

SAM—RECORDS MANAGEMENT

CHAPTER 1600 INDEX

This chapter describes the state's Records Management Program, statutory requirements, and services.

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PROGRAM PURPOSE

1600

(Reviewed 6/2015)

The State of California Records Management Program (RMP) was established to apply efficient and economical methods to create, use, maintain, retain, preserve, and dispose of state records, including those on electronic media. Required procedures and processes and other useful information are contained in supplemental state records management handbooks, guidelines and factsheets made available to ensure the statutory requirements and objectives of the state's RMP are met.

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TERMS AND DEFINITIONS

1601

(Reviewed 6/2015)

Public Record: State law defines a public record to include but not be limited to “...any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by a state or local agency regardless of physical form or characteristics...” ([Govt. Code 6252\(e\)](#)).

Archival Value: “...the ongoing usefulness or significance of a record based on the administrative, legal, fiscal, evidential, or historical information it contains, justifying its permanent preservation.” ([Govt. Code 12271\(b\)](#))

See the Record Management Handbook for additional terms, and definitions.

STATUTORY AUTHORITY

1602

(Revised 6/2015)

The State of California Records Management Program

The State Records Management Act contained in [Government Code Sections 12270-12279](#) requires the Secretary of State 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, utilization, maintenance, retention, preservation, and disposal of state records" ([Govt. Code 12272\(a\)](#)).

The Secretary of State has assigned the development and implementation of the state's RMP to the California Records and Information Management Program (CalRIM) and State Records Appraisal Program (SRAP) within the State Archives Division. Together, these programs oversee the complete life cycle of public records from record creation to disposition via either transfer to the State Archives or destruction.

Understanding the life cycle of a record, establishing appropriate record retention periods, and support from upper management are all key to sound records management and the preservation of records with archival value.

Records at Risk

The Secretary of State has the authority to take possession of records at risk:

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“Notwithstanding any other law, a record held in the State Records Center or by a state agency determined by the Secretary of State to have archival value and to be at risk of damage or loss, or in poor physical condition, shall be transferred to the State Archives at the direction of the Secretary of State with notification to the head of the agency not less than 10 days prior to the transfer.” ([Govt. Code 12273](#))

Agency Records Management Program

Government Code Sections 12270-12279, in conjunction with the rules, regulations, and standards and procedures issued by the Secretary of State, requires the head of each state agency to:

- a. establish and maintain an active, continuing program for the economical and efficient management of the records and information practices of the agency;
- b. identify records essential to the functioning of state government in the event of a major disaster; and

(Continued)

STATUTORY AUTHORITY

1602 (Cont. 1)

(Revised 6/2015)

- c. when requested by the Secretary of State, provide a written justification for storage¹ or extension of records in the State Records Center for a period of 50 years or more. Records deemed to have archival value will be transferred to the State Archives.

¹ Approval is required for department storage. Please see section 1618 for more information.

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Disposal of Records

[Government Code 12275\(a\)](#) requires that no record shall be destroyed or otherwise disposed of by any agency of the state, unless it is determined by the Secretary of State, that the record has no further administrative, legal, or fiscal value and the Secretary of State has determined that the record is inappropriate for the preservation in the State Archives.

[Government Code 12275\(b\)](#) requires that the Secretary of State shall not authorize the destruction of any record subject to audit until he or she has determined that the audit has been performed.

[Government Code 12275\(c\)](#) requires that the Secretary of State shall not authorize the destruction of all or any part of an agency rulemaking file subject to [Government Code Section 11347.3](#) regarding the administration of regulations and rulemaking files

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ANNUAL REPORT TO THE GOVERNOR

1603

(Reviewed 6/2015)

Effective September 28, 2012, the Annual Report to the Governor was abolished per [SB 71](#).

[SEC. 67. Article 5 (commencing with Section 14760) of Chapter 5 of Part 5.5 of Division 3 of Title 2 of the Government Code is repealed.]

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AGENCY RESPONSIBILITIES

1604

(Revised 6/2015)

Although not all inclusive, some of the more pertinent responsibilities are:

1. Per [Government Code 12274](#), and in accordance with the rules, regulations, and standards and procedures issued by the Secretary of State, requires the head of each state agency to:
 - a. Establish and maintain an active, continuing program for the economical and efficient management of the records and information practices of the agency;
 - b. Identify records essential to the functioning of state government in the event of a major disaster; and
 - c. When requested by the Secretary of State, provide a written justification for storage or extension of records in the State Records Center for a period of 50 years or more. Records deemed to have archival value will be transferred to the State Archives.
 - d. Provide all requested reports, written justifications, requests for offsite storage approval, or any other retention schedule documentation to [CalRIM](#) and/or [SRAP](#).
 - e. Dispose of, or recycle, obsolete records in accordance with approved and current Records Retention Schedules.
 - f. Transfer the custody of records appropriately when a program or function is discontinued, by updating or revising the records retention schedule (see *Records of a Disbanded Function or Program, SAM section 1624*).
 - b. Assign a Records Management Coordinator to work with [CalRIM](#), State Records Center (SRC), and SRAP staff. It is recommended that the Records Management Coordinator be assigned to staff at an SSA level or above.² The

² Because records management is management driven, a coordinator at the SSA level or above will have broader knowledge of the overall agency organization and function and be able to make management-driven records management decisions.

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agency must inform CalRIM of the staff assignment or of any changes to Records Management staff assignments within one month of the assignment change.

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RECORDS MANAGEMENT COORDINATOR

1605

(Revised 6/2015)

The agency's Records Management Coordinator is encouraged³ to:

1. Attend CalRIM and SRAP training within 6 months of appointment.
2. Coordinate the agency's records management program.
3. Comply with the Records Management Act and Chapter 1600 of SAM.
4. Act as liaison between the agency and [CalRIM](#), SRC, and SRAP.
5. Respond to questions from [CalRIM](#), SRC, and SRAP.
6. Schedule [CalRIM and SRAP](#) training for agency staff who have records management duties.
7. Review and approve agency records retention schedules prior to submission to [CalRIM](#).
8. Review and approve agency destruction of records stored at the SRC.
9. Carry out an annual disposition of agency records not stored at the SRC. This includes transfer of records to the Secretary of State Archives or State Record Center as well as destruction of records at the Document Destruction Center.
10. Review and approve purchase or rental of filing equipment or shredders.
11. Provide all requested reports, written justifications, requests for offsite storage approval, or any other retention schedule documentation to [CalRIM and/or SRAP](#).
12. Distribute announcements of records management activities.

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³ *Best records management practices suggest that a records manager be given a certain amount of authority to fulfill his/her role as coordinator based on the knowledge required to understand the life cycle of a record, provide consistent execution of internal policy and procedure, as well as a basic understanding of the laws and regulations that govern state records*

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ROLE OF THE STATE ARCHIVES DIVISION - CALRIM

1606

(Revised 6/2015)

The State Records Management Act identified in SAM Section 1602 requires the State Archives Division - [CALRIM](#) to:

1. Establish standards and procedures to carry out the records management program.
2. Help agencies to:
 - a. Develop record series to account for forms, reports, correspondence, directives, files, as well as records in other formats, such as electronic media.
 - b. Develop record series to manage retention and disposition of records: either transfer to the State Archives or disposal of records.
3. Develop general retention guidelines for records that are common to most state agencies.
4. Approve schedules that meet the records management and archives policies, procedures, regulations, and guidelines established by SAM and the Records Management handbook Receive notification when new departmental offsite storage facilities other than SRC will be used.
5. Oversee the transfer of custody of records when a function or program ends.
6. Provide records management consultation and training including:
 - a. Handling of active, semi-active and inactive records
 - b. Best records management practices, available guidelines, and legal requirements.
 - c. Records inventory, scheduling and disposition
 - d. Appropriate retention periods
7. Provide guidance and assistance to agencies on requests to purchase or rent destruction, filing, or imaging equipment.

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8. Perform periodic on-site audits of agency records management programs.

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RECORDS MANAGEMENT PROGRAM AND PRACTICES AUDITS

1607

(New 6/2015)

With the transfer of the records management program to the Secretary of State's Archives Division (effective July 1, 2014), the Audit Section of DGS no longer conducts periodic audits of state agencies' records management practices. Periodic audits of state agencies' records management practices/programs will now be conducted by [CalRIM](#) and SRAP. Reports and recommendations will be provided to the agency by CalRIM and SRAP following an audit.

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ROLE OF THE SECRETARY OF STATE, ARCHIVES DIVISION –

STATE RECORDS APPRAISAL PROGRAM (SRAP)

1608

(Revised 6/2015)

The State Records Management Act identified in SAM Section 1602 requires the State Archives Division – SRAP to:

1. Review records retention schedules to identify records which have historical and research value.
2. Approve schedules that meet the records management and archives policies, procedures, regulations, and guidelines established by SAM and the Records Management handbook.
3. Provide training regarding the Archives' role and function within records management training and instruction.
4. Perform periodic on-site audits of agency records management programs for records with archival value.
6. Determine if records that have archival value are at risk of damage or loss, or in poor physical condition, and transfer them to the State Archives. Notification to the head of the agency will occur not less than 10 days prior to the transfer.
7. Provide access to state historical records and make them available to agencies and the public for reference and research under the provisions of the California Public Records Act, Information Practices Act, and other laws that restrict access to public records.

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ROLE OF THE DEPT. OF GENERAL SERVICES –

STATE RECORDS CENTER (SRC)

(Revised 6/2015)

1609

The State Records Storage Act contained in Government Code Sections [14740-14746](#) requires the Department of General Services (DGS) to administer a state records storage program.

The DGS - State Records Center shall:

1. Store, process, and service scheduled records for state agencies pending their deposit with the State Archives or their disposition in any other manner ([Government Code section 14746 \(e\)](#)).

Note: Records transferred to the SRC must have a current and approved schedule in place. Records housed at the SRC may not be housed longer than 50 years without appropriate justification.

2. Provide agency staff access to their own warehoused records. Access to another agency' records without written approval is not permitted.

Note: Agencies may not establish and/or create new storage facilities outside of the SRC for their records without prior written approval from CalRIM.

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FILING EQUIPMENT AND SUPPLIES

1610

(Renumbered 6/2015)

Vertical Shelf Files, Office Type (Open Shelf).

Vertical shelf filing is the most efficient type and is the state's standard. Records are stored on shelves in rows, instead of in drawers. When planning a file system determine if it is feasible and economical to replace current files with shelf file systems.

Records Storage Containers:

Clean cardboard cartons are required for the storage of inactive records shipped to and stored in the SRC.

Box dimensions: height – 10”, width – 12”, depth – 15” (Accommodates letter and legal size files)

Only clean unused boxes will be accepted for the storage of inactive records.

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RECORDS RETENTION SCHEDULE PROGRAM

1611

(Reviewed 6/2015)

Each agency must establish a Records Retention Schedule Program consistent with state and agency statutory requirements. The [Records Retention Handbook](#) (Handbook) implements statutory requirements and supplements information in SAM 1600. The Handbook covers specific procedures and areas necessary to ensure that all records produced, maintained, or disposed of by the agency are properly and timely acted upon.

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RECORDS INVENTORY

1612

(Reviewed 6/2015)

Each agency must inventory its records once every five years using Records Inventory Worksheet form, [STD 70](#). See the [Records Retention Handbook](#) for specific guidelines on how to prepare and conduct the inventory.

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RECORDS RESTRICTIONS:

STATE AND FEDERAL RULES AND GUIDELINES

1613

(Revised 6/2015)

All state agencies must be aware of and document in the remarks column of their retention schedule the federal and state laws, rules and guidelines that determine appropriate access, retention and disposition of state records.

Federal Programs

If an agency is involved in a federal program, it must also follow any federal rules and guidelines when reviewing, appraising, or scheduling records.

California State Laws

Significant California Government and Civil Codes that affect records:

1. The Information Practices Act of 1977, beginning at [Civil Code Section 1798](#), places specific requirements on state agencies when they collect, use, maintain, and disseminate information about individuals. This Act also comes into play when determining retention periods and disposal methods. In particular, consider the following sections of the Act:
 - a. [Civil Code Section 1798.14](#). This section requires agencies to maintain information about individuals in terms of relevance and necessity.
 - b. [Civil Code Section 1798.24](#). This section sets conditions under which information about individuals can be disclosed to third parties.

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2. The California Public Records Act, [Government Code 6250](#) et seq. detail what information is available to the public and what are not, public records open to inspection, response time guidelines, and regulations governing procedure.

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RECOMMENDED RETENTION PERIODS

1614

(Revised 6/2015)

[CalRIM](#) provides recommended retention periods for: Records Management, Personnel and Payroll, Delegated Testing, Fiscal, Information Technology, Administrative, e-mail, and records that are common to most offices. Use them when setting up your Records Retention Schedules form, [STD 73](#). For the recommended retention periods, visit the section “Recommended General Records Retention” on the CalRIM Website at: <http://www.sos.ca.gov/archives/calrim/>.

SRAP provides a list of records that will always be kept by the State Archives, as well as a list of records that do not have archival value. Other records may require additional appraisal after they are transferred to the State Archives to determine whether they will be kept by the State Archives or appropriately destroyed. For copies of each list, visit the “Records with Archival Value” and “Records without Archival Value” on the SRAP website at: <http://www.sos.ca.gov/archives/programs/state-records-appraisal/>.

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RECORDS RETENTION SCHEDULES

1615

(Reviewed 6/2015)

After you complete the Records Inventory ([STD. 70](#)), you must list your records on a Records Retention Schedule, [STD. 73](#). This form is used as a basis for the designation of records to be retained, transferred, or destroyed in a particular records series. It also serves to identify vital, confidential, and public records. See the [Records Retention Handbook](#) for specific guidelines on how to prepare a records retention schedule.

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APPROVING THE RECORDS RETENTION SCHEDULE

1616

(Revised 6/2015)

A schedule is only considered approved once the schedule cover page ([STD. 73](#)) is signed by the agency manager responsible for the records, the agency records management analyst, a Secretary of State-CalRIM consultant and the Chief of Archives or his/her designated SRAP representative. Approved schedules are considered current for five years and can be amended within that five year period. After five years, schedules are considered active but out of compliance and will require an inventory and schedule revision to meet compliance guidelines as outlined in SAM 1600.

Only an approved, current schedule gives a state agency authorization to store records at the State Records Center.

Approved current and active schedules give state agencies authorization to transfer records to the State Archives and/or appropriately dispose of scheduled state records after the scheduled retention period.

If a record is not scheduled, pursuant to [Government Code Section 12275](#), it

“shall not be destroyed or otherwise disposed of by an agency of the state, unless it is determined by the Secretary of State that the record has no further administrative, legal or fiscal value and the Secretary of State has determined that the record is inappropriate for preservation in the State Archives”

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UPDATING AND AMENDING THE RECORDS

RETENTION SCHEDULE

1617

(Reviewed 6/2015)

Always amend retention periods for records on retention schedules when changes impact keeping, transferring, or disposing of agency records. Records retention schedules must be updated and revised every five years after the required inventory and review process.

To amend a scheduled retention period, add and/or delete items from records retention schedules, follow the procedures reflected in the [Records Retention Handbook](#). Amendments made during the five-year retention schedule cycle are not classified as revisions and the original Approval Number/Expiration Date is retained.

RECORDS TRANSFER

1618

(Revised and Renumbered 6/2015)

To the State Records Center

To transfer your records to the SRC you must first fill out a Records Transfer List, [STD. 71](#), and send the original to the SRC. SRC staff will review each state agency transfer list for a current approval number and confirms retention period listed on the retention schedule. You must have SRC approval before sending the boxed records.

To the State Archives

a. Records stored In-house

It is the responsibility of each state agency to transfer scheduled records that are flagged for the State Archives to the State Archives at the end of the scheduled retention period. Please contact SRAP staff prior to transfer with information regarding the transfer date and quantity of records to be sent. The State Archives also uses the Records Transfer List (STD. 71) for records transferred to the Archives but does not require the form be sent in advance of the records.

b. Records stored at the State Records Center

Records at the State Records Center that have been approved for destruction by state agency staff are reviewed on a quarterly basis and may be transferred to the State Archives.

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RECORDS REQUEST

1619

(Revised and Renumbered 6/2015)

An agency may withdraw their own records from the SRC at any time. If you want to view a record that has been placed in storage by a different agency, you must first get the other agency's permission.

To check out a stored record, fill out a SRC Reference Request [STD. 76](#), and send it to the SRC. To make an emergency request, call the SRC.

When you no longer need the record, return it to the SRC with one copy of the STD. 76 still attached to the record.

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VAULT STORAGE OF VITAL (ESSENTIAL) RECORDS

1620

(Renumbered 6/2015)

The SRC will store microfilm, CD's, or other electronic media for state agencies in a climate controlled vital records protection vault. If any agency needs to store microfilm longer than 10 years, silver halide film must be used. Records to be kept fewer than 10 years may be on diazo, vesicular, or dry silver film. Do not store silver halide film with any other type of film.

Microfilm stored in the vault for over two years should be inspected annually. Other media should be inspected and migrated as necessary.

Contact the SRC for procedures on how to transfer, store, inspect, or retrieve records from the vault. Vault storage does not include viewing equipment. Deliveries to/from the vault are handled by the SRC. All vital records must be listed on a current and approved records retention schedule.

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DEPARTMENTAL RECORDS STORAGE FACILITIES

1621

(Renumbered and Revised 6/2015)

Agencies may not establish and/or create new facilities to store their records without prior written approval by CalRIM.

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RECORDS OF A DISBANDED FUNCTION OR PROGRAM

1622

(Revised and Renumbered 6/2015)

When a program or function ends, the agency must transfer the custody of the program's records. Normally the custody is transferred to another group within the department, board, commission, or council. The agency must also send a copy of a revised records retention schedule to [CalRIM](#). This will notify CalRIM that records have been transferred.

If an entire organization within one of the agencies is abolished, custody of the records must be reassigned by the Agency. Send a notice of the transfer of custody to CalRIM and SRAP. The notice must be signed by staff that represents both the transferring and the receiving organizations. It must include the name, title, address, and telephone number of the person who will be responsible for making decisions about the records. When the records are sent to the new organization, they must be accompanied by the revised records retention schedules, transfer lists, and any other documentation dealing with the management of the records being transferred.

When an entire organization is abolished by legislation, custody for the records should be assigned in the "sunset" legislation.

When an abolished program is not part of a larger department or Agency and no plan for the records was made in the "sunset" legislation, call CalRIM and SRAP staff for assistance.

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DESTRUCTION OF RECORDS

1623

(Renumbered 6/2015)

Confidential Records - The Document Destruction Center (DDC) provides for the destruction of confidential records. However, each state agency must still make sure their obsolete records are disposed of in accordance with laws, rules, and State policies. In Sacramento, DDC staff will be used to witness the destruction of confidential records. If an agency needs to destroy accountable forms, arrangements must be made with the DDC to ensure witnessing by appropriate agency personnel.

Agencies must send a State employee to witness confidential destruction when using the services of private contractors.

Non-confidential Records- To destroy your non-confidential records, contact the-DDC.

If you use the DDC to destroy your obsolete records, you do not need to fill out a Property Survey Report, [STD. 152](#).

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ARCHIVES, RECORDS MANAGEMENT, AND STATE RECORDS CENTER

INFORMATION, POINTS OF CONTACT, AND ADDRESSES

1624

(Revised and Renumbered 6/2015)

Available Records Management Guidance and Assistance. CalRIM has written helpful records management program guidelines, factsheets, and/or handbooks to assist agencies to administer their program. Copies may be obtained from the agency's Records Management Coordinator or from CalRIM.

- | | |
|---|--|
| 1. Records Retention Handbook | 4. Vital Records Protection and Disaster Recovery |
| 2. Records Retention Schedule | 5. Electronic Records Management Handbook |
| 3. Perpetual Retention Type Records Detailed Instructions | 6. Guidelines for Conducting a "Preliminary File Purge" of Paper Records |

Secretary of State

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SRAP Website: <http://www.sos.ca.gov/archives/programs/state-records-appraisal/>

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