

Records Classification



**Records Management
Secretary of State Tre Hargett**

March 15, 2019

Records, Defined

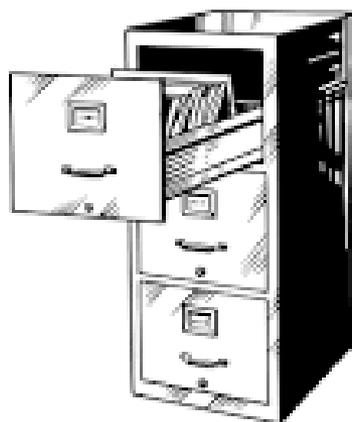
“Public record or records’ or ‘state record or records’ means all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency.” T.C.A. § 10-7-301(6)

Records, Defined

- Records are the evidence of what the organization does; they capture its business activities and transactions.



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Confidentiality

- Records are considered confidential if the state is not required to produce them in response to a public records request. A T.C.A. or C.F.R. citation must list these records as being confidential.

Examples of confidential records can be found under T.C.A. § 10-7-504:

- Medical records
- TBI investigative records
- Military records

CONFIDENTIAL



Confidentiality

- T.C.A. 10-7-504:
 - “The medical records of patients in state, county, and municipal hospitals and medical facilities, and the medical records of persons receiving medical treatment, in whole or in part, at the expense of the state, county, or municipality, shall be treated as confidential and shall not be open for inspection by members of the public.”

Non-Confidentiality



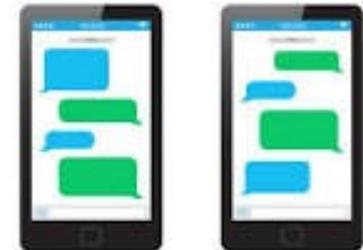
- All other records are considered non-confidential. These are the records that the state is required to produce in a public records request.
- These records may still contain sensitive information, such as addresses, social security numbers, dates of birth, etc.
 - This information will need to be redacted if the records are requested in a public records request.

SW16 “Temporary Records”

- T.C.A § 10-7-301(13):
 - “...material which can be disposed of in a short period of time as being without value in documenting the functions of an agency...”
- These documents are only considered records of short-term administrative value.
- Temporary records are not to be retained for more than one year.

SW16 “Temporary Records”

- Examples:
 - drafts, notes, voice mails, text messages, email messages, etc.
 - These formats are presumed to be temporary records unless they are governed by another RDA/SW.



SW17 “Working Papers”

- T.C.A. § 10-7-301 (14):
 - “...those records created to serve as input for final reporting documents, including electronic data processed records, and/or computer output microfilm, and those records which become obsolete immediately after agency use or publication.”

SW17 “Working Papers”

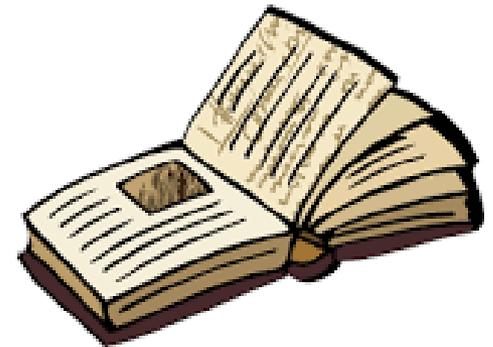
- Working Papers are used to produce a record in its final form.
- Working Papers have evidentiary or informational value once their preparation has been completed and relate to significant steps taken in preparing the final record.
 - Example: substantive drafts that provide significant context for the development of the final record.

SW17 “Working Papers”

- The final record resulting from the Working Papers is governed by the appropriate RDA.
- This RDA covers all other Working Papers unless superseded by another specific RDA.
 - SW17 does not apply to Annual Reports (SW15), Budget (SW18), or Internal Audit (SW11) Working Papers.

SWs 16 & 17; Record Values

- Under no circumstances may documents of Fiscal, Legal, or Historic Value be considered Working Papers or Temporary Records.



Email Management



- Emails are considered Temporary Records unless governed by another RDA.
- The content of the email determines which RDA should be used to govern it.
- For preservation, emails must be moved to a separate archive.
- Emails must be retained for the same amount of time as all other records under the given RDA.

Reference Material/Copies

- Reference materials are various sources that provide background information or quick facts on any given topic.
 - Reference sources are used to obtain a specific answer to a question or to indicate other sources to use during the research process.





Reference Material/Copies



- Copies of records are considered reference material.
 - They can be destroyed whenever they are no longer administratively useful, within the retention of the original record.
 - At the end of the original record's retention, always ensure that all remaining copies are destroyed.
 - In the event of a Public Records Request, copies of records must be provided—even if the original record has been destroyed.

Questions?

