

STATE RECORDS COMMISSION

MINUTES

March 16, 2011

Springfield, Illinois

A meeting of the State Records Commission was held at 9:30 a.m., March 16, 2011 in the John Daly conference room at the Margaret Cross Norton Building in Springfield.

Commission members present were: Chairman David A. Joens, designee of Secretary of State Jesse White; Lynn Patton, representing Attorney General Lisa Madigan; Steve Klokkenga, representing State Comptroller Judy Baar Topinka; Jim Kramp representing State Treasurer Dan Rutherford; David Boyd, representing James Sledge, Director of the Department of Central Management Services; and Gary Stockton, the designee of State Historian Thomas F. Schwartz and Secretary of the Commission.

State Archives staff members present were: Gloria Huston, Steve Jones, Bob Boots, Lynn Kahbeah and Sandra Lucas.

Other's present were Vaughn Simpson and Ryan Prehn.

The meeting was called to order by Mr. Joens at 9:30 a.m. Mr. Joens called for approval of the minutes of the meeting held February 16, 2011. Mr. Boyd moved to approve. Ms. Patton seconded the motion. The motion carried and the minutes of the February 16, 2011 State Records Commission meeting were approved as written.

Application 03-53 from the Department of Central Management Services (Bureau of Communication and Computer Services) was the first item on the agenda. Mr. Boyd noted in the description of several records series references were made to similar items and their retentions. He felt this information should not be included in the description. Ms. Lucas explained the information is used to show precedent for the retention period being recommended. Mr. Jones it is used mainly for retentions which are not common. Mr. Boyd requested item 1 "Video Surveillance Tapes of Agency Buildings" be deferred at this time. He said he had spoken with Mr. Olshefsky, records officer for CMS and he felt the agency is unclear if the description depicts what the agency needs.

He said Mr. Olshefsky agrees the item should be deferred. The agency is moving from a cartridge to a virtual tape system. Mr. Boyd then moved to item 3 “Building Admittance Registers” and item 6 “Access Control information.” Mr. Boyd suggested amending the retentions to two years to comply with the two year audit cycle. Mr. Boyd said the agency will contact our office when they are ready to revise the description of item 1. Ms. Patton requested amending the wording in the descriptions of Items 1, 2 “Miscellaneous Incident Reports” 3 “Building Admittance Registers” and 6 “Access Control Information” making reference to the Department of CMS owning state property. She said the state of Illinois is usually the property owner. Mr. Boyd suggested using the word managed. Ms. Patton said the word managed would be appropriate. She said in item #2 change “agency property” to “CMS managed property”. After deliberation Mr. Stockton moved to approve, with the exception of item #1 which was deferred. Mr. Boyd seconded the motion and Application 03-53 was approved as amended, except for item #1, which was deferred.

The next item on the agenda was application 10-59 Office of the Comptroller (All Divisions). Mr. Boyd suggested inserting the word “Act” in the title of item 1, “Ethics Timesheets.” Mr. Boyd also noted in the second paragraph of the description the name of the act should be amended to “Illinois State Officials and Employees Ethics Act.” Mr. Kramp asked if the five year retention was standard. Mr. Boyd said the retention used to be three years but was changed to five. Ms. Patton asked how investigations utilizing these records are handled. Ms. Huston said she believed an investigation would be handled by the Inspector General’s office. Ms. Patton said her concern is investigations could be ongoing that are not covered by the recommendation. The Commission discussed adding “providing no litigation is pending or investigations are anticipated” to the retention. Mr. Boyd said that terminology could be more than one type of investigation. He felt the wording should be more specific as to the type of investigation. Mr. Joens said with the retention being five years the Inspector General’s Office should be aware the investigations would need to take place before the time period has lapsed for destruction of the records. The Commission decided the retention was sufficient as written. Mr.

Stockton moved to approved. Mr. Klokkenga seconded the motion. The motion carried and Application 10-59 was Approved as Amended.

The next Application on the agenda was application 11-02 from the Department of Human Services (All Divisions). Ms. Patton asked what the general policy for maintaining Freedom of Information Requests/Denials is. She said starting in January of 2010 the Attorney General's office started reviewing FOI denials through the Public Access Counselor. She asked if any provision was made for the "Request for Review." Ms. Patton explained when there is a FOI – denial, people can challenge the denial by asking the Attorney General's Office to review materials from the denial. Ms. Huston asked if there is a definite time frame in which the appeal of the denial has to be filed. Ms. Patton said there are some statutory time frames in which they have to act, but the five year retention period should be within the guideline. Her concern was with the description and whether the "Request for Review" was included or would "related correspondence" cover it. Ms. Huston said she believes the "Request for Review" would be a separate records series. Mr. Boyd moved to approve. Ms. Patton seconded the motion. The motion carried and application 11-02 was approved as written.

Application 02-52A from the Office of the Secretary of State (Personnel) was the next to be considered. Ms. Patton noted in the second paragraph of the description "Workmen's" should be amended to "Worker's." Mr. Kramp moved to approve. Mr. Klokkenga seconded the motion. The motion carried and Application 02-52A was Approved as Amended.

The next item on the agenda was Application 11-08 from the Illinois Toll Highway Authority. Mr. Boyd questioned the three month retention. He suggested amending the retention to comply with the two year audit cycle. Mr. Joens asked if the audits were only related to financial records. Mr. Boyd said no. Ms. Patton said there are compliance and financial audits. Mr. Boyd said there can also be special audits issued by the House or the Senate such as management audits. Mr. Boyd asked if there was reasoning behind the three month retention. Ms. Huston said the agency's server only allowed for three months back up. Mr. Joens asked if there was no merit to

the complaint why it would be necessary to maintain the record for two years. After deliberation the Commission decided to defer this application until an agency representative could be present to answer questions. Mr. Stockton moved to defer. Mr. Boyd seconded the motion. The motion carried and Application 11-08 was deferred.

Application 87-62I from Southern Illinois University – Carbondale (Office of the Chancellor) was the next on the agenda. Mr. Boyd moved to approve. Ms. Patton seconded the motion. The motion carried and Application 87-62I was approved as written.

The next item on the agenda was Application 87-61J from Southern Illinois University – Carbondale (Office of the President). Mr. Boyd moved to approve. Mr. Klokkenga seconded the motion. The motion carried and Application 87-61J was approved as written.

The next item to be considered was Application 84-66AA from Eastern Illinois University (V.P. for Business Affairs). Mr. Stockton moved to approve. Mr. Boyd seconded the motion. The motion carried and Application 84-66AA was approved as written.

Application 84-66BB from Eastern Illinois University (V.P. for Business Affairs) was the next item on the agenda. Mr. Boyd moved to approve. Mr. Klokkenga seconded the motion. The motion carried and Application 84-66BB was approved as written.

The next item on the agenda was Application 84-66CC from Eastern Illinois University (V.P. for Business Affairs). Mr. Boyd moved to item 400.43 “New Account Creation Files.” He asked if the retention should show how often these records were being transferred. Mr. Jones said since the records are being maintained permanently it was not necessary. Mr. Stockton moved to approve. Ms. Patton seconded the motion. The motion carried and Application 84-66CC was approved as written.

Application 92-78S from Eastern Illinois University (V.P. for Student Affairs) was the next item on the agenda. Mr. Boyd moved to item 180.18 “Lab Test Results.” He asked why the retention was being reduced from ten years to two years. He asked if records were requested past the two year time frame. Mr. Jones said the agency was changing the retention to comply with the federal requirement which was only two years. Mr. Jones said the test results are entered into the student medical file so

once the data is entered the hard copy is not necessary. Mr. Boyd next moved to item 180.19 “Laboratory Log Books.” He noted the description refers to books but the title list the record as “sheets.” Mr. Jones said this is a daily sheet that is maintained in a binder. The record is not a bound book. Mr. Jones said he could change the title and description to “sheets”. Mr. Kramp moved to approve. Mr. Klokkenga seconded the motion. The motion carried and Application 92-78S was approved as amended.

The next item on the agenda was Application 96-32BB from Eastern Illinois University (V.P. for Academic Affairs). Ms. Patton moved to item 830.08 “TRIO Program Civil Service and Administrative Professional Employee Files.” She suggested amending the word “workmen’s” to “worker’s” in the description. Mr. Boyd moved to approve. Ms. Patton seconded the motion. The motion carried and application 96-32BB was approved as amended.

Application 96-32Y from Eastern Illinois University (V.P. for Academic Affairs) was the next item on the agenda. Mr. Boyd moved to approve. Ms. Patton seconded the motion. The motion carried and Application 96-32Y was approved as written.

The last Application on the agenda was 96-32CC from Eastern Illinois University (V.P. for Academic Affairs). Mr. Boyd moved to item 450.16 “Stockman Institute Files.” He suggested amending the retention to include “destroy in a secure manner” since the description includes “donor” files. Mr. Boyd moved to approve. Mr. Klokkenga seconded the motion. The motion carried and Application 96-32CC was approved as amended.

The date of the next scheduled State Records Commission meeting is Wednesday, April 20 , 2011 at 9:30 a.m. in the John Daly Conference Room of the Margaret Cross Norton Building, Springfield, Illinois.

Mr. Boyd moved to adjourn. Mr. Stockton seconded the motion. The motion carried and the meeting was adjourned at 10:16 a.m.

The following applications were submitted to the State Records Commission members for consideration:

- 03-53 Central Management Services
(Bureau of Communication and Computer Services)
Approved as Amended, except item #1 which was Deferred

- 10-59 Office of the Comptroller
(All Divisions)
Approved as Amended

- 11-02 Department of Human Services
(All Divisions)
Approved as Written

- 02-52A Office of the Secretary of State
(Personnel)
Approved as Amended

- 11-08 Illinois Toll Highway Authority
(Business Services)
Deferred

- 87-62I Southern Illinois University - Carbondale
(Office of the Chancellor)
Approved as Written

- 87-61J Southern Illinois University - Carbondale
(Office of the President)
Approved as Written

- 84-66AA Eastern Illinois University
(V.P. for Business Affairs)
Approved as Written

- 84-66BB Eastern Illinois University
(V.P. for Business Affairs)
Approved as Written

- 84-66CC Eastern Illinois University
(V.P. for Business Affairs)
Approved as Written

- 92-78S Eastern Illinois University
(V.P. for Student Affairs)
Approved as Amended

96-32BB Eastern Illinois University
(V.P. for Academic Affairs)
Approved as Amended

96-32Y Eastern Illinois University
(V.P. for Academic Affairs)
Approved as Written

96-32CC Eastern Illinois University
(V.P. for Academic Affairs)
Approved as Amended

*Agency Representative in Attendance