

State of Tennessee
Public Records Commission
MINUTES

May 22, 2019 at 9:00 AM

Cordell Hull Building, House Hearing Room IV (HHR IV), Nashville, Tennessee

Public Records Commission Members:

Chairman – Tre Hargett, Secretary of State - *present*
Secretary – Christi Branscom, Commissioner of the Department of General Services - *present*
Justin P. Wilson, Comptroller of the Treasury
David H. Lillard, Jr., State Treasurer
Chief Justice Jeffrey S. Bivins, Tennessee Supreme Court
Herbert H. Slatery III, Attorney General and Reporter
Karen Garrett, Director of Legal Services and Counsel to the Lieutenant Governor
Anastasia Campbell, Director of Legal Services and Counsel to the Speaker of the House
Ann Toplovich, Executive Director of the Tennessee Historical Society - *present*
Eddie Weeks, Legislative Librarian of Legal Services - *present*
Rick DuBray, Representative of the State Treasurer - *present*
Janet Kleinfelter, Representative of the Attorney General - *present*
Trent Andrews, Representative of the Comptroller of the Treasury - *present*

Welcome

The Public Records Commission met this day at 9:00 AM in the Cordell Hull Building, House Hearing Room IV (HHR IV), Nashville, Tennessee, with the noted Public Records Commission members present. Secretary of State and Chairman of the Commission, Tre Hargett, called the meeting to order at approximately 9:00 AM. He detected a quorum and requested action on the following matters as presented.

Approval of Minutes from October 30, 2018

1. Chairman Hargett noted that the first order of business was approval of the October 30, 2018 minutes.
 - a. Chairman Hargett asked Mr. Callaghan for an update on when the sale of Richards & Richards will be completed.
 - b. Mr. Callaghan explained that the sale was finalized in late February.
 - c. Chairman Hargett asked if there were any further questions.
 - d. Mr. Weeks stated that the State will be accepting bids on a new contract in 2021 and asked Mr. Callaghan if he could narrow the date for when the bidding will take place.
 - e. Mr. Callaghan explained that the current contract will expire June 30, 2021. Mr. Callaghan further explained that he will meet with Procurement in the fall of 2020 to put together a bid package for the State Record Center. The package will be made available between January and March of 2021 to ensure enough time to put moving protocols in place if there is a vendor change.
 - f. Chairman Hargett entertained a motion to approve the minutes. The motion was properly moved and properly seconded; the October 30, 2018 minutes were approved.

Consent Agenda

2. Chairman Hargett moved on to the consent agenda.
 - a. Chairman Hargett asked if there were any items that needed to be removed from the consent agenda. Hearing none, he moved to approve the consent agenda. The motion was

- properly moved and properly seconded; the consent agenda was approved.
- b. Chairman Hargett stated there were no RDAs moved from the consent agenda therefore there are no RDAs for discussion.

Records Management Reports

- 3. Chairman Hargett asked Mr. Callaghan to proceed with the Records Management Reports.
 - a. Mr. Callaghan reported that Records Management continues to meet with State agencies and review Records Disposition Authorizations (RDAs) as they are submitted.
 - b. Since 2013, Records Management has worked with agencies to create, revise, and retire 2,011 RDAs.
 - c. This PRC meeting, out of 121 RDAs, twenty-four were retired, forty-seven were revised, and fifty were created. Mr. Callaghan explained that this shows that agencies are continually reviewing and updating their RDAs in response to changes in legislation or business practices.
 - d. Records Management continues to meet with State agencies to work on RDAs and advise on Information Governance issues. Records Management continues to focus on agency electronic records keeping. In addition to continuing classes and education, Records Management is offering to assist agencies in organizing their unstructured data. This will aid agencies in responding to legal holds and being up-to-date on their destruction.
 - e. Mr. Callaghan stated that Records Management provided two training classes for the new Vital Records Control (VRC) software. These classes were given by the vendor to ensure that all agencies had a chance to familiarize themselves with the software. The trainings were streamed and recorded in order for users in remote locations to view the trainings.
 - f. Mr. Callaghan explained that the VRC software is easier to use. Records Officers are now able to flag items for destruction and the software is more searchable. Mr. Callaghan further explained that there are protocols in place for agencies when boxes are selected for destruction, to prevent records being accidentally destroyed.
 - g. Mr. Callaghan explained that the PRC Rules approved last year went into effect in March; the rules are posted on the Records Management website for all agencies to view.
 - h. Mr. Callaghan stated that the RDA Application is being updated and should be completed within the next month; it will be tested, and deployed over the next few months. The updated application will have a dashboard and will be more user-friendly to allow searches of RDAs within agencies as well as improve the openness and transparency of state records for the public.
 - i. Mr. Callaghan asked if there were any questions.
 - j. Mr. Weeks stated that it was the purpose of the Public Records Commission and records managers in general to ensure that agencies are properly disposing of their records. However, if agencies have large amounts of unstructured data it can result in agencies retaining copies of records that should have been disposed.
 - k. Mr. Callaghan agreed that unstructured data is a concern and went on to explain, according to the five tiers of Information Governance, how Records Management was addressing the issue. The plan is to not disrupt agency business processes but find a way to make sure records are structured within their existing framework. Agencies need to work with their IT divisions to develop naming conventions or attach an RDA number to their folders to allow new and existing employees, to easily locate and identify their records. Mr. Callaghan stated that this plan takes time and requires a multi-tiered approach. To assist agencies, Records Management has videos on their website introducing employees to the concept of public records and rules surrounding them.

- l. Chairman Hargett asked if there was a risk to Records Management from files uploaded by other State agencies to the RDA Web Application containing potential threats.
- m. Mr. Callaghan explained that if there is an affected computer and there are documents being uploaded from that computer it could possibly affect the RDA application and other computers.
- n. Chairman Hargett explained that there are a number of steps taken within the Secretary of State's office to protect against those threats but if a Records Officer is having problems with their computer, and it is not communicated, it could affect others. Records Officers should inform Records Management if there are problems with their computers.
- o. Mr. Callaghan agreed.
- p. Chairman Hargett asked if there were any further questions; there were none.

Closing Remarks

4. Chairman Hargett asked if there was any further business or comments from the public.
5. Hearing none, Chairman Hargett entertained a motion to adjourn. The motion was properly moved, and properly seconded; the Commission was adjourned.