



TITLE Records Management	POLICY NUMBER DCS 02-24	
RESPONSIBLE AREA Business Operations	EFFECTIVE DATE 10/14/16	REVISION 0

I. POLICY STATEMENT

The Department is committed to maintaining an effective records management program, including appropriate practices for organizing records; effective archiving of records; appropriate retention of records; and appropriate destruction of records in compliance with state guidelines.

II. APPLICABILITY

This policy applies to:

- All records, regardless of whether they are maintained in hard copy, electronically, or other modes, including, but not limited to, case files, photographs, checks/warrants, microfiche, film, email, and electronic media ([A.R.S. § 41-151.15](#))
- The submission and request of records to and from DCS Distribution Center and/or the Arizona State Library, Archives and Public Records ([ASLAPR](#)). All Department staff shall adhere to the applicable requirements and procedures.
- The retention of records related to pending or anticipated legislation, rulemaking, purchasing, contracts, budget, policy, training, personnel, and administrative law matters, etc.

III. AUTHORITY

A.R.S. § 38-421	Stealing, destroying, altering or secreting public record; classification
A.R.S. § 39-121.01	Definitions; maintenance of records; copies, printouts or photographs of public records; examination by mail; index
A.R.S. § 41-151.12	Records; records management; powers and duties of director; fees; records services fund
A.R.S. § 41-151.13	Records management officer; duties
A.R.S. § 41-151.14	State and local public records management; violation; classification; definition
A.R.S. § 41-151.15	Preservation of public records
A.R.S. § 41-151.16	Production and reproduction of records by agencies of the state and political subdivisions; admissibility; violation; classification

[A.R.S. § 41-151.18](#) Definition of records

[A.R.S. § 41-151.19](#) Determination of value; disposition

2008 Amendments to [Arizona Rules of Civil Procedure](#) regarding discovery of electronic records

2006 Amendments to [Federal Rules of Civil Procedure](#) regarding discovery of electronic records

In addition to several federal laws, state statutes [A.R.S. § 151.15\(A\)](#) and [A.R.S. § 39-121.01\(B\) and \(C\)](#) provide the legal basis for record retention by all state agencies:

- A. “All records made or received by public officials or employees of this state in the course of their public duties are the property of this state.”
- B. “All officers and public bodies shall maintain all records, including records as defined in section [41-151.18](#), reasonably necessary or appropriate to maintain an accurate knowledge of their official activities and of any of their activities which are supported by monies from the state or any political subdivision of the state.”
- C. “Each public body shall be responsible for the preservation, maintenance, and care of that body's public records and each officer shall be responsible for the preservation, maintenance, and care of that officer's public records. It shall be the duty of each such body to carefully secure, protect, and preserve public records from deterioration, mutilation, loss or destruction, unless disposed of pursuant to sections [41-151.15](#) and [41-151.19](#).”

IV. DEFINITIONS

Contractor: For the purpose of this policy, contractor means any person receiving payment from the Department for goods or services provided.

Department: The Department of Child Safety (DCS).

DCS Distribution Center: The facility where DCS records are stored, retrieved, and eventually destroyed. The Department is responsible for the creation and revision of the official retention and disposition schedules, which shall be in accordance with federal and state laws. DCS Distribution Center employees and the Business Services Administrator work closely with ASLAPR to ensure DCS adheres to all record retention laws, policies, and procedures.

Electronic Information or Electronically Stored Information (ESI): Includes paper originals and copies, word processing documents, e-mail and e-mail attachments, spreadsheets, instant and text messages, databases, calendars and planners, audio and videos, PowerPoint slide decks and other multimedia, voicemail, and all other types of information that is commonly created, stored, and transferred by a computer, including relevant information stored on home computer(s) and other personal electronic device(s).

Employees: For the purpose of this policy, employee means all DCS full-time, part-time, paid employees; contractors; students; interns; and volunteers.

Litigation Hold: The process of collecting and holding records that may be relevant to pending or expected litigation or other legal process (e.g., court-ordered retention orders, audits, grievances, public records requests). Records held as a result of a litigation hold shall be retained, at a minimum, until final resolution of the action, including appeals taken, the time for filing a suit has passed, or a court allows the hold to be lifted.

Records: All books, paper, e-mails, 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 [A.R.S. § 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 the data contained therein, 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. All records media are included in this definition from the traditional paper forms to electronic types in use (i.e., e-mail, social media), and/or forms of records not yet invented.

Records Management: 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.

Social Media: Web-based and mobile technologies that turn communication into an interactive dialogue. Common examples include Facebook and Twitter.

Transitory Records: Email that is used to facilitate routine matters, such as scheduling meetings and conference calls; notification that particular legal or policy issues will be resolved in another communication; and notification of employees' whereabouts (for example, vacations, conferences, out-of-office work). In addition, publications, promotional material from vendors, and similar materials that are publicly available to anyone are not public records unless specifically incorporated into other documents. For example, email discussion group messages and files copied or downloaded from Internet sites are not public records. However, for example, if you justify the purchase of equipment by incorporating the reviews that you received via an email discussion group in your proposal to your supervisor, the records become official records and must be retained in accordance with the retention schedule for purchasing records.

User: Any person, employee, or unit that uses DCS Distribution Center for storage or retrieval of records.

V. POLICY

Retention, Retrieval, and Disposal

A. General Requirements

The Department shall:

1. Establish and maintain an active, continuing program for the economical and efficient management of the public records of the Department.
2. Make and maintain records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the Department designed to furnish information to protect the rights of the state and of persons directly affected by the Department's activities.
3. Submit schedules to the director of the Arizona State Library, Archives, and Public Records ([ASLAPR](#)), in accordance with established standards, proposing the length of time each record series warrants retention for administrative, legal, or fiscal purposes after it has been received or created by the Department.
4. Submit to the ASLAPR Director lists of all essential public records in the custody of the Department.
5. Designate an individual to direct the operations and oversee the procedures of the records management program and to:
 - a. Serve as a coordinator and liaison for the Department with ASLAPR.
 - b. Comply with rules, standards, and procedures adopted by the ASLAPR Director, including the submission of a [Notice of Agency Records Officer](#) form to ASLAPR identifying the individual responsible for the records management program.

B. Microfilm, Microfiche, and Electronic Imaging Approval

1. The Department may implement an imaging program consistent with [A.R.S. § 41-151.16](#) for the production or reproduction by photography or other method of reproduction on film or electronic media of records in its custody, whether obsolete or current, and classify, catalog, and index such records for convenient reference.
2. Before the Department implements a program as set forth above in item A.5., the Department shall obtain approval from the ASLAPR Director regarding the types of records to be produced or reproduced and the methods of production, reproduction, and storage and the equipment which DCS proposes to use in connection with the production, reproduction, and storage.

C. Types of Department Documents

1. Records

Documents that have continuing value, and which meet the definition of records under state law, are considered Department records whether they have been created by Department employees or originated outside of the Department. When in doubt, treat the document as a record and retain according to the applicable [retention and disposition schedule](#). A document is considered a record when it meets any of the following criteria:

- a. The document is related to Department business and an employee comments or takes action on information in the document.
- b. The document meets the definition of a record under state law, including all documents reflecting the Department's functions, policies, decisions, procedures, operations, mission, programs, projects, or activities.
- c. The document supports business actions, such as: what happened, what was decided, what advice was given, who was involved, when it happened, the order of events, and any decisions.
- d. It is an original document related to Department business that does not exist elsewhere.
 - i. This includes e-mails that Department employees may send from home using a personal e-mail account when they are acting in their official capacity as a Department employee or official. Employees sending or receiving e-mail from another source (i.e., from home using a personal email account, from a BlackBerry device) must send a copy of the e-mail to their work Microsoft Outlook account to ensure that the e-mail is properly retained.
 - ii. Employees shall not use text and instant messaging other than the approved Department standard as defined in the [Instant Messaging Policy DES 1-38-0107](#) for any Department communications, nor shall any business documents be stored on a personal device. These types of communications are not secure and do not comply with record retention requirements.

2. Transitory Records

- a. Transitory records are those required only for a limited time to ensure the completion of a routine action or the preparation of a subsequent record. Transitory records may be discarded by both the sender and the recipient after being read and any required action is taken, provided that the record is not subject to litigation hold (see Section D.2 below).
- b. Transitory records are generally used:
 - i. To facilitate routine matters, such as scheduling meetings or conference calls;
 - ii. As notification that particular legal or policy issues will be resolved in another communication;
 - iii. As notification of employees' whereabouts (e.g., vacations, conferences, out-of-office work); publications, promotional material from vendors; and any other similar materials that are publicly available to anyone are not public records unless specifically incorporated into other documents.

3. Non-Records

Documents that do not meet the definition of a record under state law are considered non-records. Examples of non-records include: personal messages, junk mail, announcements that are not work-related. Non-records may be destroyed or deleted immediately unless the documents already are, or are expected to be subject to a litigation hold.

D. Retention and Disposition of Records

1. Employees shall preserve and delete records pursuant to this policy according to the time frames outlined in the applicable [retention and disposition schedule](#). Employees who fail to preserve and delete records as outlined in this policy are in violation of [A.R.S. § 38-421](#) and may be subject to discipline, up to and including dismissal.
2. Some records are, or may be, the subject of a pending or anticipated lawsuit, claim, grievance, audit, public records request, or some other legal process. In such cases, the Department retains any and all relevant records. Refer to the DCS Policy 06-02, Litigation Hold. The DCS Litigation Liaison will manage the Litigation Hold process.
3. Records which have historical value as identified by ASLAPR in its [General Retention Schedules](#) are permanent and shall not be destroyed.

E. Required Training

1. Employees shall be required to complete the Department-sponsored and mandatory record retention training located in HRIS/YES Portal.
2. Employees who refuse to comply with these requirements will be subject to discipline, up to and including dismissal.
3. Supervisors who refuse to allow employees to attend training in accordance with these requirements shall be subject to disciplinary action, up to and including dismissal.

F. Responsibilities

1. DCS Distribution Center employees shall:
 - a. Determine which DCS records are to be stored in DCS Distribution Center and in ASLAPR. Records shall be retained for the period required by the applicable retention schedule reflecting the requirements of the Arizona Revised Statutes, the U.S. Code, the Code of Federal Regulations, contract, or as ordered by a court or administrative tribunal.
 - b. Coordinate the development of retention and disposition schedules in accordance with ASLAPR as described in [A.R.S. § 41-151.12](#) and submit the retention and disposition schedules to ASLAPR for their approval. This includes the development of retention schedules for records that will be kept on photographs,

film, microfiche, digital imaging, and other types of reproductions, email, or electronic media.

- c. Act as the liaison between DCS and ASLAPR when receiving approval for new or revised retention schedules and providing accurate information to Department employees if legislation, rules, and/or ASLAPR require revisions to existing retention schedules.
 - d. Ensure that only inactive records are stored in ASLAPR. Inactive records are those that are closed and seldom accessed. Records that are closed yet frequently accessed should be stored by the user at a location other than ASLAPR. Only DCS Distribution Center employees may send to store or retrieve records from ASLAPR.
 - e. Maintain copies of the current Department record retention and disposition schedules and copies of former retention schedules for historical purposes.
 - f. Conduct inventories in a timely manner and per ASLAPR standards. Any issues will be reported immediately to the DCS Deputy Directors.
 - g. Arrange for pick-up of records from the field for storage in the DCS Distribution Center. Records must have established record retention and disposition schedules and properly prepared DCS 1118A Records Storage Request form.
 - h. Accept from users only those boxes containing records that have been properly prepared according to the procedures outlined in this policy and procedures.
 - i. Maintain an accurate listing of all DCS records stored in the DCS Distribution Center and ASLAPR, at the box level only, box numbers, destruction dates and the user name from whom the records originated.
 - j. Conduct inventories in a timely manner and per ASLAPR standards. Any issues will be reported immediately to the DCS Deputy Directors.
 - k. Conduct quarterly purges to destroy those boxes of records whose destruction dates have arrived.
 - l. Retrieve and mail responses for boxes of records stored at DCS Distribution Center for pickup within one working day of receipt of a DCS 1120A Records Reference Request form via mail, fax, or email.
 - m. Train users on the proper preparation of boxes for storage as requested.
2. Users of DCS Distribution Center shall:
- a. Identify those items which are required by law to be maintained by the Department and initiate a record retention schedule for them. For assistance, contact a DCS Distribution Center employee.

- b. Conduct inventories in a timely manner and per ASLAPR standards. Any issues will be reported immediately to the DCS Deputy Directors.
- c. Send inactive, seldom-accessed records to be stored. A special request may be made to send records to DCS Distribution Center earlier than scheduled if storage availability at the local office prohibits continuation of storage at the local office. The Area Program Manager or Program Specialist and DCS Distribution Center must be consulted to make this special request.
- d. Ensure that the boxes containing records are packed accordingly (see Section VI.A).
- e. Initiate, in a timely manner, a DCS 1118A Reference Records Request via mail, fax, or email to request a file or box retrieval from DCS Distribution Center.
- f. Maintain the confidentiality of and safeguard these records while in their possession, and communicate the contents, sources, and box numbers only to those individuals who have a need to know. For more information on confidentiality, refer to DCS Policy 02-27, Records: Confidentiality and Disclosure.
- g. Return records borrowed from DCS Distribution Center to the DCS Distribution Center promptly. The entire contents of the box must be returned in the same condition as when they were sent to users.
- h. Notify DCS Distribution Center of any change in the name or cost center number of any Office, so that accurate lists of originators may be maintained. Changes may be reported using one of the following methods:
 - i. In writing, to site code C053;
 - ii. By e-mail to DCS Distribution Center DCS Distribution Center (DCSDistributionCenter@azdes.gov)

VI. PROCEDURES

- A. Instruction for preparing a box to be stored at DCS Distribution Center.
 - 1. Review the type of records to be sent to the DCS Distribution Center and ensure that the records are scheduled to be stored based on the retention schedule.
 - 2. Use Banker Box, Item No. CPX15.12.10L from Arizona Correctional Industries (ACI) ONLY. Must be in good condition.
 - 3. Records must not be tightly packed. There must be a minimum of two inches to permit retrievals and interfiles (enough space for a clenched fist).
 - a. Records or folders cannot be stacked horizontally on top of vertically filed folders.

- b. Computer printouts must not be stacked higher than the handle opening.
 - c. Hanging files must be removed; file folders may remain.
 - d. Records must be packed in an upright position in the order they are maintained in the office.
 - e. Boxes should not weigh more than 35 pounds.
 - f. Handholds should not be obstructed in any way, from the inside or outside.
- 4. Complete the DCS 1120A Records Storage Request form for each box of records submitted for retention. Place one (1) copy inside the storage box. Keep one (1) copy for your records. Submit a copy to the DCS Distribution Center via interoffice mail to Site Code C053 or e-mail to DCS Distribution Center (DCSDistributionCenter@azdes.gov)
 - 5. Ensure a Notification Letter and/or a Case Closure Form is located within each file.
- B. Instructions for completing the DCS 1120A Records Storage Request and the DCS 1118A Records Reference Request.
- 1. Submit a separate request for each box. Indicate if you would like to receive an e-mail confirmation for each request.
 - 2. Ensure that Case Name and Case ID match information found in CHILDS. Also ensure this information is entered accurately in the Records Log.
 - 3. Ensure all information on the form is legible.
 - 4. Ensure that the DCS 1120A Records Storage Request form is completed in its entirety.
- C. All requests to retrieve records from ASLAPR must go through the DCS Distribution Center.
- 1. The ASLAPR's "Retrieval Request Form" must be used and completed in its entirety.
 - 2. The "Retrieval Request Form" may be found at:
<http://www.azlibrary.gov/sites/azlibrary.gov/files/arm-form-Retrieval%20Request%20Form.pdf>.

VII. FORMS INDEX

[Records Reference Request \(DCS-1118A\)](#)

[Records Storage Request \(DCS-1120A\)](#)

[Notice of Agency Records Officer](#)

ASLAPR Schedule [999-15-3 Child Safety Operations](#)

ASLAPR Schedule [999-15-14 Comprehensive Medical and Dental Programs](#)