



TITLE	POLICY NUMBER	
Records Management	DCS 02-24	
RESPONSIBLE AREA	EFFECTIVE DATE	REVISION
Business Operations	10/14/2016	5

## **I. POLICY STATEMENT**

The Department of Child Safety (DCS) is committed to maintaining an effective records management program, including appropriate practices for organizing, archiving, retaining, and destroying 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 alternate approved storage location. 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.

## **III. AUTHORITY**

[A.R.S. § 38-421](#)

Stealing, destroying, altering or secreting public record;  
classification

<a href="#">A.R.S. § 39-121.01</a>	Definitions; maintenance of records; copies, printouts or photographs of public records; examination by mail; index
<a href="#">A.R.S. § 41-151.12</a>	Records; records management; powers and duties of director; fees; records services fund
<a href="#">A.R.S. § 41-151.13</a>	Records management officer; duties
<a href="#">A.R.S. § 41-151.14</a>	State and local public records management; violation; classification; definition
<a href="#">A.R.S. § 41-151.15</a>	Preservation of public records
<a href="#">A.R.S. § 41-151.16</a>	Production and reproduction of records by agencies of the state and political subdivisions; admissibility; violation; classification
<a href="#">A.R.S. § 41-151.18</a>	Definition of records
<a href="#">A.R.S. § 41-151.19</a>	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. § 41-151.15(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

ASLAPR: The Arizona State Library, Archive and Public Records

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

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 Manager works closely with the Arizona State Library, Archives, and Public Records to ensure DCS adheres to all record retention laws, policies, and procedures.

Department: The Department of Child Safety (DCS).

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 and part-time employees; contractors; students; interns; and volunteers.

Inactive records: Records that are closed and seldom accessed.

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.

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, and announcements that are not work-related. Non-records may be destroyed or deleted immediately unless the documents are expected to be, or already are, subject to a litigation hold.

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 traditional paper forms to electronic (e.g., 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. However, if an employee justifies, for example, the purchase

of equipment by incorporating any reviews received via an email discussion group, those 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 the DCS Distribution Center for storage or retrieval of records.

## V. POLICY

### 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. create 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 (Appendix A of the [ASLAPR Records Office Handbook](#)) 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.1., 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. 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. When in doubt, treat the document as a record and retain according to the [retention schedule](#) published by ASLAPR. 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. the document 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 (e.g., a smartphone or tablet) 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 [Acceptable Use Policy \(DCS 05-13\)](#) 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, if 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; and

- iii. as notification of employees' whereabouts (e.g., vacations, conferences, out-of-office work).

D. Retention and Disposition of Records

1. Employees shall preserve and delete records pursuant to this policy according to the timeframes outlined in the [retention 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 all relevant records. Refer to the [Litigation Hold Policy \(DCS 06-02\)](#). The DCS Litigation Liaison will manage the Litigation Hold process.
3. Records that have historical value as identified by ASLAPR in its Retention Schedules are permanent and shall not be destroyed.

E. Required Training

1. Employees shall complete DCS Records Retention (CH10010) training in the TraCorp Learning Management System within 60 days of hire.
2. Employees who refuse to comply with this requirement will be subject to discipline, up to and including dismissal.
3. Supervisors who refuse to allow employees to attend training in accordance with this requirement shall be subject to disciplinary action, up to and including dismissal.

F. Responsibilities

1. DCS Distribution Center employees shall:
  - a. 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;

- b. 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 alternate approved storage location require revisions to existing retention schedules;
  - c. maintain copies of the current Department record retention and disposition schedules and copies of former retention schedules for historical purposes;
  - d. accept from users only those boxes containing records that have been properly prepared according to the procedures outlined in this policy. (See Section VI. A.);
  - e. maintain an accurate listing of all DCS records stored in the DCS Distribution Center and other approved storage locations: Case Name, Case Identifier (CID), Intake Report Number (IN), Person ID (PI), Case Number (CS), Assessment Number (AS), type of record, box numbers, and destruction dates;
  - f. train users on the proper preparation of boxes for storage as requested.
2. DCS Office Staff shall:
- a. identify those items required by law to be maintained by the Department and adhere to the record retention schedule. For assistance, contact the DCS Distribution Center via email [DistributionCenter@azdcs.gov](mailto:DistributionCenter@azdcs.gov) or (602) 771-1152;
  - b. maintain the confidentiality of and safeguard records while in their possession, and communicate the contents, sources, and box numbers only to those individuals who have a need to know;
  - c. notify DCS Distribution Center of any change in the name of the

DCS office by sending an email to the DCS Distribution Center at [DistributionCenter@azdcs.gov](mailto:DistributionCenter@azdcs.gov).

## VI. PROCEDURES

- A. DCS Office Staff Instructions for Preparing a Box for Storage 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.
    - a. Document on the upper right-hand side of the hard file one of the following classifications:
      - adoption, dependency, unsubstantiated, substantiated, Adoption Subsidy, claims, DCS CHP, grievances, ICPC inquiries, ICPC Adoption, Learning and Development, OLR, Payment Processing Unit, Procurement, Title IV-E, and Young Adult Program;
      - date of birth of individual listed as Case Name;
      - closure date.
    - b. Ensure a Notification Letter is located within each file.
    - c. Print and include a screen shot of the administrative tab in Guardian with all closed files sent to the Distribution Center.
  2. Use Banker Boxes that are in good condition (i.e. no holes, tears, or other structural flaws that may present a barrier to safeguarding the records.)
  3. Complete the [Records Storage Request](#) form in its entirety for each box of records submitted for retention.
  4. Allow a minimum of two inches to permit retrievals and interfiles – records must not be tightly packed. In addition:
    - a. records must be stacked vertically; records or folders cannot be

- stacked horizontally on top of vertically filed folders;
- b. hanging files must be removed; file folders may remain;
  - c. boxes should not weigh more than 35 pounds;
  - d. handholds should not be obstructed in any way, from the inside or outside;
  - e. closed cases may be sent to the Distribution Center once they have been closed for 3 to 6 months;
  - f. special requests may be made to send records to the DCS Distribution Center earlier than scheduled if storage availability at the local office prohibits continuation of storage at the local office. The Program Manager or Program Specialist and DCS Distribution Center must be consulted to make this special request;
  - g. the Case Name and Case ID must match the information found in Guardian (or any subsequent data management system);
  - h. all information on the form must be legible.
5. Place one (1) copy of the [Records Storage Request](#) inside the storage box. Keep one (1) copy for your records. Submit a copy in Word format to the DCS Distribution Center via e-mail: [DistributionCenter@azdcs.gov](mailto:DistributionCenter@azdcs.gov).

**B. DCS Distribution Center Employee Instructions**

1. Determine which DCS records are to be stored in the DCS Distribution Center and in an alternate approved storage location.
2. Ensure that only inactive records are stored in other approved storage locations. (Records that are closed yet frequently accessed should be stored at the Distribution Center.) Only DCS Distribution Center employees may store or retrieve records from the Distribution Center or other approved storage location.
3. Arrange for pickup of records from local DCS offices for storage in the Distribution Center. The DCS Distribution Center employee shall inspect

each box using the prepared [Records Storage Request](#) form within the box. The DCS Distribution Center employee will compare the files listed on the [Records Storage Request](#) form to the files stored in the box. If discrepancies are found within a box (files unaccounted for, files added to the box, mixed calendar years or records types), the employee will discuss the errors with the assigned contact person for scheduled pickup. The DCS Distribution Center employee will determine if the issues can be resolved or if the box needs to stay at until properly prepared.

4. Review the hard copy file case type and closure date to determine the appropriate retention schedule.
5. Conduct regular purges to destroy those boxes of hard copy records whose destruction dates have arrived.
6. Create and distribute a schedule for pickup of closed files to each local DCS office contact (pickup of closed files outside of the established schedule is permitted when the local DCS office experiences storage constraints).

#### C. Instructions for Requesting Closed Records

1. When requesting a closed record or the entire box of records complete the [Records Reference Request](#) form.
  - a. Ensure the Case Name and Case ID match information is found in the data management system and is entered accurately in the Records Log, kept in each individual office.
  - b. Ensure all information on the form is legible.
2. The DCS Distribution Center will locate the requested records or entire box of records and send a scanned version to the requestor or name of the person listed in "FORWARD TO" on the [Records Reference Request](#) form.
3. The DCS Distribution Center will make the original documents available at the warehouse for review, if needed.

**VII. FORMS INDEX**

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

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

**VIII. RELATED INFORMATION**

[\*ASLAPR Records Officer Handbook\*](#)

[\*ASLAPR Schedule Number CS-1182, Revised 10/23/19\*](#)