



DEPARTMENT OF ADMINISTRATIVE SERVICES
INTERNAL POLICIES AND PROCEDURES

320 E-mail Management

Effective: January 1, 2014
Reviewed: May 8, 2018

References: [Utah Code §63G-2](#) and [§63A-12](#); [DTS Rule R895-7](#), Acceptable Use of Information Technology Resources; and State Agency Schedule 1 Administrative Records

Purpose:

E-mail is a primary method of communication within the Department of Administrative Services and, in many cases, is an official record of what has transpired in state government. Employees shall consistently manage e-mail according to a retention schedule approved by their Division. Employees shall limit their personal use of state e-mail resources.

Definitions:

For the purpose of this policy:

1. "DAS" means the Utah Department of Administrative Services.
2. "Division" means the organizational units of DAS identified in [Utah Code §63A-1-109](#).
3. "Employee" means a person who is employed on a full or part-time basis by DAS.
4. "Disposition" means the records' final destruction or transfer to the State Archives as determined by their appraisal.
5. "E-mail" means an asynchronous message, following the RFC 2822 international standard applied to the vast majority of e-mails (e-mail consists of a header, with routing information, and a body, which contains the message, separated by a blank line— e-mail records include metadata and attachments).
6. "E-mail records" means work-function related messages that have administrative, legal, fiscal, or historical value and are subject to legal retention schedules based on the e-mail content. Metadata and attachments are a necessary part of the record and must be included, along with the text, in an unaltered state.
7. "Metadata" means all of the accompanying contextual information that the e-mail system tracks, such as who sent it (their full name plus e-mail address), when it was sent, who received it, when it was opened, any distribution lists used, etc.
8. "Non-record e-mail" means correspondence that has no government business-related content. This includes such messages as personal messages, listserv messages, and spam.
9. "Record copy" means the copy of a document, often the original, that is designated as the official copy for reference and preservation and to which the retention period applies. Both sent and received e-mail can be records. Primarily, for e-mail between government and non-government, the governmental entity is the custodian of the record-copy. For e-mail between governmental entities the sent copy is the record-copy. Additionally, the



governmental entity whose function is the topic of discussion is the custodian of the record-copy.

10. “Record series” means a group of records that may be treated as a unit for purposes of designation, description, management, or disposition. Record series identify the typical accumulation of like-content records and reflect the natural course of work.
11. “Records retention schedule” identifies the length of time each record series needs to be retained by a governmental entity for administrative, legal, fiscal, or historical purposes and disposition.

Policy:

The Government Records Access and Management Act (GRAMA) and the Public Records Management Act (PRMA) impose obligations to retain and manage records, including email records. E-mail correspondence that discusses government business is a government record that must be managed. The Department is responsible for managing email records for the entire legal retention period and for ensuring accessibility (including discovery in conjunction with anticipated or pending litigation and open records requests).

Employees shall comply with the following e-mail record requirements:

1. Each employee shall manage, retain, and destroy their own email within the context of the current e-mail environment with the oversight of the Division records officer.
2. An employee shall maintain the record copy. In the instance of an e-mail thread, the last email in the thread—the one containing the entirety of the correspondence between two or more persons— becomes the record copy and thus the copy with the longest retention period.
3. State (Utah Code Section 63A-12-105(3)(a)) provides that records must be managed in accordance with an approved records retention schedule. Archives maintains agency-specific and general retention schedules. If an agency has created a specific retention schedule, it trumps provisions in the general retention schedule. Email records are disposed of according to their respective series retention schedule. The disposition is either: destroy records when obsolete or transfer historical records to the State Archives. Records not entirely destroyed are still liable for discovery and GRAMA requests. The Division’s records officer shall approve and document the destruction or deletion of email that is part of any records series that substantially documents the agency’s functions.
4. Each employee shall immediately dispose of email that has no administrative value in accordance with State General Retention Schedule Item 1-47. The Division’s records officer must approve exceptions for employees to keep copies of email records past the retention period for personal use as these records are still subject to disclosure.
5. Each employee should separate business from personal content and not combine messages of business (records) with messages of a personal nature (non-records). Emails that combine both a personal message and record-content are kept as a record.
6. An employee generating email should give each email message a meaningful subject line that clearly reflects the content of the email on outgoing emails related to state business to promote accessibility. Changing the topic of the correspondence requires a new subject line.
7. Each employee shall retain email in a manner that preserves the original format, including metadata. It is not acceptable to save email to plain text, PDF, or as hard-printed copies.



8. State law prohibits employees from conducting private business, religious, and political activities using state email systems (see Rule R895-7).

Email account requirements:

Division management may not terminate an e-mail account unless the Division has taken the necessary steps to preserve the e-mail that has not met its retention schedule.

The Division may transfer email records with long retention periods (more than ten years) from the email system into a recordkeeping system for retention and preservation. The State Archives has tools available for records officers that can retain and preserve email records. The Division management shall transfer historical email records to the State Archives at the end of their administrative use.

Non-record e-mails:

Employees may use state resources for limited personal use consistent with Rule R895-7. An employee shall dispose of personal email messages and non-record email from the state email system. Personal email may be forwarded to personal accounts for employees' wishing to have a copy of their personal email.

While non-record emails on state resources are not subject for disclosure under GRAMA, they are subject to review by the Division for determination in instances of a GRAMA request. Non-record emails are subject to discovery in litigation.

Identifying e-mail records:

Email records must be retained according to their respective retention schedules. Each Division's administrator and records officer will identify record series which contain email records. They shall:

- Identify record series that contain email records critical to the Division's mission and core functions. Implement the appropriate, approved records series retention schedules for these records for employees to maintain within the email system or to export them to a record keeping system.
- Identify historical and permanent email records. Records that document policy; provide documentation of legal rights; and document the major transactions, services, and programs of the Division are historical. These records document executive decisions made regarding agency interests. The executive director shall identify policy correspondence and transfer custody to the State Archives after the completion of administrative use (record series GS, Item 1-61, Executive correspondence).
- Identify business-related correspondence created in the course of administering agency functions and programs that documents work accomplished, transactions made, or actions taken. This correspondence documents the implementation of agency functions rather than the creation of functions or policies. (Business-related correspondence that is related to a core function with an associated retention schedule should follow the associated schedule.) Administrative correspondence shall be retained according to the retention schedule (record series GS, Item 1-63, Administrative correspondence).



- Identify remaining email records, not otherwise scheduled, as transitory correspondence and retain according to the retention schedule (record series GS, Item 1-47, Transitory correspondence).