Managing Electronic Records: Offboarding Guidelines

For use by Kentucky State Agency Employees when exiting employment

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Public Records in Kentucky

Your work for a state agency has created public records that need to be appropriately managed before you exit employment. According to KRS 171.410(1) public records include "all books, papers, maps, photographs, cards, tapes, disks, diskettes, recordings, and other documentary materials, **regardless of physical form or characteristics**, which are prepared, owned, used, in the possession of, or retained by a public agency."

All records that have not met their retention (destruction date) must be labeled and centrally stored or transferred to the appropriate person before exiting. Failure to properly manage records can lead to criminal prosecution.

KRS 519.060 Tampering with public records.

(1) A person is guilty of tampering with public records when:
    a. He knowingly makes a false entry in or falsely alters any public record; or
    b. Knowing he lacks the authority to do so, he intentionally destroys, mutilates, conceals, removes, or otherwise impairs the availability of any public records; or
    c. Knowing he lacks the authority to retain it, he intentionally refuses to deliver up a public record in his possession upon proper request of a public servant lawfully entitled to receive such record for examination or other purposes.
(2) **Tampering with public records is a Class D felony**.

Conviction of a Class D felony can result in a sentence to a term of imprisonment for one to five years. KRS 532.020.

What is a Retention Schedule?

Records Retention Schedules list the **records created, used, and maintained** by state and local agency personnel and elected officials, along with information on **retention** (how long to keep) and **disposition** (final action) for those records. In Kentucky, these schedules are approved and updated by the State Libraries, Archives, and Records Commission.

All Kentucky state government personnel should use the General Schedule for State Agencies which covers common records created by all or most agencies. Examples of these types of records are correspondence, meeting minutes, payroll, personnel, budgeting, and fiscal records.

Most state agencies will *also* use a retention schedule specific to their agency. These agency-specific schedules cover records that are not on the General Schedule or records that agencies must keep for longer than required by the General Schedule.

Please consult both the general and agency specific schedules!

Where Can I Find My Records?

Due to the increase in cloud services and remote work, records can be stored in multiple places. You should check for records in all the places listed below.

Electronic Records	Physical Records
Agency issued **computer**	Filing cabinets
Agency issued **cellphone** or **tablet**	Desk drawers
Agency issued **desk phone** (voicemails)	Laptop bag or briefcase
Network shared drives	Work from home desk drawers
OneDrive	Work from home office space
Agency issued **flash drives** or **hard drives** (removeable media)	
Personal **computer**	
Personal **cellphone** or **tablet**	

What Can I Delete?

Less is more! Having fewer documents to transfer will make it easier to get your records where they need to be (to a coworker, a shared drive, etc.) before you leave.

**Records you can get rid of RIGHT NOW include:**

- **Every record that is past its retention!** (As listed on the retention schedules).
- **Drafts and working documents** for completed projects/reports.
  - Drafts are no longer needed when a project is complete.
  - **Please Note:** If you have drafts for an active project/report, these should go to your supervisor, coworkers, or a shared location for future use.
- **Duplicate or courtesy copies.**
  - Only the official record copy should be retained for any type of record.
- **Personal emails or files** that are on your computer or in your desk drawer.
- **Spam** – unsolicited, non-work-related emails, fliers, messages, mail, papers.

Do NOT delete or destroy:

- Records that have **not met their full retention**,
- Records that are **not on the retention schedule** (records are permanent until scheduled),
- Records that are on a **destruction hold** (open records request, audit, or litigation.)

Offboarding Records Destruction Flowchart:

Here is a flowchart to show you which records can be destroyed during your offboarding, and which records need to be maintained and transferred:
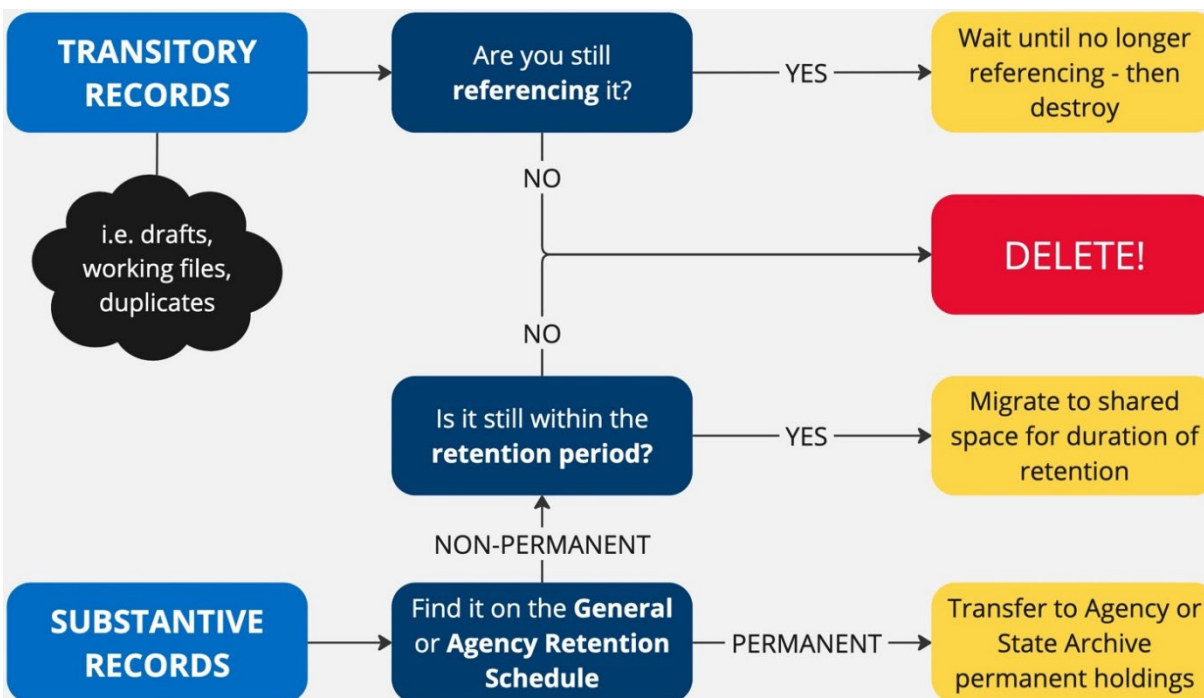
Email

Email is a significant part of the work performed by a state employee, and it needs to be managed with care. Your inbox, folders, *and* sent items all contain records that must be managed.

Timeline for Email:

- Your email account is "soft deleted" when you leave. This means it is recoverable for up to **90-days** after your exit.

What am I required to save?

Review the General and Agency Specific Retention Schedule for retention periods

- Any permanent or long-term records must be removed and saved outside of your email account before you leave!
- Look for items in your email *that you created* (sent) such as Meeting Minutes, Publications, Memos, Press Releases, Reports, Photos, etc. which are the final version of the record.

- o If the .docx, .pdfs, .jpeg files for these Minutes, Reports, Photos, etc. are saved on an agency shared drive or electronic software system, then those are the official record, and the email is a duplicate copy and can be deleted.
- If you have email threads with important project plans/updates, it may be necessary to share these with your supervisor, coworkers, or the next person in your role.
  - o For small batches of emails, forward them to your supervisor or relevant coworkers.
  - o Larger batches should be exported as a .pst file and saved in a shared space.
- Do not delete emails that have been requested in a current open records request, are relevant to an outstanding consumer complaint, ongoing litigation, audit, or federal oversight review.

So, what can I delete? A LOT!

- Most emails are **Routine Correspondence**:
  - o Retention for Routine Correspondence (M0002) is to retain messages for *no longer than two (2) years,* which means you can delete them now as you depart!
  - o Examples of Routine Correspondence include:
    - Assistance to clients,
    - Explanations of policy,
    - Requests for information,
    - Business-related discussions within an agency,
    - Listserv messages relevant to agency business,
    - Correspondence related to relevant professional organizations,
    - Event and other announcements received by non-issuing agencies, or
    - Copies of messages (Cc or Bcc).
- If your email contains duplicate copies or drafts of documents, they can be deleted! **All duplicates, drafts, and transitory files can be deleted** even if they are duplicates of permanent records.
- **Non-Business-Related Correspondence** (M0050) is correspondence that is not relevant to the conduct of agency business and **should be deleted immediately**!
  - o Examples of Non-Business-Related Correspondence include:
    - Spam or junk mail,
    - Personal messages, or
    - Unsolicited messages from coworkers such as jokes, news reports, or announcements.

OneDrive

For state agencies using Commonwealth Office of Technology (COT), OneDrive may house many of your work files. You must manage your OneDrive before exiting so needed documents can live on after you without leaving unnecessary clutter behind. These same principles apply to agencies using software other than OneDrive, though the deletion timeline of your cloud data may vary.

Timeline for OneDrive

- Your OneDrive folder (and all subfolders and documents it contains) **is forwarded to your supervisor** upon your exit.
    - The supervisor must take action to preserve the data. *If no action is taken*, the data will expire on the date provided in the notice and is not recoverable.

What Should I do with OneDrive?

- Create a folder structure and file naming convention that is consistent across your files.
    - Need help with proper file naming? Check out KDLA's [File Naming Guidelines](#)!
    - If you feel like additional information is necessary to explain your folders, create a document or README file to describe contents or use.
- If your OneDrive contains duplicate copies or drafts of documents, they can be deleted! **All duplicates, drafts, and transitory files can be deleted**.
    - Only save drafts for active projects that should be passed on to your successor.
- Please check for personal items in your OneDrive:
    - Did you save photos of your kids? Copies of your electric bill or favorite recipes?
    - **Delete them all!**
- **Please Note:** Microsoft Teams stores its documents in OneDrive, so all Teams data will be included in your OneDrive account that is sent to your supervisor.

Home Folder, Machine Profile, and Shared Drives

Here is what happens to the other parts of your digital footprint when you exit:

Timeline

- Home Folder – retained for **90 days** after exit then deleted.
- Machine Profile – only available for **10 days** before the device is wiped.
- Shared Drives – **not touched upon your exit**. All network drives the agency uses are not altered when someone leaves. Only their access is removed.

What to Delete

- Look through the local folders on your computer (i.e. desktop, downloads, documents folder) and move any substantive records (permanent or still under retention records) to your OneDrive or Shared Drives.
- Your computer will be wiped when you exit – do not leave important projects on your desktop!

Destruction Process

We have discussed *what* to delete, but now we need to talk about *how* to delete! For questions not answered below, or for more information on physical records destruction, please see the full document: [Destruction of Public Records: A Procedural Guide](#).

Before records destruction can occur, all the following requirements must take place:

- The records have been authorized for destruction in accordance with the requirements of an approved Records Retention Schedule (i.e. you found the record series on the schedule);
- There is no active or pending litigation, ongoing consumer complaint, federal review, audit, Open Records Request, or appeal of an Open Records decision that involves the records;
- The records are no longer required under any other legislation (state and federal) and all statutory and regulatory requirements are fulfilled;
- The records are of no further administrative or business use to the agency.

Records Destruction Certificate Instructions

- Ready to delete records? Fill out the [destruction form](#)!
- Deleted data is recorded in Gigabytes. **To determine the volume of data you are deleting:**
    1. Move all unneeded emails into the deleted items folder or all unneeded files/documents to the recycle bin.
    2. Right click on the deleted items folder or recycle bin; click **Properties** from the list.
    3. Write down how many KB, MB, or GB it says the folder is.
    4. Once you have noted the amount to be deleted – write it on the destruction form.
- Send the completed form to your Records Officer for them to sign. [Find your RO here](#)!

Finally, the records must be destroyed in an appropriate manner.

- Most records can simply be deleted!
    - First, click **Delete**
    - Then, click to Empty the Trash/Recycle Bin/Deleted Folder
- If you work with records that contain personally identifiable information, classified information, or other sensitive data, please consult with your supervisor and COT/I.T. liaison to make sure appropriate overwriting or physical destruction takes place for this data.

Questions?

If you have any questions about managing your records, your **supervisor** can help determine projects they want to save or other files they want from you such as processes, procedures, and how-to's for your role.

State agencies have a **records officer** who can help you identify agency specific records and their retentions. You can [find your state records officer here](#).

Finally, the **Electronic Records Branch** is here to help if you have any questions about these guidelines. State employees can reach out to: Electronic.Records@ky.gov.