

**UPPER BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT
RECORDS MANAGEMENT PROGRAM**

Section 1. DEFINITIONS.

- (1) "Electronic storage" means the maintenance of District data in the form of digital electronic signals on a computer hard disk, magnetic tape, optical disk or similar machine-readable medium.
- (2) "Essential record" means any record of the District necessary to the resumption or continuation of operations in an emergency or disaster; to the re-creation of the legal and financial status of the entity, or to the protection and fulfillment of obligations to the people of the District.
- (3) "Microfilm" means roll microfilm, microfiche, computer output microfilm (COM), and all other formats produced by any method of microphotography or other means of miniaturization on film.
- (4) "District record" means:
 - (a) All documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media or other information recording media, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by the District or any of its officers or employees pursuant to law, including an ordinance, or in the transaction of public business, are declared to be the records of the District and shall be created, maintained and disposed of in accordance with the provisions of this section or procedures authorized by it.
 - (b) The term "District record" does not include:
 - (i) extra identical copies of documents created only for convenience of, reference or research by officers or employees of the District;
 - (ii) notes, journals, diaries, and similar documents created by an officer or employee of the District for the officer's or employee's personal convenience;
 - (iii) blank forms;
 - (iv) stocks of publications;
 - (v) library and museum materials acquired solely for the purposes of reference or display;
 - (vi) copies of documents in any media furnished to members of the public

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to which they are entitled under Chapter 552, Government Code, or other state law;

- (vii) any records, correspondence, notes, memoranda, or documents, other than a final written agreement described by Section 2009.054(c) Government Code, associated with a matter conducted under an alternative dispute resolution procedure in which personnel of the District participated as a party, facilitated as an impartial third party, or facilitated as the administrator of a dispute resolution system or organization.
- (5) "Permanent record" means any record of the District for which the retention period on a Record Control Schedule is given as permanent.
- (6) "Record Control Schedule" means a document prepared by or under the authority of the Records Management Officer listing the records maintained by the District, their retention periods, and other records disposition information that the Records Management Program may require.
- (7) "Records management" means the application of management techniques to the creation, use, maintenance, retention, preservation and disposal of records for the purposes of reducing the costs and improving the efficiency of record-keeping. The term includes the development of Record Control Schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographics, electronic and other records storage systems.
- (8) "Retention period" means the minimum time that must pass after the creation, recording, or receipt of a record, or the fulfillment of certain actions associated with a record, before it is eligible for destruction.
- (9) "Source document" means the District record from which record data is obtained for transfer to another storage media.

Section 2. DISTRICT RECORDS DECLARED PUBLIC PROPERTY

All District records as defined in Section 1 are declared to be the property of the District. No District official or employee has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

Section 3. POLICY

It is declared to be the policy of the District to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use and disposition of all District records through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Texas Local Government Records Act and as amended in the future.

Section 4. ESTABLISHMENT OF RECORDS MANAGEMENT COMMITTEE: AND DUTIES

A Records Management Committee is established consisting of a representative from the following: Board of Directors; Secretary of the Board of Directors; and General Manager. The committee shall:

- (1) Assist the Records Management Officer in the development of policies and procedures governing the Records Management Program;
- (2) Review the performance of the program on a regular basis and propose changes and improvements if needed;
- (3) Review and approve Record Control Schedules submitted by the Records Management Officer;
- (4) Establish records destruction policies and procedures; and
- (5) Actively support and promote the Records Management Program throughout the District.

Section 5. DESIGNATION OF RECORDS MANAGEMENT OFFICER

The General Manager or his/her designee and successive holders of said position shall serve as the Records Management Officer for the District. As provided by state law, each successive designated Records Management Officer shall file his or her name with the director and librarian of the Texas State Library and Archives Commission within thirty (30) days of the designation or of the taking of office, as applicable.

Section 6. DUTIES OF RECORDS MANAGEMENT OFFICER

In addition to other duties assigned in this section, the Records Management Officer shall:

- (1) Administer the Records Management Program and provide assistance in its implementation;
- (2) In coordination with the Board, plan, formulate, and prescribe records disposition policies, systems, standards and procedures;

- (3) In cooperation with the Board, identify essential records and establish a disaster plan for the District office to ensure maximum availability of the records in order to reestablish operations quickly and with minimum disruption and expense;
- (4) Monitor record retention schedules and administrative rules issued by the Texas State Library and Archives Commission to determine if the Records Management Program and the District's Record Control Schedules are in compliance with state regulations.
- (5) Disseminate to the Board information concerning state laws and administrative rules relating to local government records;
- (6) Ensure that the maintenance, preservation, microfilming, destruction or other disposition of District records is carried out in accordance with the policies and procedures of the Records Management Program and the requirements of state law;
- (7) Maintain records on the volume of records destroyed under approved Record Control Schedules, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition; and
- (8) Report annually to the Board on the implementation of the Records Management Plan in each area of the District, including summaries of the statistical and fiscal data compiled.

Section 7. DUTIES AND RESPONSIBILITIES OF EMPLOYEES

In addition to other duties assigned in this section, employees of the District shall:

- (1) Cooperate with the Records Management Officer in carrying out the policies and procedures established in the District for the efficient and economical management of records and in carrying out the requirements of this section; and
- (2) Maintain the records and carry out their preservation, microfilming, destruction, or other disposition in accordance with the policies and procedures of the Records Management Program of the District and the requirements of this section.

Section 8. RECORDS MANAGEMENT PLAN TO BE DEVELOPED: APPROVAL OF PLAN: AUTHORITY OF PLAN

- (1) The Records Management Officer and the Records Management Committee shall develop a records management plan for the District. The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of record-keeping, to adequately protect the essential records of the District, and to properly preserve those records of the District that are of historical value. The plan must be designed to enable the Records Management Officer to carry out his or her duties prescribed by state law and this section effectively.

- (2) Once approved by the Committee, the records management plan shall be binding on all offices, departments, division, programs, commissions, bureaus, boards, committees, or similar entities of the District, and all District records shall be created, maintained, stored, microfilmed, destroyed and/or disposed of in accordance with the records management plan.

Section 9. RECORD CONTROL SCHEDULES: APPROVAL: FILING WITH THE STATE

- (1) The Records Management Officer shall prepare Record Control Schedules on a department by department basis listing all records created or received by the department and the retention period for each record.
- (2) Each Record Control Schedule shall be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that it continues to reflect the record-keeping procedures and needs of the department and the Records Management Program of the District and that it is in compliance with records retention schedules issued by the State.
- (3) Before its adoption, a Record Control Schedule or amended schedule for a department must be approved by the division head and a majority vote of the members of the Records Management Committee.
- (4) Before its adoption, a Record Control Schedule must be submitted to and accepted for filing, by the director and librarian of the State and Local Government Records Management Division as provided by state law. If a schedule is not accepted for filing, the schedule shall be amended to make it acceptable for filing. The Records Management Officer shall submit the Record Control schedules to the director and librarian of the State and Local Government Records Management Division.

Section 10. IMPLEMENTATION OF RECORD CONTROL SCHEDULES: DESTRUCTION OF RECORDS UNDER SCHEDULE

- (1) A Record Control Schedule that has been approved and adopted under Section 9 shall be implemented according to the policies and procedures of the records management plan.
- (2) A record whose retention period has expired on a Record Control Schedule shall be destroyed unless an open records request is pending on the record, the subject matter of the record is pertinent to a pending law suit, or the department head requests in writing to the Records Management Committee that the record be retained for an additional period; and
- (3) Prior to the destruction of a record under an approved Record Control Schedule, authorization for the destruction must be obtained by the Records Management Officer in accordance with the policies and procedures established by the Records Management Committee.

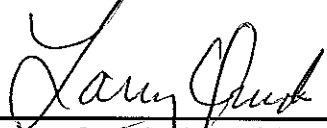
- (4) The source document of a record whose retention period has not expired on a Record Control Schedule, but which has been either microfilmed or stored electronically, must be reviewed for destruction authorization in accordance with the policies and procedures established in this section and requirements of state law.

Section 11. RECORDS CENTER

A records center, developed pursuant to the plan shall be under the direct control and supervision of the Records Management Officer. Policies and procedures regulating the operations and use of the records center shall be contained in the records management plan.

ADOPTED this 9th day of September, 2011

**UPPER BRUSHY CREEK WATER CONTROL
AND IMPROVEMENT DISTRICT**



Larry Quick, President