

**PROCESS FOR STATE AGENCIES AND LOCAL AGENCIES
BEFORE BEING SUNSETTED, PRIVATIZED, TERMINATED, OR TRANSFERRED
OR STATE AGENCIES CHANGING ELECTED / APPOINTED OFFICIALS**

**TO: ALL OFFICIALS AND THEIR OFFICES
ALL STATE AGENCIES, BOARDS AND COMMISSIONS
ALL LOCAL AGENCIES**

**PROCESS: WHEN BEING SUNSETTED, PRIVATIZED, TERMINATED, OR
TRANSFERRED TO ANOTHER PUBLIC BODY, OR WHEN
STATE AGENCIES CHANGING ELECTED / APPOINTED
OFFICIALS**

1. Basic Definitions:

Officials means any person elected or appointed to hold any elective or appointive office of any public body and any chief administrative officer, head, director, superintendent or chairman of any public body. (ARS §39-121.01)

Public body means this state, any county, city, town, school district, political subdivision or tax-supported district in this state, any branch, department, board, bureau, commission, council or committee of the foregoing, and any public organization or agency, supported in whole or in part by monies from this state or any political subdivision of this state, or expending monies provided by this state or any political subdivision of this state. (ARS §39-121.01)

Records are defined in ARS §41-151.18, and are made or received in any format, “physical form or characteristic” (paper, electronic, microform, photographs, videos, email, website, social media, tweets, etc.) and include both in-house and out-sourced (vendor / media produced) records.

Local Agency means any public body that is not a State Agency, Board or Commission, and includes Community Colleges, Counties, Fire Districts, Municipalities, School Districts and Charter Schools, and Special Districts

State Agency means a Department, Board, Office, Authority, or other governmental budget unit of the state. (A.A.C., R2-5-101, “Definitions”)

2. Statutory authority for this Process:

41-151.17. Duties relating to historical value

“B. All public records of any public office, upon the termination of the existence and functions of the office, shall be checked by the state library and either disposed of or transferred to the custody of the state library, in accordance with this article. If a public office is terminated or reduced by the transfer of its powers and duties to another office or to other offices, its appropriate public records shall pass with the powers and duties transferred.”

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3. Any State Agency, Board or Commission, any Official or their Offices, or any Local Agency in the State of Arizona, upon the **earliest** learning that such Agency or Office will be sunset, privatized, terminated, or transferred to another public body shall contact the *Archives and Records Management (ARM) Branch* of the *Arizona Library, Archives and Public Records (LAPR)* at **602-926-3815** or by email at **records@azlibrary.gov**.
4. The point of this initial contact with the **LAPR - ARM** is to start the process detailed below to ensure that all records for such Agency or Office are properly managed and preserved before, during and after the period of sunset, privatization, termination, or transfer to another public body.
5. After initial contact, a meeting should be arranged within 1 – 3 weeks with the Agency or Office (“*Transitioning Body*”).

The meeting will initiate the following process to assist Agencies and Offices in preserving important records (paper, microfilm, photographs, electronic or other).

The following persons must be at the initial meeting:

Agency Director or Deputy Director - or
Board / Commission Executive Director - or
Official - and
Information Technology (IT) representative(s) responsible for electronic records - and
Official or Agency’s Records Officer - and
LAPR Transition Team

6. Follow-up meetings need to involve *Transitioning Body* representatives for paper records, microform records, and electronic records (including databases, public and public drives, emails, social media sites, websites, audio / video records).
7. If the *Transitioning Body* is being privatized, the private company / entity replacing them (“*Receiving Entity*”) needs to be involved in all follow-up meetings once they have been identified.
8. If the *Transitioning Body* is being transferred to another Agency or Office, that Agency or Office (“*Receiving Entity*”) needs to be involved in all follow-up meetings.
9. **LAPR Transition Team** and the *Transitioning Body* will need to initiate processes to capture the following records from *Transitioning Body*:

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A. Executive Correspondence

As per the General Retention Schedule for *Officials and Executives Records*, is correspondence by an Official or Executive that sets or discusses policies or deals with other subject matter(s) that meet the definition / description of “*historically significant records*” and / or “*records of historic interest*” listed below”. The retention is based on content and includes records in any format type. Permanent records must be retained on either paper or microfilm.

B. Historically Significant Records:

As defined by the **State Archivist**, records that meet any of the following criteria are deemed **historically significant** records:

1. Document a controversial issue
2. Document a program, project, event or issue that results in a significant change that affects the local community, city, county or state
3. Document a program, project, event or issue that involves prominent people, places or events
4. Document a program, project, event or issue that resulted in media attention locally, statewide or nationally

C. Records of historic interest, as defined by the **State Archivist**, include the following:

1. Records dealing with the Core Values / Duties / Missions of Official or Office;
2. Records dealing with controversial topics and / or topics of interest: you will recognize many of these issues, especially if you suddenly get a large number of letters, calls or e-mails on a hot topic / issue: in opposition to an issue, in support of an issue, expressing a concern;
3. Records dealing with Current / Recent Issues and Events, including, but not limited to, abortion, alternative fuels, environmental issues, fiscal concerns, forests, wildfires and forest management, gambling / casinos, gas prices, gay rights, gun control, freeways or highways, illegal immigration, land and development issues, legalization of drugs, legislation (involving your Office or public body), important landmarks, terrorism / terrorists, water issues, welfare issues (for or against)
4. Records include both in-house and out-sourced (vendor / media produced)

D. Official; State or Local Agency Director, or above; and Executive Director

1. Electronic records in their personal drive / shared drives
2. Emails in their Inbox / other system folders

E. Executive Management Staff / Executive Staff

1. Information that is specific to the Official or their Office, State or Local Agency Director / Executive Director, and Agency or Official leadership team:
2. Important electronic records in their personal drive / shared drives
3. Emails in their Inbox / other system folders

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F. Constituent Services

1. Important electronic records in the personal drive / shared drives
2. Emails in the Inbox / other system folders

G. Official's or Agency's Website and / or Social Media Site

1. Entire copy of website – if possible
2. If not possible, we shall capture the following:
 - Videos / Media attention specifically involving the elected official
 - Inauguration
 - Speeches / Statements
 - Letters / Proclamations
 - Press Releases
 - Significant Events
 - Photos
 - Bio Statements
 - Involving Core Values / Duties of Office

Effective: May 05, 2014 - This supersedes previous version dated March 15, 2014.