MANAGEMENT TIPS FOR EMAIL USERS

Like paper, emails can be public records.   Email users are responsible for retention and disposition of records according to relevant retention schedules.

Not all emails will necessarily be filed under the record series "correspondence." Email is not a record series and end users should review their emails based on the email's content and use the same records series that they would use if the same information were distributed on paper. By faithfully disposing of non-records and transient records in a timely fashion, public entities are left with a more manageable set of records.

IS IT A RECORD?

"Records" include:
➢ Any document, device, or item, regardless of physical form or characteristic
➢ Created or received by or coming under the jurisdiction of any public office of the state or its political subdivision
➢ Which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office

End users must look beyond the electronic medium and analyze the content to determine whether the email meets the definition of a "record" that must be scheduled and retained.

EMAIL RETENTION

Like paper records, emails typically fall into one of the following categories:
➢ **Non-record:** email messages that do not meet the definition of a "record" may be deleted at any time, unless they become part of some official record as a result of special circumstances. Examples include: personal correspondence that does not document the policies of the office, postings from external mailing lists and spam-mail.
➢ **Official record**: email messages that meet the definition of a "record" are official records and must be scheduled, retained and disposed of pursuant to the public entity's records retention schedule. Official records typically fall into the following categories:
    o **Transient retention**: emails that have very limited administrative value. Examples include: meeting notices, telephone messages, and drafts.
    o **Intermediate retention:** email messages that have more significant administrative, legal and/or fiscal value. Examples include: general or routine correspondence, monthly or weekly reports and accounting documentation.
    o **Long-term retention:** email messages that have significant historical, administrative, legal and/or fiscal value. Examples include: executive correspondence, departmental policies and procedures, and minutes of boards, committees and commissions.

RECORD COPY

Emails are often widely distributed to a number of recipients. Determining who maintains the "record copy" of the message (i.e. the original message that must be maintained per the retention schedule) is vital to email management.

- ➢ Usually, the individual who sends the email message should maintain the "record copy" of the message.
- ➢ Multiple recipients (especially CCs and BCCs) should not retain the message

DISPOSAL AND RETENTION:

With a few exceptions, emails only need to be retained and stored for as long as the public entity's retention period requires.

One exception deals with "litigation holds." An individual or public entity subject to a litigation hold may be required to preserve relevant data, such as email messages, for use as evidence in a lawsuit. Public entities subject to a litigation hold should work with their attorney to determine the best method for preserving emails subject to the litigation hold.

Public entities will need to determine who is responsible for the retention and disposal of email classified as "public records" through a collaborative discussion between the entity's records officer, management, and IT staff.
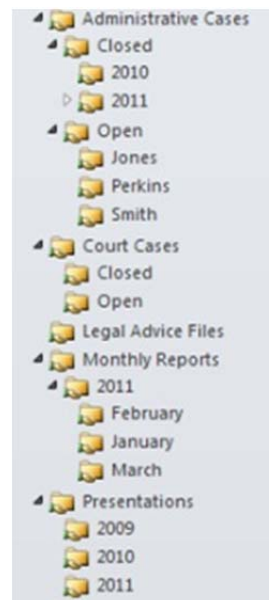
- ➢ Maintaining records on the current email system (e.g. Microsoft Outlook, Zimbra, etc.) may be an option for records that must be retained for only short periods of time.
- ➢ Saving emails and their attachments to a local or shared drive may also be an option for public entities. This allows the public entity to retrieve and reference the records electronically.
- ➢ Emails may also be stored "off-line," meaning that the emails and attachments are pulled off the email server and are stored outside of an electronic record-keeping environment.

FILING EMAILS

Public entities should set up or modify email systems to facilitate records management tasks. The following tips will aid in managing email records:

- ➢ File emails in folders based on record series, project, subject, retention time, etc.
- ➢ File emails as soon as you send or receive them. Focus on your "Sent" box. As the author of these messages, you are responsible for maintaining the communication. (See "Record Copy").
- ➢ Use descriptive subject lines to help the recipient identify and file email messages. It also helps you file your sent box messages.

Example:

OhioERC.org