

DEPARTMENT: Technical Services

BY: Rick Peresan  
PHONE: 966 8029

**RECOMMENDED ACTION AND JUSTIFICATION:**

Approve the Mariposa County E-mail Retention Policy.

*Please see the attached memorandum.*

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The Board approved the current E-Mail and Internet usage policy in May of 2001.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Without a defined E-mail retention policy, it is assumed the County Retains Email forever which is not practical.

Financial Impact? ( ) Yes (x) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded		
Amount in Budget: \$0		List Attachments, number pages consecutively
Additional Funding Needed: \$0		1. Cover Letter
Source:		2. Email retention policy
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
( ) General ( ) Other		_____

**CLERK'S USE ONLY:**

Res. No.: 07-428 Ord. No. \_\_\_\_\_  
 Vote - Ayes: 5 Noes: \_\_\_\_\_  
 Absent: \_\_\_\_\_  
 Approved  
 ( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

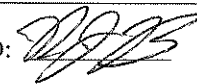
Date: \_\_\_\_\_  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended  
 No Opinion  
Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CAO: 



## MARIPOSA COUNTY TECHNICAL SERVICES MEMORANDUM

To: Mariposa County Board of Supervisors

From: Richard Peresan Technical Services Director

Date: September 4, 2007

RE: Mariposa County E-mail Retention Policy

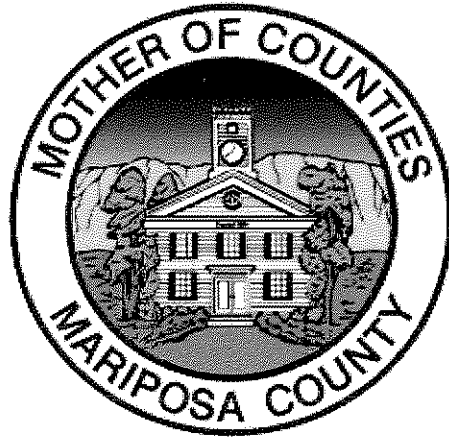
While Mariposa County has an Email and Internet usage policy, the Board has not adopted an Email retention policy. Absent such a policy, precedence assumes we retain our email forever. While this is technically possible, it is not practical in terms of cost.

Email retention policies define retention periods from 30 days up to two years. Most constrain retention to 90 or 180 days. The recommendation is for a period of 180 days. Our current infrastructure could sustain a longer period.

Several California County email retention policies were reviewed. This proposal, modeled after Sacramento County's policy, contains modifications made with input from County Counsel and the CAO that we deem important for Mariposa County.

Email is used as a convenient filing system by department heads and staff. For that reason, they have the ability to archive items older than 180 days to their PC. However, these items are not viewable via web mail since they are no longer available on the email server.

**Mariposa County**  
**Email Retention Policy**



September 4, 2007

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## Summary

- E-mail will be deleted after 180 days
- E-mail is not used to store public records
- E-mail that requires storage for a period of greater than 180 days should be printed and filed or saved as a document for electronic storage in your network folders.

**Electronic Mail.** Generally, e-mail messages are temporary communications which are non-vital and should be discarded routinely. However, depending on the content of the e-mail, it may be considered public record. Accordingly, employees have the same responsibilities for e-mail messages as they do for any other public record, and must distinguish between records and non-record information.

While County electronic e-mail retention is for a period of 180 days, an e-mail communication should be deleted as soon as practicable from the system. It is the policy of the County of Mariposa that E-mail is not to be used to retain or store public records of any department or agency of the County. Communications or records intended or required by law to be retained shall be printed in a hard copy and filed or stored as appropriate or saved to designated electronic files or other media as required by departmental or agency procedures. It is County policy, all departments adhere to their legal record retention requirements. Email should be printed and filed in the appropriate location if any law requires a communication to be kept for a period greater than 180 days. Employees should seek guidance from their department heads in order to ascertain the specific time requirements applicable to the documents generated, received and or maintained by their department.

**Back-up.** E-mail should be considered a communication tool, not a storage mechanism. Back-up tapes are for disaster recovery purpose only. Retention is the responsibility of the sender of the message, not the back-up process. Back-up copies performed by Information Technology staff are *not* for the purpose of records retention. Back-up tapes should be retained no more than six months.

**Legal Proceedings.** Regardless of retention requirements, e-mail and all other electronic or paper documents pertaining to threatened or actual legal proceedings must be retained until the litigation is finally concluded.

**Retention of Record E-Mails.** The definition of public records includes any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by the County. The definition includes electronic records, including e-mails. The definition does *not* include preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the County in the ordinary course of business.

Because of system capacity concerns, personal correspondence and interdepartmental and intradepartmental e-mails should routinely be deleted unless either the sender or the recipient would have retained the writing had it been sent in any other form. E-mail from outside the County only should be retained by the recipient, if he or she would have retained the document if it had been sent in any other form.

**Responsibility for Retention.** The sender of the e-mail is responsible for ensuring proper retention of e-mails sent within the County. All other copies are duplicates and may be deleted. However, if a record e-mail was sent by an outside agency, a member of the public, or anyone outside the County, the recipient is responsible for retention if required.

**Method of Retention.** E-mail records that have not met their retention period should be saved by one of the following methods:

1. Print the e-mail and store the hard copy in the appropriate file.
2. Use the "save as" function to save the email (and any attachments) to your network folder. Note: When there is doubt about the retrievability of an electronic record over its life span, the record should be printed and maintained in a hard copy format.

Each department shall select the method of retention for that department.

**Retention Period for Record E-Mails.** E-mail itself is not considered a record series or category; it is a means of transmission of messages or information. Retention or disposition of e-mails messages must be related to the information they contain or the purpose they serve. Thus, the retention period is determined by the content of the e-mail, not the medium. Record e-mails may be deleted upon expiration of the statutory retention period (or after 180 days if there is no statutory retention period) or as appropriate on authorization of the Board of Supervisors pursuant to Government Code section 26202.

**E-Mail Attachments.** Attachments should be retained or disposed of according to the content of the attachment itself, not the e-mail which transmits the attachment. Thus, attachments should be retained if they constitute a document which the recipient or the sender would ordinarily retain in the course of business.

**E-Mail Accounts.** Mariposa County Technical Services will delete individual user E-mail accounts 30 days after resignation or termination date unless an extension is requested in writing from the department head.