Ohio History Connection: State Archives

“. function[s] as the state archives administration for the state and its political subdivisions” [ORC 149.31]

What is a “Record”?  
ORC 149.011

“Records includes any document, device, or item, regardless of physical form or characteristic...created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.”
The Three Prong Test

Jurisdiction of office

Documents the organisation, functions, etc.

Stored on fixed medium

For More Information on Ohio Public Records Laws
www.ohioattorneygeneral.gov

Other Laws to Consider?

• Rules of Superintendence (Courts)
• Health Insurance Portability and Accountability Act (HIPAA)
• Family Educational Rights and Privacy Act (FERPA)

*Other laws, court rulings, etc. may need to be considered in addition to this list.
Records Commissions

- County (ORC 149.38)
- Municipality (ORC 149.39)
- Township (ORC 149.42)
- School District (ORC 149.41)
- Public Library (ORC 149.411)
- Special Taxing District (ORC 149.412)

Records Inventory

How long?

Overshelmed?
Records Inventory Form

A Spreadsheet Inventory

Save With Records Retention Schedules
Record Series Title & Description Examples

<table>
<thead>
<tr>
<th>Schedule Number</th>
<th>Record Series Title &amp; Description</th>
<th>Retention Period</th>
<th>Media Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>FO-001</td>
<td>Record Request (Record)</td>
<td>Permanent</td>
<td>Paper</td>
</tr>
<tr>
<td></td>
<td>Records are arranged alphabetically by employee name and accessed by number.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pre-payroll documents, gross pay,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>invoices, employee withholding, tax</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>deductions, pay-stub, name relief,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>and non-wage items</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FO-002</td>
<td>Record Records</td>
<td>60 years</td>
<td>Paper</td>
</tr>
<tr>
<td></td>
<td>included in annual records;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>contains information about</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>township employers’ pay roll and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>are kept in file</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Four Values of Records

- Administrative
- Fiscal
- Legal
- Historical

Retention Periods

- Time
  - 3 years
  - Permanent

- Event
  - Until audited
  - Until recorded with County

- Combination
  - 3 years after case closed
  - Life of levy plus 1 year
Suggested Schedules
Local Government Records Program Publications and Forms

The manual for resource records is owned by Local Government, but additional records may be held by local agencies or the mayor. The manual records are available to the public for review at the office of the mayor. The records are retained periodically in the records of the respective agency or department. Local records are maintained on a periodic basis by the local record office. The records are maintained in the records of the respective agency or department. Local records are maintained in the records of the respective agency or department.

Materials
- Local Government Records Program Publications
- Local Government Records Program Forms
- Local Government Records Program Software

Media Choices

<table>
<thead>
<tr>
<th>Medium</th>
<th>Readability</th>
<th>Accessibility</th>
<th>Stability</th>
<th>Storage Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paper</td>
<td>Easy to read</td>
<td>Accessible to single user</td>
<td>Fairly stable in a proper environment</td>
<td>Large storage space required</td>
</tr>
<tr>
<td>Microfilm</td>
<td>Easy to read</td>
<td>Accessible to multiple users through proper equipment</td>
<td>Stable in a proper environment</td>
<td>Minimized storage space</td>
</tr>
<tr>
<td>Electronic</td>
<td>Not a typical print medium</td>
<td>Accessible to multiple users through appropriate equipment</td>
<td>Unreadable – need to read and digitize</td>
<td>Electronic storage is minimized &amp; minimizes space</td>
</tr>
</tbody>
</table>

Multiple Media Types

<table>
<thead>
<tr>
<th>Schedule Number</th>
<th>Record Series Title &amp; Description</th>
<th>Retention Period</th>
<th>Media Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>FO-001</td>
<td>Contracts (OAR 2305-09) Legal agreements with individuals, organizations, or entities to purchase goods and services</td>
<td>Retain paper version until scanned and quality control checked, then dispose, retain electronic version for 5 years after expiration</td>
<td>Paper/Electronic</td>
</tr>
</tbody>
</table>
### Multiple Media Types

<table>
<thead>
<tr>
<th>Schedule Number</th>
<th>Records Series Title &amp; Description</th>
<th>Retention Period</th>
<th>Media Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>FO-001a</td>
<td>Contracts (ORC 2309.09) Legal agreements with individuals, organizations, or entities to procure goods and/or services</td>
<td>Until scanned and quality control checked</td>
<td>Paper</td>
</tr>
<tr>
<td>FO-001b</td>
<td>Contracts</td>
<td>8 years after expiration</td>
<td>Electronic</td>
</tr>
</tbody>
</table>

---

### RC Forms [www.ohiohistory.org/lgrforms](http://www.ohiohistory.org/lgrforms)

---

**But wait... I have a policy!**

**Policy ≠ Retention Schedule**
I have a question about this process...

• Please feel free to contact us!

Records Retention Schedule (RC-2): Part 1

RC-2 Form Example: Part 1
RC-2 Form Example: Part 2

RC-2 Helpful Hints

- Sign forms and include contact information
- Do not include dates in the record series
- Send one copy of RC-2 form, electronic or paper. Both not necessary.
- Please do not note that an RC-3 is required for a record series, even if it has been checked or written in the past.

Certificate of Records Disposal (RC-3): Part 1
Certificate of Records Disposal (RC-3): Part 2

RC-3 Form Example

Do’s and Don’ts for RC-3s

Do:
- Be specific with dates
- Make sure that all records have met their full retention periods
- Make sure schedule numbers/titles are correct
- Include date the RC-2 was approved by the records commission

Don’ts:
- Make sure that we have 15 business days* to review the forms before you schedule your disposal
- Mention if you want to transfer records
- Sign the form
- Include contact information

*For courts submitting RC-3s under Rule 26, provide 60 days notice
Do’s and Don’ts for RC-3s

Don’t
• Be vague (i.e. date range – “various,” “all,”)
• Include records that are not listed on your RC-2
• Submit an RC-3 referencing a new, unapproved RC-2 (both forms submitted at the same time)

Changing an RC-3

If we spot an issue...
• Step 1: contact
• Step 2: changes/updates in writing
• Step 3: approval of form with changes/documentation

• Problem forms are held until the issue is resolved, but if there is no action, the form is returned to the government

• Note: changes to an RC-2 should go through the your records commission


• No longer created or received by your agency
• Can be old records, but not necessarily
RC-1 and RC-2 Approval Process

Records Commission approves RC-1 or RC-2

RC form sent to the Ohio History Connection for review (≤ 60 days)

RC form sent to Auditor of State for review (≤ 60 days)

Form sent to the Ohio History Connection and filed for permanent retention

Copy of reviewed RC form sent to Records Commission

Procedures Under HB 153

- Affects RC-2 forms approved after September 29, 2011
- Contact the Ohio History Connection-LGRP about any records older than 50 years
- Document record disposals permanently & internally
- Include record series descriptions on the RC-2

Transfer of Records

ORC 149.31(A)

“Public records shall be transferred by written agreement only, and only to public or quasi-public institutions, agencies, or corporations capable of meeting accepted archival standards for housing and use.”
Transfer of Historical Records

- Contact us first!
- Ohio History Connection or other network repositories
- Non-network repositories
  - Local libraries
  - Historical societies

Proper Records Storage

- Temperature 60-70 F (cool)
- Relative Humidity 40-50% (dry)
- Metal shelving-6 inches off floor
- Standard size storage boxes
- Fire alarms and extinguishers

Remember! Before you dispose of records...

- Have approved RC-2 on file with OHC and Auditor
- Submitted RC-3 (or RC-1) and/or thoroughly documented records for disposal
- Waited for at least 15 business days if RC-3 submitted
- Document disposals internally
Congratulations!
You can dispose of records ... Now what?

Disposal: General Information
- Method of disposal not legally specified
- Do not recommend: burning, tossing records into the dumpster
- Shredding is generally a good option
- Recycle with care

Disposal of Electronic Records
- **Destruction:** Shredding, pulverizing, burning, etc.
- **Purging:** Degaussing or secure erase
- “Pitching”/“Throwing Away”: Throwing away records may pose security/legal issues
- Note: do research, speak to IT/legal counsel, reach out to other agencies
Work Together!

• Join the LGR listserv
• Share schedules, ask questions, tell success stories

Resources

• NAGARA Records Management Technical Bulletins
• Ohio Electronic Records Committee
• Auditor of State Open Government Unit
• Attorney General Public Records Unit
• Ohio History Fund
Contact Information

Ohio History Connection
Local Government Records Program
(614) 297-2553
(614) 297-2546 (fax)
localeecs@ohiohistory.org
Just the Basics

Ohio Public Records laws [http://codes.ohio.gov/orc](http://codes.ohio.gov/orc) are the basis for your records program. They

- Define what a record is [ORC 149.011]
- Define how records must be made available to the public [ORC 149.43]
- Define closed records [ORC 149.43]
- Define local records commissions [149.38-149.42]
- Define the function of the Ohio History Connection as state archives [ORC 149.31]


What is a record? The three prong test:

1. Stored on a fixed medium: paper, film, tape, or disk
2. Created, received or sent under jurisdiction of a public office
3. Serves to document the organization, functions, policies, decisions, procedures, operations, and other activities of the office

A Records Inventory helps you to determine

- What records your office creates
- Where the records are stored
- How long they should be kept

Four values of records

**Administrative** - Use in carrying out office’s functions

**Fiscal** - Pertains to the receipt, transfer, payment, adjustment, or encumbrances of funds; may be required for audit

**Legal** - Documents or protects rights or obligations of citizens or of the agency that created it; retain until legal rights and obligations expire

**Historical** - Documents an agency’s organization, policies, decisions, procedures, operations, and other activities; Contains significant information about people, places, or events and may have secondary value as a source of information for persons other than the creator
Records media choices

<table>
<thead>
<tr>
<th>Media</th>
<th>Readability</th>
<th>Accessibility</th>
<th>Stability</th>
<th>Storage Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paper</td>
<td>Eye Readable</td>
<td>Access to single user</td>
<td>Fairly stable in a proper environment</td>
<td>Large storage space required</td>
</tr>
<tr>
<td>Microfilm</td>
<td>Eye Readable</td>
<td>Access to multiple users through duplicates</td>
<td>Stable in a proper environment (500 years)</td>
<td>Minimized storage space</td>
</tr>
<tr>
<td>Electronic</td>
<td>Not eye readable—requires hardware &amp; software</td>
<td>Access to multiple users through hardware &amp; software</td>
<td>Unstable - need to check and migrate data</td>
<td>Electronic storage is inexpensive &amp; requires minimal space</td>
</tr>
</tbody>
</table>

Proper records storage conditions

Temperature 60-70 F (cool and stable)
Relative Humidity 40-50% (dry and stable)
Metal shelving-6 inches off floor
Standard size storage boxes
Fire alarms and extinguishers

Express records retention periods in 3 ways:

1. Time (“retain 3 years”, “retain permanently”)
2. Event or Action (“retain until audit report is released”)
3. Time and Event or Action (“retain 3 years after case closed”)

Records Retention and Disposal

Retention schedule formally lists the ongoing record series and their retention periods
- Provides for ongoing disposal
- Prevents buildup of unnecessary records, saving space and improving efficiency
- Can help to negotiate public records requests [ORC 149.43(B)(2)]

Records disposal form lists record series to be disposed that have met their retention periods
- Provides documentation of legal disposal of public records
- Provides documentation or records transferred to a historical agency when applicable
RC forms used in local government records management

**RC-2 Records Retention Schedule**

*Part 1* identification and approval - Names the local government agency, provides contact information, and includes signatures of both responsible official and records commission chair. Representatives from the Ohio History Connection and Auditor of State will also sign the form.

*Part 2* retention schedule – Lists and describes every *ongoing* records series and includes a schedule number, retention period, and media type for each records series. Provides a checkbox for LGRP to identify records of potential historic value for which an RC-3 must be submitted.

**RC-3 Certificate of Records Disposal**

*Part 1* identification and approval - Names the local government agency, provides contact information, and includes signature of responsible official

*Part 2* records to be disposed – Columns 1-3 list the record series titles and schedule numbers from the approved RC-2 retention schedule and records the date the RC-2 was approved by the records commission. Columns 3-4 indicates the media type of the record being disposed and if any of the records will retained in a different media type. Column 5 gives the date span* of the records to be disposed. Column 6 contains the proposed date the records will be disposed.

**RC-1 One-time Disposal of Obsolete Records**

*Part 1* identification and approval - Names the local government agency, provides contact information, and includes signatures of both responsible official and records commission chair. Representatives from the StateArchives Local Government Records Program (LGRP) and Auditor of State will also sign the form.

*Part 2* records to be disposed – Column 2 lists, describes, and provides the date span* of record series that are no longer being created by the office and are not already listed on an approved RC-2. Column 1 schedule number may simply number each obsolete series on the form. Column 3 indicates the media type of the record being disposed and if any of the records will beretained in a different media type.

*Date tips: Be specific. Don’t use terms like “prior to” or “ongoing.” We need to know the dates to aid in appraisal and you need to fully document what records you are destroying. Give month and year “1/2001-6/2004” when possible; years listed as “2001-2004” are assumed to refer to entire year spans (1/2001-12/2004).*
The RC form approval process

RC-1 or RC-2 is created, approved and signed by responsible official and by records commission chair.
RC-1 or RC-2 is sent to LGRP via mail or e-mail for review (up to 60 days).
RC-1 or RC-2 is signed by LGRP and forwarded to Auditor of State for review (up to 60 days).
RC-1 or RC-2 is returned by Auditor of State to LGRP; a copy is made and sent to the local government.

Records listed on an RC-1 that is reviewed by LGRP and the State Auditor after 9/29/2011 may be disposed unless LGRP has requested the records for transfer. If the RC-1 was approved before 9/29/2011, an RC-3 must be submitted.

Records listed on an RC-2 that is reviewed by LGRP and the State Auditor after 9/29/2011 may be disposed unless LGRP has checked the “RC-3 required” box or has otherwise indicated that an RC-3 must be submitted for the specific record series. However, the disposal of all records should be permanently documented locally. If the RC-2 was approved before 9/29/2011, an RC-3 must be submitted for all record series on the RC-2.

RC-3 is created, approved and signed by responsible official.
RC-3 is sent to LGRP via mail or e-mail for review.
Allow at least 15 business days for review of the RC-3 by LGRP before disposing of records.

LGRP will not contact you unless there is a question about the RC-3 form or an interest in transferring records with historical value. A copy of the RC-3 will be returned ONLY if an e-mail address is provided on the form or if a second copy of the RC-3 and self-addressed envelope with sufficient postage is included.
Local Government Records Commissions

Provide rules for retention and disposal of records
Review retention schedules and disposal requests submitted by the office
Provide that proper procedures are followed for scheduling and disposing of records
Revise retention schedules

<table>
<thead>
<tr>
<th>Commission Type</th>
<th>Members</th>
<th>Meet at least once</th>
<th>Can Hire an Archivist or Records Manager</th>
<th>Shall Appoint a Secretary who May or May Not Be a Member of the Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Records Commission</td>
<td>Member of the Board of County Commissioners as chairperson, Prosecuting Attorney, Auditor, Recorder, Clerk of Court of Common Pleas</td>
<td>Once every 6 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal Records Commission</td>
<td>Chief Executive (or appointed representative) as chairman, Chief Fiscal Officer, Chief Legal Officer, Citizen (appointed by the chairman)</td>
<td>Once every 6 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Township Records Commission</td>
<td>Chairman of the Board of Township Trustees, Fiscal Officer of the Township</td>
<td>Once every 12 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School District and Educational Service Center Records Commissions</td>
<td>Board President, Treasurer, Superintendent of Schools</td>
<td>Once every 12 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Library Records Commission</td>
<td>Board of Trustees members, Fiscal Officer</td>
<td>Once every 12 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Taxing District Records Commission</td>
<td>Chair of governing board, Fiscal representative from board, Legal representative from board</td>
<td>Once every 12 months</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Records Management Resources

Ohio History Connection, State Archives-Local Government Records Program  www.ohiohistory.org/lgr
(Records inventory form, RC forms, records manuals and sample retention schedules are available at www.ohiohistory.org/lgrforms)

Ohio Electronic Records Committee  http://ohsweb.ohiohistory.org/ohioerc/

NAGARA Records Management Technical Bulletins

Public Records Resources

Auditor of State Open Government Unit  https://ohioauditor.gov/open.html
Attorney General Public Records Unit  http://www.ohioattorneygeneral.gov/About-AG/Organizational-Structure/Constitutional-Offices/Public-Records-Mediation-Program

Disaster Preparedness and Prevention Resources

Council of State Archivists  http://www.statearchivists.org/arc/states/res_disa.htm

Records Preservation Grant Resources

National Historical Publications and Records Commission  http://www.archives.gov/nhpkr/
The Institute of Museum and Library Services  http://www.imls.gov/index.shtm
Ohio Historical Records Advisory Board NHPRC Grants  http://www.ohrab.org/grants/regrant/
Statewide Matching Grants Program  www.ohiohistory.org/historyfund