

DELAWARE PUBLIC ARCHIVES  
OPERATING POLICIES AND PROCEDURES

**APPOINTMENT OF RECORDS OFFICERS AND AUTHORIZED AGENTS**

29 Delaware Code, §521 states that:

- a) Each state agency and political subdivision of this state shall designate as many as appropriate, but at least one, records officer to serve as liaison with the Delaware Public Archives for the purpose of implementing and overseeing a records management program and coordinating legal dispositions, including destruction of obsolete records.
- b) Appointment of state agency records officers shall be made by the respective heads of each agency.
- c) Appointment of records officers for the political subdivisions of this state shall be made by the chief administrative official of such political subdivision.

In addition, 29 Delaware Code, §504 requires that "It shall be the responsibility of every public official and employee to adequately document the transaction of public business and the services and programs for which such persons are responsible; to retain and adequately protect all public records in their custody; [and] to cooperate with the Delaware Public Archives and records officers in the establishment and maintenance of an active and continuous program for the economical and efficient management of public records."

To this end the Delaware Public Archives (DPA) requires each state agency and political subdivision to submit, in writing, by July 1 of each year, the name(s) of records officer(s) for that agency or political subdivision and a list of agents authorized to: (a) transfer records to or from the State Records Center for storage or information retrieval; and (b) request records destruction.

**1. RECORDS OFFICERS**

- 1.1 Records officer appointments will be made by the agency head on or before July 1 of each year. If appointment notification is not received by this date DPA will suspend services until appointment notification is received.

- 1.2 Records Officer Responsibilities

The agency records officer performs the function of liaison with DPA regarding agency records administration, including requests for all records retention scheduling, storage, document imaging, information retrievals, and disposal services. In addition, the agency records officer is responsible for working with DPA for the control of all agency publications as mandated by 29 Delaware Code, §519.

- 1.3 Specific duties of records officers:

- 1.31 Serve as main contact person when requesting services from DPA and the main contact for the dissemination of information on records management topics and DPA policies and procedures throughout their own agencies.
- 1.32 Work with assigned DPA Information Resources Specialist in the development and maintenance of agency records retention schedules. The inventory phase of the retention scheduling process is usually conducted by other agency personnel who have direct custody of the records with assistance/supervision/review from the records officers and the DPA Information Resources Specialist. The records officer serves, in most cases, as an intermediary ensuring that DPA receives complete inventory information and that all scheduling decisions have received full agency review by the agency head prior to submission to DPA.
- 1.33 Execute requests to DPA for all records storage, and disposal services. This involves the completion of proper forms and verification that records have been prepared and boxes labeled per DPA guidelines.

- 1.331 Ensure that disposal notices have been reviewed by appropriate agency personnel to verify satisfactory completion of all audit requirements. Also, ensure that there are no pending legal actions concerning or related to the records requested for disposal.
  - 1.332 Act as liaison for outside requests for copies of any imaged agency records. Supply written requests, with agency approvals, for such actions.
  - 1.34 Work with DPA's Delaware Documentation program to ensure the proper recording and transfer to DPA of two copies of each agency publication as required by 29 Delaware Code, §519.
  - 1.35 Designate agency personnel to act as authorized agents for signing transfer documents, disposal notices, and record service forms; transfer or retrieval of records to and from the State Records Center for storage or information retrieval; requesting destruction; and forwarding of agency publications.
- 1.4 Records Officer Termination
- Upon the resignation/termination of an agency records officer the agency head must appoint a new records officer and notification of same must be made, in writing, to DPA within 30 days.

## 2. AUTHORIZED AGENTS

### 2.1 Definition

Authorized agents are personnel designated by their agency head and/or records officer to sign DPA transfer documents, disposal notices and record service forms, and who are authorized to: (a) transfer or retrieve records to and from the State Records Center; (b) request records for destruction; and (c) send agency publications to DPA.

- 2.2 A listing of authorized agents for each agency must be submitted to DPA on or before July 1 of each year. If not received by that date, services will be suspended until a current list is received.
- 2.3 The list must contain the names, titles, telephone/fax numbers, and email addresses of state agency personnel designated as the authorized agents for each agency.
- 2.4 Only those persons whose names appear on the authorized agents list will be accepted by DPA as authorized agents for the signing of transfer documents, disposal notices and record service forms.
  - 2.41 Disposal notices must be reviewed by appropriate agency personnel to verify satisfactory completion of all audit requirements, and to verify that there are no pending legal actions concerning or related to the records requested for disposal.
- 2.5 Any agency staff person designated as an authorized agent must present photo identification when requesting service of records at DPA, and must sign for the records upon receipt.
- 2.6 DPA is responsible for verifying the identification of the individual to whom an agency record is released.
- 2.7 The agency is responsible for keeping DPA informed of changes in authorized agents.
- 2.8 Requests for access to records from other than authorized agents.
  - 2.81 Persons other than a creating agency's authorized agent(s) who request records in the custody of DPA will be referred to the creating agency's records officer.

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