies of records that are not considered the Official Company Record. Convenience Copies only need to be retained as long as administratively feasible but should be reviewed at a minimum of every two (2) years for potential purging in order to keep record storage systems clean and organized. These records have no present value and should be properly destroyed through shredding and/or recycling, as appropriate.
2. **Critical Record:** See Vital Records.
3. **Department Head:** The executive or director responsible for the records and information maintained under his or her Office of Record.
4. **Designated Company Record:** See Official Company Record.
5. **Destruction:** The act of permanently and irreversibly destroying records and information, commonly done through the act of:
 - **Electronic Destruction:** Electronic records are destroyed in the EDRMS, but the record metadata is kept as a Disposition Log to track a record's retention history. This act ensures that page and electronic file contents are entirely removed.
 - **Recycling:** Placing physical media into an unlocked recycle bin typically used to recycle reusable goods such as paper, glass and plastics. As of the date of the policy, NBU does not have a vendor that collects recycling material from recycle bins. Recycling should not be used for media containing Personally Identifiable Information (PII).
 - **Shredding:**
 - a. Secured Shredding – Placing physical media into a locked shred-bin, which is retrieved by a vendor and shredded on-site, at the time of retrieval. Shredded material is then sent to a recycling facility and made into new materials. This is the preferred method of destruction for physical records as it is the most controlled and secured method.
 - b. Unsecured Shredding - Placing physical media in a machine that will pulverize/cut/chop media to destroy it and render it unreadable. As of the date of the policy, NBU does not have a vendor that collects unsecured shredding material and this material is discarded in the trash.
 - **Trash:** Placing physical media in a trash receptacle that is picked up and taken to a landfill. Trash that ends up in a landfill is open to potential data breaches.

Destruction can also take place from a disastrous and/or disruptive event. Destruction methods may also be used to destroy Non-Records.

6. **Digital Record**: See Electronic Record.
7. **Digitization**: See Record Conversion.
8. **Disaster Recovery Planning**: See Emergency Management Plan.
9. **Disposal**: See Destruction.
10. **Disposition**: The final action taken on an Official Company Record per the Records Retention Schedule, which is either Destruction or Permanent Retention.
11. **Disposition Log**: A detailed listing of all records marked for destruction or permanent archival transfer; reflecting the record series, record title, record description, beginning date, ending date, retention, method of destruction, and the signatures of the Division Manager and RMO. These lists have a permanent retention.
12. **Electronic Document and Records Management System (EDRMS)**: A software program or set of programs designed to track and store records. The software can be used to manage the creation and maintenance of records within classification schemes, apply retention and disposal schedules, and control access and use.
13. **Electronic Record**: Information recorded by a software application that is generated with and used by information technology devices.
14. **Emergency Management Plan**: A course of action developed to mitigate the damage of potential events that could endanger NBU's ability to function. Such a plan should include measures that provide for preparedness, response, mitigation, and recovery of records during and after an emergency, disaster, or other disruption. An emphasis is placed on the preservation of Vital Records with the goal of returning NBU to full operational capacity as quickly as possible with as little loss to NBU's business as possible.
15. **Employee**: NBU full-time employees, part-time employees, and temporary or seasonal employees.
16. **Essential Record**: See Vital Records.
17. **Expired Record**: See Convenience Copy, Non-Record and Redundant, Obsolete, Transitory (ROT).

18. **Hard Copy:** See Physical Record.
19. **Historical Memorabilia Committee:** A group of NBU employees and volunteer retirees that are convened, as needed, in order to review information stored on various media formats to identify the potential historical relevance of certain records.
20. **Hold Record:** An Official Company Record preserved through the process of temporarily suspending the Retention Period to prevent destruction of potentially relevant information when a legal request for the information is pending or reasonably anticipated.
21. **Legal Hold:** See Hold Record.
22. **Master Record Copy:** See Official Company Record.
23. **Non-Essential Record:** See Convenience Copy, Non-Record and Redundant, Obsolete, Transitory (ROT).
24. **Non-Record:** Any information that does not hold value or provide evidence of NBU's business activities. A non-record has no business value or legal value. Examples include:
 - Personal Email, Junk/Spam and other non-business related Emails,
 - Publicly available articles, magazines, professional publications, trade publications, industry publications, newspapers and general reference material that is generated outside of NBU; where the custodian of the information is not an NBU Representative,
 - Promotional and similar materials from contractors, vendors and other external entities which are publicly available,
 - Personal papers that may be kept in any employee's work area but were not created or received in the course of business and do not relate in any way to the employee's duties,
 - Information received from external websites, including Social Media and networking platforms, where the custodian of the information on the website(s) is not an NBU Representative.

For more information about records and non-records, see Section 201.003(8), Texas Local Government Code.

25. **Obsolete Record:** See Convenience Copy, Non-Record and Redundant, Obsolete, Transitory (ROT).

26. **Office of Record**: The office of the executive or director group at NBU responsible for maintaining the official company records, as opposed to a duplicate.
27. **Official Company Record**: The primary record used for business and/or legal purposes. It is the record copy used in order to obtain the most updated information on its specific content and used when pulling data for public information requests, audits, litigation, etc.
28. **Open Record**: See Public Information.
29. **Paper Copy**: See Physical Record.
30. **Permanent Record**: Official Company Record with a permanent record retention period. Records can also be classified as permanent if they are Vital Records or hold historical value or because the Record Retention Schedule (RRS) allows it. Permanent Records cannot be destroyed.
31. **Physical Records**: Information recorded in physical form, such as paper, that can be physically handled and which takes up physical space.
32. **Physical Record Storage**: See Records Center.
33. **Preservation**: See Record Retention.
34. **Public Information**: Information that is written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business as defined in Section 552.002 of the Public Information Act. Public Information includes Public Records and may include other types of information as well that is subject to disclosure under Chapter 552 Texas Government Code.
35. **Public Information Act (formerly known as the Texas Open Records Act)**: The Act can be found in Chapter 552 Texas Government Code and gives the public the right to request access to public information. Act also outlines records that are excepted from disclosure.
36. **Public Record**: An Official Company Record that is not confidential and/or does not contain PII.
37. **Record Conversion**: The process of converting information into a digital (computer-readable) format. Physical Records are digitized into an Electronic Record.
38. **Record Lifecycle**: The life span of a record from its creation or receipt to its final disposition. Records are maintained and used throughout four lifecycle phases: creation, active, inactive, and disposition.

39. **Record of Truth**: See Official Company Record.
40. **Record Retention**: Refers to the storage of records that are no longer active. It is the act of keeping records for a specified amount of time or permanently based on a designated Record Retention Schedule.
41. **Record Retention Period**: The minimum time that must pass after the creation, recording, or receipt of a record or the fulfillment of certain actions associated with a record, before it is eligible for destruction. The Record Retention Period is defined for each record classification on the Record Retention Schedule. A Record Retention Period should be honored regardless of media or record format.
42. **Record Retention Schedule (RRS)**: A document issued by the TSLAC under authority of Chapter 441, Subchapter J, Texas Government Code, establishing mandatory retention periods for local government records. See the Section 441.158 of the Texas Government Code for more information.
1. **Records Retention Schedule UT (Records of Utility Services)**: The retention schedule assigned by the Texas State Library & Archives Commission (TSLAC) to provide retention rules for records of a government utility company.
 2. **Records Retention Schedule GR (Records Common to All Local Governments)**: The retention schedule assigned by the Texas State Library & Archives Commission (TSLAC) to provide retention rules for records that are common to all local government organizations/entities.
43. **Records Administrator**: A member of the RIM Team responsible for performing the RIM Program functions.
44. **Records Analyst**: A member of the RIM Team who assists and supports the responsibility of performing the RIM Program functions.
45. **Records Assistant**: A member of the RIM Team who assists and supports the responsibility of performing the RIM Program functions.
46. **Records and Information Management (RIM) Committee**: The Records & Information Management (RIM) Committee meets at least once annually to discuss, review and/or approve topics related to the NBU Records & Information Management Program. This committee consists of the RIM Team, the CEO and a Board Member.
47. **Records and Information Management (RIM) Program**: The NBU initiative consisting of policies, procedures, and processes designed to protect and properly preserve the records of NBU, throughout their lifecycle; reduce administrative and legal costs; and improve the efficiency of recordkeeping.

48. **Records and Information Management (RIM) Team**: A team consisting of General Counsel, Director of Legal Services, Records Manager, Records Administrator, Records Analyst, Records Assistant, and supported by an assigned System Administrator - RIM.
49. **Records Center**: The location devoted exclusively to Physical Records storage. The area shall provide controlled access to hard copy Official Company Records and shall be specifically designed to comply with storage requirements per state law.
50. **Records Custodian**: The manager of a department who is responsible for the records held by that department.
51. **Records Liaison Officer (RLO)**: An assigned RIM Program representative for each department.
52. **Records Management Officer (RMO)**: The person who holds the position of Records Manager of NBU, who oversees the entire RIM Program.
53. **Records Owner**: The employee responsible for any record, regardless of media, created or received by or on behalf of NBU. The Records Owner is responsible for ensuring that his or her records are stored in accordance with NBU policies and procedures and that the Record Retention Category and Retention Period of their records is identified.
54. **Redundant, Obsolete, Transitory (ROT)**: Information that needs to be cleared out of NBU's information systems and EDRMS that has the potential to undermine the accuracy and/or negatively impact the RIM Program.
 - **Redundant**: information that is duplicated in multiple places, whether in the same system or across multiple systems.
 - **Obsolete**: information that has been replaced (superseded) by other information, is incomplete or outdated.
 - **Transitory**: data that is created when doing daily business activities but which does not meet the standards of a record. This information is not valuable to NBU and should be deleted when no longer needed by the Record Owner.
55. **Required Minimum Storage Conditions**: Texas Local Government Bulletin F, Section 7.164 states that, as local resources permit, local governments should strive to store records under conditions that meet as many of the minimum storage condition recommendations of the Texas Local Government Code as practicable. Examples include monitoring the climate of the records center, having appropriate shelving, and getting pest control services completed on a regular basis.

56. **Social Media**: The various activities integrating web technology, social interaction, and user-generated content. Social media includes blogs, wikis, social networks, Facebook, Twitter, RSS feeds (outlook), photo libraries, virtual worlds, location-based services, and video sharing sites.
57. **Source Document**: The record from which record data is obtained for electronic storage. The term does not include backup copies of the data in any media generated from electronic storage.
58. **Source System**: The system or software where information is originated and electronic records are generated. Source systems provides the most complete, accurate and timely data, nearest to the point of operational entry and can be used to feed other systems; including the EDRMS. NBU has several source systems (e.g. City Works, Northstar, Microsoft Dynamics GP, Paramount, etc.), used by several departments. A source system shall not be used for storing Official Company Records without prior authorization from the RIM Team.
59. **Storage Location**: See Records Center.
60. **System Administrator-RIM**: A member of the RIM Team who works within NBU's Data Strategy Department who is responsible for providing support and project management for the application and operations software as related to the RIM Program functions.
61. **Transitory Records**: See Convenience Copy, Non-Record and Redundant, Obsolete, Transitory (ROT).
62. **TSLAC**: The Texas State Library and Archives Commission is the agency created by the State of Texas that is charged with adopting rules for retention, storage, and destruction to oversee and assist state agencies and local governments in implementing records and information management programs in accordance with the state law.
63. **Vital Records**: Any record necessary to resume or continue business operations in an emergency or disaster, to the re-creation of the legal and financial status of NBU, or to the protection and fulfillment of obligations to NBU customers. These records are essential to the continued life of the business. All vital records are permanent records.

**APPENDIX B
DECLARATION OF COMPLIANCE**



Texas State Library and Archives Commission

State and Local Records Management Division
PO Box 12927 • Austin, Texas 78711-2927 • Telephone 512-421-7200

**Declaration of Compliance with the Records Scheduling Requirement
of the Local Government Records Act**

(Submitted pursuant to § 203.041(a)(2), Local Government Code)

New Braunfels Utilities

Name of Government

263 E Main Plaza

Address

New Braunfels, 78131

City and Zip

830-629-

8400

Telephone

As records management officer for the local government or elective county office named, I hereby declare, that in lieu of filing records control schedules, we have adopted records control schedules that comply with minimum requirements established on records retention schedules issued by the Texas State Library and Archives Commission (as checked below) for use in our records management program. In doing so, I also certify that the administrative rules for electronic records, adopted by the commission under § 205.003(a), Local Government Code, will be followed for records subject to the rules. I understand that:

- (1) the validity of this declaration is contingent on its acceptance for filing by the commission;
- (2) if we have previously filed documentation with the commission in which we declared our intent to retain all records permanently, we must attach amended documentation to this declaration before it can be accepted for filing;
- (3) the records control schedules adopted by this declaration may be amended by filing for approval a Supplemental Records Control Schedule (SLR Form 509) on which are listed proposed retention periods for records that do not appear on schedules issued by the commission (as checked below);
- (4) if a Supplemental Records Control Schedule is not filed, we must file a Request for Authorization to Destroy Unscheduled Records (SLR 501) in order to destroy records that do not appear on schedules issued by the commission (as checked below);
- (5) the commission will supply us with subsequent editions of any schedules issued by the commission (as checked below) and supplemental forms for declaring compliance with amended requirements; and
- (6) should we file locally developed records control schedules under § 203.041(a)(1), Local Government Code, retention periods on any approved locally developed schedule shall prevail over those in any schedule adopted by this declaration in the event of any conflict.

Check those schedules issued by the commission with which your records control schedules, adopted by this declaration, comply:

- | | |
|---|--|
| <input type="checkbox"/> Schedule CC (Records of County Clerks) | <input type="checkbox"/> Schedule LC (Records of Justice and Municipal Courts) |
| <input type="checkbox"/> Schedule DC (Records of District Clerks) | <input type="checkbox"/> Schedule PS (Records of Public Safety Agencies) |
| <input type="checkbox"/> Schedule EL (Records of Elections and Voter Registration) | <input type="checkbox"/> Schedule PW (Records of Public Works and Services) |
| <input checked="" type="checkbox"/> Schedule GR (Records Common to All Governments) | <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 checked="" type="checkbox"/> Schedule UT (Records of Utility Services) |

Texas State Library and Archives Commission Use Only	
Accepted for Filing:	
Date:	SLR508 (1/08)

Name (printed or typed): Al Kaufmann
 Signature: *Al Kaufmann*
 Date: 8/11/08

APPENDIX C RECORDS INFORMATION MANAGEMENT REQUIREMENTS

I. RECORDS RETENTION

Recognizing the importance of efficient management, preservation and convenient access to the public of NBU records, the establishment of uniform standards for the retention of records are necessary to govern records management. For each type of NBU record, the RMO shall adopt a minimum retention period that is at least as restrictive as the applicable record retention period specified in the current record retention schedule promulgated by TSLAC in accordance with Section 441.158 of the Texas Government Code. Specifically, NBU utilizes the Records **Retention Schedule UT** (records of utility services) and **Records Retention Schedule GR** (records common to all local governments), as such schedules may be amended. NBU's declaration of compliance can be found in Appendix B of this Policy. No NBU record may be destroyed except in accordance with the applicable retention schedule, the Texas Local Government Records Act and other applicable law.

II. DESTRUCTION OF RECORDS UNDER SCHEDULE

A record whose retention period has expired according to the applicable Records Retention Schedule shall be destroyed in accordance with this Policy unless a Texas Public Information Act Request involving the record is pending, or the record is classified as a Hold Record due to pending or imminent litigation, government investigation, or audit.

Prior to the destruction of a record in accordance with the applicable Records Retention Schedule, the following must occur:

- A. RIM Team must create an annual Disposition Log of records whose retention period has expired;
- B. RLO must perform an initial review of their documents to ensure the Disposition Log accurately represents the records to be destroyed;
- C. Records Custodian must authorize the destruction of his or her records on the Disposition Log;
- D. Department Head must authorize the destruction of all records that fall under his or her Office of Record on the Disposition Log;
- E. RMO must review the entire Disposition Log for approval prior to presenting to the RIM Committee;
- F. RIM Committee must vote to approve the Disposition Log for the destruction of Official Company Records; and
- G. RIM Committee Board Member and NBU CEO must sign the Disposition Log for final approval.

Accidental Destruction of Records

If an Official Company Record has been destroyed without authorization, the RIM Team must be notified within thirty (30) days of the incident (or as soon as possible) to properly document the

accidental disposal of records. Once notified, the RIM Team will submit a log of the destroyed records as official notification to TSLAC.

Destruction of ROT

A Non-Record may be disposed of at the discretion of the custodian or the creator of the document, as applicable. Convenience Copies of an Official Company Record may be destroyed by shredding or recycling, as long as they do not contain PII. Those Convenience Copies that contain PII must be destroyed by shredding only. Trash may not be used to destroy convenience copies.

III. AUTHORIZATION AND ACCESS

NBU must ensure the accuracy, completeness, and accessibility of records to ensure employees have the ability to comply with any litigation, claim, negotiation, audit, Public Information Request, administrative review, or other legal action involving the record. As a result, all NBU employees are required to ensure all records are properly stored in either an approved EDRMS or an approved records storage location in compliance with the RIM Program.

Hold Records

A record may not be destroyed if any litigation, claim, negotiation, audit, Public Information Request (PIR), administrative review or other action involving the record is initiated before the expiration of the applicable record retention period. The record must be retained until the completion of the action and the resolution of all issues that arise from the action or until the expiration of the retention period, whichever is later. Official Company Records associated with any such action should be classified as Hold Records to ensure destruction of the record does not occur. Hold Records are initiated by a notice sent from the office of NBU's General Counsel to the RMO and RIM Team. Hold Records will remain in such status until termination of the suspended Retention Period is communicated by a notice from the office of NBU's General Counsel to the RMO and RIM Team.

Public Information Requests

NBU receives PIRs pursuant to the Texas Public Information Act, Chapter 552 of the Texas Government Code. Public Records, Public Information, Non-Records, ROT and any personal information stored on NBU's systems is subject to the Texas Public Information Act. Compliance with the RIM Program will assist NBU's Public Information Officer in accurately and timely responding to PIRs. For more information, see NBU's Public Information Act Policy.

IV. PHYSICAL RECORDS MANAGEMENT

Official Company Records in physical form must be boxed, labeled, indexed, stored and secured appropriately in accordance with Title 13, Subchapter F, of the Texas Administrative Code.

Records Center

NBU follows the Required Minimum Storage Conditions for Permanent Records provided by Title 13, Rule 7.164, of the Texas Administrative Code for the storage of Physical Records, both permanent and inactive, as follows:

Records shall be stored in a manner that complies with the following:

- A. Offers protection from fire, water, steam, structural collapse, unauthorized access, theft, and other similar hazards and does not expose records to direct sunlight.
- B. Records or storage boxes shall not be stored in contact with the floor.
- C. Records stored in a building or storage area constructed after the effective date of this Policy shall be protected by an operational fire detection system, or the facility must comply with local fire codes.
- D. Records shall not be stored in any area of a building or storage area constructed after the effective date of this Policy that is located in a 100-year flood plain area, as established by the U.S. Geological Survey at the time of the construction of the building, unless the floor of said area is at least five feet above the 100-year flood level.

A records center shall be under the direct control and supervision of the RIM Team. The RIM Program procedures regulate the operation and use of a records center.

V. ELECTRONIC RECORDS MANAGEMENT

Official Company Records in electronic form must be stored and secured appropriately in accordance with Title 13, Subchapter C, of the Texas Administrative Code and Sections 205.001-205.009 of the Texas Local Government Code. Additionally, the RIM Program Procedures for Electronic Records should be followed to ensure compliance with this Policy.

NBU's Electronic Records must be managed and maintained in accordance with the same Record Retention Schedule to which NBU's Physical Records are subject. In addition, NBU shall ensure that any documentation related to software, hardware, support and/or maintenance of NBU systems, especially those that related directly to record management, be preserved based on the applicable Record Retention Schedule.

Security & Accessibility of Electronic Records

Electronic Records shall be appropriately secured to control accessibility. To ensure that only authorized personnel have access to such records, appropriate security measures shall be utilized to prevent the unauthorized addition, modification, alteration, deletion of and/or access to Official Company Records.

Electronic Documents and Records Management System (EDRMS)

All NBU Electronic Records shall be captured and maintained on an approved EDRMS.

Official Company Records shall not be stored and/or maintained on a system or media that is not pre-approved by the RIM team. An EDRMS platform is required to manage electronic records efficiently and successfully. Any Source System that is not an approved EDRMS cannot be the system of record, as such systems may lack the necessary functionality to protect NBU's information and records over time. RIM Program procedures and processes should be followed for integrating and migrating records into an EDRMS.

VI. RECORD CONVERSION

Record Conversion is crucial to long-term records management, including the storage and transmission of records, because it allows information of all kinds in all formats to be stored in NBU's EDRMS in a unified, easy to access manner. Per Texas Local Government Code, Section 205.002, records may be stored electronically in addition to or instead of Source Documents in paper or other media.

Once the Source Document is digitized, the Electronic Record shall become the Official Company Record and shall be retained for the required Retention Period. A quality assurance check should be performed to ensure the integrity of the Electronic Record. The RIM Program Procedures for Record Conversion must be followed prior to the destruction of a Source Document, as Physical Records with a Retention Period of ten (10) years or more and/or Permanent Records must be kept in the Records Center as a Convenience Copy, and proper authorization is required prior to destruction of such records.

Per Texas Local Government Code Section 202.004(c), NBU may temporarily transfer Official Company Records to a third-party company for the purposes of microfilming, duplication, conversion to electronic media, restoration, or similar records management and preservation procedures. Prior to such temporary transfer, NBU must enter into a contract with the third-party recipient to establish appropriate terms and conditions for the temporary transfer and the provision of any third-party records management or preservation services associated therewith.

VII. EMERGENCY MANAGEMENT PLAN

NBU strives to mitigate any damages resulting from potential events that could interrupt or otherwise interfere with NBU's normal business operations. Thus, the RIM Program emphasizes the preservation and/or restoration of Vital Records to ensure that NBU may return to full operational capacity as quickly as possible and minimize possible losses to NBU's business.

Adhering to the RIM Program and following processes and procedures designed to successfully manage Physical Records and Electronic Records is critical for the preservation and/or restoration of Official Company Records in the event of an emergency, disaster, or other disruption. Additional information regarding policies and procedures relating to emergency situations may be found in the NBU Emergency Management Plan.