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**RECOMMEND DELETION**  
**(ITEMS INCLUDED IN CP LEGAL & LOCAL)**

The Executive Director shall be the custodian of all records, documents, writings, letters, memoranda, or other written, typed, copied or developed materials possessed, assembled, or maintained by the ESC.

**DEFINITION**

A "local government record" means any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information-recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by the ESC or any of its officers or employees, pursuant to law or in the transaction of public business. The term does not include:

1. Extra identical copies of documents created only for convenience of reference or research by ESC officers or employees.
2. Notes, journals, diaries, and similar documents created by an ESC officer or employee for his or her own personal convenience.
3. Blank forms, stocks or publications, and library and museum materials acquired solely for the purposes of reference or display.
4. Copies of documents in any media furnished to the public under the Open Records Act or other state law.

**ESC  
RESPONSIBILITIES**

The ESC shall:

1. Establish, promote, and support an active and continuing program for the efficient and economical management of all ESC records.
2. Cause policies and procedures to be developed for the administration of the program under the direction of the records management officer.
3. Facilitate the creation and maintenance of ESC records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the ESC and designed to furnish the information necessary to protect the ESC's legal and financial rights, the state, and persons affected by the ESC's activities.

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	<ol style="list-style-type: none"><li>4. Facilitate the identification and preservation of ESC records that are of permanent value.</li><li>5. Facilitate the identification and protection of essential ESC records.</li></ol>
CUSTODIANS OF RECORDS	<p>Custodians of records shall:</p> <ol style="list-style-type: none"><li>1. Cooperate with the records management officer in carrying out the policies and procedures established by the ESC for the efficient and economical management of records and in carrying out the requirements of the Act.</li><li>2. Adequately document the transaction of ESC business and the services, programs, and duties for which they and their staff are responsible.</li><li>3. Maintain the records in their care and carry out the preservation, microfilming, destruction, or other disposition of the records in accordance with the policies and procedures of the ESC's records management program.</li></ol>
RECORDS MANAGEMENT OFFICER	<p>The associate director, business and human resource services, shall serve as the records management officer and ensure implementation of efforts according to the Local Government Act. (move to CP Local) The records management officer shall:</p> <ol style="list-style-type: none"><li>1. Assist in establishing and developing policies and procedures for the ESC's records management program.</li><li>2. Administer the records management program and provide assistance to the custodians in order to reduce costs and improve record-keeping efficiency.</li><li>3. In cooperation with the custodians of records, prepare and file records control schedules, amended schedules, and lists of obsolete records.</li><li>4. In cooperation with the custodians of records, prepare or direct the preparation of requests for authorization to destroy records.</li><li>5. In cooperation with the custodians of records, identify and take adequate steps to preserve ESC records of permanent value.</li><li>6. In cooperation with the custodians of records, identify and take adequate steps to protect essential ESC records.</li><li>7. In cooperation with the custodians of records, ensure that the maintenance, preservation, microfilming, destruction, or other</li></ol>

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disposition of records is carried out in accordance with the ESC's records management program and legal requirements.

8. Disseminate to the Board and custodians of records information concerning administrative rules relating to the ESC's records.
9. In cooperation with the custodians of records, establish procedures to ensure that the handling of records is carried out with due regard for the duties and responsibilities of custodians that may be imposed by law and the confidentiality of information in records to which access is restricted by law.

MICROFILMING

ESC records may be maintained on microfilm in addition to or instead of paper or other media.

ELECTRONIC  
STORAGE

ESC records may be stored electronically in addition to or instead of source documents in paper or other media.

APPRAISAL  
DOCUMENTATION AND  
RECORDS

All records that support appraisal ratings shall be maintained for at least two years. Official appraisal records shall be maintained throughout a person's employment with the ESC and for two years after an employee terminates employment with the ESC.

DOCUMENT  
DESTRUCTION  
PROCEDURES

The ESC shall follow its records management program regarding document destruction. However, the ESC shall preserve documents, including electronically stored information, and suspend routine record destruction practices as applicable according to procedures developed by the records management officer:

1. In the event of pending or reasonably anticipated litigation;
2. In the event of an investigation by a federal agency or department or any bankruptcy case; or
3. In the event of a public information request.

An ESC record may be intentionally destroyed under any of the following conditions:

1. The record is listed on a local records control schedule and either its retention period has expired or it has been microfilmed or electronically stored in accordance with legal standards.
2. The record appears on a local list of obsolete records approved by the records management officer.
3. A district court issues an expunction order for the destruction or obliteration of the records, pursuant to state law.

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4. The records are defined as exempt from local records retention schedules.

Notification shall be given to appropriate staff of any applicable obligations to suspend routine record destruction practices.

WEB SITE POSTINGS

The ESC's records management program shall address the length of time documents will be posted on the ESC's Web site when the law does not specify a posting period.