



CITY OF SPRINGFIELD

City Manager's Office

Records Management

Administrative Regulation | Records & Data Management | #15.01

Effective Date October 16, 2017
Revised Date April 19, 2024
Supersedes November, 2017

Note: Terms that are ***bolded and italicized*** the first time they appear in this regulation are defined below. After the first occurrence, defined terms appear in *italics only*.

Purpose

To establish consistent, lawful, and citywide requirements for the creation, maintenance, retention, disclosure, and disposition of ***public records*** from the time of creation through final disposition, regardless of format or medium.

Scope

This regulation applies to all *public records* created, received, used, or maintained by the City, regardless of format, medium, technology, or storage location.

Policy

The City Recorder is responsible for overseeing the implementation of this administrative regulation, including:

- Oversight of *public records* management practices;
- Determination of responses to *public records* requests; and
- Establishment of employee access to *public records*.

Each department or division must designate a records contact, as assigned by the Department Director, to coordinate records management activities and serve as a liaison to the City Recorder.

The City adheres to the City General Records ***Retention Schedule*** as prescribed in OAR Chapter 166, Division 200.

Records not listed on the City General Records Retention Schedule are considered program records and must be reviewed and approved by the State Archivist prior to destruction.

Public records must be managed consistently citywide, without regard to the technology or medium used to create, store, or communicate the record, from creation through final disposition.

Records' maintenance includes ongoing review of technological changes. *Public records* shall be migrated as needed to ensure continued accessibility and compliance with retention requirements (see Digital Imaging as Official Copy administrative regulation).

Procedure

1. Email Records

- a. In most circumstances, e-mails sent to or from an employee's official City e-mail account meet the definition of a *public record*. Therefore, employees must use official City e-mail accounts primarily for business purposes.
- b. Personal use shall be limited and must not:
 - (1) Interfere with normal business activities.
 - (2) Be associated with any outside for-profit business activity.
 - (3) Contain any content that is prohibited under the Acceptable Use of City Email/Internet/Intranet and Computers Administrative Regulation.
- c. City employees should have no expectation of privacy regarding official e-mail accounts and systems.
- d. If the City receives a *public records* request or valid subpoena, all official e-mail accounts and systems used for official City business are subject to search and production.

2. Text Messaging and Instant Messaging

- a. Employees may use *text messaging* only to communicate factual and logistical information:
 - (1) That is not a substantive part of the City's work, or
 - (2) That has been documented, and will be documented, in separate *public records*.
- b. In the absence of such documentation, City employees must not use **text messages** for official purposes, other than for routine communications that do not meet the definition of a *public record*.
- c. This Administrative Regulation applies equally to City-issued and personal mobile devices. (See Acceptable Use of City Network Services and Computer Devices administrative regulation, for examples of acceptable and unacceptable uses.)

3. Social Media Records

- a. Any records placed on any **Social Media** platform by the City must be an accurate copy of an official record retained elsewhere, per the official *retention schedule*.
- b. Records placed on any *Social Media* platform are assumed not to be owned by the City.
- c. Comments or reposting of City-created content appearing on *Social Media* platform are not considered prepared, owned, or trained by the City and will not be retained.
- d. Should the City choose to copy such comments into its internal files, the copied content becomes a *public record* and must be retained accordingly. (See Official Use of *Social Media* administrative regulation)

4. Public Records Requests

- a. The City will make every effort to respond to *public records* requests promptly, consistent with current legislation and the City’s operational capacity.
- b. Additional guidelines or policies relating to the intake, processing, disclosure and fee determinations for *public records* are detailed in the Records Request administrative regulation.

Definitions

Term:	Definition
<i>Public Record:</i>	<p>As defined in ORS 192.005 is any information that is:</p> <ul style="list-style-type: none">• Prepared, owned, used or retained by City,• Relates to an activity, transaction, or function of the City, and• Necessary to satisfy the fiscal, legal, administrative or historical policies, requirements, or needs of the City.• Additional Notes on Public Records:<ul style="list-style-type: none">○ Public records may exist in any format, including in paper or electronic (including e-mail).○ Extra copies of records, preserved only for convenience of reference, are not public records.○ Voice messages and telephone messages storage and retrieval systems are not public records. <p><i>Text messages</i> and <i>instant messages</i> may constitute public records if they meet the definitions above.</p>
<i>Retention Schedule:</i>	<p>As defined in OAR 166-005-0010 is a document produced and approved by the State Archivist listing the length of time a record needs to be kept for administrative, legal, fiscal or historic purposes.</p>
<i>Social Media:</i>	<p>Is various forms of mass communication consisting of user-created content, audio and video published in a shared online environment, such as over the Internet or through mobile telephone networks (i.e. using personal cell phone, smart phones, iPads, tablets, network computers and any other device that connects to the Internet).</p> <p>The differing forms of social media generally have the common characteristic of allowing for personal participation and feedback in a very fast and informal way. Social media is also typically open to vast multitudes of people to observe, copy and use, with few, if any, access restrictions.</p>

Text Messages or Text Messaging: Are messages exchanged between fixed-line phones or mobile phones and fixed or portable devices over a network. Excluded from the definition of “text messages” are electronic mail (“e-mail”) communications, whether such messages are exchanged among or between official City of Springfield e-mail accounts or e-mail accounts maintained by private entities.

Instant Messages or Instant Messaging: Are real-time text communications between or among computers or mobile devices over the internet or functionally similar communications network.

Related Resources

Administrative Regulations:

- [Acceptable Use of City Network Services & Computing Devices](#)
- [Digital Imaging as Official Copy](#)
- [Official Use of City Social Media](#)
- [Records Requests](#)

City/State Ordinances:

- [Springfield Municipal Code Section 2.305, Custody of Records](#)
- [OAR Chapter 166 Division 200, City General Records Retention Schedule](#)
- [OAR 166-005-0010\(12\), Records Retention Schedule](#)
- [OAR 166-030-0060, Public Records Disposition and Destruction \(State and Local Agencies\)](#)
- [ORS 192.005\(5\) Public Record](#)