

State Records Board

January 19, 2017

Executive Conference Room – Kansas Historical Society

Present: Lisa Mendoza, designee of the Attorney General (chair)
Jennie Chinn, Executive Director, Kansas Historical Society (KHS)
Matt Veatch, State Archivist
Bill Sowers, designee of the State Librarian
Philip Michael, designee of the Secretary of Administration

Also present: Ryan Leimkuehler, Government Records Archivist (KHS)
Megan Rohleder, Electronic Records Archivist (KHS)
Mark Cole, Archives Specialist (KHS)
Stacey Serra, Legal Assistant (KREC)
Aspen Junge, Kansas Dept. of Health & Environment (KDHE)
Debora Clure, Kansas Dept. of Health & Environment (KDHE)
Marcus Meerian, Kansas Dept. of Health & Environment (KDHE)
Katelyn Radloff, Kansas Dept. of Health & Environment (KDHE)
Melissa Thompson, Records Manager, Sedgwick County

Via Phone: Cliff Hight, University Archivist, Kansas State University (KSU)
Sarah Easter, Kansas State Board of Technical Professions (KSBTP)

Meeting called to order at 8:34 a.m. and Ms. Mendoza began the introductions. Ms. Mendoza asked if there were any announcements for the board. Mr. Leimkuehler requested the State General Schedule agenda item be moved to after Sedgwick County items. No further announcements were presented. No Motion required.

Minutes: Previous meeting minutes were reviewed. Ms. Mendoza provided copies of corrections to be made by KHS staff.

Motion: Ms. Chinn moved approval of meeting minutes as amended by Ms. Mendoza. Mr. Sowers seconded, unanimous approval of October 20, 2016 minutes as amended.

Kansas Department of Transportation: Ms. Rohleder presented the Electronic Records Committee's (ERC) conditionally endorsed ERP for AASHTOWare Project plan software and briefly described how it manages all the information throughout the entire contract and construction cycle. Ms. Rohleder also informed the board that it is designed and maintained by transportation professionals for the transportation industry and complies with Federal Highway Administration, AASHTO standards and the industry's best practices but also allows for state specific needs. Ms. Rohleder indicated that the revisions requested by the ERC to section B1 and C4 have been completed and since the agency wanted to implement the ERP first, that

once approved, housekeeping changes to the associated record series be updated to reflect record copy is now electronic. Mr. Veatch indicated that the important part of ERC revision was to ensure agencies have a clear audit logs and trails to maintain the integrity of their electronic records. Ms. Mendoza asked about the previously approved record series 0312-1276 and the restriction of K.S.A. 45-221(a)(45) and suggested there might be a more specific one to use for highway plans and K.S.A. 45-221(a)(12) would probably suffice. Ms. Rohleder made note of this for future series revisions.

Motion: Mr. Veatch moved to approve, Mr. Michael seconded, unanimous approval to approve presented ERP.

Kansas Real Estate Commission: Ms. Rohleder presented the KREC ERP for MyLicense Office and stated that it is an identical plan that has already been presented and approved by the board for the Kansas Board of Healing Arts and Kansas Board of Cosmetology. Ms. Rohleder indicated that there are no associated record series listed, since KREC had a previous board approved ERP that the agency wants to replace with MyLicense Office. No further discussion by board.

Motion: Ms. Chinn moved to approve ERP as presented. Mr. Sowers seconded, unanimous approval.

Kansas Department of Health and Environment: Mr. Leimkuehler explained that in the process of scanning their currently scheduled records, the Bureau of Environmental Remediation identified a new records series. This new series manages records about inactive tank facilities, leaking or not and are stored separately from the compliance or leaking tank files and should be archived permanently. Ms. Mendoza inquired about the restrictions. Ms. Junge explained that although majority are business operators, there may be some family businesses that run under individual social security numbers and possible tax information and that is why restrictions K.S.A. 45-221(a)(14) and (30) were listed. Ms. Mendoza then asked about K.S.A. 45-221(a)(49). It was determined that restriction was not needed since it is just communication between agency and facility operator. The last question by Ms. Mendoza concerned the remarks section and use of wording, "If files not accepted by the archives, they must be returned to the agency." Mr. Leimkuehler indicated that he has discussed this with Mr. Veatch and the archives will accept records and will remove wording from remarks section.

Motion: Mr. Michael moved to approve new series with amended restrictions listed as K.S.A. 45-221-(a)(14)(30)(45) and remarks section updated. Mr. Sowers seconded. Unanimous approval as amended.

Kansas State University (KSU) – Mr. Leimkuehler indicated that agency is continuing to work on updating their schedule and to better reflect current business practice, series 0002-367 should be superseded into series 0001-367. Ms. Rohleder then presented the ERP for ImageNow and gave a brief description of the software. Ms. Rohleder also explained that the system is used campus wide, and in addition to the listed series that would be affected by this ERP, more records series will be presented at later dates. Ms. Rohleder also explained that the ERC endorsed the plan with revisions to section D regarding the backup and disaster recovery plan.

Mr. Wilson (KSU) indicated that they will revise the recovery process and test it and will update the committee once it is completed.

Motion: Mr. Veatch moved approval of the submitted ERP recognizing that agency will establish and test back up and disaster plan. Ms. Chinn seconded, unanimous approval as submitted.

Motion: Mr. Sowers moved to approve superseding series 0002-367 to series 0001-367. Mr. Veatch seconded, unanimous approval.

Kansas Board of Technical Professions: Ms. Rohleder began by presenting the MyLicense Office ERP that the agency wants to implement and is one the board has seen before. Ms. Rohleder also indicated there are 15 series tied to this ERP. Ms. Mendoza indicated that for series 0019-663, restrictions should be corrected to K.S.A. 45-221(a)(6) and (9), and 5 USC Sec. 552.

Motion: Ms. Chinn moved to approve ERP as presented and make corrections to restrictions. Mr. Veatch seconded, unanimous approval.

Ms. Rohleder then moved to the new record series. She indicated that the agency had identified these new records series and were presenting them to the board to reflect current business practices. Ms. Mendoza indicated that series 0023-663 and series 0024-663 didn't require K.S.A. 45-221(a)(1) and it could be removed. Ms. Mendoza also inquired about the description of Renewal Records. Ms. Rohleder indicated she noted that and it should read, "Records related to the renewal of professional and business entity licenses."

Motion: Mr. Michael moved to approve as amended, Ms. Chinn seconded. Unanimous approval.

Ms. Rohleder then moved on to discuss the revised schedule entries. Revisions were made to reflect current business practices, minor adjustments to retention periods, and additional restrictions added. Ms. Mendoza questioned the restriction; K.S.A. 45-221(a)(1)(14)(30) for series 0004-663. Ms. Easter indicated that in some cases, correspondence may be kept and that is why K.S.A. 45-221(a)(14) added and K.S.A. 45-221 (a)(30) was added to be overly cautious. After discussion it was determined that no restrictions were necessary and the section should be changed to "None". Discussion moved to series 0018-663 and discussion determined the restrictions listed were correct and no changes required. Ms. Mendoza then asked Ms. Easter if the Freedom of Information Act citation for series 0019-663 was necessary. After discussion it was determined that it wouldn't apply and restrictions should read, "K.S.A. (a)(1)(6)(9)(14)(30)." The board then moved on to discuss series 0022-663. It was determined that K.S.A. 45-221 (a)(30) should be replaced with a more specific citation. Restrictions were amended to read, "K.S.A. (a)(1), K.S.A. 75-3520."

Motion: Mr. Sowers moved to approve revised entries as amended. Mr. Michael seconded, unanimous approval as amended.

Ms. Rohleder then presented series 0011-663 and advised the agency requested it be superseded into series 0018-663 to reflect their current business practices.

Motion: Mr. Veatch moved to approve superseding series 001-663 into series 0018-663, Mr. Sowers seconded. Unanimous approval by the board.

Sedgwick County Health Department/County General Schedule: Mr. Leimkuehler began by informing the board that the new proposed series had been vetted through the Sedgwick County legal department, Johnson County and Wyandotte Consolidated City/County Government. Ms. Mendoza indicated that for Adult Case Management Intensive Supervision Records, the restriction K.S.A. 45-221(a)(1) should be added, and that the comments should read, "Retain full file for five years after case closed, then cull file and retain the following documents for 50 years: supervision agreement, payment records, UA records, disciplinary/grievance records, substance abuse, journal entries/motions/court records and correspondence, offender registry information, personal information such as automobile, employment, living arrangements, LSI-R, supervision plan, education, PSI/criminal records, psychological, intake data, photo and affidavit."

Motion: Mr. Sowers moved to approve new entry as amended. Ms. Chinn seconded, unanimous approval.

Mr. Leimkuehler then presented the Confirmation Notices/Responses new entry. Ms. Mendoza questioned if correspondence is involved if so, K.S.A. 45-221 (a)(14) should be added. Discussion with Ms. Thompson determined the records are actual post cards that are sent through the U.S. Mail and no restrictions would apply, and to clarify the description to read, "Notices sent to registered voters that provide certification of new voter registration, address updates, or confirmation of a change of address, and responses to the notices."

Motion: Ms. Chinn moved to approve new entry as amended. Mr. Michael seconded, unanimous approval.

Mr. Leimkuehler then moved to the Family and Medical Leave Act (FMLA) Records series. Ms. Thompson used the previously heard KSU schedule entry as a template to address these records. Ms. Mendoza indicated that K.S.A. 45-221 (a)(1) would apply in this case and to corrected the CFR citation.

Motion: Mr. Veatch moved to approve new series with restrictions to read, "K.S.A. 45-221(a)(1)(3)(30), 29 CFR 825.500(g)." Ms. Chinn seconded, unanimous approval to approve as amended.

Mr. Leimkuehler then moved to the revised schedule entries. Ms. Mendoza indicated that like the previously approved new series, K.S.A. 45-221 (a)(1) should be added to both series 0002-119 and series 0004-119.

Motion: Mr. Sowers moved to approve as amended. Mr. Michael seconded, unanimous approval as amended.

State General Retention and Disposition Schedule: Mr. Leimkuehler indicated that from conversations with other agency records officers, that series 0040-000 and series 0041-000 didn't address records generated by agencies that provided training to external organization. Mr. Leimkuehler vetted the proposed entry through Kansas Bureau of Investigation, Kansas Department of Health and Environment, State Pharmacy Board, Kansas Highway Patrol and Kansas Board of Healing Arts and no one had any issue with adding the series. The board discussed different kinds of external training that may occur by different agencies. It was determined to change the description to say, "Correspondence, reports, and other records

relating to the operation of agency sponsored training programs to external organizations and individuals.

Motion: Mr. Veatch moved to approve new entry as amended. Mr. Michael seconded, unanimous approval as amended.

The board reviewed the Housekeeping changes and accepted as presented.

Other Business: Mr. Veatch indicated that the SRB meeting number item was kept on the agenda as a reminder of previous discussions regarding this. After apprising the board of his research findings during the last meeting, it was needed to decide if it wants to change the current practice. Mr. Veatch proposed coming up with a short explanation to include on the website to help avoid some confusion and maintain the history of how numbers were determined. Ms. Mendoza agreed that a condensed version of his finding would be beneficial and asked Mr. Veatch to come up with something to present to the board so they could review and tweak the language.

Mr. Leimkuehler then gave the board a brief account of all the training activities the Public Records section has done. Mr. Leimkuehler also stated that in addition to training sessions, he is looking at the feasibility of conducting web hosted training sessions as well. Mr. Veatch indicated there has also been some discussion of reinstating the annual meeting reports. Mr. Veatch feels that it would be beneficial to all the agencies to see what other agencies are doing with regards to their records management.

Mr. Veatch then moved onto to discuss Microsoft Office 365. He indicated to the board that until the Kansas Historical Society has hands on experience with it, nothing to update the board on at this time.

Mr. Leimkuehler updated the board on discussions and activities with the State Board of Veterinarian Examiners. He explained that they are again their own agency and has been providing guidance on how to best handle and manage the records that have been transferred back to the veterinarian board in both paper and electronic form. There is some concern that the veterinarian board may again be absorbed into another agency, but it is continuing to go through and organize its records.

Mr. Veatch explained to the board that Preservica item is more of a KEEP update, and Preservica is just the product that is being used for the digital repository. Mr. Veatch indicated the Kansas Historical Society is very close to being able to implement the software and will keep the board updated on the progress.

The final order of business was to confirm the proposed future meetings. With nothing further to discuss, the board adjourned at 10:15 a.m.