SERIES: General Agency Operations (CPR-100)

NUMBER: CPR-115

TITLE: E-mail Management

PURPOSE:
The purpose of this policy is to facilitate the proper management and disposition of e-mail records.

DEFINITIONS:

"Destruction" means the disposal of records of no further operational, legal, fiscal or historical value by shredding, burial, pulping, electronic overwrite or some other process, resulting in the obliteration of information contained on the record.

"Disposition" means final action that puts into effect the results of an appraisal decision for a series of records, i.e., transfer to archives or destruction.

"Non-record" means extra copies of documents kept solely for convenience of reference, stocks of publications, records not usually included within the scope of the official records of an agency or government entity and library material intended only for reference or exhibition. The following specific types of materials are non-records: materials neither made nor received in pursuance of statutory requirements nor in connection with the functional responsibility of the officer or agency, extra copies of official records, preliminary drafts, blank forms, transmittal letters or forms that do not add information, sample letters, and reading files or informational files.

"Official copy of record" the single record determined to be the official copy for the purposes of fulfilling the retention requirements.

"Public record" means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, made or received by any agency in pursuance of law or in connection with the transaction of public business and preserved, or appropriate for preservation, by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government or because of the informational and historical value of data contained therein. Library or museum material of the state library, state institutions and state museums, extra copies of documents preserved only for convenience of reference and stocks of publications and processed documents are not included.

"Record" means information preserved by any technique in any medium now known or later developed, that can be recognized by ordinary human sensory capabilities either directly or with the aid of technology.

"Records management" means the systematic control of all records from creation or receipt through processing, distribution, maintenance and retrieval, to their ultimate disposition.

"Records retention and disposition schedule" means rules adopted by the commission pursuant to Section 14-3-6 NMSA, 1978 describing records of an agency, establishing a timetable for their life cycle and providing authorization for their disposition.

"Retention" means the period of time during which records shall be maintained by an organization because they are needed for operational, legal, fiscal, historical or other purposes.

A.   GENERAL PROVISIONS:
The following broad principles apply to the record keeping and records management practices of the Commission of Public Records (CPR):
1.   The CPR follows industry standards and best practices for the creation, maintenance, retention and disposal of all records, including electronic records;
2.   The records management procedures of the CPR comply with legal requirements, including those for the provision of evidence;
3.   The CPR follows industry standards and best practices for the security, privacy, and confidentiality of its records;
4.   Messages sent from an agency e-mail account are agency property and not personal or private property; and
5.   E-mail messages are subject to Inspection of Public Records Act requests and may be discoverable as evidence.

B.   RELATIONSHIP WITH OTHER POLICIES AND RULES:
This e-mail management policy is related to the records management policy (CPR-113); official copy of record policy (CPR-112); information security operation management, 1.12.20 NMAC; Internet, intranet, email, and digital network usage, 1.12.10 NMAC; and Records management requirements for electronic messaging, 1.13.4 NMAC.

C.   SCOPE AND INTENDED AUDIENCE:
1.   Applicability to employees and contractors
        a.   This policy applies to all staff of the CPR.
        b.   This policy also applies to contractors who create records on behalf of the CPR.
        c.   Employees who willfully violate the provisions in this policy will face disciplinary action.

2.   Applicability to records
E-mail records identified to be public records, as defined above, shall be managed and kept for as long as required by retention and disposition of public records, 1.21.2 NMAC, commonly referred to as the Functional Records Retention and Disposition Schedule (FRRDS).

D.   ROLES AND RESPONSIBILITIES:
1. Staff members are responsible for ensuring that records identified to be public records as defined above are managed in accordance with existing laws, rules, policies, and procedures.
2. Staff members are responsible for ensuring that records are classified correctly and that the appropriate procedures are followed for the storage and disposition of said records.
3. Staff members shall ensure that closed e-mail records determined to be public records are transferred to the CERR on a weekly basis (by close of business each Friday).
4. In the event that a staff member leaves the agency, physical custody of and responsibility for his/her e-mail records passes to his/her direct supervisor.

E.   MANAGEMENT OF E-MAIL: (Please see exhibit A for workflow diagram)
1.   Determining if the e-mail is a public record
          E-mails that are evidence of the business transactions of the Commission of Public Records are public records and shall be managed and kept for as long as they are required by the Functional Records Retention and Disposition Schedule. For additional guidance on determining whether an e-mail is a public record, refer to the records management policy (CPR-113).

2.   Classification of e-mail
          Classification of e-mail is based on the content of the message. E-mail should be managed according to the classifications identified in the FRRDS. Classifications are determined according to the function of the record beginning with the category, then the sub-category, and finally the function. The function of a record can be described as being the primary use of the record according to the daily job activities of a position. For additional guidance on classifying records, please contact an agency analysis bureau analyst or refer to the FRRDS classification tool (http://164.64.110.239/FRRDS/FRRDS_Classification_Tool.html).

3.   Determining the official record keeper
Once the classification of the record has been determined, staff will consult the official copy of record policy (CPR-112) to determine the official record keeper. The official record keeper shall store and maintain the record in accordance with this policy. If the official record keeper is not included on the e-mail message, it should be forwarded to the official record keeper for retention purposes.

4.   Storage of e-mail
All e-mails determined to be public records shall be maintained in the CERR. For guidance on creating the file structure in outlook and the CERR, refer to *File Structure Creation and Folder Linking (in Outlook)* and *File Creation and Naming Convention (in HPE RM)*. Non-record material shall be kept in the outlook .pst until it is deleted and shall not be placed into the CERR.

G.   DISPOSITION OF E-MAIL:
E-mails considered to be public records shall not be destroyed or transferred to archives without prior approval of the State Records Administrator. For additional information on the disposition of public records, refer to the records management policy.

H.   MONITOR AND REVIEW:
This policy shall be reviewed on a regular basis and shall be adapted appropriately to ensure that it meets the business and service delivery requirements of CPR.
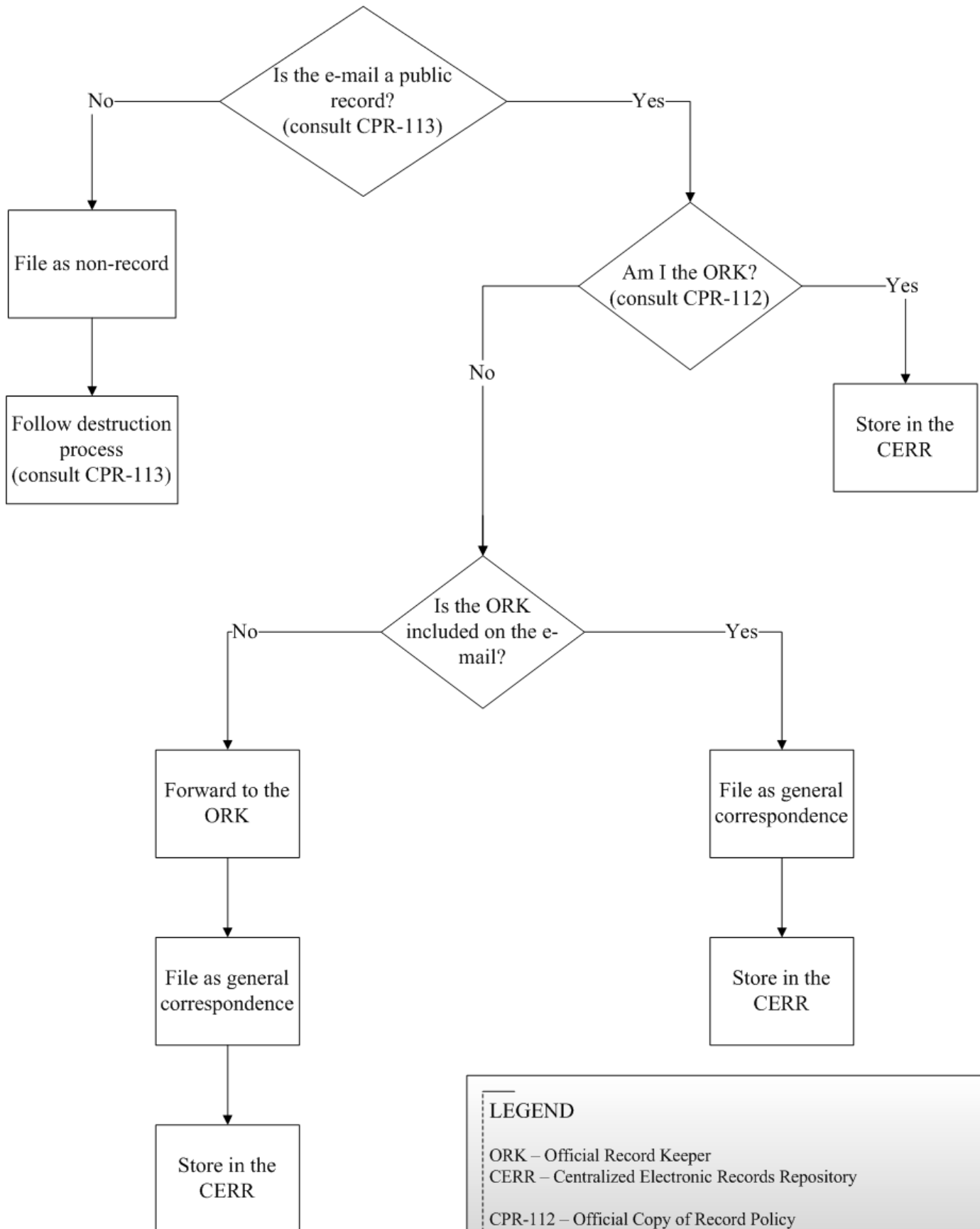
[07/25/18 adopted]

APPROVED: **EFFECTIVE DATE:**

_____   _____

Melissa T. Salazar, CA
State Records Administrator

Exhibit A

Is the e-mail a public record? (consult CPR-113)

No → **File as non-record** → **Follow destruction process (consult CPR-113)**

Yes → **Am I the ORK? (consult CPR-112)**

Yes → **Store in the CERR**

No → **Is the ORK included on the e-mail?**

No → **Forward to the ORK** → **File as general correspondence** → **Store in the CERR**

Yes → **File as general correspondence** → **Store in the CERR**

LEGEND

ORK – Official Record Keeper
CERR – Centralized Electronic Records Repository

CPR-112 – Official Copy of Record Policy
CPR-113 – Records Management Policy