



**OREGON YOUTH AUTHORITY**  
**Policy Statement**  
**Part I – Administrative Services**



*Subject:*

**Public Records Management**

*Section – Policy Number:*

**E: Information Management – 1.4**

*Supersedes:*

**I-E-1.4 (9/16)**

*Effective Date:*

**04/05/2019**

*Date of Last*

*Review/Revision:*

**None**

**Related Standards and References:**

- [ORS 192.018](#) Written policies on use, retention and ownership of public records; State Archivist approval
- [ORS 192.105](#) State Archivist authorization for state officials to dispose of records; legislative records excepted; local government policy on disposing of public records; limitations; records officer; standards for State Records Center
- [ORS 357.855](#) Advice and assistance on public record problems
- [OAR Chapter 166](#) State Archives Division
- DAS statewide policies:
  - [107-004-050](#) (Information Asset Classification)
  - [107-001-020](#) (Public Records Management)
  - [107-004-150](#) (Cloud Computing)
- [OYA's Continuity of Operations Planning \(COOP\)](#)
- [OYA policies:](#)
  - 0-7.0 (Use of Electronic Information Assets and Systems)
  - I-C-9.0 (MCDs and Other Mobile Data Storage Devices)
  - I-E-2.0 (Records Retention, Destruction and Archiving)
  - I-E-2.1 (Public Records Requests for Agency Records)
  - I-E-2.3 (Requests for Youth Information and Records)
  - I-E-3.1 (Publication Management)
  - I-E-3.2 (Information Asset Classification and Protection)


**Related Procedures:**

- None

**Policy Owner:**

Public Policy and Government Relations Manager

**Approved:**

  
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 Joseph O'Leary, Director

**I. PURPOSE:**

This policy is intended to comply with [ORS 192.018](#) and DAS statewide policy [107-001-020](#) (Public Records Management) by defining OYA's public records management program.

## II. POLICY DEFINITIONS:

**Cloud computing:** Has the same meaning as “Cloud Computing” defined in the National Institute of Standards and Technology (NIST) Special Publication 800-145, available at <http://nvlpubs.nist.gov/nistpubs/Legacy/SP/nistspecialpublication800-145.pdf>.

**Custodian:** A public body mandated, directly or indirectly, to create, maintain, care for or control a public record. "Custodian" does not include a public body that has custody of a public record as an agent of another public body that is the custodian, unless the public record is not otherwise available.

**Instant messaging:** Real-time text communications between or among computers or mobile devices over the Internet or functionally similar communications network.

**Metadata:** Data that provides information about other data. Metadata assists in resource discovery by allowing resources to be found by relevant criteria, identifying resources, bringing similar resources together, distinguishing dissimilar resources, and giving location information.

**OYA Information Security Office (ISO):** OYA employee who is responsible for overseeing the agency’s information security program to help ensure the security objectives are addressed.

**Public record:** Has the meaning established in ORS 192.005. In general, it refers to information that is prepared, owned, used or retained by a state agency or political subdivision; relates to an activity, transaction or function of a state agency or political subdivision; and is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the state agency or political subdivision.

**Social media:** Web-based and mobile communication technologies that allow the creation and exchange of user-generated content such as comments or responsive postings. Examples of “social media” include but are not limited to Twitter, Flickr, blogging sites, Facebook, YouTube and Instagram.

**Text messaging:** Messages exchanged between fixed-line phones or mobile phones and fixed or portable devices over a network. Excluded from the definition of “text messages” are electronic mail (“e-mail”) communications, whether such messages are exchanged among or between official state government e-mail accounts or e-mail accounts maintained by private entities.

**Unified Communications:** A service of IBM , the packaged services or user profiles available to agencies (e.g., instant messaging, video conferencing, telephony, call management and call control across multiple systems). Also known as IBM Unified Communications.

### III. POLICY:

OYA maintains and manages its public records in a way that protects the integrity of the records from the time of the record's creation to the time of the record's final disposition, regardless of the technology or medium used to create or communicate the record.

### IV. GENERAL STANDARDS:

#### A. Roles and Responsibilities

1. Oregon law requires agencies to designate an agency records officer "to coordinate its agency's Records Management Program" ([ORS 192.105\(2\)\(a\)](#)).

OYA's records officer serves as primary liaison with the State Archivist and receives training from the State Archivist in performing records management duties.

2. OYA ensures public records are managed appropriately within the agency from the time of creation to final disposition by assigning these additional responsibilities to the following designated positions:
  - a) Agency retention coordinator: Develops and maintains OYA record retention schedules; provides information and consultation to OYA staff about records retention and destruction.
  - b) Agency archive coordinator: Develops and maintains agencywide archiving procedures and provides information and consultation to OYA staff about records storage and archiving.
  - c) OYA information security officer: Updates the agency information asset classification and protection matrixes; sets the standard of information asset protection and handling; coordinates a biennial review of the matrixes to ensure the matrixes are current and match the agency retention schedule. (See OYA policy [I-E-3.2](#) Information Asset Classification and Protection.)
  - d) OYA communication manager: Ensures records placed on any social media platform by OYA is an accurate copy of an official record that is retained elsewhere by OYA, for required record retention purposes.
  - e) Chief information officer: Ensures agency compliance with DAS statewide cloud-computing policy ([107-004-150](#); [107-004-150](#) PR), [OAR chapter 166](#), and that appropriate access and version controls are applied to all electronically-stored records from record creation to final disposition.

B. Education and Training

OYA provides basic public records training to newly-hired staff as a component of its new employee orientation curriculum. Basic public records training is incorporated into staff regular training at least once every two years.

C. Access and Ownership

Regardless of how public records are being stored, OYA has possession and control over created records. OYA ensures all public records are maintained and accessible for as long as required by applicable retention schedules or litigation holds, through ongoing review of technological advances.

OYA's disaster mitigation process is addressed in OYA's Business Continuity Plan and Recovery Plans, and is incorporated by reference.

D. Integrity

OYA ensures appropriate access and version controls are applied to all electronically-stored records, from record creation to final disposition. The authenticity of each record must be demonstrated either by certified copy of paper records, or by accompanying metadata for electronic records.

E. Retention Generally

OYA preserves and classifies public records according to ORS chapter 192, OAR chapter 166, and DAS statewide policy [107-004-050](#) regarding Information Asset Classification.

1. Cloud computing

OYA's cloud-computing record retention processes comply with DAS statewide Cloud Computing policy ([107-004-150](#); [107-004-150](#) PR), and all requirements outlined in [OAR chapter 166](#).

2. E-mail

a) OYA e-mail accounts

Most e-mails sent to or from staff OYA e-mail accounts meet the definition of a public record and are subject to search and production.

b) Private e-mail accounts

Staff who use their private e-mail accounts to conduct OYA business must ensure their OYA e-mail accounts are copied on all such outgoing messages, and forward any received

messages on which their OYA e-mail accounts are not copied immediately or as soon as practicable. Personal e-mail accounts (addresses) used to conduct OYA business may be subject to search and production.

- c) Staff may refer to OYA policy [0-7.0](#) (Use of Electronic Information Assets and Systems) for acceptable use of the OYA e-mail system.

### 3. Instant Messaging and Text Messaging

Instant messaging and text messaging are not considered public record. OYA does not retain instant messages or text messages, and does not search any existing such messages in response to public records requests.

The substantive business content of such messages must be recorded in other formats as prescribed by OYA policy [0-7.0](#) (Use of Electronic Information Assets and Systems).

### 4. Social Media

Records placed on a social media platform by OYA are copies of official records that are retained elsewhere per applicable retention schedules. Staff may refer to OYA policy [I-E-3.1](#) (Publication Management) for proper social media communication standards.

### 5. Unified Communications

Public records created by services activated within the selected Unified Communications user profile will be maintained according to ORS chapter [192](#), OAR chapter 166 division [300](#).

OYA's Unified Communications records practices and procedures are based on the user profile selected and services available to OYA.

### 6. Voicemail

Voicemail messages are not considered public record. OYA does not retain voicemail messages, and does not search any existing voicemail messages in response to public records requests.

**Note:** Staff must handle voicemail messages that are attached to e-mail messages as e-mail messages.

## F. Storage and Retrieval

### 1. Paper Records

OYA maintains an inventory of paper records, location, and retention period. Staff may refer to OYA policy ([I-E-3.2](#) Information Asset Classification and Protection) to access the inventory.

## 2. Electronic Records

OYA maintains an inventory of electronic records.

The chief information officer, in collaboration with the agency retention coordinator, must ensure that all retention periods have been met before deleting any data from large electronic record systems.

### G. Public Records Requests

OYA responds to public records requests as soon as practicable and without unreasonable delay, according to timelines outlined in ORS 192.324 and ORS 192.329.

Staff must refer to OYA policies [I-E-2.1](#) (Public Records Requests for Agency Records) and [I-E-2.3](#) (Requests for Youth Information and Records) when responding to public records requests.

### H. Disposition and Destruction

OYA disposes of or destroys public records according to the requirements of OAR chapter [166](#). OYA staff may refer to OYA policy [I-E-2.0](#) (Records Retention, Destruction and Archiving) for agency processes in public record disposition and destruction.

## V. LOCAL OPERATING PROTOCOL REQUIRED: NO