

Records Management Committee Meeting Minutes

Monday, January 22, 2024 - 1:00 p.m. to 2:00 p.m.

Utah Division of Archives and Records Service, 346 S Rio Grande St, Salt Lake City, Utah 84101

[Google Hangouts Meet](#)

Board Members in attendance:

- Drew Mingl, chair, public finance representative
- Jacey Skinner, Utah State Bar member
- Josh Bullough, private sector representative
- Ken Williams, Director, Utah State Archives
- Matthew LaPlante, news media representative
- Tracy Hansen, political subdivisions representative
- Veronica Solano Arangure, Director's designee, Utah Division of History

Others in attendance:

- Ben Rasmussen, Utah State Board of Education
- Brian Swan, Utah Attorney General's Office
- Heidi Steed, Utah State Archives
- Jim Kichas, Utah State Archives
- Kendra Yates, Utah State Archives
- Maren Peterson, Utah State Archives
- Mark Meyer, Department of Alcoholic Beverage Services
- Matthew Pierce, Utah State Archives
- Rebekkah Shaw, Utah State Archives
- Renée Wilson, Utah State Archives
- Tim McConnehey, citizen

Drew Mingl called the meeting to order at 1:03 pm.

Business

Approval of November 2023 meeting minutes

Tracy Hansen moved to approve the minutes.

Ken Williams seconded the motion.

The motion passed unanimously.

Appointing a chair pro tem

Drew Mingl mentioned this as "something for people to think about."

Retention Schedule Review and Approval

Public Safety GRS Update Proposal #1:

Firearms qualification records (GRS-341)—Crosswalk to GRS-1966, with Updated description

- [category = public safety]
- Submitted by Matt Pierce

These three GRS updates are part of the local agency law enforcement GRS review of the past several months. The records are related most closely to an employee's file, so that's why the schedule is being crosswalked to performance plans and evaluations. The term "qualification records" has been added to GRS-1966.

Ken Williams moved to approve the update.

Josh Bullough seconded the motion.

The motion passed unanimously.

Public Safety GRS Update Proposal #2:

Evidence tracking records (GRS-374)—Updated retention trigger

- [category = public safety]
- Submitted by Matt Pierce

This schedule is for records which document and track the evidence, not for the evidence itself. The update is to make the retention trigger more specific: "case is closed" rather than "final action."

Matthew LaPlante moved to approve the update.

Jacey Skinner seconded the motion.

The motion passed unanimously.

Public Safety GRS Update Proposal #3:

Dispatch and patrol records (GRS-2027)—Updated title

- [category = public safety]
- Submitted by Matt Pierce

This is a title change, changing the title to "Officer and dispatch recordings" so records officers can find this schedule more easily.

Tracy Hansen clarified that any dashboard or bodycam recordings that are part of a larger case would fall under that other retention schedule, and Matt Pierce confirmed this is the case.

Matthew LaPlante moved to approve the update.

Second: Ken Williams seconded the motion.
The motion passed unanimously.

On-premise banquet permits (Department of Alcohol and Beverage Services, SSRS-30715)—New

- Submitted by Maren Peterson

These applications for alcohol licenses are scheduled to be in compliance with Utah Administrative Code, which specifies the licenses will be kept 14 days.

Matthew LaPlante asked whether the rule stated the records had to be retained no longer or no fewer than 14 days. Mark Meyer indicated the rule is "up to 14 days." The records are destroyed at that point due to privacy and sub-licensing.

Jacey Skinner asked whether there is still a record of a permit having been issued. Mark Meyer mentioned that DABS is part of the auditing process regarding the records but does not retain the record itself.

Matthew LaPlante and Jacey Skinner were concerned about the short retention, which is not in the public's interest. Matthew LaPlante questioned whether an agency's administrative rules trump the RMC's responsibility to approve retention schedules. Jacey Skinner indicated it seemed like there should be a record of the permit itself.

Ken Williams moved to approve the retention schedule.
Tracy Hansen seconded the motion.

Tracy withdrew her second.
Ken withdrew his motion.

Matthew LaPlante explained that a complaint of an event may still happen after 14 days, but at that point there would be no government record of whether the permit was issued.

Jacey Skinner moved to table this schedule for now and ask folks from DABS to provide more information related to the rationale for the schedule and the rule.

Josh Bullough asked a clarifying question about whether the retention schedule meant removing records of the issuance of the permit, or just proprietary-related information. He wondered what the records are that are covered by this retention schedule, and asked whether DABS would be able to tell whether the permit was issued or not, after the retention period.

Mark Meyer answered that the licenses would retain their information, and DABS would know the event occurred, but the details would be held by the sub-licensee. He mentioned that this is a new license type, and other license types are kept 3 years.

Matthew LaPlante asked how the other licenses are different than these. Mark Meyer said there were a lot of license types. The others were for bars, restaurants, beer-only taverns, etc., and those licenses are kept 3 years after they're revoked or surrendered. This schedule is different because it's for one-time events. After Matthew LaPlante questioned the 3-year retention period, Mark Meyer further clarified that records of violations are kept 75 years.

Jacey Skinner repeated her motion, as mentioned above, to table this schedule for now and ask folks from DABS to provide more information related to the rationale for the schedule and the rule.

Matthew LaPlante seconded the motion.

The motion passed unanimously.

Unopened parent complaints of alleged educator misconduct (SSRS-30718)—New

- **Submitted by Maren Peterson, on behalf of Utah State Board of Educators**

These are records of parent complaints, when the Professional Practices Advisory Committee determines no investigation is needed, and no investigation is opened.

Jacey Skinner left the meeting.

Matthew LaPlante asked whether there was a way to check whether anyone had ever complained about a specific teacher before. Ben Rasmussen said there is not at USBE.

Drew Mingl asked whether a record is still maintained at the district level, since that's where the complaint occurs before being sent to USBE. Ben Rasmussen said yes there is.

Tracy Hansen expressed concern as a parent that she would find it weird for her complaint to not be documented or kept.

Ben Rasmussen explained that the Board of Education made an administrative rule change about when to report to the Professional Practices Committee, and now all parent complaints have to be sent along to the Board, but the Board doesn't want to save those records if there's no support to the allegation; in the past they wouldn't even have seen those records, and it's unfair to the teachers for the Board to keep the records.

Tracy Hansen and Matthew LaPlante brought up the "what if" of a teacher who changes districts.

Ben Rasmussen said that if a teacher did get a job at a new district, the previous employer wouldn't share this information (the unopened parent complaints) anyway, because it's private.

Josh Bullough asked how long districts keep their unopened parent complaints. Maren Peterson pasted the link to the general retention schedule for Complaint investigation files ([GRS-1969](#)) (7 years after separation or case closed).

Matthew LaPlante moved to approve the retention schedule.
Ken Williams seconded the motion.

Josh Bullough asked what percent of complaints are unsubstantiated, but Ben Rasmussen said there aren't good numbers on that yet.

The motion passed unanimously, with Josh Bullough and Matthew LaPlante both officially noting that they'd like to see the numbers on the percentage of unsubstantiated complaints once they exist.

Other Business

Status report regarding Jordan School District email management policy discussion, referred to the Records Management Committee by the State Records Committee in June, 2023

One of the original expressed concerns was that some people involved in school districts used personal email accounts. Another concern was that people received different responses to identical records requests.

Jacey Skinner, Josh Bullough, and Drew Mingl make up the subcommittee; Kendra Yates facilitated and attended their meeting.

Drew said that every government entity has to certify that their finance information is accurate. Maybe they could also ensure that someone is following retention schedules. Maybe there could be a fine imposed if not complying with retention schedules.

Kendra Yates summarized the subcommittee's meeting discussion, at Drew's request. The subcommittee members were concerned that Jordan School district's policy was a blanket statement, not linked to any retention schedules. There should be accountability for agencies, like in training, or to the Board, or ways to insert requirements as part of OPMA training. Who has power to enforce records standards? Options include the Auditor's Office and the AG's Office. Also, a "reasonable search" is difficult to define, and know when an agency has done that.

Possible recommendations to be made to Jordan School District were displayed on the screen. Drew Mingl expressed his desire to have feedback from every RMC member before sending any recommendation to Jordan School District.

Ken Williams moved to put the recommendations in a shared document where they can each collaborate, and then have a recommendation go out in a month's time.

Tracy Hansen seconded the motion.

No motion was officially needed, so no vote was taken.

Next meeting scheduled

Monday, February 26

Ken Williams moved to end the meeting.

Drew Mingl seconded the motion.

Meeting adjourned 2:03 PM.

Approved