

MINUTES
STATE RECORDS COMMISSION
January 27, 2010

The State Records Commission met on Wednesday, January 27, 2010, at 10:00 a.m. in the Regions Board Room at the Alabama Department of Archives and History. Members present were Ed Bridges, Chairman, representing the Department of Archives and History; Tori Adams, representing the Attorney General; Reagan Grimsley, representing Auburn University; Rebecca Morris, representing the Secretary of State; Yolanda Nettles, representing the Department of Revenue; Gail Traylor, representing the Examiners of Public Accounts; and John Giggie, representing the University of Alabama. Also present were Steve Simpson and Cindy Pitts of the Department of Rehabilitation Services, Burt Rowell of the Armory Commission, Brittany Dubose of the Department of Homeland Security, Karen McGuire of the State Health Planning and Development Agency, and Kelly Heath of the State Personnel Department.

Government Records staff members present included Tracey Berezansky, Richard Wang, Tom Turley, and Christine Garrett. Department of Archives and History staff member Steve Murray also attended the meeting.

Ed Bridges called the meeting to order at 10:00 a.m. He confirmed the presence of a quorum for the meeting, and noted that the meeting had been properly announced as required by the Alabama Open Meetings Law. In his opening remarks, Dr. Bridges summarized the purpose, responsibility, and composition of the commission, and welcomed those present.

Yolanda Nettles, representing the Revenue Commissioner, arrived at the end of this discussion.

Dr. Bridges requested that the agenda be revised to move the discussion, under New Business, regarding the nomination for the State Records Commission Annual Award to the end of the meeting and to exclude, under Records Disposition Authorities (Revision), Office of Prosecution Services. A motion to accept the agenda, as amended, was made by Gail Traylor and seconded by Tori Adams. The motion was unanimously approved.

Rebecca Morris arrived at the end of this discussion.

A motion to approve the minutes of the October 28, 2009, meeting with minor typographical revisions, was made by Yolanda Nettles and seconded by John Giggie. The minutes were approved by a unanimous vote.

Tom Turley and Steve Murray arrived at the end of this discussion.

New Business

- Agency Annual RDA Implementation Monitoring Reports (copy attached)

Richard Wang reported that 33 state agencies, 26 community colleges, and 13 universities were scheduled to submit their annual RDA implementation monitoring reports to the commission this quarter. A summary report outlining the records management activities of those agencies with RDAs approved in previous Januaries was presented in the meeting packet to the commission for review.

He reported that 24 agencies, 11 community colleges, and six universities had submitted their reports. Dr. Wang reminded the commission that, due to rulings by the Department of Postsecondary Education, Alabama College Systems entities can only destroy limited types of records.

Agencies that submitted reports are: Office of the Attorney General; Board of Examiners for Dietetic/Nutrition Practice; Hearing Instrument Dealers Board; Board of Pharmacy; Plumbers and Gas Fitters Examining Board; Department of Revenue; Office of State Treasurer; Department of Youth Services; Department of Environmental Management; Public Services Commission; Board of Nursing; Department of Senior Services; Farmers Market Authority; Super Computer Authority; Indian Affairs Commission; Department of Industrial Relations; Lieutenant Governor's Office; Department of Homeland Security; State Building Commission; State Health Planning and Development Agency; Executive Planning Office (Department of Finance); Music Hall of Fame; Agricultural Center Board; and Commission on Physical Fitness.

Agencies that have not yet submitted reports are: Department of Economic and Community Affairs; Office of the State Auditor; Board of Dental Examiners; Securities Commission; Institute for the Deaf and Blind; State Employees' Insurance Board; Board of Funeral Services; Cahawba Advisory Committee; and Capitol Complex Security Office (Department of Finance).

Community colleges that submitted reports are: Alabama Southern Community College; Athens State University; Calhoun Community College; Enterprise-Ozark Community College; Ingram State Technical College; Jefferson Davis Community College; Jefferson State Community College; Northwest-Shoals Community College; Reid State Technical College; Shelton State Community College; and Wallace Community College (Dothan).

Community colleges that have not yet submitted reports are: Beville State Community College; Bishop State Community College; Central Alabama Community College; Chattahoochee Valley Community College; Drake State Technical College; Faulkner State Community College; Gadsden State Community College; George Corley Wallace State Community College (Selma); Lawson State Community College; Lurleen B. Wallace Community College; Northeast Alabama Community College; Snead State Community College; Southern Union State Community College; Trenholm State Technical College; and Wallace State Community College (Hanceville).

Universities that submitted reports are: Auburn University; Jacksonville State University; Troy University; University of Alabama System (University of Alabama in Tuscaloosa); University of Alabama System (University of Alabama at Birmingham); University of North Alabama; and University of South Alabama.

Universities that have not yet submitted reports are: Alabama A&M University; Alabama State University; Auburn University at Montgomery; University of Alabama System (University of Alabama in Huntsville); University of Montevallo; and University of West Alabama.

Richard Wang reported that he will update the summary report accordingly as he receives new reports.

The commission discussed the low compliance rate, particularly by the universities and colleges. Ed

Bridges suggested that the commission staff may want to work with other organizations, such as Examiners of Public Accounts, to increase compliance.

Records Disposition Authorities (Revision)

- Department of Archives and History (copy attached)

Ed Bridges stated the revision was in keeping with legal requirements, including those required by the Examiners of Public Accounts.

A motion to approve the RDA revision was made by Rebecca Morris, seconded by Tori Adams, and unanimously approved by the commission.

- Department of Rehabilitation Services (copy attached)

Ed Bridges pointed out that the RDA indicates, in the "Records Appraisal" area (page 2-3), some client case files (under "Providing Services" subfunction) may be designated as archival if they become the basis of significant litigation or policy changes for the agency. In these instances, the decision to designate the case files as archival would be made by the Archives in consultation with the agency. This retention is not reflected in the records retention area. Steve Simpson stated the department agrees to add a note to this series to ensure that the Archives is consulted before the disposition of these records.

A motion to approve the RDA, with the suggestion made by Ed Bridges, was made by Gail Traylor, seconded by John Giggie, and unanimously approved by the commission.

Records Disposition Authorities (New)

- Armory Commission of Alabama (State Military Department) (copy attached)

Richard Wang stated that this RDA was the result of a long-term project to create an RDA for the Military Department. The Armory Commission is the corporate body of the Military Department and, therefore, the draft RDA covers only a portion of the records created by the Military Department. Burt Rowell said he would discuss with the Adjutant General about the intention of the commission to develop an RDA for other records created by the Military Department. An RDA for the Military Department may assist the commission in identifying and preserving records relating to the Guard's mobilization during the Civil Rights Movement, natural disasters, and military campaigns and records after the federalization of the Guard in the 20th century.

A motion to approve the RDA was made by Gail Traylor, seconded by Yolanda Nettles, and unanimously approved by the commission.

New Business

- Nomination for the State Records Commission Annual Award (copy attached)

Richard Wang reported to the commission that the staff received three nominations for the annual

award in archival preservation or records management programs from the Office of the Attorney General, the Alabama Department of Environmental Management, and the Alabama Department of Rehabilitation Services. Highlights of each agency's records management activities were also reported to the commission. After a lengthy discussion by commission members, each commission member voted by ballot. The final tally was five votes for the Alabama Department of Rehabilitation Services and two for the Alabama Department of Environmental Management. An award certificate will be presented to the Alabama Department of Rehabilitation Services at the commission's meeting in April.

Records Disposition Authorities (New)

- Office of Prosecution Services

Ed Bridges informed the commission that, due to a schedule conflict, the director of the Office of Prosecution Services (OPS) was unable to attend the meeting today and requested that the draft RDA be postponed to April. Gail Traylor gave the commission a brief background on the legal status, responsibilities, and funding sources of OPS. Since the head of OPS is determined by the District Attorney's Association, some records may be exempt from the jurisdiction of the commission. On a related issue, Richard Wang reported to the commission that over the years he had received many requests from district attorneys across the state looking for guidance regarding retention periods for their records. A draft RDA was developed several years ago that can be used statewide by district attorneys for the disposition of their records. The draft RDA was sent to OPS and several district attorney's offices for review and input, but without any results. Tori Adams suggested that the Department of Archives and History staff may want to follow up with the president of the District Attorneys' Association for assistance with the RDA project.

Dates for Future Meetings

The next meeting of the State Records Commission is scheduled for Wednesday, April 28, 2010, at 10:00 a.m. The July meeting of the commission is scheduled for Wednesday, July 28, 2010.

Dr. Bridges declared the meeting adjourned at 11:05 a.m.

Christine Garrett, Government Records Division Archivist
State Records Commission

Edwin C. Bridges, Chairman
State Records Commission