



THE STATE
of **ALASKA**
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Focus: State of Alaska Executive Branch Employees	State of Alaska Department of Administration Office of the Commissioner Chief Information Officer
Topic: Email Retention Policy	Effective Date: January 22, 2014
Authority: AS 44.21	

POLICY

Emails, including attachments, are subject to the same records retention requirements that apply to any other electronic or non-electronic records. Like paper records, if an email is subject to multiple records retention requirements, it must be archived for the longest applicable period. The applicable records retention requirements are the State of Alaska executive branch records retention schedules imposed pursuant to AS 40.21 and any implementing regulations, and the requirements imposed pursuant to a notification of a legal hold in connection with judicial or administrative litigation, or imposed because of a request under the Alaska Public Records Act, AS 40.25.100 – 40.25.220.

Accordingly, all executive branch employees are responsible for archiving into the designated executive branch email archiving system their sent and received emails (including any attachments) in accordance with the policy identified here.^[1]

ALL EXECUTIVE BRANCH EMPLOYEES

When executive branch employees conduct state business through email they must, whenever feasible, use the state's electronic mail system. In some circumstances, employees may need to use, or may inadvertently use, private email accounts to conduct state business. In those instances, employees must send copies of those messages to their state email accounts.

^[1] **Guidelines for determining what types of emails must be archived** can be found in the document entitled "Email: FAQ and Rules," linked on the Division of Archives home page and found at http://www.archives.state.ak.us/pdfs/records_management/email.pdf

Under no circumstance may State of Alaska personally identifiable information (PII) be sent to or from an executive branch employee's private email account. PII is defined in AS 45.48.590(4).^[2]

Employees are required to follow the executive branch email policy. Failure to do so may result in discipline up to and including dismissal.

EXECUTIVE EMPLOYEES

Any email sent or received by an executive employee^[3] may be deleted within a year unless the email is subject to a records retention requirement, public records request or legal hold. If within that year a sent or received email becomes subject to a records retention requirement, public records request or legal hold then it cannot be deleted unless the requirement, request, or hold is lifted before the end of the period. All email not deleted within a year will be automatically archived. The automatic archiving of an email does not mean the email qualifies as a "public record" under the laws of Alaska. All such emails remain subject to privileges and exceptions as provided by the laws of Alaska.

NON-EXECUTIVE EMPLOYEES

If a records retention requirement applies to a sent or received email of a non-executive employee, then within a year of the email being sent or

^[2] **Definition of Personally Identifiable Information:**

AS 45.48.590(4): "personal information" means (A) an individual's passport number, driver's license number, state identification number, bank account number, credit card number, debit card number, other payment card number, financial account information, or information from a financial application; or (B) a combination of an individual's (i) name; and (ii) medical information, insurance policy number, employment information, or employment history"

^[3] **Definition of Executive Employee:**

The following persons are executive employees: (1) the Executive Branch employees defined as "public officials" in AS 39.50.200(a)(9); and (2) the persons employed in the following job classifications:

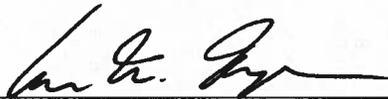
Assistant Commissioner
Executive Director
Assistant Director
Labor Relations Manager
State Accountant
State Leasing and Facilities Manager
Department of Public Safety Liaison
Chief, Worker's Compensation Adjudication
Veterans Affairs Administrator
Administrator, Violent Crimes Compensation Board
Administrator, Highway Safety Planning Agency
Marine Highway Transportation Services Manager

Positions placed in the partially exempt service under AS 39.25.130(a)(1) or (2) will be added to this list.

received, it must be filed in the state's designated email archiving system folders in accordance with the records retention requirement. If an email is subject to multiple records retention requirements, it must be archived for the longest applicable period. Any email not filed in a longer-term archiving system folder within a year of it being sent or received will be automatically deleted.

EDUCATION

All employees with an email account must be educated on the executive branch email policy. Any new employee with an assigned email account must be educated on the policy before the account is activated. The education portion of this policy does not take effect until the state implements the email archiving system.



Curtis Thayer, Commissioner
Department of Administration
Chief Information Officer

1/23/14
Date