



Secretary of State Records Management Newsletter

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Grow Nebraska

*Create opportunity
through more
effective, more
efficient, and
customer focused
state government.*

It is essential that state agencies manage their electronic mail (e-mail) appropriately. Like all other state records, e-mail is subject to Public Records requests and litigation. Agencies can be held liable if they keep their e-mail messages too long, if their e-mail messages are not properly destroyed, or if they are destroyed too soon. Under all of these circumstances, an agency can be seriously compromised by its failure to follow legally prescribed retention requirements. In addition, an agency can lose significant dollars attempting to protect itself, to produce the required records, to identify the relevant records, or to recover lost records.

“ Records management is knowing what you have, where you have it and how long you have to keep it. ”

- Records management means never having to say you are sorry.

Email Management

Priorities:

Efficiency &
Effectiveness

Customer Service

Growth

Public Safety

Reduced
Regulatory
Growth

We Value:

The Taxpayer

Our Team

Simplicity

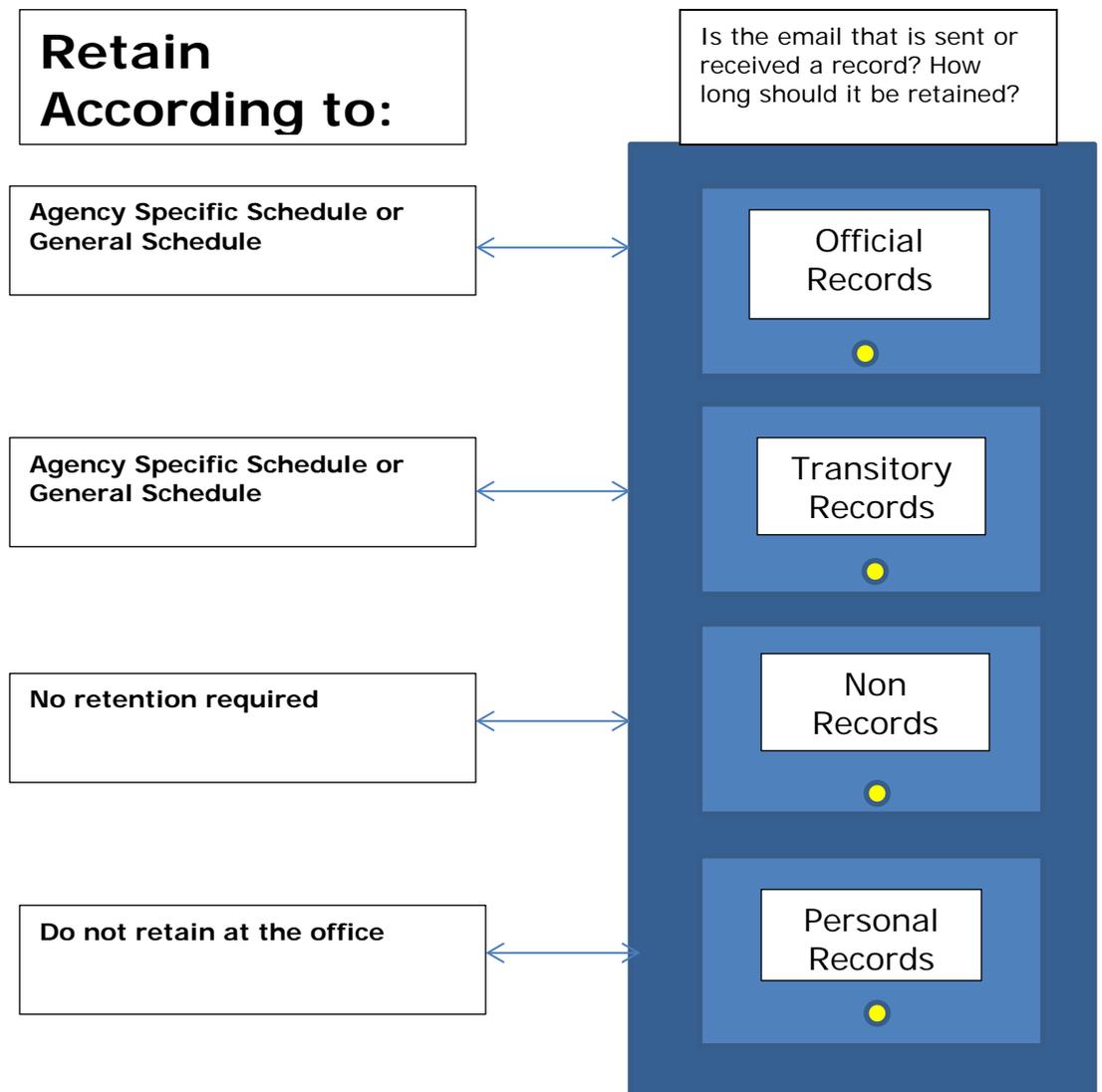
Transparency

Accountability

Integrity

Respect

- * Retention IS based on the content of the message.
- * Is NOT saving all email forever.
- * Is NOT setting arbitrary time limits for all messages.
- * Is NOT managing based on mailbox size.
- * Is NOT declaring "email" a records series.
- * Is NOT a "do-nothing" strategy.



- Records management means never having to say you are sorry.

Frequently Asked Questions About E-mail Management

Q: Is e-mail a public record?

A: E-mail messages are public records if they are created or received as part of performing a public employee's official duties.

Q: Does my e-mail belong to me?

A: All e-mail messages that are created, received or stored by a state agency are public property. They are not the property of employees, vendors or customers. Employees should have no expectation of privacy when using state computer resources.

Q: What are my responsibilities as a state employee who uses e-mail?

A: Employee responsibilities for managing e-mail messages are the same as those for other records.

- Employees are responsible for organizing their e-mail messages so they can be located and used.
- Employees are responsible for using an approved Retention Schedule to identify how long e-mail messages must be kept.
- Employees are responsible for keeping e-mail messages for their entire retention period, and for deleting e-mail messages in accordance with an approved Retention Schedule.

Q: I sometimes use my home computer and personal e - mail account to conduct state business. Am I creating public records?

A: Yes. Records created in the performance of an official function must be managed the same way as those created and received using state computer resources.

Q: Does all e-mail have the same retention period?

A: No. Just like paper records, e-mail records are used to support a variety of business processes. E-mail messages must be evaluated for their content and purpose to determine the length of time the message must be retained in accordance with the appropriate Retention Schedule.

Q: Who is responsible for retaining e-mail messages, the sender or the recipient?

A: Just as in the case of paper records, e-mail messages may be evidence of decisions and activities. Both senders and recipients of e-mail messages must determine if a particular message should be retained to document their role in agency activities.

Q: My e-mail messages are automatically purged after a specified period of time. Am I still responsible for their retention?

A: Yes. Some e-mail mailboxes are programmed to automatically purge e-mail messages after a specified amount of time, such as 90 days. However, these purge routines are technology-driven and are not based upon Retention Schedules. Many e-mail messages need to be retained longer than these periods of time. Employees are responsible for ensuring that e-mail messages with longer retention periods remain accessible until the appropriate Retention Schedule authorizes their destruction.



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