

APPENDIX 1 - GLOSSARY OF RECORDS MANAGEMENT TERMS

ACCESS: Permission to use and reproduce records. May be limited or qualified (restricted by the agency having legal custody).

ACTIVE FILE: Materials, which are maintained in the office of an agency for current daily operations and are referred to frequently.

ACTIVE RECORD: A record, which is regularly referred to and required for current use. Usually considered those records that are referred to more than once per file drawer per month.

ADMINISTRATIVE RECORDS: Records that are created to help an agency accomplish its current administrative functions.

ADMINISTRATIVE VALUE: The usefulness of records to the agency in making administrative decisions and determining policy or in explaining organizational structure or procedures.

ALPHABETIC FILING: A filing arrangement of names, subjects, or geographic locations.

ALPHANUMERIC FILING: Arrangement of files using a combination of alphabetic and numeric characters.

APPRAISAL: See RECORDS APPRAISAL.

ARCHIVAL RECORDS: Records identified as having archival value or potential archival value on the agency records retention schedule.

ARCHIVAL VALUE: The determination in appraisal that records are worthy of permanent preservation by an archival institution. See also HISTORICAL VALUE (the values that justify the indefinite or permanent retention of records as archives).

ARCHIVES: (1) The agency responsible for selecting, preserving, and making available archival materials. (2) The building in which an archival institution is located. (3) Those records that are no longer required for current use but have been selected for permanent preservation because of their evidential, informational, or historical value.

ARCHIVING: For data processing usage, generally means creating a backup copy of computer files--especially for long-term storage. Can also mean transfer of records to archives for permanent preservation.

ARCHIVIST: (1) A person professionally responsible for the administration, management, and identification of historical records. (2) A person responsible for or engaged in one or more of the following activities in an archives: appraisal and disposition; accessioning; preservation; arrangement; description; reference service; exhibition or publication.

ASP: An Application Service Provider often providing one or more products and/or services. The advantage of the ASP is the opportunity for organizations to, in effect, lease software applications and storage space and to perform transactions without having to maintain software

and various electronic repositories. This is a variation on the Internet Service Provider (ISP) concept, extended into a more specialized domain (i.e., recordskeeping software & repositories).

BACKING UP: Making a copy of a computer file for use if the original is lost, damaged, or destroyed. See also ARCHIVING and DUMPING.

CENTRAL PROCESSING UNIT (CPU): the component of a computer system that interprets and carries out program instructions, and controls the overall activity of the computer.

CERTIFICATION: (1) Attestation of the authenticity or official character of a document or reproduction of the document. (2) The document embodying the attestation.

CHARACTER: Any symbol, such as a number, letter, or punctuation mark, that represents data and that, when encoded, can be processed or stored by a computer.

CHRONOLOGICAL FILING: Arrangement of files by date.

CODING: The act of applying file designations on records for the purpose of classification or condensation.

COMPUTER: An electronic device designed to accept data (input), perform prescribed mathematical and logical operations at high speed (processing), and supply the results of these operations (output). A digital computer processes data as numbers and includes mainframe computers, minicomputers, and microcomputers.

COMPUTER-ASSISTED RETRIEVAL (CAR): A records storage and retrieval system, normally microfilm-based, that uses a computer for indexing, automatic markings such as blips or bar codes for identification, and automatic devices for reading those markings and for transporting the film for viewing.

COMPUTER CODE: A set of rules to convert data to a form that computers can process. Examples include ASCII (American Standard Code for Information Interchange) and EBCDIC (Extended Binary Coded Decimal Interchange Code).

CONVENIENCE COPY: A copy created for administrative ease of use, also called a working or reference copy; not the official record copy.

COPY: The reproduction, by any method, of the complete substance of a record; a reproduction of an original.

CROSS-REFERENCE: A notation in a file or on a list showing that a record has been stored elsewhere.

CUSTODY: The guardianship of records. Features of custody differ between (a) physical custody and (b) legal custody. See also LEGAL CUSTODY and PHYSICAL CUSTODY

DATA: Symbols, or representations, of facts or ideas that can be communicated, interpreted, or processed by manual or automated means. Often associated with electronic data or with statistics or measurements.

DATABASE: A set of data, consisting of at least one data file or a group of integrated data files, usually stored in one location and made available to several users at the same time for various applications.

DATABASE MANAGEMENT SYSTEM (DBMS): A software system used to access and retrieve data stored in a database.

DATA ELEMENT: A combination of characters or bytes referring to one separate item of information, such as a name, address, or age. See also LOGICAL RECORD.

DATA FILE: (1) An organized collection of related data, usually arranged into logical records that are stored together and treated as a unit by a computer. (2) Related numeric, textual, or graphic information that is organized in a strictly prescribed form and format. Used in contrast to text documents that may be recorded on electronic media.

DATA PROCESSING: Handling and processing of information necessary to record the transactions of an organization. Usually used in conjunction with mechanical and electronic data-handling equipment.

DATA RANGE: The period of time covered by records in a file.

DBMS: See DATABASE MANAGEMENT SYSTEM.

DECENTRALIZED FILES: Files scattered throughout an organization; not centralized. Usually contain records that are generated and used by a single organizational unit and maintained and controlled at the point of origin.

DELETING: The process of removing, erasing, or obliterating recorded information from a medium, especially a magnetic tape or disk, which then may be reused.

DICTIONARY ARRANGEMENT: A system of filing records in alphabetic order by subject. Also referred to as topical arrangements.

DIRECT ACCESS FILING: A method in which no code is needed to reference a file.

DISK DRIVE: A device that spins the disk and writes/reads information on/off disks.

DISKETTE: In word processing and computer systems, a recording/storage medium consisting of a flexible disk of Mylar, which is coated with a material that can be magnetized to store data and enclosed in a protective envelope.

DOCUMENT: An instrument containing recorded information.

DOCUMENTATION: A collection of written descriptions and procedures that provide information and guidance about a program or about all or part of a computer system so that it can be properly used and maintained.

DOCUMENT REQUEST: An inquiry for a document or documents, including copies or reproduction thereof. See also ACCESS.

DUMPING: (1) The process of copying recorded information from internal memory to an external storage medium, such as a magnetic tape or a printout, for backup, analysis, or some other purpose. (2) The process of transferring recorded information from one storage device to another, such as from a disk to a tape.

DUPLEX-NUMERIC FILING: Arrangement of files using two or more sets of code numbers, with the sets separated by dashes, commas, periods, or spaces.

DVD: See OPTICAL DISKS.

ELECTRONIC DATA PROCESSING (EDP): The use of a computer to process data. Often used as a synonym for automated data processing (ADP) or data processing (DP).

ELECTRONIC DOCUMENT IMAGING (EDI): A technology designed to provide for the storage and retrieval of all bitmapped documents, regardless of format, though most often a group four (compression) tiff (tagged information file format).

ELECTRONIC INFORMATION PROCESSING SYSTEM: All computerized and automated information handling, including systems design and analysis, conversion of data, computer programming, information storage and retrieval, voice, video, and data communications, system controls, simulation, and all related interactions between people and machines.

ELECTRONIC RECORDSKEEPING: The use of records management principles for records maintained electronically as opposed to electronic recordskeeping system which is designed specially to merge electronic and paper records primarily in an automated manner.

ELECTRONIC RECORDSKEEPING SYSTEM (ERS): Software used by an organization to manage all its records, regardless of format, over the entire record's lifecycle. Primary recordskeeping functions must include categorizing, locating, identifying and controlling record disposition requirements, including management of the storage, retrieval, and disposition of the records, regardless of the repository. This type of software includes the capabilities of both Integrated Document Management System (IDMS) and Records Information Management (RIM) software.

ELECTRONIC RECORDS: Records stored in a form that only a computer can process. Also called machine-readable records. See UETA definition that meets the State's requirements.

ELECTRONIC SIGNATURE: An electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record.

ENCYCLOPEDIA ARRANGEMENT: A system of filing records in alphabetical order by major topic names, then according to related subheadings.

ESSENTIAL RECORDS: See VITAL RECORDS.

EVIDENTIARY VALUE: The value of providing evidence of the origins, structure, functions, policies, and operations of an agency.

FIELD: An assigned area in a record to be marked with information.

FILE INTEGRITY: Accuracy and completeness of the records.

FILE PLAN: The planned methodology of classification and indexing records for storage and retrieval consistent with the records management plan.

FILES MANAGEMENT: The management function which provides for the analysis of filing equipment and the procedures to determine the most efficient type of equipment and system for a given operation at the most economical price.

FILING: The process of arranging and sorting records so that they may be retrieved rapidly when needed.

FILING SYSTEM: A system, often involving equipment and/or software, for arranging records for efficient storage and retrieval (See file plan and files management).

FINAL DISPOSITION: See RECORDS DISPOSITION.

FINDING AID: Any written guide such as an index, list, inventory, or catalog that is descriptive or analytical with respect to a body of records, and having the purpose of clarifying the subject content and organization of the records in order to facilitate their use.

FISCAL RECORDS: Financial records of an organization that have a fiscal value.

FISCAL VALUE: The usefulness of records to the organization as relating to financial transactions and the movement and expenditure of state, federal, or other funds.

GEOGRAPHIC FILING: Arranging records alphabetically according to the names of geographic locations.

HARD COPY: (1) The original document, the reproduced paper copy made from microfilm, or the printout made from data processing media. (2) A record that can be read without the use of a viewer or magnifying device.

HARD DISK: A disk made of a rigid base, such as ceramic or aluminum, coated with a magnetic material. See also DISKETTE.

HARDWARE: In a data processing system, the mechanical components such as computers, monitors, and tape drives. See also SOFTWARE.

HEAD: An electromagnetic device that transfers data to and from the surface of a magnetic storage device, such as disk or tape. Also called read/write head.

HEAD CRASH: The destruction of data on a magnetic disk caused when the read/write head unintentionally comes in contact with the disk.

HISTORICAL VALUE: (1) The usefulness of records for historical research concerning the agency of origin or for information about persons, places, events, or things. (2) The value arising from exceptional age, and/or connection with some historical event or person.

HOLDINGS: All of the records in the custody of a given agency, organizational element, archival establishment, or records center.

INACTIVE RECORDS: Records that have a reference rate of less than one search per file drawer per month. Records that are not needed immediately, but which must be kept for administrative, fiscal, legal, historical, or governmental purposes, prior to disposition.

INDEX: An organized finding aid to the contents of a document, data base, or filing system, arranged in a logical array, giving document or data location in storage. Usually a list or file that

is arranged alphabetically or numerically for the purpose of facilitating references to topics, names, numbers, or captions within a body of information.

INDEXING: The action of specifying or determining the predestined topic, name, number, or caption under which a document is to be filed.

INDIRECT ACCESS FILING: A system in which reference to the code under which material is filed must be made before the file can be located.

INFORMATION: Knowledge communicated by others or obtained by study and investigation. In records management this is information that has been communicated in some format.

INFORMATION PROCESSING: The manipulation of data through a series of changes in order to put it into a new form for use.

INFORMATION REQUEST: A form of reference service request, asking for information to be retrieved from records in custody. Also referred to within the Records Management activity as a document request or access. See also, PUBLIC RECORDS.

INFORMATION RESOURCES: The procedures, equipment, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information, and associated personnel including consultants and contractors.

INFORMATION RESOURCES MANAGEMENT (IRM): The planning, budgeting, organizing, directing, training, and controlling activities associated with managing information resources.

INFORMATION RESOURCES TECHNOLOGIES: Data processing and telecommunications hardware, software, services, supplies, personnel, facility, resources, maintenance, and training.

INFORMATION RETRIEVAL: Recalling and repossessing data at any time needed. The manual or machine searching of a database to retrieve specific data or documents to satisfy requests for information from the database.

INFORMATION SYSTEM: The organized collection, processing, transmission, and dissemination of information in accordance with defined procedures, whether automated or manual. Sometimes called a record system.

INFORMATIONAL VALUE: The value for reference or research deriving from the information the records contain, as distinct from evidential value; often records have informational value that the creators did not envision.

INTERFILE: The process of putting documents in their proper sequence in a file of which they have not previously been a part.

INVENTORY: See RECORDS INVENTORY.

IRM: See INFORMATION RESOURCES MANAGEMENT.

JUKEBOX: An automated optical disk library. This device stores disks, uses robotic technology to retrieve a disk and has one or more read/write drives.

LAN: See LOCAL AREA NETWORK.

LEGAL CUSTODY: Control of, access to, possession of, or responsibility for records based on specific statutory authority. Ownership or title to documentary materials.

LEGAL VALUE: The usefulness to an agency of records that provide legal proof of agency authority and agency business transactions; also refers to the usefulness of records that form the basis of legal actions, or that contain evidence of legally enforceable rights or obligations of government or private persons.

LIFE CYCLE OF RECORDS: The management concept that records pass through the stages of creation, maintenance, use, and disposition.

LOCAL AREA NETWORK (LAN): A system for linking together computers, terminals, printers, and other equipment, usually within the same office or building.

LOGICAL RECORD: A collection of related data elements, referring to one person, place, thing, or event that are treated as a unit by a computer.

MACHINE-READABLE RECORDS: See ELECTRONIC RECORDS.

MAGNETIC TAPE: A tape or ribbon of any material impregnated or coated with magnetic material (iron oxide) on which information may be placed in the form of magnetically polarized spots. Commonly used as a medium for carrying computer programmed information.

MAINFRAME COMPUTER: A large digital computer, normally able to process and store more data than a minicomputer and far more than a microcomputer, designed to do so faster than a minicomputer or a microcomputer, and often serving as the center of a system with many users.

MASTER RECORD: The original record from which copies may subsequently be made.

MIDDLE-DIGIT FILING: File arrangement using the middle digit or set of digits as the primary filing unit.

MINICOMPUTER: A small digital computer, normally able to process and store less data than a mainframe but more than a microcomputer while doing so less rapidly than a mainframe but more rapidly than a microcomputer.

MIGRATION: A strategy for avoiding obsolescence in media or file type that involves the periodic duplication of files and/or content into new media and/or file type, respectively.

NONESSENTIAL RECORD: Record that is not vital to the continued operation of an agency.

NUMERIC FILING: Arrangement of numeric characters in various combinations.

NUMERIC HISTORY FILE: A forms control file consisting of copies of each form used by the agency, placed in numerical order.

OCR: See OPTICAL CHARACTER RECOGNITION.

ODSS: See OPTICAL DATA STORAGE SYSTEM.

OFFICIAL RECORD: See RECORD COPY.

OFF-LINE: Not under the direct control of a computer. Refers to data on a medium, such as a magnetic tape, not directly accessible for immediate processing by a computer.

ON-LINE: Under the direct control of a computer. Refers to data on a medium, often a hard drive, directly accessible for immediate processing by a computer.

OPTICAL CHARACTER RECOGNITION (OCR): A process that scans text images and stores the scanned characters in digital form.

OPTICAL DATA STORAGE SYSTEMS (ODSS): An electronic imaging system which stores digitized document images on optical disks and has a supporting database of index information for on-line retrieval.

OPTICAL DISKS: Platter-shaped, computer-oriented storage media, which permit the recording and/or retrieval of information by optical processes, typically through the use of lasers. Optical disks are recorded and/or read by specially designed drives, which function as computer peripheral devices. Optical disks and their associated drives are available in both read/write and read-only configurations, and include various proprietary optical platters, CD-ROM and DVD.

OPTICAL MEDIA: Storage media which permit the recording and/or retrieval of information by optical processes, typically through the use of lasers, includes optical disks, tapes, cards, and other similar media.

ORDER OF ENTRY: First unit to be considered in filing.

ORIGINATING AGENCY: The agency, which generates and has legal custody of a record.

PERIPHERAL DEVICE: Any device used for input/output operations with the central processing unit (CPU). Peripheral devices include the tape drives, disks, terminals, printer, etc., that are a part of a computer system and operate under the control of the CPU.

PERMANENT RECORD: A record considered being so valuable or unique that it is to be permanently preserved.

PERMANENT TRANSFER: Permanent recall of records from records center custody back to agency custody; considered to be disposition and not a reference service loan.

PERPETUAL AUTHORIZATION: Authority to dispose of records based on an approved records retention schedule.

PERSONAL COMPUTER: See MICROCOMPUTER.

PHYSICAL CUSTODY: The actual housing and maintenance of records without legal ownership, as authorized by the legal custodian.

PLAYBACK STABILITY: The period of time during which previously recorded information can be retrieved from magnetic or optical media.

POLICY: A basic guide to action that prescribes the boundaries within which activities are to take place.

PRESERVATION DUPLICATE: A copy of a vital (essential) record used to preserve the record in the event of a disaster.

PROCEDURE: A group of methods, consisting of all the steps that are taken to record, analyze, transmit, and store information needed to serve a single, specific purpose.

PUBLIC RECORDS: (1) The portion of all documents, writings, letters, memoranda, or other written, printed, typed, copied, or developed materials which contains public information. (2) In California Government Code Section 6252(e): includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. Government Code Section 6252(f): "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

PURGING FILES: The process of clearing out inactive or obsolete records from active file storage areas for retention elsewhere or for destruction.

RAM: See RANDOM ACCESS MEMORY.

RANDOM ACCESS MEMORY (RAM): One of two main types of internal memory in the computer which holds programs and data that the user enters into the computer as well as the results of the data's manipulation. RAM is volatile in that the information is eliminated when the power of the computer is turned off. See also READ ONLY MEMORY.

READ ONLY MEMORY (ROM): One of two main types of internal memory in the computer, which holds system programs and the data that is used frequently in user programs. It retains the information even after the computer is turned off. See also RANDOM ACCESS MEMORY.

READ/WRITE HEAD: See HEAD.

RECORD (S): All paper, maps, exhibits, magnetic or paper tapes, photographic films and prints, and other documents produced, received, owned or used by an agency, regardless of media, physical form or characteristics. See also PUBLIC RECORDS and STATE RECORDS.

RECORD COPY: A record that is designated to be kept for the full retention period; not a reference, working, or convenience copy. Also known as OFFICIAL RECORD.

RECORDS ADMINISTRATOR: The person appointed by each state agency to act as the agency's representative in all issues of records management policy, responsibility, and statutory compliance.

RECORDS APPRAISAL: The analysis of records with the objective of establishing retention policy.

RECORDS CENTER: A low cost, high density centralized area for housing and servicing inactive or non-current records with reference rates which do not warrant their retention in office space and equipment.

RECORDS CONTROL: The management of documents generated or received by an organization.

RECORDS CREATION: The process of production or reproduction of records.

RECORDS DISPOSAL AUTHORIZATION: Preparing a written description of records in existence and showing the disposition actions to be taken.

RECORDS DISPOSITION: Final processing of records; either destruction, permanent retention, or archival preservation.

RECORDS INVENTORY: The physical listing of all records series created and maintained by an agency, conducted prior to the development of retention schedules. Includes data such as records series titles, media, inclusive dates, use, location, quantity, arrangement, duplication, and other pertinent information.

RECORDS MANAGEMENT: The systematic control of recorded information required in the operation of an organization's business, from creation and active maintenance and use, through inactive storage, to final disposition.

RECORDS MANAGER: The individual within an organization who has the responsibility of systematically controlling the recorded information generated and received by the organization.

RECORDS MANAGEMENT PLAN: A plan for an integrated classification and indexing scheme for the entire agency and an integral component of the agency strategic plan.

RECORDS PREPARATION: a series of steps that could include sorting, flattening, removing fasteners such as staples and paper clips, and index planning preliminary to microfilming or electronic imaging/scanning. Also called document preparation.

RECORDS PRESERVATION: The maintenance of documents in usable form.

RECORDS PRESERVATION OFFICER: A position whose duties include adopting rules concerning the selection and preservation of essential or vital records.

RECORDS PROTECTION: Safeguarding documents against unintentional destruction.

RECORDS RETENTION: Holding documents for further use.

RECORDS RETENTION SCHEDULE: A document that identifies the length of time a records series must be retained in active/current and inactive/non-current storage before its final disposition to permanent storage, archival preservation, or destruction. The schedule also indicates confidentiality, privacy, and vital records of each record series.

RECORDS RETRIEVAL: Locating documents and delivering them for use.

RECORDS SERIES: A group of identical or related records that are normally used and filed as a unit, and that permit evaluation as a unit for retention scheduling purposes.

RECORDS STORAGE: The systematic assembling of documents in containers or depositories for possible future use.

REDUCTION RATIO: The relationship (ratio) between the dimensions of the original or master and the corresponding dimensions of the micro image; e.g., a 24:1 reduction ratio would indicate that the original has been reduced to 1/24 of its original size.

REFERENCE ANALYSIS: A study or review of all requests for records during a specific time. Also referred to as reference rate.

REFERENCE COPY: A copy of an official record, which serves as a substitute for reference purposes. Also called convenience or working copy.

REFILE: The process of returning a record to its original place in a file after it has been withdrawn.

RELATIVE INDEX: An alphabetic listing of all words and combinations of words by which records may be requested. Also called a listing index.

RESOLUTION: The ability of a photographic system to record fine detail. Resolution is expressed in lines per millimeter.

RETENTION PERIOD: The period of time during which records must be kept before final disposition.

RETENTION SCHEDULE: See RECORDS RETENTION SCHEDULE.

ROM: See READ ONLY MEMORY.

SERIES: See RECORDS SERIES.

SHARPNESS: The degree of line/edge clarity in a micrographic or electronic image.

SOFTWARE: Non-hardware elements of a computer system. A set of programs, procedures, and documents concerned with the operation of a data processing system. Includes programs that enable a computer to function and control its own operation (system software) and application programs, which accomplish some user-specified task. See also HARDWARE.

STATE RECORD(S): Document, book, paper, photograph, sound recording or other material, regardless of physical form or characteristic, made or received by a state agency, department, board, commission or institution according to law or in connection with the transaction of official state business. The term does not include library or museum material made or acquired and preserved solely for reference or exhibition purposes, an extra copy of a document preserved only for convenience or reference, or a stock of publications or of processed documents.

STRAIGHT-NUMERIC FILING: Arrangement of files in consecutive order, from the lowest number to the highest.

STRATEGIC PLAN: An agency's strategic plan for achieving its vision, mission, and the means to ensure their success.

SUBJECT FILING: Classification and coding of records by subject.

SUSPENSE FILE: A file usually organized chronologically, in which documents or data are entered or filed temporarily, awaiting action.

TEMPORARY RECORDS: Records that are disposable as valueless after a stated period of time.

TERMINAL-DIGIT FILING: Files arrangement using the last digit or set of digits as the primary filing unit.

TEXT DOCUMENTS: Narrative or tabular documents, such as letters, memoranda, and reports, organized in a loosely prescribed form and format.

TRANSFERRING: moving inactive/noncurrent records to a records center pursuant to an approved records retention schedule.

UTILITY PROGRAM: A program provided by a computer center or supplier to perform a task that is required by many of the programs using the system. Common utility programs are those that copy data from one storage medium to another and sort/merge programs. Others may provide text editing, initiate the execution of programs, and perform other functions not directly related to the processing of data in a program.

VAULT STORAGE: Storing records in a completely fire-resistive enclosure designed exclusively for such storage.

VIEWER: A device having a viewing screen for displaying micro images that are on either roll film or fiche. See also READER.

VITAL RECORDS: Records containing information necessary to the operation of government in an emergency created by disaster; and records to protect the rights and interests of individuals or to establish and affirm the powers of government in the resumption of operation after a disaster.

VITAL RECORDS RETENTION SCHEDULE: The document which identifies those records and records series that are classified as vital and specifies the means for the protection of those records. The document that provides each department with a complete listing of all vital records for which the department is responsible. NOTE: This information is normally listed within a regular records retention schedule in California State government.

WAN: See WIDE AREA NETWORK.

WIDE AREA NETWORK (WAN): A system for linking together computers, terminals, printers, and other equipment that are located in extensively separated offices and buildings.

WORD PROCESSING: Creating and modifying text documents by using a computer.

WORM: Write once, read many times.

APPENDIX 2 - STATUTORY AND OTHER REGULATORY REQUIREMENTS AND INFORMATION RELATED TO ELECTRONIC RECORDS

The State Records Management Act

The concern and management for records in California State government began with the establishment of the State Archives in 1850 under the Secretary of State. Until 1963, with the passing of the State Records Management Act, bits and pieces of the function had, until then, been in various agencies, i.e., Records Centers were under the Secretary of State; approval of records destruction under the Audits Division, Department of Finance; and general records management studies and the Standards Forms Program, under Management Analysis, Department of General Services.

The State Records Management Act containing Government Codes 14740-14774, required the Director of the Department of General Services to: *“Establish and administer, in the executive branch of government, a records management program which will apply efficient and economical management methods to the creation, maintenance, retention, preservation, and disposal of state records.”*

In passing the State Records Management Act in 1963, the Legislature was convinced of the urgent need to apply controls to the ever-increasing proliferation of the State’s records collection. It was also apparent that if such a program were to be successful it must address itself to the entire spectrum of the records problem and be a comprehensive and coordinated statewide effort. Accordingly, the State Records Management Act consolidated responsibility for administration of the program within one department, the Department of General Services.

The statutory responsibilities of the Department of General Services (and of state agencies to establish efficient, economical management of California State government records are specifically mandated in the California Government Code, Chapter 5, Sections 14745, 14746 and 14750 of the State Records Management Act. Also, the Director of the Department of General Services has assigned the development, coordination, and administration of state records to the Procurement Division’s, State Records Program, California Records and Information Management (CalRIM).

Section 14741. As used in this chapter "record(s)" means all paper, maps, exhibits, magnetic or paper tapes, photographic films and prints, and other documents produced, received, owned or used by an agency, regardless of media, physical form or characteristics....”

Based on this definition, electronic records used for official state business are state records and must comply with the State’s Records Management Program requirements.

The state agency records management responsibilities are outlined in the California Government Code, Chapter 5, State Records, inclusive; the California State Administrative Manual (SAM), Chapter 1600, Records Management; the California Acquisition Manual (CAM), Section 4.9 (CAM), and the Specifications for Electronic Records Management Software published by CalRIM. Responsibilities include but are not limited to:

- Establish and maintain an active, continuing program for the economical and efficient management of **all** agency records.
- Conduct an inventory of **all** records holdings.
- Create a retention schedule for **all** records and submit the schedule to the CalRIM for approval.
- Identify and protect **all** vital/essential records.
- Provide legal authority for disposal of **all** records.
- Implementation of a forms management simplification and paper reduction program.
- Compliance with standards and specifications set forth as mandatory baseline functional requirements for electronic recordskeeping system application software and consider those that are optional.

NOTE: You may refer to your legislative analyst for more information on current legislation that may affect your program and your records management program. Records management requirements cover records in all formats, including electronic records.

The California Public Records Act (PRA)

The free flow of public information is fundamental to preserving individual liberties. When information is restricted, the ability to think and act independently is diminished. With this in mind, the Legislature passed the California Public Records Act in 1968. The Act details what information is available to the public and what is not.

Section 6253(a) states that public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as provided. Every agency may adopt regulations stating the procedures to be followed when making its records available in accordance with this section.

Records Subject to the Act:

- All records of public agencies are open for inspection and copying during office hours of the agency.
- "**Public Records**" includes every means of recording or communication or representation: any writing, photograph, drawing, sound or symbol, whether paper, film, magnetic media "**computer**" data or other document -- which relates to the public business, and which is prepared, owned, used, or retained by the agency.
- **Files** and any other "identifiable records" are subject to the PRA. The PRA does not require that the requestor know the precise name of the record being sought.
- **Draft Documents** are "public records" under the PRA, and must be disclosed if: (1) They are retained by the agency in the ordinary course of business and (2) the public interest in disclosure is not clearly outweighed by the public interest and withholding the draft documents
- **Private papers** belonging to an agency employee that are incidentally at the office are not "public records" unless the papers "relate to the conduct of the people's business [and are] prepared, owned, used or retained by the agency." **Computer records** and computer data are included in the definition of public records under the PRA: data are included in the definition of "records" (§6252(e)). "Nothing in this section is intended to affect the public record status of information merely because it is stored in a computer. Public records stored in a computer shall be disclosed..." Section 6254.9 BUT: Computer software developed by an agency is not a public record (§6254.9(a)).

This means that an agency is not required to release software developed in house. If it does, the agency may "sell, lease, or license the software [at any cost] for commercial or noncommercial use."

- **Only records that already exist are covered.** The PRA does not require agencies to create a records, compilation or list for the convenience of the requester.

The aforementioned is a summary of the basic elements of the Act. To assist you with questions you may have regarding the Act, the California State Legislature has published "Your Guide to Public Information, The California Public Records Act." You may obtain copies of the Guide by contacting the Senate Rules Committee.

The Information Practices Act (IPA) of 1977

The Legislature passed the IPA in order to insure individuals in California their right to privacy. The California Public Records Act was modeled after the Federal Freedom of Information (FOIA) and the IPA follows the Federal Privacy Act of 1974.

The IPA took effect in 1978 and can be found in the California Civil Code beginning at Section 1798. The premise behind the Act is that personal privacy must be protected by placing constraints on state agencies which collect, maintain and disseminate information about individuals.

Unlike the California Public Records Act, the IPA only applies to information about individuals maintained by California State agencies, like the Department of Education. The law does not cover the State Legislature, the Courts, the State Compensation Insurance Fund, or local government agencies.

Other Public Access Laws That Could Affect the Proper Management of Electronic Records

The California Public Records Act and the Information Practices Act are not the only laws that control access to information. Two very important acts to be familiar with at the federal level are:

- The Freedom of Information Act (FOIA)
- The Privacy Act of 1974

Two important other state laws to be familiar with are:

- The Ralph M. Brown Act (Open Meetings Act)
- The Legislative Open Records Act

The Brown Act – The Brown Act is contained in section 54950 et seq. of the Government Code. The Brown Act is California's law guiding local public meetings. Multi-member legislative bodies of cities, counties, and special district must open their meetings to the public. This allows the citizen to know about the actions taken by local public officials. The Brown Act ensures the public's right to observe and comment upon decisions, which affect home, business, organization, and community. You may contact the Attorney General's office for any specific questions regarding open meetings.

The Legislative Open Records Act – Because records of the Legislature (i.e., the Senate, the Assembly, and their committees) are not covered by the Public Records Act and the Information Practices Act, the Legislative Open Records Act insures that records which

contain information relating to the conduct of the public's business is available to the public.