

## **R36. Administrative Services, Records Management Committee.**

### **R36-1. Records Management Committee.**

#### **R36-1-1. Authority and Purpose.**

This rule establishes procedures for Records Management Committee meetings and retention schedule review and approval under Title 63A Chapter 12 Public Records Management Act and Sections 63A-12-112, 63A-12-113, 52-4-203, and 63G-2-604, as authorized under Section 63A-12-104.

#### **R36-1-2. Definitions for Rules in Title R36.**

(1) In addition to terms defined in Sections 63G-2-103 and 63A-12-100.5, the following terms are defined for rules under Title R36:

(a) "Committee" means the Records Management Committee in accordance with Section 63A-12-112.

(b) "State Archives support staff" means individuals assigned by the state archivist to provide support services for the Records Management Committee, as required in Subsection 63A-12-113(4).

(c) "Records and Information Management (RIM) Specialist" means a staff member at the Utah Division of Archives and Records Service whose responsibilities include establishing standards for the preparation of retention schedules and providing records management training and consultation services to the records officers of governmental entities, as required in Subsection 63A-12-101(2).

#### **R36-1-3. Records Management Committee Meeting Preparation.**

(1) Each committee member shall receive a meeting folder from State Archives support staff no later than three business days before the scheduled meeting. Folders shall include an agenda, retention schedules submitted for review and approval, and any other materials requiring review and discussion by the committee.

(2) If a committee member would like clarification regarding a submitted retention schedule prior to the meeting, a committee member may communicate with the Records and Information Management (RIM) Specialist at the State Archives who submitted the item.

#### **R36-1-4. Records Management Committee Meeting Procedures.**

(1) Meetings shall be held at least once each quarter, as required in Subsection 63A-12-113(1)(b).

(2) A committee chair, appointed from among the committee's members, as required in Subsection 63A-12-113(1)(a), shall be elected by the committee members annually. There is no term limit for chairmanship.

(3) Each meeting shall be called to order by the committee chair and may start once a quorum of four members is present and the meeting is being recorded.

(4) Third party presentations may be permitted. Prior to the hearing, the third party shall notify State Archives support staff of intent to present.

(5) A RIM Specialist from the State Archives shall present a proposed retention schedule. The committee shall discuss the schedule and ask questions as needed.

(6) Each committee member in attendance shall vote whether or not to approve each schedule. A majority vote of members present is required for a motion to pass. If a retention schedule is not approved, a committee member shall make recommendations as to how to modify or improve the schedule for approval at the next meeting, if applicable.

(7) The committee may adjourn, reschedule, or continue a meeting on the motion of a member.

(8) The following provisions govern any meeting at which one or more members of the committee or a party appears telephonically or electronically, pursuant to Section 52-4-207.

(a) The anchor location is the physical location from which the electronic meeting originates or from which the participants are connected. The anchor location, unless otherwise designated in the notice, shall be at the offices of the Utah Division of Archives and Records Service, Salt Lake City, Utah.

(b) If one or more committee members or parties may be participating electronically or telephonically, public notices of the meeting shall so indicate. In addition, the notice shall specify the anchor location where the members of the committee not participating electronically or telephonically shall be meeting and where interested persons and the public may attend and monitor the open portions of the meeting.

(c) When notice is given of the possibility of a member of the committee appearing electronically or telephonically, any member of the committee may do so and shall be counted as present for purposes of a quorum and may fully participate and vote on any matter coming before the committee. At the commencement of the meeting, or at such time as any member of the committee initially appears electronically or telephonically, the committee chair shall identify for the record each of those who are appearing telephonically or electronically. Votes by members of the committee who are not at the physical location of the meeting shall be confirmed by the committee chair.

#### **R36-1-5. Authorizing Approved Retention Schedules.**

(1) The committee chair and a State Archives support staff member who attended the meeting shall sign the approved retention schedule after the meeting, signifying committee approval.

(2) Committee approval authorizes and requires relevant governmental entities to maintain and destroy records according to the schedule, per Section 63G-2-604. Once a retention schedule is approved and signed, it supersedes previous retention schedules for the applicable records.

(3) Approved retention schedules are posted on the State Archives website and go into effect immediately.

#### **R36-1-6. Records Management Committee Meeting Records.**

(1) Section 52-4-203 requires any public body to establish and implement procedures for the public body's approval of the written minutes of each meeting. This rule establishes procedures for the Records Management Committee to approve the written minutes of each meeting.

(2) Any meeting of the committee shall be recorded. The recording of the open meeting shall be made available to the public within three business days. Access to the audio recordings shall be provided by State Archives support staff on the Utah Public Notice Website.

(3) Approved written minutes shall be the official record of the meetings and shall be maintained by State Archives support staff.

(a) Written minutes shall be read by members prior to the next scheduled meeting, including electronic meetings.

(b) Written minutes from meetings shall be made available no later than three business days prior to the date of the next regularly scheduled committee meeting.

(c) When minutes are complete but awaiting official approval, they are a public record and shall be marked as "Draft."

(d) At the next meeting, at the direction of the committee chair, minutes shall be amended, if necessary, and approved through a committee vote, with individual votes recorded. The minutes shall be then marked as "Approved."

(e) A copy of the approved minutes, as well as public meeting materials, shall be made available for public access on the Utah Public Notice Website.

**KEY: meeting procedures, records management, review procedures, state records**

**Date of Enactment or Last Substantive Amendment: October 16, 2020**

**Authorizing and Implemented or Interpreted Law: 52-4-203; 63A-12-104; 63A-12-112; 63A-12-113; 63G-2-604; 63G-3-201**