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Records & Information Management				

(A3) POLICY SAMPLE

APPROVALS

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1.0 INTRODUCTION

The mission of the Department of Environmental Quality is to protect, sustain, and improve a clean and healthful environment to benefit present and future generations. The creation and preservation of DEQ's records is amplified by the responsibility of accurately reporting the decisions and activities of the department.

The DEQ Records Management Plan provides a framework for requirements upon which DEQ builds department-wide and business unit-specific RIM procedures. Policy No. DEQ-OP-RIM-1, Records & Information Management, states that DEQ will manage its records in accordance with applicable federal and state records and information management (RIM) regulations and requirements. It further authorizes the DEQ RIM Group to establish policies, plans, procedures, and training to ensure that staff is provided with guidance to create, control, organize, and secure public records.

Montana law (2-6-205, MCA) states, "All public records are and shall remain the property of the state." It further requires that these records be handed over by outgoing officials and employees, and managed according to the provisions of 2-6-2, MCA.

The standardization of records management will ensure that all DEQ records are managed effectively and lawfully, and that the integrity of the records is maintained. The DEQ has adopted the International Standards Organization (ISO) Standard 15489-1, Information and Documentation—Records Management, and ARMA International's Generally Accepted Recordkeeping Principles (GARP) as the standards by which the RIM procedures will be based.

2.0 PURPOSE AND SCOPE

The purpose of the DEQ Records & Information Management Procedure is to provide instruction on the management of DEQ records. This procedure applies to all records created or received by the DEQ, and is applicable to all DEQ staff, whether part-time or full-time, including permanent, temporary, seasonal, or independently contracted staff.

3.0 DEFINITIONS

Agency Records Custodian: The person appointed by the DEQ Director in accordance with 2-6-213(6), MCA, who is responsible for the coordination of DEQ's RIM activities.

ARMA: A not-for-profit professional association that provides guidance on managing records and information – paper and electronic.

Business Unit: A staffed area of DEQ that handles their workload as a unit; the division, bureau, program, office, or section.

BURC (Business Unit Records Coordinator): Appointed by the respective Division Administrator, Bureau Chief, or equivalent; responsible for coordinating the RIM activities within their business unit.

BURC Alternate: Appointed by the respective Division Administrator, Bureau Chief, DRC, or BURC, or equivalent; backup for the BURC; responsible for assisting with the RIM activities within their business unit.

DRC (Division Records Coordinator): Appointed by the respective Division Administrator to coordinate the RIM activities within their division as a whole. This person may also serve in a BURC role.

Essential Records: Records that are fundamental to the functioning of DEQ. Emergency and operating records that are immediately necessary to begin recovery of operations after a disaster, and rights and interests records necessary to protect the assets, obligations, and resources of DEQ, as well as its employees and customers, or citizens. These records typically document delegation of authority and line of succession, and include legal documents and contracts, financial records, and other rights and interests records.

GARP®: ARMA Generally Accepted Recordkeeping Principles®; a guiding statement on information governance based on eight recordkeeping principles published and copyrighted by ARMA International.

ISO: International Standards Organization; a worldwide federation of national standards bodies tasked with preparing International Standards.

Legal Hold: A process used to preserve all forms of relevant information when litigation is reasonably anticipated; notification that, due to litigation or the expectation of litigation, certain records cannot be destroyed or otherwise disposed even though the retention period has concluded.

Official Record: The matter-of-record copy or primary copy.

Records: Any document, including copies of the record required by law to be kept as part of the official record, regardless of physical form or characteristics, that has been made or received by DEQ to document the transaction of official business, is a public writing of DEQ, or is designated by the state records committee for retention pursuant to this part; all other records or documents required by law to be filed with or kept by DEQ.

Reference Copy: A copy of a document made solely for reference purposes, and of which the Official Record copy is located in the appropriate file system.

RIM: Records and Information Management.

SOS: Montana Secretary of State's Office.

4.0 ROLES AND RESPONSIBILITIES

4.1 DEQ EMPLOYEES

All DEQ Employees must actively participate in records management.

- Manage records in accordance with the DEQ Records & Information Management Plan, Policy, and related procedures, including unit-specific procedures.
- Maintain the integrity, access, and privacy of records under their custodianship.
- Cooperate with RIM staff to develop inventories, profiles, and schedules.
- Cooperate with RIM staff regarding compliance with retention schedules and disposition requirements.
- Cooperate with auditors and audit teams for audits of RIM compliance.

4.2 DEQ SENIOR MANAGEMENT

DEQ Senior Management will support the records management staff and their efforts.

- Support the application of the DEQ's RIM Policy and implementation of the RIM procedures throughout the department.
- [Director] Appoint an Agency Records Custodian.
- Provide support and authority to the Agency Records Custodian to carry out agency RIM responsibilities.
- Provide necessary resources, including training, supplies, and information systems for the Agency Records Custodian to perform RIM activities.
- Appoint Division Records Coordinators (DRCs)/Business Unit Records Coordinators (BURCs) within their respective business units.
- Provide support and authority to the DRCs and BURCs to carry out RIM responsibilities within their respective business unit(s).

4.3 DEQ MANAGEMENT

DEQ Managers will support records management staff and their efforts.

- Appoint their respective BURCs.
- Provide support and authority to the BURCs to carry out RIM responsibilities within the business unit.

- Provide necessary resources, including time, training, supplies, and information systems for the BURCs to complete business unit RIM tasks and to fulfill agency RIM obligations.
- Work cooperatively with the BURCs to identify federal and state regulatory recordkeeping requirements affecting the business unit functions and activities.

4.4 BUSINESS UNIT RECORDS COORDINATORS (BURCs)

The BURCs will actively participate in agency RIM efforts and will lead RIM efforts in their respective business units.

- Develop and maintain business unit RIM procedures that include:
 - Identification and inventory of records
 - Identification of requirements applicable to records
 - Creation of records retention schedules
 - Identification and process for protecting essential records
 - Process for the management of records under legal hold
 - Identification of records containing sensitive or confidential information
 - Methods for ensuring the reliability and integrity of records
 - Methods for storing, protecting, and retrieving records
 - Methods for tracking the location of records
 - Process for records disposition and disposal methods
 - Procedures for business unit employees on the creation, use, protection, and storage of active records
- Participate in and oversee all RIM activities within their business unit, including the management of active records.
- Disseminate pertinent RIM information to their respective business unit.
- Attend and participate in the RIM meetings scheduled by the Agency Records Custodian.
- Participate on internal RIM audit teams.
- Act as liaison between the business unit and the Agency Records Custodian.
- Attend applicable training, as approved by supervisor.
- Assist in the implementation, maintenance, and revision of DEQ RIM policies, procedures, and other related documents.
- Prepare and provide RIM training to respective business unit staff.

4.5 DIVISION RECORDS COORDINATORS (DRCs)

The DRCs will actively participate in agency RIM efforts and will lead RIM efforts in their respective divisions.

- Assist the division's BURCs with developing business unit RIM procedures.
- Review all RIM documents coming from the division's business units for accuracy and completeness.
- Disseminate pertinent RIM information to their respective division.
- Attend and participate in the RIM meetings scheduled by the Agency Records Custodian.
- Assist in the implementation, maintenance, and revision of DEQ RIM policies, procedures, and other related documents.
- Attend applicable training, as approved by supervisor.
- Prepare and provide RIM training to respective division staff.

4.6 DESIGNATED RIM ATTORNEY

The DEQ Attorney who is assigned to RIM activities will support agency RIM efforts.

- Review RIM retention schedules and disposal requests for legal compliance and liability.
- Provide legal advice and research to staff regarding their records and appropriate retention.
- Ensure legal holds are adhered to when reviewing disposal requests.
- Advise of anticipated litigation in regard to records disposal requests.

4.7 AGENCY RECORDS CUSTODIAN

The Agency Records Custodian will lead the RIM efforts throughout the DEQ.

- Coordinate and manage all RIM functions throughout the DEQ, as outlined in 2-6-213, MCA:
 - Meet with the DRCs and BURCs on a regular basis.
 - Provide RIM forms and processes training.
 - Maintain DEQ's RIM Intranet site and keep it up to date.
 - Maintain and manage DEQ's RIM policies, procedures, schedules, and other documents and information pertaining to records.
 - Report on RIM activities to DEQ Senior Management.

- Prepare annual reports on RIM activities and status throughout the department.
- Review and approve all profiles, schedules, records transfers, records disposal requests, essential records identification, and major RIM equipment purchase requests.
- Maintain RIM resources in the Admin Resource Library.
- Serve as the RIM resource for the DRCs and BURCs.
- Serve as liaison between the RIM Group and Senior Management.
- Serve as liaison between DEQ staff and the SOS Records Management Division.
- Manage the Program Codes list and update as necessary.
- Attend State Records Custodian meetings.
- Maintain ARMA membership (when not prohibitive).
- Attend applicable RIM training and stay current on RIM practices, procedures, software, equipment, and technology.
- Distribute RIM training notices and sponsor/facilitate RIM training as applicable.
- Participate on RIM internal audit team as needed.
- Ensure the performance of scheduled reviews of this procedure.
- Ensure updates are made to this procedure to keep information current.
- Ensure the retirement of this procedure when no longer relevant.

4.8 DEQ CHIEF LEGAL COUNSEL

- Designate an attorney to assist with RIM efforts.
- Work with the Agency Records Custodian to issue legal holds on records when:
 - DEQ receives a request for a records hold or discovery request.
 - DEQ receives a notice of intent to sue or litigate.
 - There is reasonable anticipation of discovery or litigation.
- Work with the Agency Records Custodian to lift the legal hold when no longer needed.
- Ensure that the designated RIM attorney is aware of all legal holds and pending or anticipated lawsuits/discovery requests.

5.0 RECORDS & INFORMATION MANAGEMENT PROCEDURES

The following high-level procedures will be followed in all DEQ business units.

5.1 INVENTORY

Every DEQ business unit must maintain a documented inventory of all records in their custody. The documentation must provide the following information:

- Title/type of records
- Date span of records
- Location of records
- Transfer history
- Final disposition

The records inventory is comprised of the following:

- **Records Profiles & Schedules:** Completing Records Profiles and a Records Schedule (see §5.2) for the records that are unique to the business unit will provide much of the information needed for inventory. Each business unit should also document its records that fall under the General Schedules. This can be easily accomplished by completing the Internal General Schedule form.
- **Records Transfer History & Final Disposition:** The documented history of records transfer and final disposition need to be maintained for records inventory. There are multiple methods by which this can be achieved, such as a simple Excel spreadsheet or database. If further guidance is needed, contact your BURC, DRC, or Agency Records Custodian.

5.2 PROFILES & SCHEDULES

Every DEQ business unit must determine and document retention periods and final disposition of its records based on state and federal requirements. Each business unit has been assigned a Program Code, managed by the Agency Records Custodian. The Program Code is used for billing of services provided by the SOS Records Management Division and also serves as the Schedule Number for the business unit-specific schedule.

5.2.1 State General Schedules

The SOS Records Management Division has developed some [General Schedules](#) for many of the common records among state agencies. If a business unit has records that fall into these general schedules, it is good practice (and strongly recommended) to document them. An internal general schedule [form](#) for this can be found on the DEQ's RIM website.

- It is not necessary to route this form internally, unless required by your business unit procedures.
- Do *not* submit this to the SOS Records Management Division for approval.

5.2.2 Business Unit-Specific Schedules

For business unit-specific records that are not addressed in the General Schedules, or records that require a longer retention than that listed on the General Schedule, record profiles and a unit-specific schedule must be prepared. Business unit records that fall under the state's general schedules cannot have a retention period that is less stringent than that required by the general schedule.

5.2.2.1 Records Profiles

A Records Profile form must be completed for every record series title that does not fall under the state's general schedules or for which a state schedule is not being followed. The profile form, as well as instructions for completing the form, is located on the [SOS Records Website](#). You will need your [Program Code](#), which will become your schedule number, in order to complete the profiles.

5.2.2.2 Schedule Completion

After the Profiles are prepared, a schedule can be completed. The Schedule form, as well as instructions for completing it, is located on the [SOS Records Website](#). Transfer the required information from the Profiles to the Schedule form. Your Program Code is also your schedule number.

5.2.2.3 Internal Approval Process

Schedules must be approved internally, before submittal to the SOS Records Management Division.

- The DRC or BURC (or the preparer, if different) must sign the completed profiles and then:
 1. Complete the RIM signature route form, DEQ-OP-RIM-1.01-F1, print it, sign it, and attach it to the schedule and profiles.
 2. Obtain an authorized signature on the completed schedule (Bureau Chief, equivalent, or higher). This person must also sign the route form.
 3. Route the forms to, and obtain approval signatures on the route form from:
 - a. Division Administrator
 - b. Division Records Coordinator
- After the DRC signs the route form, they will submit it to the Agency Records Custodian.

- The Agency Records Custodian will:
 1. Obtain legal approval/signature.
 2. Send a reference copy of the schedule to the respective records coordinator, noting the date it was sent to the SOS.
 3. Submit the package to the SOS Records Management Division.
 4. Retain a reference copy of the schedule, noting the date it was sent to the SOS, for tracking purposes.

5.2.2.4 State Records Committee Approval

The SOS Records Management Division routes the schedule (along with the profiles) through the State Records Committee for approval. Business units should allow 4 weeks for the committee approval process.

If all members of the committee approve the schedule, the SOS sends a yellow copy of the schedule to the Agency Records Custodian, who will forward a reference copy to the business unit. The schedule is effective immediately. If any exceptions are noted, but all members sign the schedule, the schedule becomes effective immediately with the exception noted.

Typically, the SOS Records Management Division will contact the Agency Records Custodian if there are issues with a schedule that will prevent it from being approved. These are handled on a case-by-case basis.

Upon receipt of the approved schedule, the Agency Records Custodian will:

1. Route a reference copy to the business unit.
2. Scan a copy to the appropriate shared drive.
3. File the original in the official DEQ RIM files.

5.3 STORAGE

All records must be stored in both a manner and location that allow for adequate safeguarding and security. Generally, only records that require frequent access should be kept in the office (*active storage*). Other state government records may be placed in *inactive storage* at the State Records Center.

5.3.1 Active Storage

Active records should be conveniently located in a manner that is appropriately secure for the records type. For instance, personnel records or other records containing sensitive or confidential information should be locked and in a location that is still convenient for the staff using those records. Shelf-type filing with end tab folders is recommended for ease of use and space savings. The nature of the records should influence whether the shelf filing is open or closed, and whether it is locked.

5.3.2 Inactive Storage

Records that are no longer active (accessed less than once each 3 months) should be moved to inactive storage. The records must be placed in records boxes, available from the SOS Records Management Division, and notated appropriately.

5.3.2.1 DEQ Storage

When storing boxed records in any of DEQ's storage areas, it is strongly recommended that the boxes be notated the same as they would for transfer to the State Records Center. At the very least, the contents of the box should be clearly marked on the outside of the box and the box should be numbered to coordinate with the records inventory. The business unit's records inventory should indicate that the records have been moved to the specific storage location and when.

5.3.2.2 State Records Center

When transferring records to the State Records Center, the [DEQ Records Transfers & Disposition Procedure](#) must be followed.

5.4 ARCHIVES

Records that have been deemed to have historical value must be transferred to the Montana Historical Society at the end of the retention period. For detailed procedures for transferring records to the Historical Society, see the [DEQ Records Transfers & Disposition Procedure](#).

6.0 RECORDS

The following table lists the records that will be generated as a result of following this procedure, the responsibility assignment, and the storage location of the records:

Record Name	Responsibility	Storage
Records Inventories	Business Units	
Approved Retention Schedules (Business Unit-specific)	Agency Records Custodian	RIM files
Records Profiles	Agency Records Custodian	RIM files
Records Disposal Requests	Agency Records Custodian	RIM files
Records Transfers to Historical Society	Agency Records Custodian	RIM files
Records Transfers to Storage (SOS or other)	Business Units	

7.0 REFERENCES

- DEQ Records & Information Management Policy, DEQ-OP-RIM-1
- DEQ Management Plan, Records & Information Management, DEQ-OP-RIM-1a
- DEQ Records Transfers & Disposition Procedure, DEQ-OP-RIM-1.02

- DEQ Legal Holds Procedure, DEQ-OP-RIM-1.03
- [Montana Code Annotated, Title 2, Chapter 6, Part 1](#) (Public Records Generally)
- [Montana Code Annotated, Title 2, Chapter 6, Part 2](#) (Public Records Management)
- [Montana Code Annotated, Title 2, Chapter 6, Part 5](#) (Protection of Personal Information)
- Montana Secretary of State [Records Management Division Website](#)

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DEQ POLICY / PROCEDURE REVIEW PLAN & REVISION LOG

Document Review Plan

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Revision Log

Rev. #	DATE	DESCRIPTION OF CHANGES
0	6/29/2012	Procedure finalized.