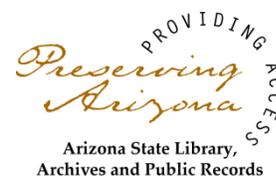




**ARCHIVES AND RECORDS MANAGEMENT  
ARIZONA STATE  
LIBRARY, ARCHIVES AND PUBLIC RECORDS**  
A DIVISION OF THE ARIZONA SECRETARY OF STATE



**Joan Clark, State Librarian & Director**

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# **Records Officer Handbook**

## **Guidance and Requirements for State and Local Agency Records Officers**

**January, 2015**

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**Melanie Sturgeon, State Archivist and Records Officer**

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**RECORDS MANAGEMENT CENTER**

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## SECTION 1: INTRODUCTION

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The role of agency Records Officers is vital in the management of Arizona's public records. Each state and local agency head is responsible for the proper management of state records as outlined in the Arizona Revised Statute §41-151.14. In addition, the head of each agency shall appoint one Records Officer (RO) who shall act as liaison to the Arizona State Library, Archives and Public Records (L.A.P.R.).

The L.A.P.R. has created this *Records Officer Handbook* to assist agency RO's in managing, retaining, and disposing of agency records in accordance with Arizona Statutes. The L.A.P.R. recommends that the RO report to the official, director, or head of the agency. The L.A.P.R. also recommends the RO have the knowledge to work with information technologists to ensure that records in electronic formats are properly managed.

### Who is an RO?

The following statutory provisions are specified in ARS §41-151.14.A(7)(a)(b) for Records Officers:

- (a) Must be at a level of management sufficient to direct the records management program in an efficient and effective manner.
- (b) Shall act as coordinator and liaison for the agency with the state library.

The head of each state and local agency must complete the *Notice of Agency Records Officer* form to designate one Agency RO. Refer to Appendix A for an example of the form.

It is mandatory that the appointing official notify the L.A.P.R. of any changes in the RO's status, including personnel changes, changes in contact information such as telephone number, e-mail, mailing address or name changes.

### Duties and Responsibilities

- Exercise authority to direct the Records Management program, including electronic, paper and microforms
- Possess considerable knowledge of agency functions and the records created to fulfill those functions
- Work with elected and appointed officials during transitions and inaugurations to capture and preserve records, and train/inform the official on records laws
- Direct other agency employees concerning the management of records in their custody
- Coordinate with Risk Managers, Disaster Planners, Information Technologists, Privacy Officers, Security Officers, and Legal Counsel
- Be the agency subject matter expert on records management questions
- Review, implement, or adopt retention and disposition schedules with Archives and Records Management (ARM) Analysts
- Inform ARM staff of any statutory changes regarding records series or programs
- Implement records policies and procedures for the agency (A.R.S. §41-151.14)

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- Have signature authority for all L.A.P.R. Reporting Forms
- Have knowledge of L.A.P.R. publications, guidance, standards and trainings
- Provide Records Management training for agency staff
- Disseminate L.A.P.R. records information (guidance, retention schedules, standards, training, updated forms, etc.) to all agency departments, divisions, branches, units, etc.

**Recommended RO?**

ROs typically come from the following areas, but are not limited to:

- Clerk’s office
- Legal or Agency council
- Risk Management
- Records Management

**Who Can Appoint an RO?**

The agency positions that typically appoint ROs include but are not limited to:

**Community Colleges / Universities**

- President

**Counties:**

- Chair, Board of Supervisors

**Fire Districts:**

- Fire Chief

**Municipalities:**

- Chair, Municipal Council

**School Districts and Charter Schools**

- Superintendent
- Charter Holder

**Special Districts:**

- Head

**State Agencies, Boards and Commissions:**

- Chair, Board or Commission
- Elected or Appointed Official
- Executive Director

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## SECTION 2: RECORDS OFFICERS TRAININGS

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Records Officers are vital resources to our state in protecting and preserving records of enduring value for Arizona’s past, present and future. We want to help your Agency leadership and peers recognize the critical role you play in ensuring their compliance with state records statutes.

Our vision is to better equip and prepare state and local agency ROs for the challenges of navigating the complexities of identifying, managing, collecting, preserving and making accessible government records in their custody.

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We want to help you succeed and excel in this important job. To accomplish this, we have a full range of trainings available, including topics such as:

- E-mail
- Essential Records
- Public Records Statutes (ARS Title 39)
- Records Management Statutes (ARS Title 41)
- Records of Enduring Value
- Records Retention and Disposition
- Social Media
- What is a Record?

Please see the L.A.P.R. training page for dates, topics and training formats available.

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### SECTION 3: MANAGEMENT OF AGENCY RECORDS

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To be in compliance with Arizona Revised Statutes, an agency head must establish and promote a records management program as specified in ARS §41-151.14.A(1) and §41-151.14(B). Specifically:

The head of each state and local agency shall:

- Establish and maintain an active, continuing program for the economical and efficient management of the public records of the agency
- Promote the principles of efficient records management for public records
- Seek advice and assistance from the L.A.P.R. in establishing a records management program

**Records Management**, as defined by ARS §41-151.14.D., means “the creation and implementation of systematic controls for records and information activities from the point where they are created or received through final disposition or archival retention, including distribution, use, storage, retrieval, protection and preservation.”

An essential part of a state and local agency records management program is the RO. The RO ensures that the agency procedures are documented, that policies, of the agency and of the L.A.P.R. are carried out, and that members of the agency are kept aware of the program and its developments.

If an agency does not yet have a records management program, the agency head or designated RO is responsible for setting up the program. The L.A.P.R. can help with this process by offering both advice and records management training.

State and local agency heads have a duty to, “Make and maintain records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the agency designed to furnish information to protect the rights of the state and of persons directly affected by the agency's activities,” as specified under ARS §41-151.14.A(2).

Public records requests should be made directly to the agency where the records reside. Title 39 of the Arizona Revised Statutes covers public records requests, and requires that public records and other

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matters in the custody of any public officer shall be open to inspection by any person at all times during business hours.

## SECTION 4: RECORDS MANAGEMENT AS AN AGENCY-WIDE RESPONSIBILITY

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Archives and Records Management suggest that the RO work with all units of the state or local agency to preserve and dispose of records properly. The RO could form a records committee comprised of a lead person from each department, division, or unit, who coordinates with the RO for records management. The RO could work with this committee to:

- Forward pertinent records and information management information
- Coordinate disposition efforts on an annual or semi-annual basis
- Coordinate records management and privacy/security training for the agency
- Review, create, monitor, and update agency records management policies and procedures
- Review, at least every two years, current custom and general schedules for applicability
- Review, revise and create reporting and approval documents, including Essential Records and imaging requests

## SECTION 5: WHAT IS A RECORD?

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State statute defines what is and what is not considered a record. According to ARS §41-151.18, a record:

“...means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, including prints or copies of such items produced or reproduced on film or electronic media pursuant to section §41-151.16, made or received by any governmental 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 in the record, and includes records that are made confidential by statute. Library or museum material made or acquired solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference and stocks of publications or documents intended for sale or distribution to interested persons are not included within the definition of records as used in this article.”

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It is frequently assumed that records are only paper materials. In the definition above, the phrase "regardless of physical form or characteristics" clearly states that records can be in more than paper format. Formats may include:

- Computer-based records
- Motion pictures
- Audio and video recordings
- Charts, maps, drawings, plans
- Geographic Information Systems (GIS) records
- Micrographics
- Social Media
- Photographs (still and electronic)

When it is difficult to decide whether files are record or non-record materials, the agency should treat them as records. The Archives and Records Management Branch is always available to help with this important decision.

## SECTION 6: RETENTION SCHEDULES

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The records retention schedule is the document required by ARS §41-151.A(3) that lists records series warranting retention for administrative, legal, or fiscal purposes.

- Schedules are timetables that identify the length of time records must be kept prior to final disposition
- Revisions to retention schedules may be initiated by either agency RO or the L.A.P.R.
- The RO is responsible for disseminating L.A.P.R. approved Retention Schedules to all agency departments, divisions, branches, units, etc.
- These schedules DO NOT preempt good judgment. Records required for audit, investigation, or legal purposes beyond the recommended retention must be maintained until cleared by the appropriate authority before destruction

### **General Retention Schedules**

General schedules are comprised of record series that are common to all agencies and ensure consistent and standardized retention periods.

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General Schedules exist for the following seven types of Public Bodies in Arizona:

- Community Colleges and Districts, and Higher Education
- Counties
- Fire Districts
- Municipalities
- School Districts and Charter Schools
- Special Districts (such as Lighting Districts, Irrigation Districts, Library Districts, etc.)
- State Agencies, Boards & Commissions

### **Custom Retention Schedules**

Custom Retention Schedules are only permitted in cases where the public body is creating records series that are truly unique to one State or Local Agency. The L.A.P.R. continues to move toward creating General Retention Schedules that are all inclusive, with the goal of eliminating most of the Custom Retention Schedules currently in use.

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## **SECTION 7: PRESERVATION OF RECORDS**

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Records Officers, along with every custodian of government records, have a duty to protect and preserve these records, which includes preservation of records in all formats, including paper, digital, microfiche, and film ARS §41-151.15(A). All records made or received by public officials or employees of state or local agencies are the property of this state.

Additional requirements include:

- Carefully protect and preserve the records from deterioration, mutilation, loss or destruction
- When advisable, shall cause them to be properly repaired and renovated

ROs should consider the following as part of their records preservation responsibilities:

- Records Storage
- Records Care and Restoration

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## Records Storage

Good, Better, and Best Practice for records storage:

<b>GOOD</b>	<b>BETTER</b>	<b>BEST</b>
Locked storage area.	See <i>Good</i> section.	See <i>Good</i> section.
Maintain a steady temperature with as little daily fluctuation as possible.	Maintain a steady temperature that <i>doesn't fluctuate more than 5 degrees within each 24-hour period</i> . Monitor and track temperature periodically.	Maintain a <i>steady temperature of 65 degrees Fahrenheit</i> (plus or minus five degrees) with constant temperature monitoring and recording of results.
Maintain a steady relative humidity level with as little daily fluctuation as possible.	Maintain a steady relative humidity level that <i>doesn't fluctuate more than 5% within each 24-hour period</i> . Monitor and track relative humidity periodically.	Maintain a <i>steady relative humidity level of 45%</i> (plus or minus five percent) with constant monitoring and recording of results.
Shelves should be constructed so they are at least 4 inches off the floor to ensure they are protected from minor flooding.	Steel shelving should be constructed so bottom shelves are at least 4 inches off the floor to ensure they are protected from minor flooding.	See <i>Better</i> section.
Maintain a low light level, keeping lights turned off as much as possible and sunlight out of the storage area.	See <i>Good</i> section.	See <i>Good</i> section.  No windows or unfiltered UV light in the storage area.
Smoke alarms should be installed in every storage area and on every level of the building; they should be routinely checked.	Fire alarm system directly connected to the local fire department.	Fire alarm system directly connected to the local fire department.  Wet pipe sprinkler system installed.
Fire extinguishers should be placed in every storage area and routinely checked; staff should be trained in how to use them.	See <i>Good</i> section.	Smoke and heat detectors installed appropriately in consultation with fire professionals
Conduct regular fire drills.	See <i>Good</i> section.	See <i>Good</i> section.
Seek inspection and input from the local fire department.	See <i>Good</i> section.	See <i>Good</i> section.
The area should be as clean	Provide a separate, secure	See <i>Better</i> section.

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<b>GOOD</b>	<b>BETTER</b>	<b>BEST</b>
as possible. No food, drink, trash, cleaning supplies, etc., should be maintained in the storage area. All attract pests such as insects and rodents to the storage area.	storage area for historical records, with limited access and no food, drink, plants, etc., allowed.	
Monitor for pests.	See <i>Good</i> section.	See <i>Good</i> section.
Harmful chemicals not used in storage areas.	See <i>Good</i> section.	See <i>Good</i> section.  Air ventilation system with filters installed
Routine monitoring for flooding, water problems.	See <i>Good</i> section.	Water detectors installed

### Records Care and Restoration

There are several key components that affect the preservation of records media. Due to the inherent instability of analog and electronic records, no file format or storage media is permanent. All media formats including paper and microfilm are susceptible to degradation, corruption and inadvertent destruction. The main components that affect the preservation of records include:

- Light
- Temperature
- Humidity
- Pollutants
- Handling
- Shelving
- Labeling

For additional information on records care, please refer to the L.A.P.R.s *Media Storage and Handling of Long Term and Permanent Records Guidelines*.

The L.A.P.R. *Conservation, Disaster Preparedness and Emergency Recovery* web page provides additional information on conservation, disaster preparedness and recovery. In addition, the State Archives is available to answer questions or concerns regarding conservation / preservation.

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## SECTION 8: ESSENTIAL RECORDS

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Essential records, sometimes called vital records, are those records necessary for the continuity and/or resumption of operations of an organization during and following a disaster. Business continuity, disaster preparedness, and Continuity of Operations Plans (COOP) depend on identifying essential functions and records in order to restore the key functions of these organizations.

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To comply with ARS §41-151.14(a)(5), the RO should:

- Review the *Establishing an Essential Records List* and other related guidance
- Submit, every 5 years, the *Essential Records Listing* form

State statutes specify that each state and local agency submit a list of essential public records, to L.A.P.R. every five years.

Although ARS §41-15.15.A(5) requires the state or local agency to submit a list of essential records every five years, it is recommended that the list be reviewed at least annually for any changes that may have occurred. Essential Records Lists should be updated whenever records are added or deleted from retention schedules, moved from the physical location, or the designation changes. The RO or staff member tasked with the essential record review should work with subject matter experts to identify the essential records in each unit.

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## SECTION 9: RECORDS SECURITY AND PRIVACY

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Another important task of the RO is ensuring the security and privacy of records and information:

- Records officers should insure that records are safely stored to prevent vandalism, theft and other unlawful acts
- Although the public has the right to use almost all public records, access should be monitored to insure the integrity of the records
- Pursuant to (A.R.S.§39-121.01.C), maintain the authenticity, integrity and trustworthiness of government records over time
- Records must be protected from inadvertent or intentional alteration
- Records must also be protected from inadvertent or intentional disposal, deletion or destruction in order to maintain individual and agency privacy and legal rights

For more specific security and privacy laws or guidance, refer to the following:

- Statewide Information Security and Privacy policies, and related statewide security and privacy standards for information on identifying and maintaining the Confidentiality, Integrity and Availability (CIA) of data in records are in the process of being revised, but the current versions of these policies are located at the following link: <https://aset.az.gov/resources/psp>
- Arizona Attorney General's *Handbook for State Agencies*, Chapter 6, Public Records, for additional guidance
- Health Insurance Portability and Accountability Act (HIPAA), 45 CFR 160, 162 and 164
- Health Information Technology for Economic and Clinical Health (HITECH) Act, 42 U.S.C. §§300jj et seq.; 42 U.S.C. §§17901 et seq.
- Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 CFR Part 99
- Payment Card Industry Data Security Standard (PCI DSS) for security of credit card information
- Internal Revenue Service (IRS) Publication 1075 on housing requirement for tax records

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## SECTION 10: TRANSFERRING RECORDS BETWEEN PUBLIC BODIES

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When one government agency transfers records to another, the L.A.P.R. must be notified. Records transfers often occur when a program moves from one agency to another, or when county and municipalities transfer land or assets to each other. To meet L.A.P.R. reporting requirements the RO must:

- Submit the *Request for Transfer of Records Between Public Bodies*

## SECTION 11: RECORDS IMAGING: SCANNING & MICROFILM

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ARS §41-151.16.A specifies that agencies and public entities, "...may implement a program for the production or reproduction by photography or other method of reproduction on film, microfiche, digital imaging or other electronic media of records in its custody...". Further, agencies and public entities can catalog and index these reproductions.

However, pursuant to the same statute, agencies must obtain approval from the L.A.P.R. prior to undertaking such projects. The L.A.P.R., via the Imaging Request process, must approve:

- types of records being produced or reproduced
- methods of production, reproduction, storage
- equipment and software involved in the processes
- destruction of source documents

Agencies undertaking an imaging project must be aware that records reproduced as provided in ARS §41-151.16A, may become the official record. You may also refer to ARS §44-7041 regarding creation, retention and conversion of written records.

In addition, the head of an agency or political subdivision who violates this section is guilty of a class 2 misdemeanor pursuant to ARS §151-14.16.B.

Depending on your imaging project(s), refer to the following standards prior to completing the request form:

- *Minimum Standards For Digital Imaging Or Scanning Of Textual Documents*
- *Minimum Standards for Scanning Photographs*
- *Minimum Standards for "Born Digital" Photographs*
- *Guidance on Arizona Standards*

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Arizona State Standards written by the Archives and Records Management branch of the L.A.P.R. are based on:

- National, international and industry research, standards and guidelines in the microfilm and digitization of records
- Risk of loss of records due to file format migration, readability, clarity, authenticity issues and bit rot over long periods of time.

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## SECTION 12: PERMANENT RECORDS

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Permanent records are records that have enduring, historical or research value and are further defined in the L.A.P.R. guidance for *Permanent and Historical Records*. When permanent state or territorial records and documents are no longer in current use by public bodies, they may transfer the records and legal custody of the records to the State Archives (ARS §41-151.09) or maintain them according to the *Standards for Permanent Records*.

Whenever and wherever the L.A.P.R. refer to “permanent records”, the following are explicitly included:

- Permanent Records are any records in which the retention period is listed as “Permanent” on an approved Retention Schedule (General or Custom), or deemed historical records. Any and all Permanent Records shall be strictly processed, retained, maintained and preserved per the *Arizona Standards for Permanent Records*.

### **Retaining Permanent Records**

Any public body, or their vendor, that films, processes, retains, maintains and preserves their own permanent records, must strictly follow the *Arizona Standards for Permanent Records*. ROs and records custodians must comply with the standards of ARS §39-101, regarding Permanent Records.

Below are some important requirements, if retaining custody of permanent records:

#### **Micrographics**

- Submit a *Certificate of Compliance* each year filming occurs, unless filming is completed by Archives and Records Management
- Annually complete an inspection of all permanent silver master microforms
- Document and maintain permanently the documentation of the annual inspections

#### **Paper**

- Annually complete an inspection of all permanent paper records
- Document and maintain permanently the documentation of the annual inspections

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### Electronic/Digital and Analog formats

- Upon migration of system, storage media or format, document all required verifications
- Annually complete an inspection of all electronic/digital and analog records
- Document and maintain permanently the documentation of the annual inspections

### Records Transfer to the State Archives

When transferring records, RO's should plan no more than two records transfers per record series, per calendar year.

To transfer records to the State Archives:

- Fill out the *Agreement to Transfer Records* form
- Refer to the *Agency Transfer Checklist*
- Schedule a pre-transfer consultation with an Archivist at least 3 weeks in advance of pending transfer

Until the State Archives' Digital Vault (permanent electronic record repository) is in place, State Archives staff may request agencies to maintain and ensure public access to their electronic records.

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## SECTION 13: RECORDS DISPOSITION & DESTRUCTION

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The RO is responsible for reviewing the agencies records to determine which are eligible for final disposition according to general and custom retention schedules. If records are stored at the state Records Center, ARM staff will send a *Pre-disposition Authorization Release Form* to the RO for review and approval, at least annually.

When records meet their final disposition, according to the retention schedule, they are either destroyed or transferred to the State Archives.

- Records eligible for destruction must be reviewed against **current** Retention Schedule(s) to ensure retention period has passed.
- Records eligible for destruction must also be reviewed for any ongoing or foreseeable official proceedings such as audits, litigation or government investigations, and must be retained until released from such official proceedings.
- Remember that Permanent records are **never** authorized for destruction, but may be transferred to the State Archives for permanent retention.
- For records containing confidential information, please refer to ARS §44-7601

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## METHODS OF DESTRUCTION

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**Paper**

The most desirable method of destruction for non-confidential records is recycling.

For confidential records destruction, the following methods should be used:

- Shredding
- Pulping
- Macerating
- Burning

Confidential records destruction service should be performed by:

- In-house shredder
- State Records Center
- A vendor certified by the National Association for Information Destruction (NAID)

**Microforms**

Microforms consist of microfilm or microfiche, and may be silver masters or diazo copies. Microforms may be shredded, but if silver masters or dupes exist, they may go through the silver recovery process first.

For confidential records destruction, the following methods should be used:

- Shredding
- Silver Recovery

**Electronic**

Electronic records are commonly found in:

- Hard Drives
- Hand Held and Mobile Computing Devices
- Network Devices
- Copy and Fax Machines with memory
- USB Removable Devices
- CDs/DVDs and optical discs

Prior to disposing of the above types of equipment or media, determine if sanitization is required.

Different types of sanitization or disposal exist for each type of media:

- Shredding
- Degaussing
- Overwriting
- Drilling

See NIST *Special Publication SP 800-088 Guidelines for Media Sanitization* (2006) which provides extensive details on media sanitization.

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## RECORDS DESTRUCTION REPORTING

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At least annually, per ARS §41-151.19, the following should occur:

- Submit a *Certificate of Records Destruction* for all records destroyed
- Review and respond to the *Pre-disposition Release Form*, if storing records at the Records Center

If records are not on an approved retention schedule, but the RO determines they have met their legal, fiscal, and administrative needs for the agency, the RO may request the records be disposed of (ARS §41-151.14(4)):

- Submit a *Pre-Approval for Unscheduled Records Disposition* prior to destroying records for authorization from L.A.P.R.

If records are inadvertently destroyed before their time (ARS §39-121.01(c)):

- Call the Archives and Records Management staff for guidance
- Submit a *Notice of Destruction Prior to Records Disposition Date*

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## SECTION 14: STATE RECORDS CENTER USE

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The Archives and Records Management Branch of L.A.P.R. operates a records center for use by state and local government agencies. Pursuant to A.R.S. §41-151.13.2, the State Records Center is the only authorized records center Executive branch agencies may use for inactive records. State agencies may operate or use other facilities for inactive records storage only with prior approval of the Director of the L.A.P.R.. Local government bodies and legislative and judicial branches may use the Records Center at their discretion. Agencies using the Records Center must:

- Refer to the *Records Center Use and Procedures* manual
- Refer to the *Records Services Price List*
- Attend training on *How to Box Records*

RO's of agencies using the Records Center must:

- Identify which records will be sent to the Records Center
- Designate agency staff who may access those records
- Designate agency IT staff who may access disaster recovery backup tapes
- Review and sign records transfer manifest lists prior to transfer
- Insure that records are packed in appropriate containers
- Review and sign *Pre-disposition Authorization Release* forms for final disposition of records
- Request inventory reports on behalf of their units

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## SECTION 15: ADDITIONAL COOPERATION AND COMPLIANCE

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Other responsibilities of the RO, not covered under other sections, include:

- ARS §41-151.14(A)(2) Make and maintain records
- ARS §41-151.14(A)(6) Cooperate with L.A.P.R. in the conduct of surveys
- ARS §41-151.14(A)(8) Comply with rules, standards and procedures adopted by L.A.P.R.
- ARS §39-103 Comply with the size of public records or request an exemption from L.A.P.R.

### Violations

The following violations apply to the head of each state or local agency if records management statutes are not complied with:

ARS §38-421	Stealing, destroying, altering or secreting public records	Class 4 felony
ARS §39-101	Permanent public records	Class 2 misdemeanor
ARS §41-151.14	State and local public records management	Class 2 misdemeanor
ARS §41-151.15, ARS §38-421	Preservation of public records	Class 4 felony
ARS §41-151.16	Production and reproduction of records	Class 2 misdemeanor
ARS §41-151.22	Privacy of user records	Class 3 misdemeanor

The following violations apply to government employees who are not officers:

ARS §38-421	Stealing, destroying, altering or secreting public record	Class 6 felony
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The following violation applies to an entity who knowingly discards personal identifying information:

ARS §44-7601	Discarding and disposing of records containing personal identifying information	1 <sup>st</sup> violation: \$500.00 2 <sup>nd</sup> violation: \$1,000.00 3 <sup>rd</sup> violation: \$5,000.00
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The following violation applies to any person tampering with public records:

ARS §13-2407	Tampering with a public record	Class 6 felony
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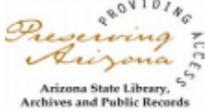
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## APPENDIX A: FORMS

## RECORDS OFFICER FORM

	<b>ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS</b> A DIVISION OF THE ARIZONA SECRETARY OF STATE	 PROVIDING ACCESS Arizona State Library, Archives and Public Records	
<b>Joan Clark, State Librarian &amp; Director</b>			
<b>ARCHIVES AND RECORDS MANAGEMENT</b>			
<b>NOTICE OF AGENCY RECORDS OFFICER</b>			
Pursuant to ARS § 41-151-14 the head of each state and local agency shall designate an individual to be the Records Officer Liaison (RO) to the State Library every other year. The Records Officer must be at a level of management sufficient to direct the records management program in an efficient and effective manner, and shall act as coordinator and liaison for the agency with the State Library.			
<b>Instructions:</b> Fill out this form to notify the State Library of an addition, deletion, or change of the Records Officer, or to update the Records Officer contact information. Return the signed form to the address below.			
ACTION: <input type="checkbox"/> Add as RO <input type="checkbox"/> Remove as RO <input type="checkbox"/> Update contact information			
Agency:	Division, Department or Unit Name:		
Records Officer's Name:	Title:		
Mailing Address:			
E-mail Address:			
Phone Number:	Fax Number:		
Does the Records Officer have authority to set policy or procedure? <input type="checkbox"/> Yes <input type="checkbox"/> No			
I designate the above individual as Records Officer for _____ Agency/Public Body title			
Head of Agency or Designee (type or print):			
Title (type or print):			
Signed (Head of Agency or Designee):		Date:	
For Records Management Use only:			
<input type="checkbox"/>	RM E-mail Distribution List	Date:	Initials:
<input type="checkbox"/>	RM Database		
<b>RECORDS MANAGEMENT CENTER</b>			
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## LISTING OF FORMS

<b>SUBJECT</b>	<b>FORM</b>	<b>STATUTE</b>
Archives transfers	Agreement to Transfer Records to Arizona State Library Archives and Public Records	§41-151.09
Disposition and Destruction	Certificate of Records Destruction	§41-151.19
	Notice of Destruction Prior to Records Disposition	§39-121.01 (c), 41-151.15, 41-151.19
	Pre-approval for Unscheduled Records Disposition	§41-151.14 (4)
	Transfer of Records Between Public Bodies	§41.151.18, 39-121.01 (c), 41-151.15, 41-151.19
Essential Records	Essential Records Listing Form	§41-151.14 (5)
Imaging approval	Request for Document Imaging of Public Records	§41-151.16 (a), 41-151.15 (a)
Microfilming approval	Request for Microfilming of Permanent Public Records	§41-151.16 (a), 41-151.15 (a)
	Certificate of Compliance	§39-101
Records Officer designation	Notice of Agency Records Officer	§41-151-14

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**APPENDIX B: RECORDS MANAGEMENT STATUTES**


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<b>Statute Number</b>	<b>Title / Description</b>
41-151.09	<u><i>Depository of official archives</i></u> The State Archives is the official repository of all permanent public records for state officers and departments of this state, and the counties and incorporated cities and towns.
41-151.14	<u><i>State and local public records management; violation; classification; definition</i></u> Defines duties of agency heads and other governing bodies regarding records management.
41-151.15	<u><i>Preservation of public records</i></u> Explains the responsibility of protecting, preserving, and repairing records. Also discusses records disposition.
41-151.16	<u><i>Production and reproduction of records by agencies of the state and political subdivisions; admissibility; violation; classification</i></u> Requires agencies to get permission prior to implementing an imaging program, including microfilm and digital imaging.
41-151.18	<u><i>Definition of Records</i></u> Provides statutory definition of records.
41-151.19	<u><i>Determination of value; disposition</i></u> Determination of records value and requirement to submit annual records destruction reports.
13-2407	<u><i>Tampering with a public record; classification</i></u> Defines tampering with a public record; violation is a Class 6 Misdemeanor.
38-421	<u><i>Stealing, destroying, altering or secreting public record; classification</i></u> Prohibits stealing, destruction, mutilation, defacement, altering, falsifying, removing, or secreting records, in whole or in part. Violation is a Class 4 or 6 felony.

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<b>Statute Number</b>	<b>Title / Description</b>
39-101	<p><u>Permanent public records; quality; storage; violation; classification</u></p> <p>Provides instructions for maintaining permanent public records in durable form; permanent public records must be maintained per standards set by the L.A.P.R..</p>
39-121 39-121.01 39-121.02 39-121.03	<p><u>Inspection of Public Records</u></p> <p>Public records shall be available to anyone during office hours; explains procedures regarding public records requests including appealing records requests denials and provides agencies statutory regulation regarding costs in reproducing records.</p>
44-7601	<p><u>Discarding and disposing of records containing personal identifying information; civil penalty; enforcement; definition</u></p> <p>Provides statutory requirements for entities regarding proper disposal of records containing personal identifying information (PII).</p>
44-7041	<p><u>Creation; retention; conversion of written records</u></p> <p>Allows agencies to create and retain electronic records, and convert written records to electronic formats per title 41 and 39-101 requirements.</p>

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## APPENDIX C: ADDITIONAL STATUTES

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The following is a listing of Arizona Revised Statutes that apply to records management and archives as compiled in November 2011. Please check the Legislature's websites for updates.

<b>Title 9 - Cities and Towns</b>	
<b>9-253</b>	<i>Recording of maps and plats; preservation of originals</i>

<b>Title 11 – Counties</b>	
<b>11-251.03</b>	<i>Records center; contents; open to inspection</i>
<b>11-475.01</b>	<i>Document storage and retrieval conversion and maintenance fund; purpose</i>
<b>11-479</b>	<i>Destruction of records; requirements; exception</i>
<b>11-487.01</b>	<i>Definitions</i>
<b>11-487.02</b>	<i>Validity of electronic documents</i>
<b>11-487.03</b>	<i>Recording of documents; definition</i>
<b>11-1135</b>	<i>Transmitting affidavit or data to county assessor, Arizona state library, archives and public records and department of revenue</i>

<b>Title 15 – Education</b>	
<b>15-341</b>	<i>General powers and duties; immunity; delegation</i>
<b>15-874</b>	<i>Records; reporting requirements</i>

<b>Title 16 – Elections and Electors</b>	
<b>16-162</b>	<i>Retention of registration forms and record of cancellation</i>
<b>16-163</b>	<i>Assignment of registrations to general county register; exception; notification to elector; electronic storage of registration forms</i>
<b>16-171</b>	<i>Preservation of signature rosters as permanent records</i>

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<b>16-646</b>	<i>Statement, contents and mailing of official canvass</i>
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<b>Title 28 – Transportation</b>
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<b>28-451</b>	<i>Maintaining records</i>
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<b>Title 35 – Public Finances</b>
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<b>35-103</b>	<i>Annual financial reports; notification; payments</i>
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<b>Title 36 – Public Health and Safety</b>
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<b>36-351</b>	<i>Duties of the director; Arizona state library, archives and public records</i>
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<b>Title 39 – Public Records, Printing and Notices</b>
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<b>39-102</b>	<i>Annual report; copies</i>
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<b>39-103</b>	<i>Size of public records; exemptions</i>
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<b>Title 39 – Public Records, Printing and Notices (con't)</b>
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<b>39-122</b>	<i>Free searches for and copies of public records to be used in claims against United States; liability for noncompliance</i>
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<b>39-123</b>	<i>Information identifying eligible persons; confidentiality; definitions</i>
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<b>39-124</b>	<i>Releasing information identifying an eligible person; violations; classification; definitions</i>
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<b>39-125</b>	<i>Information relating to location of archaeological discoveries and places or objects included or eligible for inclusion on the Arizona register of historic places; confidentiality</i>
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<b>39-126</b>	<i>Federal risk assessments of infrastructure; confidentiality</i>
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<b>39-127</b>	<i>Free copies of police reports and transcripts for crime victims; definitions</i>
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<b>39-128</b>	<i>Disciplinary records of public officers and employees; disclosure; exceptions</i>
<b>39-141</b>	<i>Proof of certain lost or destroyed documents or instruments</i>
<b>39-142</b>	<i>Action for restoration and substitution of lost or destroyed documents</i>
<b>39-143</b>	<i>Judgment of restoration; recording of judgment; judgment as substitute for original instrument</i>
<b>39-144</b>	<i>Recording of certified copies of lost or destroyed records or records of a former county</i>
<b>39-145</b>	<i>Re-recording of original papers when record destroyed</i>
<b>39-161</b>	<i>Presentment of false instrument for filing; classification</i>

**Title 41 – L.A.P.R. Related**

<b>41-151</b>	<i>Definitions</i>
<b>41-151.01</b>	<i>Arizona state library, archives and public records</i>
<b>41-151.02</b>	<i>Advisory board of the Arizona state library, archives and public records</i>
<b>41-151.05</b>	<i>Powers and duties of director</i>
<b>41-151.08</b>	<i>Archives and history services; recovery of costs</i>
<b>41-151.10</b>	<i>Historical records</i>
<b>41-151.11</b>	<i>Access to public records</i>
<b>41-151.12</b>	<i>Records; records management; powers and duties of director; fees; records services fund</i>
<b>41-151.13</b>	<i>Records management officer; duties</i>
<b>41-151.17</b>	<i>Duties relating to historical value</i>
<b>41-2956</b>	<i>Termination period for agencies; funds; equipment; personnel; documents; bonds</i>
<b>41-4153</b>	<i>Agency reports; availability on line</i>

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<b>Title 44 – Trade and Commerce</b>	
<b>44-7002</b>	<i>Definitions</i>
<b>44-7007</b>	<i>Legal recognition of electronic records, signatures and contracts</i>
<b>44-7012</b>	<i>Electronic records retention; originals</i>
<b>44-7013</b>	<i>Admissibility in evidence</i>
<b>44-7016</b>	<i>Transferable records; definition</i>
<b>44-7033</b>	<i>Presumptions</i>
<b>44-7042</b>	<i>Sending and accepting electronic records</i>

<b>Title 48 – Special Taxing Districts</b>	
<b>48-853</b>	<i>District board; powers and duties; intergovernmental agreements; contract; administration; definition</i>

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## APPENDIX D: ATTORNEY GENERAL OPINIONS AND RESOURCES

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For a more detailed listing, along with legal case citations, please refer to the *Attorney General Handbook for State Agencies, Chapter 6*, regarding Arizona Public Records laws (<https://www.azag.gov/sites/default/files/sites/all/docs/agency-handbook/ch06.pdf>).

The following is a listing of Attorney General Opinions regarding Public Records Laws and Open Meeting Laws.

Ariz. Atty. Gen. Op. #	Opinion Description
<b>56-008</b>	Letter to the Department of Law stating that it is permissible by law for taxpayers' group to employ at their expense a firm of accountants to make an audit of the books of an incorporated town or city.
<b>61-114-L</b>	Types of documents found to be public records: annual reports filed by corporations with the Arizona Corporation Commission.
<b>70-1</b>	Inspection and copying of public records.
<b>76-43</b>	Letter to Maj. Gen. J.G. Smith, Jr., the Adjutant General, Department of Emergency & Military Affairs, answering various questions with regards to the disclosure to the public of classified operational plans and their retention.
<b>78-76</b>	Letter to John Kromko, Arizona House of Representatives, stating that since the budgets of Senate and House of Representatives are public records under the provisions of A.R.S. 39-121.01.B, they were open to public inspection.
<b>78-234</b>	Letter to Charles Moody, Chairman, Board of Tax Appeals, answering several questions regarding the duties and responsibilities of the Board of Tax Appeals, including whether, with regard to centrally-assessed property, the taxpayer was entitled to the information on which the valuation of the property was based.
<b>79-316</b>	Letter to Edward Richardson, Chairman, Division Two, Arizona State Board of Tax Appeals, answering several questions regarding the confidentiality of the deliberations, decisions and records of Division Two of the Arizona Board of Tax Appeals. Subjects covered include open meeting laws and the board's records being open to public inspection.
<b>80-044</b>	Letter to Q. Dale Hatch, Deputy Maricopa County Attorney, elaborating on an opinion given by the deputy attorney to the Roosevelt School concerning the release of personnel statistics to members of the public and the authority of the district to grant leaves of absence.
<b>80-097</b>	Letter to R.A. Countryman, Division Director, Arizona Commission of Agriculture and Horticulture, stating that the public has the right, with reasonable restrictions, to inspect application forms used in the issuance of Native Plant Removal and Transportation permits.

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<b>Ariz. Atty. Gen. Op. #</b>	<b>Opinion Description</b>
<b>85-023</b>	Letter to Richard F. Albrecht, Deputy County Attorney (Mohave County), Kingman, concurring with the opinion given by the deputy attorney to Alvin Barlow, Superintendent of the Colorado City Elementary School District No. 14, concluding that school district must furnish contract and salary information regarding school district employees so long as precautions were taken to insure that social security numbers and payroll deductions other than those required by law were not revealed.
<b>85-097</b>	Letter to M.L. Risch, Captain, ALEOAC Business Manager, answering several questions regarding staff reports prepared for the Arizona Law Enforcement Office Advisory Council, an agency that inspects records of law enforcement agencies and prepares reports on their findings for consideration by the council.
<b>85-101</b>	Letter to Sharon Turgeon, Director of the Department of Library Archives and Public Records, stating that a public defender's client file was the property of the state and was not owned by the client.
<b>86-090</b>	Letter to Daniel R. Ortega, Jr., Chairman, Industrial Commission of Arizona, stating that apart from personal identifying information on the specified forms, those reports detailing industrial injuries should be open to public inspection. The opinion also states that news gathering outlets were not engaged in obtaining copies for commercial purposes, thus they should not be charged the 20-cent per copy fee.
<b>88-130</b>	Letter to Bill English, State Representative, regarding whether autopsy reports prepared by county medical examiners under ARS § 11-594 are open to inspection as public records. ARS §§ 39-121, 39-122, 11-597. Ariz. Atty. Gen. Op. 73-035.
<b>89-022</b>	Letter to Charles L. Miller, Director, Arizona Department of Transportation, regarding the operation of the state's public records laws on accident reports filed with ADOT. ARS §§ 39-121 to 39-122.
<b>90-044</b>	Letter to Director Sharon G. Womack of the Department of Library, Archives and Public Records, Records Management Division stating that because Salt River Project is a political subdivision and a special taxing district, it must comply with statutes governing the preservation and public access to public records. ARS §§ 41-1343, 41-1346, 41-1347, 41-1348, 41-1349, 41-1350, 41-1351.
<b>91-004</b>	Letter to Representative Bobby Raymond stating that the individual privacy interest and the best interest of the state prevail, and that the public interest can be adequately served by the disclosure authorized in A.A.C. R2-5-105.D. ARS §§ 39-121.01,
<b>95-010</b>	Letter to Senator Mary Hartley stating that the Public Records Law and the Open Meeting law do apply to charter schools.
<b>13-012</b>	Charging Copying Fees Under Arizona's Public Records Law

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## APPENDIX E: RECORDS MANAGEMENT RESOURCES

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### ASSOCIATIONS AND COUNCILS

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#### ***Association of Records Managers and Administrators (ARMA) International***

*<http://www.arma.org/>*

ARMA International is a professional association established in 1955 which provides information on managing information as a strategic asset. ARMA International provides resources such as legislative and regulatory updates, standards and best practices, publications, training on records and information management, and networking opportunities through local and national activities.

#### ***Association for Information and Image Management (AIIM)***

*<http://www.aiim.org/>*

AIIM is an organization for information professionals providing access to records and information management resources such as market research, webinars, seminars, standards and best practices, and networking opportunities through membership events.

#### ***Council of State Archivists (CoSA)***

*<http://www.statearchivists.org/>*

The CoSA, a national organization comprised of those serving as principal directors of state and territorial archives, seeks to strengthen state and territorial archives in their work preserving historical records. The CoSA membership encourages cooperation among the states regarding matters of mutual interest and work on the national level, including work with NARA, NAGARA and NASCIO. As part of their outreach, the CoSA provides records management resources, including information on managing local records, emergency planning and response, electronic records, and essential records.

#### ***National Association of Government Archives and Records Administrators (NAGARA)***

*<https://www.nagara.org/>*

Founded in 1974, NAGARA is a professional association dedicated to the improvement of federal, state, and local government records and information management and the professional development of government records administrators and archivists. Members include county, municipal, special district governments, state agencies (state records centers, archives and libraries), the National Archives and Records Administration.

#### ***National Association for Information Destruction, Inc. (NAID)***

*<http://www.naidonline.org/>*

NAID is an international trade association and standard setting body for information destruction services companies, which provide such services as secure paper shredding, computer hard drive destruction, and computer sanitization. NAID provides resources on secure destruction and related topics, as well as information on certified providers of destruction services.

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### **National Archives and Records Administration (NARA)**

<http://www.archives.gov/>

The National Archives and Records Administration, established in 1934, is considered the nation's federal records keeper. They are the Federal equivalent of each state's Archives and Management programs. NARA assists Federal agencies and the public with research and reference services and provides educational programs and public workshops to help the public learn how to use archival records. The NARA also runs a Federal Government records management program which identifies records of permanent value while assuring the timely disposal of temporary records. In addition, the NARA provides agencies with guidance on managing their current records. The NARA provides resources such as guidance on a wide range of records management topics including electronic records, disaster recovery, and applicable laws and regulations.

### **National Association of State Chief Information Officers (NASCIO)**

<http://www.nascio.org/>

NASCIO, an association representing state chief information officers and senior information technology professionals, was formed in 1969. These members represent federal, municipal, and international government, as well as non-profit organizations. NASCIO provides members with products and services supporting the exchange of information of IT best practices and innovations through national conferences, peer networking, research and publications, and briefings.

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## REGULATIONS, STANDARDS, AND STANDARDS ORGANIZATIONS

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### **Code of Federal Regulations (CFR):**

<http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>

The Code of Federal Regulations (CFR) is the official and complete text of federal agencies regulations in one organized location. The CFR is divided into 50 Titles covering various subject areas of federal regulations. The CFR is updated by amendments appearing in the daily *Federal Register*. Using the CFRs with the *Federal Register* provides the latest version of any given rule. The CFRs often contain guidance regarding records requirements including the types of records required to be kept and for how long.

### **ISO 15489: International Standard on Records Management**

ISO 15489 is an international recordkeeping standard first published in 2001 designed to help organizations meet recordkeeping needs. The standard has two parts, ISO 15489 Part 1: General which provides a high-level view of best practices in record keeping. ISO 15489 Part 2: Guidelines provides advice for putting record keeping into practice, such as developing processes and procedures.

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**International Organization for Standardization (ISO)**

*<http://www.iso.org/iso/home.htm>*

The International Organization for Standardization (ISO) is an independent, international organization comprised of 165 member countries that are the national standards bodies around the world. The ISO has published more than 19,500 standards covering many industries from technology to healthcare. The standards include ISO 15489, the International Standard on Records Management and ISO 30300, Management Systems for Records. The standards provide tools and guidance for several areas of records management and information technology. In addition, ISO provides briefing papers, summaries, and other standards-related information.

**National Institute of Standards and Technology (NIST)**

*<http://www.nist.gov/index.html>*

The NIST is a non-regulatory federal agency within the Department of Commerce. The NIST's mission is to promote innovation and industrial competitiveness by promoting measures of science, standards, and technology. The NIST achieves its mission by working through several programs, including its laboratories where it conducts research resulting in advances in technology and improvements in products and services. The NIST offers several different types of information or "Series" including standards, technical publications, bulletins, and handbooks.

**Payment Card Industry Data Security Standard (PCI DSS)**

*<https://www.pcisecuritystandards.org/>*

PCI DSS is a set of requirements designed to ensure that all companies and bodies that process, store or transmit credit card information maintain a secure environment. It is administered and managed by the Payment Card Industry Security Standards Council (PCI SSC) with focus on improving payment account security throughout the transaction process.

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