Regardless of the records' format or whether or not it is restricted, confidential or exempt from disclosure, **start here:**

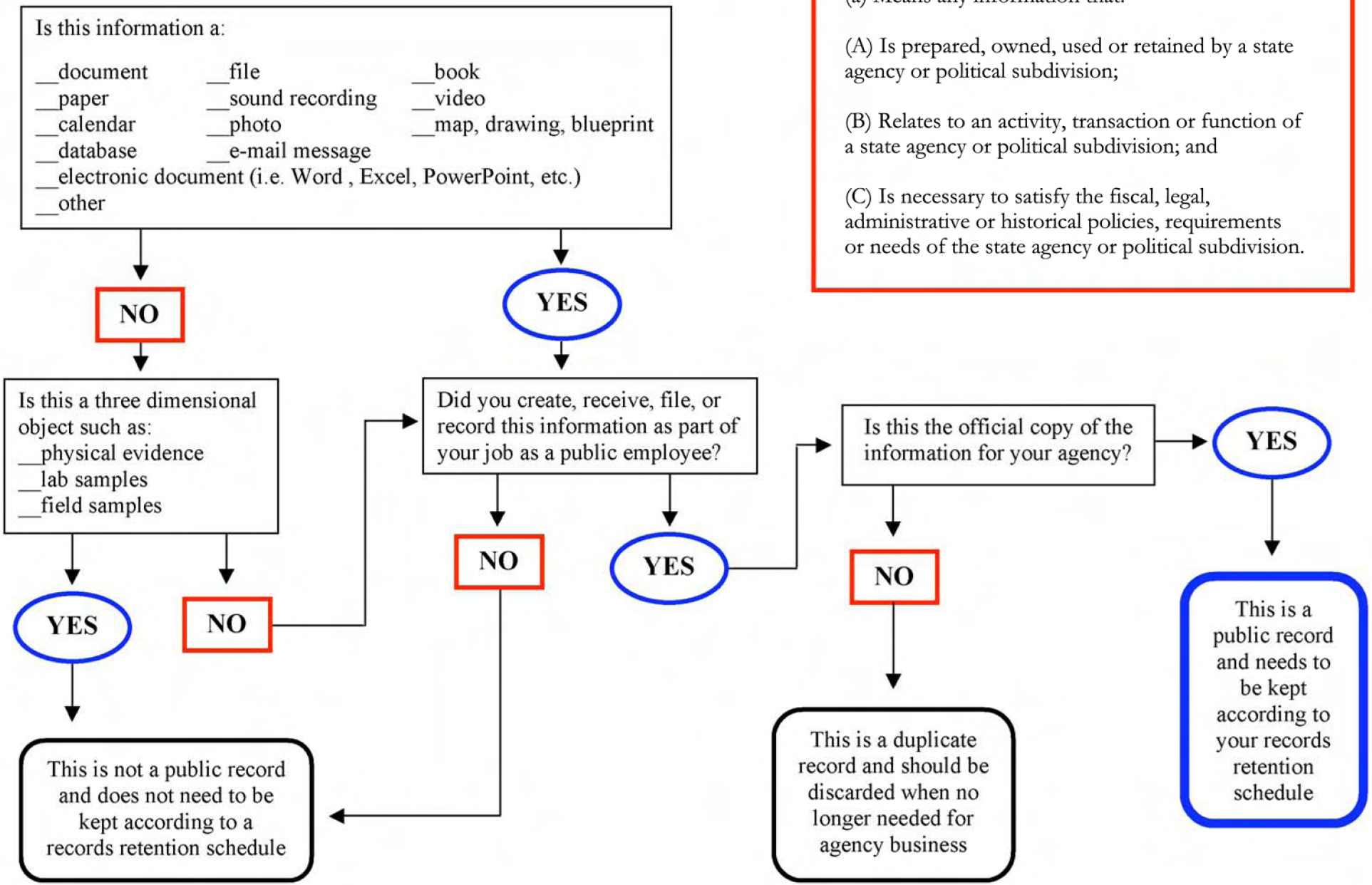
"Public record"

(a) Means any information that:

(A) Is prepared, owned, used or retained by a state agency or political subdivision;

(B) Relates to an activity, transaction or function of a state agency or political subdivision; and

(C) Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the state agency or political subdivision.



Your Responsibilities for Maintaining Public Records

Q: What is a public record?
A: Public record means any information that meets the following criteria:
(A) Is prepared, owned, used or retained by a state agency or political subdivision;
(B) Relates to an activity, transaction or function of a state agency or political subdivision; and
(C) Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the state agency or political subdivision.

Q: What are my responsibilities for maintaining public records?
A: Each public employee must comply with statutes, administrative regulations, and agency policy and procedures relating to records management. Your responsibilities for managing records in your custody include: identifying public records and determining their retention period; retaining records in compliance with records retention schedules; and destroying those that are non-public records and those that have reached their retention period.

Q: How can I determine if an item is a public record?
A: Refer to the flow chart on the reverse side of this page.

Q: Implementing a classification scheme in my agency would change my folder names and structure, and affect the way I do my work. How would I benefit from this change?
A: A systematic filing structure for the entire agency is important in order to improve access, retrieval and retention of your agency's records. The change would not affect the way you conduct your business, but would help manage your records more efficiently.

Q: Who oversees public records management in Oregon?
A: The State Archivist is responsible for public records management in Oregon, per ORS 192 and 357.

Q: Who is responsible for maintaining the official agency record?
A: Responsibility for maintaining the official agency record is a matter of agency policy.

Q: I do all my work on a computer, and never print or sign anything. Do the records retention schedules, Public Records Law, and records management policies apply to me?
A: Retention schedules, statutes, and procedures apply to all agency records regardless of how they are created or where they are stored.

Q: I regularly forget to follow the records retention schedule. Nothing can happen to me, right?
A: Oregon sets a high value on the management of and access to public records. If you destroy, alter, or withhold public records your agency can increase its liability.

Q: Do I have a say in how long a record should be kept?
A: The inventory process, which is attended by both agency and records management personnel, is meant to be beneficial to the state agency; honest answers to questions concerning the use of records lead to retention periods that are better suited to the agency's needs.

Q: How long should I keep my files?
A: The General Records and Special Retention Schedules should be consulted for the records you create to better gauge the frequency for the purging of files. Failure to take stock of your records on a regular basis could place an agency in violation of the Records Retention Schedule.

Q. Where can I find more information about managing my records?
A: Refer to statutes, administrative regulations, and your agency's policy and procedures governing records and information management. The State Archives Division's Records Management Unit also provides assistance to government agencies at no charge regarding the management of records and information, per Oregon's Public Records Law and OAR 166.

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