

LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

SECRETARY'S POLICY AND PROCEDURE MEMORANDUM (PPM) NO. 37

SUBJECT: Records and Information Management Program

EFFECTIVE DATE: September 15, 1993

INSTRUCTIONS: This memorandum supersedes all other memoranda and manuals.

1. POLICY STATEMENT

It is the Department's policy to maintain an active, on-going program for the economic and efficient management and preservation of Department records in accordance with the Louisiana Public Records Act and Federal and State laws and regulations. This policy addresses all records created or received by the Department, regardless of format. This policy applies to each Office, District, and Section of the Department.

2. RECORDS AND INFORMATION MANAGEMENT

DOTD offers Records Management Services as part of the Enterprise Support Services Section. In compliance with La R.S. 44:411, on or before July 1st of each state fiscal year, the agency head of DOTD shall designate a Records Management Officer (RMO) for the term of one year. DOTD shall communicate their records management officer designation by completing form SSARC 940 Records Management Officer Designation Form (including signature of the agency head and the date the designation was signed) and submitting the completed form to the state archivist. DOTD's appointed Records Management Officer (RMO) shall be the agency point of contact for the Records & Information Management program. Additionally, each District/Section will appoint a Records Coordinator responsible for records maintenance for that District/Section.

A. Responsibilities of the RMO:

- (1) To maintain and review annually, or as necessary, the agency's Records Retention Schedule as approved by the Louisiana Department of Secretary of State (SOS), State Archives, and acts as a liaison between DOTD and the State Archives on all matters relating to records management.
- (2) Has the authority to oversee the records management program of the agency, including the processing of disposal requests and destruction of agency records as necessary; development and implementation of agency-wide policies, procedures, guidelines, and training on the handling of records and information; and communication of this information to District/ Section Records Coordinators
- (3) To provide oversight on the management, storage, and security of inactive records and disposition of records that have met the retention period defined in the Records Retention Schedule, ([click here to view](#)), approved by SOS, State Archives.
- (4) To provide oversight on the management of the microfilm collection and provide access upon request and the transfer of records for permanent storage with the

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State Archives (if required or requested).

B. Responsibilities of All DOTD Employees:

- (1) To maintain the day-to-day records that are created, received, and accessed as part of official Departmental business
- (2) To identify, organize, and manage all records (paper and electronic, including e-mail) according to Department policies, procedures, and the records retention schedule
- (3) To submit all records documenting official agency business to the appropriate electronic management system or physical records storage system

3. RECORDS RETENTION SCHEDULE

The DOTD Records Retention Schedule, ([click here to view](#)), defines what information to retain, how long it should be maintained, and when and how to dispose of it based on the specific information content and requirements. The records retention schedule is reviewed annually or as necessary to ensure records are retained as needed to support business operations and to satisfy applicable regulatory requirements, as well as to ensure records are not retained for longer than necessary.

A. Responsibilities of DOTD Records Management Services Unit:

- (1) To maintain a list of records produced, received, and maintained by the agency. This list of records will serve as the records inventory that is the basis for identifying the lifecycle, format, and volume of records maintained for each record series.
- (2) To conduct an annual review of the records retention schedule to determine if any records series and document types need to be added or deleted.
- (3) To submit an updated records retention schedule (a listing of the agency's records series with the proposed length of time the records must be kept for administrative, legal, or fiscal purposes) to the State Archives for approval as required under La. R.S. 44:411.

4. CLASSIFICATION AND PROTECTION OF RECORDS

The Department's records and business information are critical assets and are the property of the Department and not the employee. Regardless of their format, records are necessary to support day-to-day operations, provide evidence of legal and regulatory compliance, and preserve historical documentation. To support efficient and productive search of information assets, records must be consistently classified and protected in order to remain authentic, reliable, and useable throughout their life cycle.

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A. Indexing and Storage Records:

- (1) The approved records retention schedule must be used to identify the type of records that are produced or maintained by a Section or District and the length of storage.
- (2) Documents stored in electronic or physical repositories must have sufficient taxonomy to enable efficient search and retrieval.
- (3) Records must be stored in formats and conditions that are cost effective, protect their value to the Department, and comply with regulatory requirements.
- (4) Records must remain secure, and access shall be restricted in accordance with security standards and guidelines.
- (5) It is preferred that records that originate in electronic format are preferred to remain in electronic format. Printing and retaining a hard copy is discouraged unless required for regulatory or legal compliance.
- (6) Records that originate in paper format should be evaluated for conversion to digital format to facilitate effective search and retrieval. FileNet is the approved repository for inactive records in digital format.
- (7) The DOTD Enterprise Support Services, Records Management Services Unit is the official repository for the storage of project-related hard copies and digitized files. All documents relative to projects must be included in the official record. It is the responsibility of each Appointing Authority to ensure that these records generated are sent to the Records Management Services Unit for storage and digitizing.
- (8) Appointing Authorities must incorporate methods for the identification, protection, and recovery of vital records into their Business Continuity or Continuity of Operations Plans (COOP).
- (9) In the event of employee transfer, separation, or reorganization, records must be transferred into the custody of the employee's supervisor or other individual as designated by the Appointing Authority.
- (10) Documents considered of permanent value to this Department's administration and operation and have a "Permanent" Total Retention period on the approved Records Retention schedule will be microfilmed.

5. OFF-SITE STORAGE

Records that do not need to be accessed on a regular basis but are required to be retained according to the approved records retention schedule may be transferred to and archived at an approved off-site storage facility. The storage facility must be a safe and appropriately controlled environment. Even while archived, the confidentiality, protection, and disposition requirements

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of records must be maintained and records must be easily retrievable.

Records must be on the approved records retention schedule and must be considered inactive in order to be eligible for transfer to the off-site storage facility.

A. Responsibilities of Employees:

- (1) To pack and label records storage boxes with required transmittal forms. (Only boxes with completed transmittal forms will be accepted; the information on the form is essential for the Records Management Services staff to properly manage the boxes.)
- (2) To return to the record(s) checked out from the offsite storage facility to Records Management Services

B. Responsibilities of Records Management Services Unit:

- (1) To provide approved personnel access to records transferred to the off-site storage facility for short-term storage as they remain the property of the District/Section that transferred them.
- (2) To immediately enter into the inventory tracking system all boxes received for storage and place them on appropriate short-term storage shelving.

6. PROJECT FILES

The Project File maintained in the Records Management Services Unit of the Enterprise Support Services Section is the Department's official record of that project.

A. Disposition and Storage of Project Files:

- (1) Signed Final Plans (to also include Revised Plan Sheets, and Change Ordered Sheets) on projects let to contract and files on these projects will be maintained by the Records Management Services Unit. After project award, Change Ordered Plan Sheets are transmitted to Records Management for inclusion with Signed Final Plans, and Revised Final Plans.
- (2) Upon issuance of the Final Acceptance Letter, Signed Final Plans (to also include Revised Plan Sheets, and Change Ordered Sheets) are transmitted from Records Management for archiving. In addition, all project related documents including but not limited to correspondence, contracts, maps, drawings, and memoranda shall be forwarded to the Records Management Services Unit where they will be properly retained with in accordance with the retention schedule outlined on the approved Retention Schedule. ([click here to view](#))
- (3) Upon completion of the Final Estimate, Construction Project Files including but not limited to As-Built Plans, Construction Submittals including Submittals for Record and Accepted Submittals for Review (including Shop Drawings)

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correspondence, contracts, maps, field books, and memoranda shall be forwarded to the Records Management Services Unit where they will be retained in accordance with the retention schedule outlined on the approved Retention Schedule

- (4) Appointing Authorities who originate project correspondence, or who are the initial recipient of such correspondence from outside firms or individuals, are responsible for transmitting these materials to the Records Management Services Unit as the project progresses or upon receipt of the "Notice of Project Completion."
- (5) Appointing Authorities or their designee whose involvement with a project normally begins after its completion (i.e., Final Estimates) will forward pertinent project documents to the Records Management Services Unit, as soon as practical after project completion. The Records Management Services Unit will consolidate all files and store them in accordance with the retention schedule outlined on the approved Retention Schedule.
- (6) Preliminary plans for projects that were never advanced to the construction phase may be disposed of or retained (if these records are determined to have administrative/business value to the agency) at the discretion of the Chief Engineer.

7. DISPOSITION OF RECORDS AND INFORMATION

Records may be destroyed after they have met their legal minimum retention periods, are no longer needed for any purpose, and have been listed and authorized for destruction on the approved records retention schedule. Disposal of records and information must be conducted in a manner that preserves the content's confidentiality, and the destruction of records must be logged and tracked for potential future audit and investigation purposes.

A. Disposal of Records and Information:

- (1) Records must be assigned to one (1) of two (2) annual disposal cycles: either July or January. Records that are retained based on fiscal year retention periods shall be assigned the July disposal date cycle; those retained based on calendar year retention periods shall be assigned the January disposal date cycle.
- (2) The Department shall request written approval from the State of Louisiana, Secretary of State, Division of Archives, Records Management and History prior to the destruction of any records of the Department. All requests must be authorized by the RMO, and no records shall be destroyed until approval is received by Louisiana Secretary of State, State Archives.
- (3) Records eligible for destruction must be disposed of according to approved methods such as recycling, shredding, incineration, maceration, or pulverization.
- (4) Confidential records and information must be destroyed in compliance with

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security requirements. Once records have been approved for destruction, all copies shall also be destroyed.

- (5) Certificates of Destruction must be obtained for all records approved for destruction.
- (6) Disposition of records and information related to pending litigation or Investigation must be suspended and shall be preserved and retained as specified by the Legal Department.

8. E-MAIL MANAGEMENT

Electronic mail shall be maintained in accordance with approved records retention policies, accepted record keeping practices, and laws. It is the responsibility of all DOTD employees to use electronic resources in a professional, ethical, and lawful manner as this will reduce the risk of loss and unauthorized access and increase the quality of electronic records.

A. E-mail Guidelines and Restrictions:

- (1) E-mail messages and all electronic communications, regardless of format, shall be handled the same way as paper documents. A communication is determined to be a record if it documents a business activity or decision and the activity or decision is not recorded elsewhere.
- (2) The content of a message shall determine how long the message shall be maintained and where the message shall be stored according to the approved records retention schedule and applicable procedures.
- (3) Employees shall avoid using text messages, instant messages, and personal e-mail accounts to transmit and/or receive messages to communicate a business activity or decision that is not documented elsewhere.
- (4) If the Department issues a Legal Hold, all related email and other records in their current form, including drafts and copies, shall be retained regardless of whether the items would normally be eligible for deletion according to the approved records retention schedule.
- (5) In cases of separation or termination, departing employees shall work with their District/Section Records Coordinator to ensure that their email and other items are handled appropriately.

9. LEGAL HOLDS

A litigation hold is process used to preserve documents and data that may be relevant to litigation. "One of the principal rules is that whenever litigation is reasonably anticipated, threatened or pending against the Department, the Department has a duty to preserve relevant information." Legal Holds shall be issued by the Legal Section only. When a Legal Hold is issued, record and business information disposal must be suspended for those records covered by the Legal Holding order to

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preserve and produce records in response to a legal audit, or government investigation order. The Legal Section shall notify the appropriate District/Sections and key personnel affected by the Legal Hold.

A. Legal or Litigation Hold Guidelines and Requirements:

- (1) Any personnel with knowledge of potential or ongoing litigation and/or investigation to which DOTD records are relevant shall immediately notify the Legal Section. This requirement applies regardless of whether or not DOTD is a party to any lawsuit.
- (2) Any personnel with knowledge of a potential audit shall immediately notify the Audit Section. The Audit Director shall notify the Legal Section and Legal will determine if it believes that a Legal Hold may be required in connection with any audit.
- (3) Once notified of the possible need for a Legal Hold for any purpose, the Legal Section shall determine whether or not a Legal Hold is required. The Legal Section shall immediately notify affected Districts/Sections and key personnel, through a notification emailed to the employee's DOTD email address when a Legal Hold is issued.
- (4) If a Legal Hold is issued, all related records, non-records, and business information, in whatever form they exist, including drafts and copies, shall be retained regardless of whether the items would normally be eligible for disposal according to the records retention schedule. Affected records and information must be segregated and preserved until requirements have been met and the Legal Hold is released by the Legal Section. The personnel having custody of the records shall complete and return to the Legal Section a Legal Hold form, provided by the Legal Section, which details the records' storage location and provides notice to other DOTD personnel not to dispose of the file. A copy of the Legal Hold form shall be physically posted on the record/file subject to the Legal Hold.
- (5) No related records or non-records shall be destroyed or made inaccessible for the duration of the Legal Hold.
- (6) All personnel are responsible for following specific instructions given with regard to a Legal Hold, in order to safeguard records or data covered under a Legal Hold.
- (7) The affected District/Section heads and/or their designee shall be responsible for contacting possible third-party vendors who may house records or data covered under a Legal Hold and documenting to the Legal Section.
- (8) Only the General Counsel of the Legal Section, or her/his designee, shall have the legal authority to impose or lift a Legal Hold.

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10. COMPLIANCE ASSESSMENT

The Department may be called upon during an investigation, audit, or legal action to demonstrate that its records and business information are managed and controlled consistently in accordance with documented policies and procedures. The creation and conduct of a formal Compliance Assessment is a necessary step to be able to provide that assurance.

A. Roles and Responsibilities for Compliance:

- (1) All employees shall manage their information in compliance with the state and federal laws, best practices, and policies and procedures established by the Department.
- (2) Compliance shall be regularly assessed by Records Management Services through the use of compliance objectives as determined by International Standard Organization (ISO-15489) standards. These objectives shall be measured through the completion of compliance assessments.
- (3) The RMO shall develop standards, guidelines, procedures, and tools to support compliance with established policies and procedures.
- (4) The RMO is responsible for overseeing the training to support records management compliance and for developing assessment processes and performance metrics that can be used to measure compliance.
- (5) Appointing Authorities with the assistance of the District/Section Records Coordinators shall be responsible for ensuring that all employees within their District/Section are aware of and are compliant with the Records and Information Management policy and procedures.
- (6) Appointing Authorities and Records Coordinators should be aware of non-compliance within their District/Section, and shall communicate areas of deficiency to the RMO.
- (7) All Department employees are to participate cooperatively in compliance assessments, attend Records Management training opportunities, and regularly review policies and procedures to maintain compliance.

11. CONSEQUENCES OF FAILURE TO FOLLOW THIS POLICY

Violations of this policy will be handled in accordance with DOTD's Employee Conduct (PPM#29) and Discipline (PPM#26) policies.

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12. REFERENCES

Any questions regarding this policy should be directed to the DOTD RMO.

A handwritten signature in blue ink, appearing to read "Shawn D. Wilson", is positioned above the printed name and title.

Shawn D. Wilson, Ph.D.
Secretary