

Maine State Archives Requirements for Digital/Electronic Recordkeeping

The following requirements apply to all state agencies and to all public records that are (a) created or received in an electronic/digital format (born-digital) or (b) digitized images of analog records (scans of hard copies).

General Agency Responsibilities in Maintaining Digital/Electronic Records

- Agencies must ensure continued access to digital/electronic records while protecting their authenticity, reliability, integrity, security, and usability throughout the record life cycle and in accordance with the appropriate [record retention schedules](#).
- Review [Chapter 1, State and Local Government Agency Records Programs](#) and [Chapter 3, Imaging State Records](#) (which includes retaining records in digital/electronic document systems), to have a full understanding of [Maine State Archives \(MSA\) recordkeeping requirements](#).
- Establish appropriate policies, procedures, business practices, and periodic reviews to ensure the integrity of digital/electronic records over time, regardless of whether the information systems are managed by the agency, [MaineIT](#), or a third party.
- If an agency contracts with a vendor for imaging services, management, or storage of digital/electronic records, it is the responsibility of the agency to ensure the vendor remains compliant with Maine State Archives recordkeeping requirements.
- Be certain digital/electronic records are protected against file corruption, alteration, or deletion throughout the designated retention period. If working with an IT or software provider, these provisions must be met according to the retention schedule.
- Maintain ownership and responsibility for digital/electronic records created or received by the agency, regardless of where the record originates or is stored, including but not limited to, commercial applications, cloud computing services, cloud-based storage, and social media sites.
- Ensure non-permanent records are destroyed according to approved retention schedules.
- Migrate records, associated indexes, and metadata to a new media platform and/or file format as needed to ensure content remains accessible.
- Require third parties managing and storing digital/electronic records to return all records and indexing information to the public agency at the expiration of the contract or upon failure of the third party to comply with MSA standards. During the ongoing engagement, third parties should comply with State of Maine policies for security, privacy, and management.

Born-Digital Records

Agencies must follow the guidance in this document regarding born-digital records. Agencies should not print out records for retention purposes.

Email Records

Email is a digital storage format. Depending on content and role within State of Maine government, email records can be retained for different purposes and for varied time frames. Most state employees will have little, if any, email requiring long-term retention.

What agencies must do: Retain email records per [General Schedule 5, State Agency Correspondence](#). Set up email folders by year and by subject whenever possible. As soon as possible, delete any non-record or transitory correspondence.

What MSA is doing: MSA staff are in the process of working with the Council of State Archivists (CoSA) to develop a policy and procedures that provides clear guidance for employees to manage their email. This will be a position-based process with a tiered approach to record capture. MSA is also developing a Capstone policy for email retention which will be made available when finalized.

Social Media Records

Social media refers to the various activities integrating web technology, social interaction, and user-generated content. Agencies use social media internally and externally to share routine agency information, support their business processes, and connect the public to state government. Social media includes blogs, microblogs (Twitter), video sites (YouTube, Vimeo), image sharing services (Flickr, Instagram), networking sites (Facebook, LinkedIn), and other interactive sites that exist either now or in the future and play a role in State of Maine Government operations.

What agencies must do: Complete an inventory of what information directly related to State of Maine business is being posted. Determine if these are original records and what purpose they fulfill. Original records in social media sites (including metadata) must be copied or otherwise captured and maintained with related records, unless the site has a record management application that can manage the records throughout their lifecycle.

What the MSA is doing: MSA conducted a year-long pilot project through ArchiveSocial to evaluate automated capture of social media records. While being considered as a State-wide program, each agency is responsible for the management of their social media records (including contracting with ArchiveSocial or similar vendor).

Scanning – Temporary vs. Archival Records

- Any records considered for scanning must be on an approved records retention schedule.
- Records must be scanned and verified in a systematic and consistent fashion that ensures a complete and accurate copy of the original. Records not completely and accurately captured must not be destroyed.
- Agencies must establish indexing procedures to facilitate access, retrieval, and management of information.
- Imaged records must be protected against alteration and/or deletion, damage, or loss throughout the entire retention period. These records must remain accessible for the minimum retention period and purged per their retention schedules.

What agencies must do:

Temporary Records (10 years or less) - Once paper records have been converted to a scanned digital image and verified, those original paper records can be destroyed as long as no other state or federal laws apply requiring the original document and with approval of the MSA following records retention schedules.

Long-term or Archival Records – MSA continues to recommend retaining long-term records in an archival format such as paper or microfilm. Long-term or archival records can only be scanned for access, not replacement.

[Agencies must send original records to MSA or the Records Center.](#)

What Maine State Archives is doing: [MSA works with agencies to establish retention schedules](#) and [accept original \(paper\) records](#). [Imaging Services](#) can convert digital records to microfilm or microfilm to digital.

Retaining Records in Digital/Electronic Recordkeeping Systems (including Docuware or OnBase)

What agencies must do:

Short-term Records (10 years or less) – Agencies will follow the requirements listed in this document.

[Digital/Electronic records](#) shall be maintained in compliance with the retention and disposition requirements listed on applicable records retention schedules issued by the MSA.

Long-term and Archival Digital/Electronic Records - Agencies must establish a clear and sustainable plan for maintaining long-term digital/electronic records (including migration plans) and dedicate sufficient resources to this plan. Proactive sustainability plans must be developed and implemented to ensure digital/electronic records are accessible and readable for future use. The plan must address migration of records and metadata when operating systems, software applications, and/or digital storage formats evolve, change, upgrade, or are scheduled for decommission. In situations where a third party is handling this function, all noted responsibilities for archival records must be met.

What MSA is doing: MSA is in the process of acquiring a digital preservation system. This will enable us to capture or receive digital/electronic archival records to ensure their preservation.

Cloud-based Retention for Records Management

Cloud-based retention guidance is offered to support agencies that are increasingly relying on cloud-based storage and services involving archival records and their management. The intent of this guidance is to help agencies to minimize risks and ensure the proper controls are in place before outsourcing electronic records storage and access to external cloud service providers.

Records in the cloud must:

- Retain accountability, integrity, compliance, authenticity, and reliability;
- Be available, searchable, and retrievable;
- Be protected from unauthorized deletion;
- Be retained for the minimum retention period;
- Be destroyed/transferred in accordance with the appropriate records retention schedule.

What agencies must do:

- Retain legal custody of records and information;
- Maintain record and information controls over cloud storage;
- Specify provider recordkeeping responsibilities in contracts;
- Plan in the contract for future migration, transfer, and destruction of the records.

Careful consideration must be taken regarding the implications of cloud storage for records management and requires a records management plan despite those records residing off-site. If the vendor contract expires or the service is no longer supported by the vendor, records and any corresponding metadata will need to be downloaded onto a local system. The transfer of those records must maintain the integrity of the files, with the assurance the files are transferred accurately and completely. Cloud storage raises concerns related to security, privacy, ownership, ease of data removal, and disaster recovery. To protect records, agencies should work with their vendors to ensure all State of Maine and MSA requirements are met. [Archives staff are available for assistance](#).

Refer to Maine IT, SOS IS, and MSA guidelines on a periodic basis.

Questions? Call the **Maine State Archives** at 207-287-5790
or send an email to recordsmanagement.archives@maine.gov