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THE BASICS
Whether or not you realize it, you already have a records management program. The problem is, it may be doing more harm than good. If your records are filed in a haphazard manner, if you don’t know exactly what you have and where you have it, if it takes you too long to find what you need, if your office space is packed to the ceiling with file cabinets and boxes, if records are stored in unsuitable locations, if you throw away records too soon, or if you don’t destroy records often enough, you could benefit from spending a little time, effort and resources on implementing a beneficial records management program for your office.

Step One: Evaluate
Your first task is to evaluate your current system of records management. In other words, conduct an inventory of the records in your office.

Appoint a Records Manager/Custodian
Depending on the size of your city, you will need to appoint one or more persons within the office to serve as a records management coordinator. Having a single person responsible for records management efforts made within your office and to coordinate communication about your records with entities outside your office (the county public records commission, a records center or an archive) can be a key to achieving success. The person should have good organizational skills, but should obviously not already be overwhelmed with too many other duties to be able to devote any time to records management. Many city recorders will be charged with the responsibility of records management for the city.

Inventory
Once you have someone picked out to conduct the inventory, make sure they understand the information you need and the goals of the inventory. The general goals of the inventory should include:
- Identifying the various “records series” in each office;
- Describing all record locations and storage conditions;
- Providing dates and other useful information,
- Measuring space and equipment occupied by records; and
- Providing a basis for writing records retention schedules.

The inventory will be beneficial in a number of ways. Most obviously, it will tell you exactly what records you have and where to find them. Even if you go no further, this alone will increase the efficiency of your office. Another desirable result of an inventory is that it will help you locate records that you can throw out or otherwise destroy.

Using the inventory and the records retention schedules for your office that are located in Part Four of this manual, you will probably discover a number of records that are unnecessarily taking up space in your office or your storage area. A third benefit is identifying records that are in danger. Paper records can be easily damaged by water or even excessive humidity or other environmental problems. If your inventory finds evidence of water damage to records, mold and mildew, or signs of damage from

34You may wish to use the sample Records Inventory Worksheet located in the appendix to this manual as a guide for performing an inventory.
Vermin, insects or other pests, take steps to remedy these problems before your office loses vital information. See the chapters in this section on Proper Storage Conditions and Disaster Preparedness for advice about dealing with these problems and establishing a safe environment for storing records long term.

Filing Systems
After you have evaluated the inventory of the records your office keeps, spend some time evaluating your filing system as well. If improvements can be made to the way you file records, you will improve administrative efficiency and reduce costs. “If every employee of an agency of local governments spends even five percent of the time searching for hard-to-find information, that time translates into very substantial sums of money, and quality of services is sure to suffer.”

A good filing system will provide two major benefits to the people using it: “precise retrieval and timely retrieval.” Another way of thinking about these issues is to ask “Can I find what I want when I want it?” If your filing system results in records retrieval that takes too long, that gives you only part of what you want, or gives you much more than you need, it is inefficient. Poor filing system performance is generally attributed to one or more of seven major factors:
1. Inadequate management attention;
2. Poor organization and structure of files;
3. Poor labeling and indexing procedures;
4. Uncontrolled growth of records;
5. A high incidence of missing, misfiled, or lost records;
6. Inadequate and/or poorly trained files personnel;
7. Inadequate or no formal record keeping procedures.

Filing Equipment
You may think all filing cabinets are alike, but that is just not true. Don’t simply assume the storage system you have cannot be improved upon. You have options to consider. Movable shelving, color-coded open shelving systems and even bar coding have become common in many offices that handle a large volume of records. The old standard vertical-drawer filing cabinet first came into use in the late 19th century, but many records managers consider these cabinets to be functionally obsolete for most modern office applications.

“The vertical-drawer file cabinet] is the most costly of all filing equipment, since it requires more floor space and more physical time and effort to access the folders. It also does not provide the full benefit of visual retrieval aids, such as special labeling and color coding.” If you know your filing system is inefficient, consider checking into more modern equipment. Although it will cost money initially, it may save money in the long run by saving floor space in your office, thereby postponing the need for expansion or relocation, and by reducing staff time that is wasted on an inefficient filing system with cumbersome storage units.

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37The Daily Management of Records and Information, p.2.
38“Studies show that between one and three percent of an organization’s records are not available to the users due to one of these causes.” The Daily Management of Records and Information, p.3.
39The Daily Management of Records and Information, pp.2 and 3.
Step Two: Develop RDAs

Your first question is probably “what is an RDA?” In the arena of local governments, we’re used to an alphabet soup of acronyms such as MTAS, CTAS, RFP, TDOT, BEP and even WFTEADA, but RDA may be new to you. The acronym RDA stands for Records Disposition Authorization.

At a minimum level, an RDA provides a formal statement of when a record can be destroyed and what authority serves as the basis for its destruction. (An example of an RDA form is found in Appendix E.) But these documents can be much more. A comprehensive RDA becomes a plan for the entire life of a record series from creation to final disposition.

Among other things, a comprehensive RDA should include a basic description of a record series and may tell how the record is created, how it is used, where it needs to be stored, what format it should be kept in, who should have access to it, how long it is in active use by an office, when to move it into inactive storage, whether it is vital or confidential, and whether or not it can be destroyed.

You may wonder what the relationship is between RDAs and the retention schedules found in Part Four of this manual. Fully developed RDAs differ from records retention schedules in a number of ways. Retention schedules uniformly describe the various records of an office, state if a record is permanent, identify the minimum amount of time a temporary record must be kept and state a legal authority or rationale for that retention period. They generally do not tell you where to keep a record, how long the record may be in active use, and when a record can be moved to inactive storage or an archive. Those determinations are office-specific based on the resources available to you and the operating procedures of your office.

The Retention Schedules will give you the foundation for writing your RDAs, but you are encouraged to consider them only a starting point. If your office handles a large number of records and a lot of people deal with them, consider putting more than the minimum into your RDAs. While they take a significant amount of work to develop, RDAs are fundamental to an efficiently operating records management program in any office with a large volume of records. Once created, they will need only periodic review to ensure that the plan you laid out for a group of records still makes sense and complies with your needs and any applicable legal requirements.

The following general principles and considerations may be helpful in making decisions about how to manage your records. They are quoted verbatim from the Tennessee State Library and Archives Tennessee Archives Management Advisory (TAMA) 99-08 entitled “Appraisal and Disposition of Records.”

- If a legislative mandate requires permanent or temporary retention of any record, set of records, or class of records, then the record(s) specified in the mandate must be kept at public expense for at least as long as the mandate requires.
- A record or set of records should be retained by an agency as long as it is useful to performance of its routine functions.
- A decision to retain records beyond their active usefulness or legislative mandate is a decision to maintain them so they can be examined readily by the public. Such a decision requires a

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41These acronyms stand for the Municipal Technical Advisory Service, County Technical Assistance Service, Request for Proposal, Tennessee Department of Transportation, Basic Education Program, and Weighted Full-Time Equivalent Average Daily Attendance.
42See the listing entitled Sources of Additional Information in the Appendices to this manual for more information about this series of publications.
commensurate commitment of resources to continuous care and custody for the entire term of retention.

- A decision for permanent retention is a decision for perpetual care.
- Records should not be kept beyond their useful life in the public interest.
- No record that is necessary to the public interest should be destroyed.
- Records that are retained beyond their active usefulness to the routine functions of an agency must be of sufficient public interest to justify the expense of keeping and administering them, and the justification should be clearly stated, understood, and agreed to before accepting responsibility for and paying the cost to retain the record(s).

- The following kinds of records all may be appraised as having archival value for permanent retention:
  1. Essential records that are needed to resume or continue operations or to re-create legal and financial status after a disaster, or that are needed to protect or fulfill obligations;
  2. Records that have lasting value as legal and fiscal evidence to account for responsible government;
  3. Records that are of such high evidential and historical value that they should be retained at public expense for the sake of a sound, reliable, and comprehensive understanding of the political, social, economic, and historical context of government and culture.

**Step Three: Develop Written Policies and Procedures**

Both large and small offices can benefit from having written records management policies on certain issues. The policies should adopt the Records Retention Schedules in this manual, incorporate any Records Disposition Authorities developed by your office, and include policies for dealing with inactive records, for allowing public access to records and making copies, for responding to emergencies that threaten records, for maintaining confidential records, for keeping records in alternative storage media, and for interacting with the county public records commission, the State Library and Archives, and a records center or archive if one exists in your city.

If you think your office has had or may have a problem with files being lost, stolen, or misplaced, develop a policy and procedures for tracking files as well. Require anyone removing a file from its storage space to fill out a sign-out sheet indicating who they are, what record they are taking, and the date of its removal and return. This procedure should help your office track misplaced records and cut down on losses. If you have an active records manager in your city, he/she may already have developed policies on some of these issues. In that case, you could simply incorporate those policies into your office procedures.

Municipalities have a great deal of flexibility in adopting the retention schedule recommended in this publication. It can be adopted by ordinance, resolution, motion, citywide policy, or a records commission if the city has one; or applicable portions can be adopted as a departmental policy.

**Step Four: Continuing Maintenance**

The best records management program will quickly fall into obsolescence if the office does not make efforts to stay on top of things. Records, particularly government records, grow at an astronomical rate. If you do not take steps regularly to move inactive records to other storage and destroy temporary records when they become eligible for destruction, they will soon begin to fill up your filing equipment, then your office, and bring clutter and disorganization to all operations. Consider implementing an annual “records clean-up day” to
reassess the records of the office and identify what can be moved or destroyed. Select a time that is not in the middle of your busy season (perhaps around the holidays), and designate a day for everyone to identify records that can be destroyed, and collect them. Remember, also, that having an appointed records management officer who can designate part of his or her time year round to keeping the office files current will go a long way toward ensuring that your records management program succeeds.

**Conclusion**
The information in this first chapter on records management should have given you some ideas for addressing problems in your office and improving your system of record keeping. Other chapters in this part will discuss related records management issues in more detail, such as the steps you follow to dispose of a record, proper environmental storage conditions for records, developing records centers and archives, the use of alternative storage media such as microfilm and electronic formats, preparing for disasters, and protecting your vital records.

**Establishing a Records Management Program**
All cities need some system of checks and balances to be sure that records are disposed of on schedule but not destroyed when they may still be needed for administrative, legal or historical purposes.

Cities may want to create a municipal public records commission (PRC) to act as steward of their records. Unlike counties, cities are not required to have a public records commission oversee their records management and disposition. This commission could comprise the following city officials: the mayor, the city manager, the city recorder, the city archivist, the city judge, and a genealogist. This commission should be established by resolution.

Of course, the composition of the commission is not mandatory, but cities should strive to choose members who know about the administrative, legal and historical value of the records.

Even a small city that may not be able to marshal a commission should adopt rules and regulations governing the management of the municipal public records. These regulations should establish standards and procedures covering:

- Reproduction of records;
- Security of records;
- Disposal of originals;
- Adoption and dissemination of schedules for the retention and disposition of records;
- Physical destruction or other disposition of public records.

**Becoming Active and Progressive**
For cities that create a municipal public records commission and desire to become even more progressive, the State Library and Archives recommends the following list of activities and guidelines in one of its Tennessee Archives Management Advisories. These activities and guidelines were drafted for both municipal and county records commissions and have been edited where necessary for these reasons.

The commission should:

1. Hold meetings at least twice a year or more often as circumstances require;
2. Elect its own officers (at least a chairman and a secretary);
3. Keep records of decisions and transactions;
4. Report at least once a year to the local executive and legislative body on commission activities and the state of records and archives management in the locality;

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43*Tennessee Archives Management Advisory 99-015*, pp.6-7.
5. Frame regulations for efficient management of local government records and archives to be adopted as resolutions of the legislative body;
6. Authorize or disapprove requests from municipal offices to destroy original records, using records schedules prepared by MTAS for guidance;
   - Public records commissions may authorize retention of records that are not designated as permanent by MTAS schedules but only if the means to preserve and manage the records for public inspection are assured.
   - Public records commission may NOT authorize destruction of any records that are designated permanent by MTAS schedules unless the records have first been copied onto a durable, archival medium that assures permanent preservation and a readily available means for prompt public inspection.
7. Assure that authorizations for destruction of public records are forwarded to the Tennessee State Library and Archives (TSLA) for review within 90 days of the PRC authorization;
8. Follow-up to assure that:
   - TSLA approval of the destruction has been received before records destruction takes place; or
   - If TSLA has deemed the records to be historically valuable, they are properly transferred to TSLA or to another repository designated by mutual agreement of the public records commission and TSLA.
9. Assure the executive and legislative body that actions taken by the commission and local government offices are in accordance with the T.C.A. and with pertinent local resolutions, including the complete destruction of public records that have been authorized for destruction.
10. Review and approve plans by local government offices for electronic imaging or data processing systems to assure that:
    - The system employed will protect and preserve records designated as permanent by MTAS schedules,
    - A permanent, archival-standard microfilm of permanent records is produced, and the original camera-image film of any microfilm produced is sent to TSLA for quality control testing and storage in the vault of the state archives.
11. Advise and propose to the local government executive and legislative body the planning, development, site selection, establishment, funding, budget, regulation, and operation of a local central records office and archives:
    - For the management and reference servicing of inactive records awaiting final disposition,
    - For the management of permanent records for long-term preservation and public inspection.
12. Advise and recommend to the local government executive the appointment and removal of personnel, including an archivist as director, for the central records office and archives.
13. Review operations of the local government records office and archives to assure the local legislative body that it meets records management and archives management standards and satisfies the need of the local government and its citizens.
14. Propose to the local government cooperative arrangements with other local governments or cultural institutions, such as libraries and universities, for storage, management, and public inspection of historically valuable records, including permanent public records of the local government.
15. Work with local government offices and with MTAS, TSLA, and the Records Management Division of the state Department of General Services to draft, review, revise, and issue realistic records management schedules for local government records.
16. Review records keeping practices in local government offices and recommend to the offices and to the local government executive and legislative body remedies to correct faults and improvements to deal with emerging information and records needs.

Lamination
Because lamination too often destroys the documents it is intended to preserve, the Tennessee State Library and Archives recommends that permanent records not be laminated but rather encapsulated in Mylar® sleeves.44

Copying Charges
The Tennessee Attorney General has opined that while a government only has to make public records available to citizens for copying, if a government chooses to make copies of its records upon request it can charge a reasonable fee covering the cost of copying.45 While it is up to the city’s governing body to decide how such revenue will be used, cities may want to consider “re-investing” them in equipment, supplies or personnel expenses related to records management and records preservation.

Disposal of Records
Even the best planned and operated records management program will fail miserably if it never gets rid of records. To find what you need and to preserve what you need to keep, you have to get everything else out of the way. That is where disposal comes in.

CHECKS AND BALANCES
Disposing of municipal records is not as simple as hauling them out to the trash. Because these records can be of great importance to so many people, there are a number of procedural checks and balances to go through to lawfully dispose of records, whether the disposition is by destruction or transfer of the records to another institution. For many records, the official who has custody of the record, the municipal public records commission (if there is one), the State Library and Archives, and, for court records, a judge, all need to be involved in determining the final disposition of the record.

WHAT KIND OF RECORD IS IT?
When trying to decide what to do with records, the first step is to identify and classify them. The retention schedules found in Part Four of this manual provide guidance on how long a record should be kept. Find the description in the schedule that matches the record you are considering and see what the table indicates. For disposition purposes, records will fall into one of three classes: working papers, temporary records and permanent records. The procedures for disposing of each of these classes are different.

Working Papers
Working papers are defined as “those records created to serve as input for final reporting documents, including electronic data processed records, and/or computer output microfilm, and those records which become obsolete immediately after agency use or publication.”46 This class of records comprises all those little records that come and go in the course of a day that we usually don’t even think about as records. Whether it’s notes for a meeting or a rough draft of a report, if the record becomes obsolete after you use it, consider it a working paper. The good news about working papers is that they are easy to get rid of. Any public record defined as a working paper may be destroyed without retaining the originals of the record and without further review by other agencies. City policies regarding working papers should be liberal and allow city officials to eliminate these records as easily as possible before they become burdensome.

44See Tennessee Archives Management Advisory 99-009.
46T.C.A. 10-7-301.
Many working papers generated by city offices are extremely informal types of records. Due to the informal nature of these documents, officials may not find anything in the retention schedules that describes them. Consider whether the record matches the definition above when trying to determine if it is a working paper.

**Temporary Records**

If a record needs to be kept for some reason after its initial use, then it is at least a temporary record. Temporary records are officially defined as “…material which can be disposed of in a short period of time as being without value in documenting the functions of an agency.” Financial and payroll records are good examples. Payroll records have fulfilled their immediate purpose once your employees receive their checks. But those records must be kept in order to comply with federal statutes and regulations, and they are important documents in the case of an audit.

Once a temporary record has been retained for the period described in the schedule, then, like a working paper, it may be destroyed in accordance with the rules and regulations adopted by the city’s governing body or municipal public records commission. These rules should require approval of the city archivist (if there is one), city attorney, city recorder, city manager (if there is one), head of the department, and mayor before the records are destroyed.

**Alternative Formats for Temporary Records**

Generally speaking, if you are keeping a record for only five years or less, it is not cost efficient to microfilm the original paper records or convert them to other media. But certain records that are “temporary” actually have a rather lengthy retention period. Many court records need to be kept 10 years, and employee earning records that may be used for computing retirement benefits are kept for the approximate life of the employee. Even though these records do not have to be kept permanently, you may find it useful to convert them to other, more compact formats for storage and destroy the paper originals shortly after the alternative format is created.

Microfilming or electronic storage of these long-term temporary records can be ideal solutions to storage space problems. The governing body or municipal public records commission should adopt a policy requiring approval prior to the destruction of original paper documents. It is not necessary to notify Library and Archives of the destruction of original copies of temporary value records.

**Permanent Records**

Permanent records are records of such value that they must always be retained in some kind of permanent format. Examples of permanent records are the original process in a civil or criminal proceeding and the minutes of the city’s governing body. Some records, like deeds, are kept permanently because the record continues to have legal significance in perpetuity. Other records are permanent because they preserve certain information about the way we live and conduct government and are, therefore, valuable historically. Still others are useful for statistical or planning purposes. Then there are those that are permanent simply because there are laws that have declared them to be so. All of these need to be kept in such a manner as to preserve them indefinitely.

**Photographic or Electronic Preservation of Permanent Records**

The state legislature has given county public records commissions authority to permit the destruction of original records required to be kept in a “well bound...”

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47See the discussion entitled Special Considerations following for more information about audit records. 48T.C.A. 10-7-404.
book” once they have been reproduced through microphotography or stored on computer or removable computer storage media including, CD-ROM.\(^{49}\)

No similar authority has been granted to cities. This matter must be addressed by the Tennessee legislature, since alternative storage media are an important part of long-term records management. The Tennessee State Library and Archives does not accept records in electronic format.

**SPECIAL CONSIDERATIONS**

The law provides for some special considerations for certain records before they are eligible to be destroyed.

**Audits**

One important group of such records is financial records that are needed for an audit. Most city financial records are temporary records that must be kept at least as long as is required for various audit purposes and periods. Regardless of whether or not an official thinks a record has served its useful purpose, it cannot be destroyed if the Office of the Comptroller deems it necessary for audit purposes.

You will notice that most financial records listed in the retention schedules in Part Four of the manual have a five year retention period. Records that are important for audits need to be maintained through the time of the audit plus about three years afterwards in case any problems arise. Formerly, the retention period for these records was based on keeping them for three years after the audit is complete. Since it was often difficult for a local official to know when an audit became final, the retention period was changed to five years from the date of creation of the record. This gives the official a definite time period to work from and also allows continuous destruction of financial records rather than lumping all records from a fiscal year together with a single retention date.

**Exhibits and Evidence in Court Cases**

The law includes a number of special considerations for materials that have become evidence and exhibits in judicial proceedings. Although some of these materials technically are not “records,” this information is related to records management for court clerks and is included in this manual for those reasons.

Exhibits are treated differently depending on whether they are documents, some other kind of physical evidence or firearms.

**Documents:**

Unless local rules of court provide otherwise, the clerk can destroy certain records under the direction and order of the judge once the case has been finally disposed of for a period of 10 years. “Finally disposed of” means a final order adjudicating a case has been entered, and the time for filing appeals, if any, has lapsed for all parties. The court clerk has to retain the pleadings, original process and original opinion, original rules, appearance and execution dockets, minute books, and plat or plan books as permanent records. But all other records, dockets, books, ledgers and documents can be destroyed pursuant to a court order.\(^{50}\) In civil cases, a judge may order the clerk to destroy discovery materials, briefs, cost bonds, subpoenas and other temporary records three years after the final disposition of the case.\(^{51}\)

In addition to these procedures, clerks need to comply with *T.C.A.* 18-1-204. This statute requires them to notify Library and Archives of the records they intend to destroy and give them 90 days to examine and remove any significant historical records if they so choose.

\(^{49}\text{T.C.A. 10-7-404(d)(1).}\)

\(^{50}\text{T.C.A. 18-1-202.}\)

\(^{51}\text{T.C.A. 18-1-202(b).}\)
For physical evidence other than documents and firearms:
There is a more complicated set of procedures for physical evidence, but the good news is that you can destroy it sooner. If evidence is used in a case, once the case comes to judgment or conclusion and once all appeals have been settled, the clerk is to give 30 days notice to the attorneys of record in the case that they can come pick up anything that belongs to them or their clients. After 30 days, the clerk can dispose of the evidence by following the procedures in T.C.A. 18-1-206(a)(2) through (7). This statute requires the clerk to make an inventory of the evidence to be destroyed with references to the case involved and the term of court in which the evidence was used. The clerk then publishes the inventory for three consecutive weeks in a newspaper of general circulation. Parties who want to object to the disposition of the property or make a claim for it have 30 days to file a petition with the court. Once that time passes, the clerk gives the inventory (and any petitions that have been filed) to the court for the judge to approve or reject each item on the list and decide if it should be:
1. Returned to the owner or the owner’s attorney;
2. Preserved by an organization for historical purposes;
3. Sold;
4. Destroyed.

The clerk then gives the court order and the items to be disposed of to the sheriff. Depending on the disposition ordered for the item, the sheriff then delivers the items to their owners or to historical organizations, or advertises and sells the items, or destroys them and files an affidavit with the court concerning destruction of the items.

For firearms:
If a court clerk has exhibits in his or her possession that are firearms, they should be disposed of in accordance with the procedures spelled out in T.C.A. 39-17-1317 – 1318.

Original Process
Records and documents of proceedings in a court of record can be destroyed only after a judge has issued an order authorizing their destruction. Regardless of who approves it, however, the law explicitly prohibits the destruction of any original process in a civil action or criminal proceeding.

City Hospital and Other Health Records
Special rules apply to medical records. They generally are governed by T.C.A. 68-11-301 et seq. The definition of hospital used in these provisions is broad enough to include city hospitals and health departments. Certain hospital records are not public records. Generally, the law requires that a hospital or health department is required to retain and preserve records that relate directly to the care and treatment of a patient for 10 years following the discharge of the patient or the patient’s death during the period of treatment within the hospital.

Mental health records are treated differently. Hospitals and health departments are given the option of retaining records for a longer period if they wish.

Proper Storage Conditions
Like everything else on this planet, records must be in the proper environment to survive. Most of the time, the records that your office uses on a regular basis are kept in the same area in which people

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54 T.C.A. 68-11-304.
55 T.C.A. 68-11-305.
work. This is good, because generally, the conditions that are comfortable for humans are also acceptable for storage of records of most formats.

 Unless conditions are very severe, temperature and humidity are not factors affecting records scheduled for destruction in a few years. ... Wide fluctuation in temperature and high humidity can result in severe damage to these records. Ideally, the temperature range should be 65 to 75 degrees, and the humidity should be kept at 45 to 55 percent. 57

These conditions, at least the temperature ranges, are similar to those in the typical office environment. Unfortunately, the records we use most regularly and keep close around us in our offices are often those that we need only temporarily. Concerns about storage conditions become more important the longer you plan to keep a record. The problem is, those long-term or permanent retention records that need better care are often the ones we use less often, so they get moved out of the way into conditions that are less hospitable.

 City halls and county courthouses, with their attics and basements, were never designed to accommodate this ever-increasing volume of semi-active and inactive records. This records growth, plus inadequate records programs, has resulted in the misuse of existing office and storage areas and the use of unimproved warehouses, jail cells, fire stations, abandoned school buildings, and hospital rooms as inactive records storage sites, including storage of records of archival value. The undesirable features of these kinds of storage facilities and inadequate programs become apparent once it is necessary to obtain information from records in storage. It takes only a few unsuccessful attempts to locate records in poorly maintained areas to discourage further use. Time, neglect, and lack of maintenance will take their toll on records stored there. 58

For these reasons, cities should consider setting up facilities designed specifically for storing records on a long-term basis. Rather than using basements, attics, or whatever space is available, the city may want to establish a records center for its inactive temporary records and an archive for its permanent value records.

RECORDS CENTERS

A records center is essentially a central area for storing records. It is a place where all city officials can send their inactive records as an alternative to keeping them in their own offices where they take up valuable space and get in the way of operations. By default, the basement or bell tower of the city hall may have become an ersatz records center, but the city should consider investing in a true one. A well run records center can result in significant savings of both time and money while it protects and preserves records. “The effectiveness of a records center is based upon (a) its use of low-cost equipment which makes maximum use of space, (b) its ability to provide an orderly arrangement and control of records, and (c) its ability to employ procedures which assure prompt and efficient handling of records.” 59

Setting up a records center may sound like a project that only large cities might tackle. But small- and medium-sized governments can also benefit from saving money. One federal government study on cost avoidance estimated that “…for every cubic foot of records stored in a records center there is a savings of $16.08.” When you consider the reams and reams of records in local government offices, including the school system and the court system, the savings can add up quickly.

A records center does not have to be a separate building. “A small government can usually convert an existing room quite easily since less space is required. There are many cities, towns, or counties that need no more than 1,000 cubic feet of records storage space. A records center of that capacity can be placed in a room about the size of a two-car garage.” If your city likes the idea but still thinks it doesn’t have a great enough need to justify the expense of a records center, consider doing something radical: cooperate with other local governments. If the county, the school system and all the municipalities within a county worked together through an inter-local agreement to establish a records center, costs would be spread among them, and enough inactive records should be found to justify establishing the records center.

The Rome/Floyd County Records Program is an excellent example of a cooperative venture supported by four Georgia local governments (population 81,250). This innovative records management program serves Floyd County, the city of Rome and two school districts (Rome City Schools and Floyd County Schools). Each government partially funds the program. Service features included a records center with a capacity for 18,000 cubic feet (providing for records transfer, reference, selected microfilming, and records disposal) and technical assistance (a records management officer) on the proper management of records. These four local governments, by combining resources to create a professional program which none could individually afford, achieve most of their essential records management goals. All records placed in the records center still remain the property of the respective originating governments, however. The program has received the National Association of Counties achievement award, and it saved over $68,000 for the four local governments in 1990.

Establishing Archives
In addition to or in conjunction with setting up a records center, your city should consider establishing a city archive if one is not already in existence. An archive differs from a records center in that the records center generally keeps inactive records for a temporary time period before their final disposition. An archive is usually dedicated to preserving records of such historical value that they should be maintained permanently. The two may be located in the same facility and virtually indistinguishable to the public, or they may be separately located and operated facilities. An archive provides many of the same benefits as a records center, namely, removing records that are not regularly used by an office from expensive and cluttered office space and providing proper storage conditions for the records.
An archive also serves an important role in preserving the history of our country and our communities and provides a valuable resource for members of the community researching our past. By providing another location for this research, the archive indirectly helps city officials by allowing them to refer genealogists, students and other researchers to another office rather than diverting time and effort from their daily tasks to assist those people in accessing the older, historical records of the city.

**SPECIFICATIONS**

Since the primary purpose of the archive is to preserve records permanently, environmental conditions for the archive are even more important than those for a record center. The following considerations for archival space are recommended by the Tennessee State Library and Archives.63

**Archives Storage and Management Space**

The following archival standards should be met to preserve local archives for future use. The closer local archives come to meeting these standards, the more likely the records will survive.64

- **Distinctly exclusive space.**
  An entirely separate building is desirable, but not essential, and some cities may not be able to afford it. In an existing building, a separate, exclusive space that can be secured from unauthorized entry and that meets the following general specifications is the minimal requirement to assure proper maintenance. The space should not be combined or confused with any other use.65

- **A strong, durable building that is earthquake-resistant and storm-resistant.**
  Heavy (e.g., masonry and steel) construction is desirable, not only to resist storm and earthquake damage, but also to help meet the other standards below with greater economy of operating costs.

- **Secure against theft and other hostile intrusion.**
  A safe and secure locking system is highly desirable. Entry to and exit from the space should be controlled by official staff so that patrons are not free to come and go without surveillance, so as to assure that documents are not stolen or removed without proper authorization.

- **As damp-proof as possible with a consistently moderate relative humidity.**
  The best relative humidity for archival materials is a constant 45 to 55 percent; excessive ranges and changes in humidity tend to speed up deterioration of archived materials. Leaky roofs, walls, and foundations that invite seepage and mold are natural enemies of archives. The site of the archive space should be chosen to protect it from flooding, either from nearby rivers or from excessive ground water during heavy rains. Care should be taken to see that water pipe systems that serve the space are sound and leak-free.

- **Consistently moderate temperature.**
  The best temperature for archival materials is a constant temperature between 65 degrees and 70 degrees Fahrenheit. Excessive ranges and temperature swings tend to speed deterioration.66

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63These recommendations are from the Tennessee State Library and Archives, *Tennessee Archives Management Advisory (TAMA) 99-004 Basic Archives Management Guidelines*, p.5.

64More detailed standards are available from the Tennessee State Library and Archives. Contact Dr. Wayne Moore, Assistant State Archivist, (615) 253-3458 or Wayne.Moore@state.tn.us.

65In the past, some people have regarded archives as “dead” storage and put valuable records into rooms with old furniture, cleaning equipment, fuel stores, or into fire-trap attics and basements with dirt, vermin and the like. That kind of negligence endangers the very evidence that public interest needs to have saved and protected.

66There are stricter archival standards, with narrower ranges of tolerance for ideal conditions. Some materials may also require slightly different optimum temperature and humidity. However, these present standards are tolerable for local archives that do not have the resources for highly sophisticated environmental control systems.
• **Free of pollutants.**
   As much as possible, air circulation systems should be filtered to remove contaminating acids, dust, and other airborne dangers to archive materials.

• **Free of biological pests.**
   As much as possible, the archive should be protected against and free from insects, rodents, mold, and other biological dangers to records.

• **Free from ultraviolet light.**
   As much as possible, sunlight and other sources of ultraviolet light, such as fluorescent tubes, that tend to damage film and paper documents must be excluded from the archive by shielding and filtration.\(^{67}\)

• **Fire-proof.**
   To the greatest extent possible, construction materials should be of masonry, steel, and other fire-retardant or fire-resistant materials. Care should be taken to see that heating and electrical systems that serve the space are not likely to cause accidental fires.

• **Protected by a reliably tested fire suppressant system.**
   The most commonly recommended system is a reliable water sprinkler system with proper drainage for the water to be eliminated readily. Desirable fire protection includes rapid response by local fire fighting teams and briefing and orientation of local fire departments by local government officials on the nature of the archive and the need to preserve the content materials.\(^{68}\)

• **Shelves and other containers should meet archival specifications.**
   Shelving should be of strong, baked enamel steel construction.\(^{69}\) Enough space should be left between shelves for convenient access and to inhibit the spread of fire. Shelves should be deep enough so that there is no overhang of boxes. Oversized materials (such as engineering drawings) should be in oversized shelving or metal cabinets.

• **Foldering and boxing of records.**
   To the extent possible, records should be kept in acid-neutral paperboard boxes and folders (available from archival suppliers). This often requires removing records from original folders and boxes to new ones and labeling the new containers.

• **Disaster plan.**
   A well-devised disaster plan for actions to take in case of fire, flood, water leakage, earthquake, theft, bomb threats, or other dangers to archives should be written. There are good models of disaster plans already in existence. Local archives can acquire one of these and adapt it to local conditions.\(^{70}\) Archive staff should be trained in its provisions and should know what to do in any emergency.

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**Technical Assistance**

The Tennessee State Library and Archives is making an active effort to encourage the development of local and regional archives across the state. It is an excellent source of technical assistance and advice in developing an archive. The State Library and Archives has produced a series of Tennessee Archives Management Advisories that provide a wealth of information on a number of topics. Much of the material in this chapter has been adapted from those publications, but it only scratches the surface of the information available from the State Library.

\(^{67}\) Incandescent lights do not produce strong ultraviolet rays, but fluorescent lamps do, and they must be shielded with ultraviolet ray filters if they are used.

\(^{68}\) Much damage has been done to records when local firefighters treat archives as they would any other storehouse of replaceable goods.

\(^{69}\) Wood is flammable and it often gives off gasses and oils that may damage archives.

\(^{70}\) The University Library of Tennessee Technological University in Cookeville has a well developed disaster plan that may be used as a model. Other models are available from TSLA and MTAS. For more discussion on disaster contingency planning and vital records preservation plans, see the next chapter.
and Archives on archives and preservation of records. A listing of the archives management advisories can be found in the appendix to this manual under Sources of Additional Information. For further information, please contact Dr. Wayne Moore, Assistant State Archivist, Tennessee State Library and Archives, (615) 253-3458 or wayne.moore@state.tn.us.

**DISASTER PREPAREDNESS**
Disasters. By their very nature, they are unexpected events. Severe weather, earthquakes, floods or fire can strike anywhere at any time with little or no warning. Disasters can irreparably change individual lives, halt the normal commerce of business, industry, and government. Disasters cannot be eliminated, but they can be prepared for and their impact can be lessened.

To lessen the impact of a disaster, there are two things every city should do:
1. Develop a disaster contingency plan;
2. Institute a vital records protection program.

**Contingency Plans**
Contingency plans should be detailed and instructive and address the specific needs of every office of city government. They should anticipate the various types of disasters your city might face. Response to a flood will be different from response to a fire, earthquake or tornado. In addition to officials and staff having copies of the plan, duplicates should be stored off-site in case of disasters of truly catastrophic proportions. The best recovery plan is no good if the only copy is locked inside a file cabinet in an office that is on fire.

A good disaster contingency plan will:
• Designate who is in charge of recovery operations and who will be working on recovery teams. It should include all necessary information for contacting these people at any hour of the day or night;
• Anticipate the types of disaster the city may face and provide basic instructions for the first responders to an emergency to ensure that everything possible is done to minimize damage and preserve the safety of individuals responding to the disaster (e.g., evacuation plans, directions for shutting off electrical current in case of a flood, locations of shut-off valves in case of a broken water line);
• Include an inventory of supplies and equipment that are available for use in salvage efforts. The inventory should identify locations of important supplies and equipment — everything from heavy machinery to fire extinguishers to mops and buckets;
• Identify alternative office space and other facilities that might be used if the city needs temporary space for relocation or salvage operations;
• Include current contact information for experts in emergency management such as those at the Tennessee Emergency Management Agency (TEMA), the Federal Emergency Management Agency (FEMA), and other government entities, plus commercial entities that can provide expertise in recovery and salvage if the disaster is too large for the city to handle by itself;
• Plan for acquiring replacement office equipment and supplies quickly and efficiently. This will be essential if computer equipment is damaged.

**Vital Records Protection**
A companion to the disaster contingency plan is the vital records protection program. The records of a local government are one of its most vital and vulnerable resources. If steps have not been taken to protect important records prior to a disaster, the resumption of regular operations after a disaster will be far more difficult and costly.
Whereas a contingency plan will provide instructions on how to respond immediately after a disaster, a vital records protection plan will inform government offices about ongoing practices to preserve the important information of the office. Records protection plans will vary depending on the volume and format of the records to be protected, the resources available to the city and the technology present in offices. Any plan should, at a minimum, provide procedures for identifying, duplicating and safeguarding vital records.

No office can afford to expend the amount of resources it would take to ensure the protection of every record in the office. For that reason, it is important to determine which records are truly vital and which are not.

Records management experts divide records into four classes:

1. Nonessential records — those that if lost would not really be missed. Most convenience files, internal memos, and many routine papers of completed transactions fall into this category.

2. Useful records — records containing information that if lost would cause some difficulty but that could be easily replaced.

3. Important records — those records that cannot be dispensed with and that can be replaced only through the expenditure of substantial time, money, or manpower.

4. Vital records — those records that are essential and cannot be replaced. Vital records contain information essential to the continuity of operations or to the protection of the rights of the government or of individual citizens.

Begin by protecting those records that are indispensable. Since you cannot anticipate and prevent every possible disaster, the best course of action is to make sure there are off-site archival quality copies of the city’s most important records.

If some records are stored in electronic format, state laws require that certain back-up procedures are followed to prevent loss of data. For obvious reasons tape or disk backups of electronic data should not be stored in the same location as the computer system itself. While less fragile than electronic records, paper records and microfilm also must be properly stored and cared for in order to prevent destruction of the records in the event of a disaster or by the ravages of time. Wherever possible, a city should archive its permanent records in a location or facility that is designed for records preservation.

If you need assistance in developing these plans for your city, both MTAS and the Tennessee State Library and Archives can help. Copies of contingency plans and other publications on records protection are available upon request. In addition, there are a number of commercial, nonprofit, government and educational sites on the Internet that provide a wealth of contacts and links to valuable information. These Internet sites are places you might want to start:

- http://www.ala.org/alcts/publications/disaster.html
- http://www.nagara.org

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72 According to the State Library and Archives, the only media that will assure long-term survival of vital records are carbon-based ink on acid neutral paper and archival quality silver gelatin microfilm created and kept under conditions that meet archival standards. See Tennessee Archives Management Advisory 99-07.

73 For information regarding these procedures, see the chapter in this part regarding alternative storage media.

74 See the discussion in a previous chapter in this manual on archives.

75 Sites were current and available as of the date of publication. The Internet is the most temporary of formats. If these sites no longer exist, call MTAS for more information.
Recovery of Stolen or Misappropriated Records

While it usually doesn’t reach disastrous proportions, there are also certain human behaviors that you need to be prepared to respond to. If records are inappropriately removed from the office where they belong, the official who has custody of the records is not without remedy. Of course, criminal theft charges can be brought against someone who steals city documents. Tennessee law makes it unlawful for any person to intentionally and unlawfully destroy, conceal, remove or otherwise impair the verity, legibility or availability of a governmental record. A violation of that law is a Class A misdemeanor.76

What may prove to be a more practical remedy is to pursue an action to recover personal property.77 This action, also known as replevin, is a judicial proceeding whereby property that is in the wrong hands can be returned to the rightful owner or custodian. It is initiated by filing a complaint in the circuit or chancery court or by causing a warrant to issue in the general sessions court.78 Ultimately, the proceeding may result in the issuance of a writ of possession that directs the proper officer to take the property from the defendant and return it to the plaintiff.79 If you need to pursue such an action to recover misappropriated city records, contact your city attorney.

Alternative Storage Formats

Paper is not the only medium in which records can be stored. As has been mentioned in earlier chapters, many offices are choosing to store records in either photographic (microfilm, microfiche, etc.) or electronic media. Each medium offers different advantages and disadvantages. Cities should thoroughly research either system before investing revenue and entrusting its vital records to different storage media.

Microfilm

Microfilming can offer as much as a 98 percent reduction in storage space over storing records in their original paper format.80 And by having a back-up copy of microfilm stored off site, a government can recover almost immediately from any disaster or occurrence that damages its vital records. Produced correctly, microfilm is considered to be archival quality, meaning it is a suitable format for storing permanent retention documents.

But microfilm has disadvantages. No alternative format is going to be a perfect solution for all your records management problems. Microfilming is not cheap. It is a labor intensive process that requires expertise of the person doing the work. Additionally, if microfilm is not properly produced, developed and stored, it will not stand the test of time.

State Microfilming Program

The law provides that the State Library and Archives is charged with providing trained staff and appropriate equipment necessary to produce and store microfilm reproductions of official, permanent value bound volume records created by county and municipal governments. “To implement this security microfilming program, the state librarian and archivist is authorized to develop a priority listing of essential records based on retention schedules developed by the County Technical Assistance Service and the Municipal Technical Advisory Service. This priority listing of essential records may be revised from time to time to accommodate critical needs in individual counties or municipalities or to reflect changes in retention schedules. The camera negative of the

76 T.C.A. 39-16-504.
77 T.C.A. 29-30-101 et seq.
78 T.C.A. 29-30-103.
80 In this manual, the terms microfilm and microfilming will be used generally to discuss the various microphotographic processes available.
microfilmed records shall be stored in the security vault at the State Library and Archives, and duplicate rolls of these microfilmed records shall be made available to county and municipal governments on a cost basis.”

**Technical Guidelines**

The following guidelines for producing and storing microfilm are considered crucial by the Tennessee State Library and Archives:

1. **Microfilm must conform to national archival processing and storage standards if it is to survive.** Tennessee law requires that “photographic film shall comply with the minimum standards of quality approved for permanent photographic records by the National Bureau of Standards [now the National Institute of Standards and Technology], and the device used to reproduce such records on film shall be one which accurately reproduces the original thereof in all details.”

   • **Good preparation of records to be filmed is crucial to success.** If needed, records should be cleaned and flattened before filming. You must film the records in their correct order and arrangement. At the beginning of each group, series, and sub-series, identify the records by filming descriptive “targets” that also include notes on physical condition and arrangement of the records.

   • **All records in a group or series, regardless of condition, must be filmed in proper orientation, order and focus.** If a page is omitted or improperly filmed and the original destroyed after filming, there is no way to recover the permanent record that should have been preserved.

   • **Archival quality silver-gelatin film must be used for the camera-image negative film, and it must be processed according to archival standards.** Diazo film and other inexpensive process films will not endure. Residual chemicals on film from poor processing will destroy film. However, reference copies may be on any sort of commercial film that is convenient and affordable. It will have to be replaced from time to time, since heavy use in readers will wear out the film.

   • **The original negative (camera-image) film must be reserved in archival storage conditions and should be kept at a site removed from the main archives.** Only positive copies of the original negative should be used for reference, otherwise the original may be destroyed. High humidity and changes in temperature that are wide or frequent tend to hasten the destruction of film. The original negative (camera image) film must be used only to produce reference copies as needed. Indeed, it is still better to have a second negative copy from which to produce reference-use positives, so that the camera-image negative original is itself preserved. Off-site storage, under archival conditions offers the best chance for survival of the original negative film. The Tennessee State Library and Archives is a good storage option for counties and municipalities that wish to preserve their original camera-image, negative film.

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82 T.C.A. 10-7-511.
84 T.C.A. 10-7-501.
**Technical Assistance**
For more information on microfilming, contact the National Association of Government Archives and Records Administrators, and request a copy of their publication entitled *Using Microfilm* by Julian L. Mims, CRM, issued in February 1992. Contact information for that organization can be found in the Appendix.

You also may wish to contact the Restoration and Reproduction Section of the Tennessee State Library and Archives if you have questions regarding the microfilm services they provide to local governments. For further information, please contact Carol Roberts, Director of Restoration and Reproduction, TSLA, (615) 741-2997 or carol.roberts@state.tn.us.

**Electronic Records**
City governments can now use computers both as a tool for creating and maintaining original records, as well as for reproducing existing paper records onto other storage media. Any records required to be kept by a government official in Tennessee may be maintained on a computer or removable computer storage media, including CD-ROMs, instead of bound books or paper records.85 But in order to do so, the following standards must be met:

1. The information must be available for public inspection, unless it is required by law to be a confidential record;
2. Due care must be taken to maintain any information that is a public record for the entire time it is required by law to be retained;
3. All daily data generated and stored within the computer system must be copied to computer storage media daily, and computer storage media that are more than one week old must be stored off-site (at a location other than where the original is maintained); and
4. The official with custody of the information must be able to provide a paper copy of the information to a member of the public requesting a copy.86

These standards, however, do not require the government official to sell or provide the computer media upon which the information is stored or maintained.

**Caveats and Concerns**
All of these new technologies bring our offices new capabilities but also new problems and dangers. As the provisions regarding each of these new developments indicate, extra safeguards are necessary with electronic records. If you consider for a moment the true nature of electronic records, you can see why precautions are necessary.

**Fragility**
Computer records are nothing more than magnetic impulses embedded in a chemical medium.87 Doesn’t sound like something that’s going to last through the ages, does it? The truth is, electronic records are much more convenient to use, but they are also more fragile than paper records. Like paper records, fire and water can destroy them, but so can magnetic impulses, power surges, heat and moisture. Unlike paper records, a little bit of damage goes a long way. A spilled cup of coffee may ruin a few papers on your desk before you can clean up the mess. Spill the same cup onto your computer, and the equivalent of volumes and volumes of information can be destroyed in a moment.

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85 T.C.A. 10-7-121 and 47-10-112.
86 T.C.A. 10-7-121.
87 Quoting Edwin Bridges, director of the Alabama Department of Archives, speaking at the Tennessee archives summit held in Murfreesboro, Tenn., in the fall of 1998.
Another manner in which computer records are unlike paper records is the possibility of damaging the records through use. Continuous use over a long period of time may cause the deterioration of a bound volume, but that in no way compares to the amount of damage that can be done to a disk of computer records by a negligent or malicious user.

*Computer Records Are Not “Human Readable”*

When you use computer records, you need a third party involved, namely, a computer. If something happens to your computer system, you can’t access the records until it is replaced. If the problem is a lightning strike that knocks out a few PCs in your office, it’s no big deal. They may be expensive to replace, but they are definitely replaceable. If the problem is a bug in a proprietary record keeping software package and the company that wrote your software is out of business, you may have an insurmountable problem. No matter how well you preserve the computer media containing the data, without a program, you can’t read it.

*Data Migration*

If you still think computer records are safe and reliable for long-term use, consider this: even if you have your magnetic tapes and computer disks and CD-ROMs in 10 or 20 years time and they have been perfectly preserved in pristine condition, will you still be running the same computer? This is a problem that may prove to be the most serious technological issue of this century. Imagine the difficulty finding a way to access computer records that are 30, 40 or, in the not too distant future, 100 years old.

To avoid falling victim to rapid changes in technology, you must have a system of data migration. Whether you use a computer for keeping current financial records of your office or you are using an imaging system to capture information on old records, you must anticipate and plan on being able to transfer that information from one computer system to the next as you upgrade your equipment and software. Failing to recognize this need will lead to a disaster.

For long-term retention, in order for permanent-value municipal records to survive, they must be in a durable format such as paper or microfilm. Scanned or digitized records do not meet national archival standards for viability after 15 to 20 years, much less for permanent storage. *T.C.A.* 10-7-121 does, in fact, authorize the keeping of permanent-value records on “computer or removable computer storage media, including CD-ROMs, instead of bound books or paper records,” if the records are available for public inspection, can be reproduced in paper form, and are backed up in some off-site storage. See also *T.C.A.* 47-10-112. These laws, in our view, leave officials vulnerable to losses of vitally important records for whose long-term safekeeping these same officials are legally responsible. Despite what these laws allow, records cannot be safely maintained *solely* in digital form for long periods of time.

Consider these issues seriously, seek technical assistance for working with technology, and question any vendors thoroughly about these problems when considering any technology purchase.

**CONCLUSION**

The preceding materials should provide city officials and city public records coordinators with enough ammunition to begin the battle of records management. It is our hope that, whatever the level of records management currently present in your city, you found something of use in these chapters. The rest of this manual comprises the retention schedules applicable to city governments and appendices of statutes, guidelines, forms, sample resolutions and a list of sources of additional information.