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|  ELECTRONIC COMMUNICATIONS RETENTION POLICY | ADMINISTRATIVE POLICY MANUAL Section 5.3 – Information Technology |
| | Approval: <u><i>Curtis R. Fanning</i></u> City Administrator |
| Effective Date: October 4, 2022 | Responsible Department: City Clerk Department |

PURPOSE:

The purpose of this policy is to provide direction on use of the City’s electronic communication systems and records retention in compliance with applicable State and Federal laws, and City policies. Users will be trained in the application and implementation of this policy.

POLICY:

It is the City’s policy that electronic communications are to be used as a medium of communication to enhance productivity in conducting City business. Because electronic communications may be public records subject to public disclosure and the Records Retention Schedule, all City electronic communications are subject to the following use and retention requirements.

Electronic Communications

Electronic communications include all electronic communications, regardless of format, including electronic mail (email), voicemail, facsimile, mobile device messaging (texts), and electronic messaging/chats, sent or received by City employees, Council Members, advisory board members, contractors, interns, and volunteers.

The City’s electronic communication systems are not intended to be and shall not be used for the storage or maintenance of writings, documents, or communications.

User Responsibility

Each individual user is responsible for determining whether a writing, document or communication is a City Record or Non-Record and then taking appropriate steps to preserve or delete the record.

Electronic communications determined to be City Records must be categorized in the appropriate record series, converted to the appropriate electronic format, retained for the required time as outlined in the City of Vernon Records Retention Schedule, and deleted from the electronic communications system.

Each user is responsible for regularly deleting Non-Records from each user's accounts within the City’s electronic communication systems. This includes items in “received” and “sent” folders as well as any folders set up by individual users.

Records versus Non-Records

City Records contain substantive information documenting the conduct of the public's business regardless of form or location.

Non-Records are routine email and electronic messages and attachments comparable to telephonic communications. They are not retained in the ordinary course of City business, and the informational content of such communications is neither necessary nor intended to be preserved for future City use or reference.

Personal Devices

Personal electronic communication systems should not be used to conduct City business. Electronic communications received on personal devices or accounts that constitute City Records must be transferred to the City's electronic communication systems and retained as a City Record.

Retention of Electronic Communications

- A. Electronic communications including attachments must be converted to the appropriate electronic format or printed in hard copy for retention as soon as possible. City Records shall be retained as follows:
 - (i) the email or electronic message and attachments must be categorized in the appropriate Records Retention Schedule record series; and
 - (ii) the email or electronic message and attachments must be converted to the appropriate electronic format or printed in hard copy as soon as possible; and
 - (iii) retained for the required time period as outlined in the Records Retention Schedule.
- B. The City's electronic communication systems will be configured to automatically and permanently delete all items older than two (2) years on a rolling basis. Users are responsible for converting and retaining all City Records in accordance with Section (A) prior to the two-year deletion schedule.
- C. Legal Holds. Due to litigation, public records requests, and other such requests, certain electronic communications shall be excluded from retention period expiration. Legal holds shall be applied by each individual end user upon request or approval of the City Attorney or designated departmental representative, following existing policies and guidelines for such requests. Individual end users must maintain records per direction of the City Attorney or designated departmental representative.

Additional Resources

City's Records Retention Schedule
Electronic Equipment and Systems Use Policy

Electronic Communications Retention Policy Acknowledgment

I acknowledge I have read and understand the information detailed within Administrative Policy 5.3 **ELECTRONIC COMMUNICATIONS RETENTION POLICY** and agree to comply with the requirements of the policy.

Employee Signature

Date