

ELECTRONIC RECORDS: EMAIL, BORN DIGITAL RECORDS, AND DIGITAL IMAGING

Q. *When can I delete my email?*

A. Email is a public record as defined by G.S. §121-5 and G.S. §132. Electronic mail is just as much a record as any traditional paper record, and must be treated in the same ways. **It is the content of each message that is important.** If a particular message would have been filed as a paper memo, it should still be filed (either in your email program or in your regular directory structure), and it should be retained the same length of time as its paper counterparts. ***It is inappropriate to destroy email simply because storage limits have been reached.*** Some examples of email messages that are public records and therefore covered by this policy include:

- Policies or directives;
- Final drafts or reports and recommendations;
- Correspondence and memoranda related to official business;
- Work schedules and assignments;
- Meeting agendas or minutes
- Any document or message that initiates, facilitates, authorizes, or completes a business transaction; and
- Messages that create a precedent, such as issuing instructions and advice.

From the Department of Cultural Resources E-Mail Policy (Revised July 2009), available at the State Archives of North Carolina website

Other publications will be particularly helpful in managing your email (available online at the State Archives of North Carolina website):

- *E-Mail as a Public Record in North Carolina: A Policy for Its Retention and Disposition*
- *Online E-mail Tutorial: Managing Your Inbox: E-mail as a Public Record*
- *Online Tutorial: Managing Public Records for Local Government Agencies*
- *Guidelines for E-mail as a Public Record in North Carolina: Tips and Tricks for Using Microsoft Exchange Software to Manage E-mail*

Q. *May I print my email to file it?*

A. We do not recommend printing email for preservation purposes. Important metadata is lost when Email is printed.

Q. *I use my personal email account for work. No one can see my personal email.*

A. The best practice is to avoid using personal resources, including private email accounts, for public business. G.S. §132-1 states that records “made or received pursuant to law or ordinance *in connection with the transaction of public business* by any agency of North Carolina government or its subdivisions” are public records (emphasis added). The fact that public records reside in a personal email account is irrelevant.

Q. *We have an imaging system. Do we have to keep the paper?*

A. You may scan any record, including permanent records. You will need to get approval from our agency in order to destroy paper originals that have been digitized. Your office should follow the instructions in the *North Carolina Guidelines for Managing Public Records Produced by Information Technology Systems* to conduct the Self-Warranty process, develop an Electronic Records Policy, and complete a copy of the **Request for Disposal of Original Records Duplicated by Electronic Means**, (located at the end of this schedule). Then submit all three to us.

Permanent records must have a security preservation copy as defined by the State Archives of North Carolina's **Human-Readable Preservation Duplicate Policy** (G.S. §132-8.2):

Preservation duplicates shall be durable, accurate, complete and clear, and such duplicates made by a photographic, photostatic, microfilm, micro card, miniature photographic, or other process which accurately reproduces and forms a durable medium for so reproducing the original shall have the same force and effect for all purposes as the original record whether the original record is in existence or not. ... Such preservation duplicates shall be preserved in the place and manner of safekeeping prescribed by the Department of Cultural Resources.

The preservation security duplicate of permanent records must be either on paper or microfilm.

Non-permanent records may be retained in any format, and therefore you may be approved to destroy hard copy originals after proper imaging. You will have to take precautions with records that you must keep more than about 10 years. Computer systems do not have long life cycles. Each time you change computer systems, you will have to convert all records to the new system so that you can assure their preservation and provide access. Your office will still be required to conduct the Self-Warranty process, establish an Electronic Records Policy, and submit the Request for Disposal of Original Records Duplicated by Electronic Means form for our approval.

Q. *Computer storage is cheap. I'll just keep my computer records.*

A. The best practice is to destroy all records that have met their retention requirements at the same time, regardless of format.

Q. *What are the guidelines regarding the creation and handling of electronic public records?*

A. The following documents are available on the State Archives of North Carolina website:

- Best Practices for Cloud Computing: Records Management Considerations
- Best Practices for Electronic Communication Usage in North Carolina: Text and Instant Message
- Best Practices for Electronic Communication Usage in North Carolina: Guidelines for Implementing a Strategy for Text and Instant Messages
- Best Practices for File Naming
- Best Practices for Social Media Usage in North Carolina
- Guidelines for Digital Imaging Systems
- Metadata as a Public Record in North Carolina: Best Practices Guidelines for Its Retention and Disposition
- Security Backup Files as Public Records in North Carolina: Guidelines for Recycling, Destruction, Erasure, and Re-Use of Security Backup Files