



State of Indiana
Indiana Department of Correction

Effective Date

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09/01/07

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00-04-102

**POLICY AND ADMINISTRATIVE
PROCEDURES**
Manual of Policies and Procedures

Title

**THE ESTABLISHMENT, DISTRIBUTION, MAINTENANCE,
REVIEW AND DISPOSITION OF ADMINISTRATIVE RECORDS**

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Other References (includes but is not limited to)
IC 4-1-6-1 <i>et seq.</i> IC 5-14-3-1 <i>et seq.</i> IC 5-15-5.1-1 <i>et seq.</i> IC 11-8-2-5(a)(8) IC 11-8-2-5(a)(10) 60 IAC 1.1-1 <i>et seq.</i>	00-04-103 00-04-201 01-04-104 04-03-102	

I. PURPOSE:

The purpose of this policy and administrative procedure is to establish the parameters by which administrative records are established, managed, maintained and disposed of by the Department of Correction.

II. POLICY STATEMENT:

The Department of Correction shall develop and implement an administrative records system. Information placed in this system shall be collected and maintained in such a manner that allows the highest degree of correct and accurate data and that aids in program planning, development, implementation and review.

The information collected in this record system shall be controlled to ensure proper access in order to maintain the integrity of the records. The release of this information or data shall be based upon appropriate statutes, promulgated rules, departmental policies and administrative procedures.

A system of inspection for administrative records shall be established in accordance with applicable statutes and promulgated rules. Record retention schedules shall be developed for administrative records in conjunction with the Indiana Commission on Public Records. These records shall be destroyed only upon approval of the Indiana Commission on Public Records.

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III. DEFINITIONS:

For the purpose of these administrative procedures, the following definitions are presented:

- A. **ADMINISTRATIVE RECORDS:** Those records that relate to the administrative operation of the Department or a facility, including fiscal, management and operational records, not including personnel or offender records.
- B. **ARCHIVES DIVISION:** The Division of the Indiana Commission on Public Records responsible for the preservation of records and other government papers which have been determined by the Commission to have sufficient permanent value to warrant continued preservation.
- C. **COMMISSION:** The Indiana Commission on Public Records.
- D. **DEPARTMENT RECORDS COORDINATOR (DRC):** The staff person designated by the Commissioner to oversee the development, maintenance and disposition of administrative records within the Department and who serves as the department's liaison with the Commission.
- E. **FACILITY RECORDS COORDINATOR (FRC):** The person appointed by the Facility Head to oversee the development, maintenance and disposition of records.
- F. **FORMS AND RECORDS MANAGEMENT DIVISION:** The division within the Commission responsible for the development of records retention schedules and for establishing the rules for the maintenance, storage and disposition of records.
- G. **RECORDS:** Documentary materials, regardless of physical form, that are made or received by a state agency in the transaction of public business as evidence of its activities or that contain information of value.
- H. **RECORDS RETENTION SCHEDULE:** The guidelines developed and approved by the Commission that define how long, where and in what form a record series shall be kept.
- I. **RECORD SERIES:** Any documents or records that are filed in a unified arrangement and have similar physical characteristics or relate to a similar function or activity.

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IV. DEPARTMENT RECORDS COORDINATOR (DRC):

The Commissioner shall designate a staff person in the Department's Central Office to serve as the Department's Records Coordinator (DRC). The Commissioner shall advise the Commission of the name and contact information of the designated staff person who shall act in this capacity and of any change in this assignment.

The DRC shall act as a liaison between the Department and the Commission to develop records series and records retention schedules.

The DRC's responsibilities shall include:

- A. Assist the facilities to develop records series and records retention schedules for records specific to the respective facilities;
- B. Act as a liaison between the Department and the Commission to establish, maintain and dispose of records;
- C. Act as a repository for information relating to the establishment, distribution, maintenance and disposition of records, including statutes, rules, policies and procedures governing records;
- D. Review all Department records retention schedules for consistency and assist in the development and approval process; and,
- E. Review all requests from the facilities, for the transfer and/or destruction of records.

V. FACILITY RECORDS COORDINATOR (FRC):

The Facility Head shall appoint a staff person to serve as the Facility Records Coordinator (FRC). This staff person may be the same person appointed to act as the Facility Forms Coordinator (FFC), in accordance with Policy 00-04-103, "Forms Management." The Facility Head shall advise the DRC of the name of the staff person assigned to these duties and shall advise as to any changes in the FIC. The Facility Head shall use State Form 42035, NOTICE OF CHANGE OF AGENCY COORDINATOR, for this purpose. (This form is available from the Commission's website, <http://www.state.in.us/icpr/webfile/formsdiv/icpr.html>.)

The FRC's responsibilities shall include:

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- A. Act as a liaison between the facility and the DRC;
- B. Work with staff from all segments of the facility to develop records and records series;
- C. Assist the DRC in the development and modification of record retention schedules;
- D. Maintain information relating to records;
- E. Assist staff in the preparation of records for storage and the storage of records at the facility; and,
- F. Coordinate the approval process and the destruction of records at the facility.

VI. RECORDS ESTABLISHMENT:

The Commissioner or designee shall determine what records are necessary for the operation of the Department and shall instruct the facilities as to these records, in most cases through policies and administrative procedures. Additionally, Division Directors and Facility Heads shall determine what records are necessary for the operation of the divisions and facilities under their supervision.

The types of records to be maintained shall be consistent with good management practices and in accordance with all applicable law, rules, policies and procedures. An attempt shall be made to ensure that the types of records maintained are as consistent as possible throughout the Department. To ensure this is accomplished, the DRC shall be contacted whenever a new type of record is being developed.

Any new type of record shall be assigned a record series number by the Records Management Division and an appropriate record retention schedule shall be developed in accordance with these procedures.

Any forms that are created during the development of a new type of record shall be processed in accordance with the administrative procedures for Policy 00-04-103, "Forms Management."

VII. RECORDS RETENTION SCHEDULES:

All records generated by the Department shall be assigned to a record series and included in a records retention schedule. The DRC shall coordinate the development of records retention schedules for departmental records.

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The Department shall abide by any applicable statewide records retention schedules approved by the Commission, such as the State of Indiana General Records Retention Schedules. (Note: The most current General Records Retention Schedules can be accessed through the Internet at the website for the Indiana Commission on Public Records, http://www.in.gov/apps/icpr/retention/icpr_retention.)

The Department shall standardize the records retention schedules for records throughout the Department. Records that are specific to a particular division or facility shall be evaluated as to its relation to other similar records and, if necessary, a new records retention schedule shall be developed and included in the Department's records retention schedule. ATTACHMENT I presents the current Department-wide Records Retention Schedule for administrative records.

Staff persons who request the establishment of a new type of record shall contact the DRC or FRC, as appropriate. The DRC/FRC shall assist the staff person in determining whether the new record may be included in an existing record series or whether a new record series must be developed. The FRC may contact the DRC for additional information if necessary. The DRC shall seek approval from the appropriate Deputy Commissioner for records generated by Central Office staff.

The FRC shall prepare a memorandum to the Facility Head explaining the nature of the new record and recommending the proposed record retention schedule. The Facility Head shall review this request and indicate either approval or rejection. If approved, the request shall be submitted to the DRC.

The DRC shall review the request and determine whether the subject records are covered by an existing record series and retention schedule. If the subject records are not covered by an existing schedule, the DRC shall attempt to determine if the records are specific to the facility or whether these records may be part of a Department-wide record series. The DRC shall also attempt to determine where this record might fit into the Department records retention schedule.

When the DRC has completed the review, the proposed record and records retention schedule shall be forwarded to the appropriate Division Director or Central Office staff person along with any comments or recommendations. The Division Director or Central Office staff person shall review the proposed record to determine its need and to determine whether the record is appropriate for the suggested records retention schedule. When the Division Director or staff person completes this review, the proposed record and record retention schedule shall be returned to the DRC along with a recommendation as to approval or rejection. If the proposed records retention schedule is approved by the Division Director or staff person, the

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DRC shall contact the Director/Division of Legal Services to ensure that the proposed records retention schedule complies with any existing law impacting the Department.

If the record series and records retention schedule is approved, the DRC shall submit a request to the Records Management Division asking that a formal retention schedule be developed. The DRC shall indicate in the request the nature of the record and the proposed length of retention. The DRC shall continue to work with the facility and the Records Management Division until the record retention schedule is completed and formally approved. When the schedule is approved, the DRC shall send a copy of the record retention schedule to the requesting facility and shall ensure that it is incorporated into the Department's records retention schedule.

All approved record retention schedules shall remain in effect until formally revised by the Commission on Public Records. The DRC shall notify the facilities of any changes in record retention schedules.

VIII. RECORDS MAINTENANCE:

The Facility Head or designee shall ensure that all administrative records generated by the facility are maintained in an appropriate manner. Records shall be stored in an appropriate container (i.e. file cabinet, file box, etc.) when not in use. The Facility Head or designee shall ensure that all staff is aware of the appropriate method of maintenance and storage.

Records shall be maintained at the facility until they are approved for storage in the Department's authorized storage location (the Miami Correctional Facility for administrative records), the State Archives or destroyed. Records shall not be removed from the facility until an approval to transfer or destroy the records has been received. (NOTE: Only those records with a retention schedule of more than three (3) years shall be transferred to the Department's authorized storage area.) The FRC shall complete a State Form 23628, RECORD TRANSMITTAL AND RECEIPT, for records to be sent to the Department's authorized storage location. For records that are to be forwarded to the State Archives, State Form 48883, STATE ARCHIVES RECORD TRANSMITTAL AND RECEIPT, shall be used. (State Forms 23628 and 48883 are available from the Commission's website.) ATTACHMENT II presents the general procedures to be used for the maintenance of administrative records and the transfer of these records to the Department's warehouse for administrative records.

Confidential records shall be secured in a locked file cabinet or secure room when not in use. Access to confidential records shall be limited to those staff persons

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approved by the Facility Head or designee or those staff who must have access to these records in order to complete their lawfully assigned duties. Staff persons who have access to confidential records shall be advised as to the nature of the record and the need for confidentiality.

IX. RECORDS REVIEW:

The Facility Head or designee shall review the records and records retention schedules on an annual basis. Any discrepancies or recommendations shall be submitted to the DRC for review.

The DRC shall review all Department record series and records retention schedules on an annual basis. This review shall determine whether any changes need to be made in these record series or records retention schedules. Any recommended changes shall be forwarded to the Commissioner for review and approval.

Any approved revisions or changes shall be forwarded to the Records Management Division for incorporation into the Department's records retention schedule.

X. RECORDS DESTRUCTION:

The FRC shall review all requests to destroy records and shall compare the destruction request with the approved records retention schedule. No records shall be destroyed unless they are on an approved records retention schedule and comply with the time frame indicated on this schedule.

The FRC shall complete State Form 16, RECORDS DESTRUCTION NOTIFICATION, for all records approved for destruction. (State Form 16 is available from the Commission's website.) This form shall be completed in full prior to the destruction of the records.

The FRC shall sign this form in the appropriate space and the Facility Head shall initial this form indicating knowledge and approval of the destruction of these records.

Following the completion of State Form 16, the form shall be submitted to the DRC for review prior to the destruction. The DRC shall review the form and shall sign the form indicating approval of the destruction and shall send the request for destruction to the Records Management Division for review and approval. Once the request is approved, the Records Management Division shall return the approved form to the DRC. The DRC shall retain a copy of the form and forward a copy to the facility.

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Records approved for destruction shall be disposed of in accordance with all applicable laws and procedures. Confidential records or records which contain information that might be sensitive or related to the security of the facility shall be either incinerated or shredded. Staff destroying these records shall ensure that the records are destroyed completely. Records that do not contain security related or sensitive information may be placed in a container for the recycling of office paper. Generally, records shall not be buried or thrown into waste paper bins for destruction.

If a division or facility does not have access to an incinerator or paper shredder capable of destroying administrative records, the division or facility may request a "courtesy" destruction by the Commission's Records Center or may have the records destroyed in any other secure manner. If the request is for the Commission's Records Center, the division or facility shall place a note with the RECORDS DESTRUCTION NOTIFICATION indicating the desire to have these records destroyed by the Commission's Records Center. Once the destruction of the records has been approved, the division or facility shall be instructed to contact the Commission's Records Center to make arrangements for the destruction of the approved records. The Commission's Records Center or any other approved destroyer of records shall dispose of these records in a manner appropriate for the type of records being destroyed and shall ensure that the records are completely destroyed if necessary.

XI. APPLICABILITY:

These administrative procedures are applicable to all Department divisions, facilities and staff.

Signature on File
J. David Donahue
Commissioner

7/25/07
Date