



# COUNTY OF EL DORADO, CALIFORNIA

## BOARD OF SUPERVISORS POLICY

Subject:  RECORDS MANAGEMENT PROGRAM	Policy Number:  A-9	Page Number:  1 of 4
	Originally Adopted: 05/09/1989	Last Revised Date: XX/XX/XXXX

### I. PURPOSE

The purpose of this policy is to provide direction and standardized methods for the storage, protection and disposition of paper and digital records in the care of the County Records Center. This policy will establish consistency among County departments and ensure compliance with laws governing County records.

An efficient Records Management policy allows El Dorado County to maintain appropriate controls over its paper and digitized records.

### II. POLICY

#### A. PHYSICAL RECORDS STORAGE

When a County department has inadequate onsite storage, the Records Management Program may accept those records, physical space permitting, for storage. Paper records in storage may be digitized, depending on the needs of the department and budget constraints.

County records shall be maintained in a manner reflecting their status as a vital record, a historically valuable record, a legally mandated record, a record containing confidential information, or a record otherwise necessary to the County's business.

#### B. DIGITAL RECORDS STORAGE

1. Upon approval by the Board of Supervisors by resolution adopted pursuant to Government Code 26205 or 26205.1, County records, whether permanent or nonpermanent, may be maintained solely in an electronic format and the originals may be destroyed so long as the format provides substantially the same or greater level of security as paper records and meets all other legal requirements for the storage of records in an electronic format. The format must meet the California Secretary of State's Minimum Standards for Preservation of Documents in Electronic Media. This section shall not apply to records that are required by law to be retained in a physical format.
2. If a record is to be maintained solely in an electronic format, the storage location, whether on-premise or in the cloud, must be a Trusted System as defined in California Code 12168.7.
3. Electronic reproductions of physical records may be deemed as original records if appropriate quality control measures are used to validate the digitization. Standard validation measures include:
  - a. All information contained in the original physical record is captured in the electronic reproduction.
  - b. All electronic reproductions are of equal or better quality than that of the original physical record.
  - c. Metadata and indexing data are accurately applied to the electronic reproduction.



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Subject:  RECORDS MANAGEMENT PROGRAM	Policy Number:  A-9	Page Number:  2 of 4
	Originally Adopted: 05/09/1989	Last Revised Date: XX/XX/XXXX

4. Records containing HIPAA- or CJIS-regulated information, or other Personally Identifiable Information, must be stored in compliance with industry regulatory guidelines
5. Access to electronic records, by record type and staff position, shall be determined by each department.

### C. DISPOSITION SCHEDULES

1. All County departments, as defined below, shall develop Records Disposition Schedules. The purpose of a retention schedule is to provide direction as to how long County records must be retained in accordance with federal, state and County laws and regulations. Approved disposition schedules will govern record retention and destruction for all County records regardless of the record format. County departments are authorized to retain County records pursuant to the approved schedules, and thereafter to destroy or otherwise dispose of records that exist beyond the time periods specified in the disposition schedule.
2. When departments identify a need to update their disposition schedule, they will coordinate with County Counsel and the Clerk of the Board, if necessary, to amend the existing schedule in accordance with all applicable laws and regulations.
3. Disposition schedules must specify any requirements pertaining uniquely to digital records.
4. Disposition schedules must be approved, via Resolution, by the Board of Supervisors.
5. Disposition schedules shall be reviewed every five years. The Clerk of the Board shall track and monitor the reviews.
6. A record may not be destroyed until it has met its minimum retention period. No record, regardless of retention period, may be destroyed if subject to a legal hold.

### D. APPLICABILITY

It shall be the responsibility of the Records Management Program to apply the policies herein only to County records over which it has direct control, whether in the Records Center or digitally. Individual departments shall be responsible for records they themselves maintain.

## III. DEFINITIONS

- A. **CJIS:** Criminal Justice Information Services is a division of the Federal Bureau of Investigation providing law enforcement agencies with a range of criminal justice information, including sensitive data such as criminal histories, fingerprints, and other biometric information. CJIS compliance is an important compliance standard for law enforcement at the local, state, and federal levels, and is designed to ensure data security in law enforcement.
- B. **Cloud:** Refers to the storage of electronic data on servers accessible through the internet.
- C. **County department:** Any and all County of El Dorado departments, agencies and offices.
- D. **Destruction:** As it relates to physical records, this means the physical disposal of records, usually by shredding. Relating to electronic records, this means that electronic copies may be deleted, indicating that the record is no longer maintained by the County and is therefore inaccessible.



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- E. **Digitization:** Refers to the process of converting physical records into digital records, usually by scanning.
- F. **Disposition:** Refers to the end of the life cycle for records, at which time they shall be destroyed or, in the case of electronic records, deleted.
- G. **Disposition schedule:** A list of record categories produced or maintained by a County department, identifying the length of time records must be maintained.
- H. **"HIPAA":** The Health Insurance Portability and Accountability Act of 1996, which prohibits the unauthorized access to certain health-related information.
- I. **Legal Hold:** Refers to the suspension of destruction or deletion of County records identified as potentially relevant to pending or reasonably anticipated litigation, a current public records request or some types of investigations.
- J. **Metadata:** Data that describes and gives information about other data. It provides context and information about the electronic record, such as title, subject or creation date and helps prove the authenticity of electronic records.
- K. **Nonpermanent record:** A record for which there is an end point to maintaining it. The record is intended to be destroyed or deleted at the end of its retention period.
- L. **Permanent record:** A record for which there is no end point to maintaining it, and which is intended to be available indefinitely.
- M. **PII:** Personally Identifiable Information is any information connected to a specific individual that can be used to uncover that individual's identity, such as their social security number, full name, phone number, or home, mailing or email address.
- N. **Retention period:** Is the length of time a record must be maintained to fulfill its administrative, fiscal or legal function. The retention period establishes the minimum statutory time periods for retention according to legal requirements and/or County policy.
- O. **Trusted System:** Means a combination of technologies, policies, and procedures for which there is no plausible scenario in which a public record retrieved from or reproduced by the system could differ substantially from the public record that is originally stored and which meets the standards required by Government Code 12168.7, as may be amended from time to time.

#### IV. REFERENCES

California Code 12168.7 (Standards for storage of electronic media)

#### V. RESPONSIBLE DEPARTMENT(S)

Clerk of the Board of Supervisors



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	Originally Adopted: 05/09/1989	Last Revised Date: XX/XX/XXXX

### VI. DATES (ADOPTED, REVISED, NEXT REVIEW)

Originally Adopted:	05/09/1989		
Last Revision:		Next Review:	XX/XX/XXXX