

# Records Management Committee Meeting

Monday, April 24, 2023

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 Present

- Drew Mingl, Chair
- Joshua Bullogh
- Tracy Hansen
- Ken Williams
- Veronica Solano Arangure
- Jacey Skinner
- Matthew LaPlante

## Others Present

- Kendra Yates
- Benjamin Rasmussen
- Jim Kichas
- Renee Wilson
- Maren Peterson
- Brian Swan
- Jason Nielsen (with State Treasurer's office)
- Matthew Pierce
- Cory Weeks, Division of Fleet Services' Director
- Whitney Phillips, State Privacy Officer
- Christopher Bramwell, Chief Privacy Officer
- Brian Nelson
- Micah Vorwaller

Meeting called to order at 1:02 PM by Drew Mingl.

## Business:

Approval of March 2023 meeting minutes

- Jacey Skinner makes a motion to approve the minutes.
- Seconded by Matthew LaPlante.
- Vote: Unanimous approval; Ken abstains, as he was not at the March meeting.

## Retention Schedule Review and Approval:

### **School bond guaranty certificate of eligibility (State Treasurer, SSRS 28589)--New**

*Submitted by Renee Wilson*

Renee explains there is a program called the School bond guaranty program, which provides schools credit enhancement to provide certificates. A school board requests a certificate of eligibility for the program, the State Treasurer's Office reviews the request and issues a certificate of eligibility. The school shows that certificate to credit rating agencies, then the school issues bonds. The records are the issuing of the certificate.

The reason for the 2-year retention is because the certificate of eligibility can only be used for one year, and the certificate of eligibility is a prerequisite for the school to issue bonds.

Joshua Bullough asks a clarifying question: is it assumed that the certificate has been issued if a school district has bonds? Renee answers in the affirmative and confirms that there is no more use for the certificate after that.

Bullough asks if the certificate is with the other paperwork for the bond: they are not. He asks if a bond has ever been issued by mistake without a certificate of eligibility; Jason Neilsen (from State Treasurer's Office) answers no.

Ken asks if the process is audited. Jason says there is no official audit; the attorneys involved verify everything.

Drew asks if the document will be deleted from the database after retention. Jason confirms that is the case and they do have some paper files as well.

- Ken makes a motion to approve the schedule SSRS 28589 as written, Matthew LaPlante seconded the motion.
- Role Call Vote: unanimous yes.

### **Charter school financing application (State Treasurer, SSRS 28590)--New**

*Submitted by Renee Wilson*

Renee Wilson explains that Utah Charter School Finance Authority (UCSFA) was created to help Charter schools with financing. The State Treasurer sits on the governing board and the office of the State Treasurer maintains the UCSFA records.

These records are finance applications submitted by a charter school applying for financing through the agency, which determines if the financing process should be initiated. The end result, if the application is approved, is that the charter school is able to issue tax-exempt municipal bonds in order to acquire land, school buildings, facilities, and equipment.

The “final action” mentioned in the retention statement is after the bond transcript has been issued, then retention is two years. After the application process is completed, an official bond transcript is issued, or the application is denied. The official bond transcript (not part of this record series) has a permanent retention.

Drew asks where the transcripts are held. Renee answers in the Treasurer's office.

- Ken Williams makes a motion to approve SSRS 28590 as written, Tracy Hansen seconds the motion.
- Role call vote: unanimous yes.

### **Operator data (Division of Fleet Services, SSRS 30510)--New**

*Submitted by Renee Wilson*

Renee Wilson explains the division of fleet operations maintains data about state employees who drive state vehicles. The record series retention schedules was created in order to comply with privacy statement requirements in Utah Code 63G-2-601.

Joshua Bullough says one year after separation is after an employee left state employment, but asks what happens if an employee is still employed but cannot drive. Cory Weeks, Division

Director, answers that they would maintain those records if they are listed as an authorized driver unless the agency specifically asks for them to be removed.

Ken asks if separation means the DHRM process of terminating employment. Cory says they check employment and drivers license databases to make sure the license is valid. If either comes back no, then that kicks off the final action for retention.

Ken asks if this data is ever shared. Cory says only to Risk Management if they are investigating a claim, but it will never be public.

- Tracy Hansen makes a motion to approve SSRS 30510 as written, Ken Williams seconds the motion.
- Role call vote: unanimous yes.

### Other Business:

- Introduction to privacy initiatives of the State

Drew explains that these two privacy positions came about because of a vendor contract that several departments signed. There was a large audit with it, and these two privacy positions were created. This committee and these privacy positions work together to work against ransomware.

**Christopher Bramwell, [Chief Privacy Officer](#), Utah Department of Government Operations, describes his role in the State's data privacy initiatives and provides a brief overview of his program to the Committee.**

Chris's primary responsibilities are to support state agencies in privacy by assessing privacy, making determinations if there are privacy problems, recommending improvements, and making legislative recommendations. He focuses on individual rights to privacy. They recently received an executive order to create a strategic privacy plan. Records Management is a vital part of privacy, but there are not enough guidelines around it. For example, there is no rule on how to delete data. The plan should address this and what is a reasonable expectation for privacy practices. The RMC is a key government function to help protect privacy. There's a gap in IT systems and records management. Chris would like an agreement on what to do. At the end of this process, they will have a plan on how to actually protect privacy.

**Whitney Phillips, [State Privacy Officer](#), Office of the State Auditor, describes her role in the State's data privacy initiatives and provides a brief overview of her program to the Committee.**

Whitney Phillips explains that she and Chris have very similar jobs, but different scopes. He works with the executive agencies, she works with local entities. They are trying to coordinate efforts as much as possible. Whitney explains that following retention schedules and destroying records on time means they have fewer records to have to monitor for privacy. They have started assessing sensitivity levels of what private personal information is in records. This might be something that may need to be added into general retention schedules.

Joshua asks if they are checking for social security numbers (SSN). Whitney says they are. The GRS's don't always get down to that level, but they are marking how likely it is that GRS records have sensitive information. Joshua asks if they are going to turn their view to the actual data, not just GRS's. Whitney says they are planning on doing that. She wants to check to see if we are collecting the minimal information and create training for specific entities.

They are working with State Archives to categorize GRS's to make it easier to find and help determine whether there is private information in them.

It is required by law ([Utah Code 63D-2-103](#)) to state what information is collected, what it is used for, and security measures taken to protect from unintended disclosure. This has not been followed up to now, so Whitney is working on getting this adopted. This is considered best practice for privacy.

## **Discussion**

Drew chats about moving applications to the cloud and how that revisits the privacy issue. Chris mentions that is probably more an internal discussion. It depends on what records are being processed by IT and what securities have been setup in the cloud. Chris suggests making an appointment.

Matthew LaPlante asks if we can table the USBE memorandum for next month, as the meeting time has run out.

**Next meeting scheduled**

- May 22, 2023 at 1:00 PM

Meeting concluded at 2:02 PM.

Approved