



Born-Digital Public Records: Policy Statement

South Carolina Department of Archives and History
Archives and Records Management Division

Policy Statement

The South Carolina Department of Archives and History placed this policy into effect on November 21, 2023.

Purpose

This policy clarifies the position of the South Carolina Department of Archives and History regarding the creation, management and disposition of born digital records, as defined by Section 30-4-20 (c) of the *Code of Laws of South Carolina, 1976* as amended.

Authority

Sections 30-1-80 through 30-1-100 of the *Code of Laws of South Carolina, 1976*, as amended, provide the authority to establish this policy.

Scope

This policy statement applies to the records of all public bodies as defined by Section 30-1-10 of the *Code of Laws of South Carolina, 1976*, as amended.

Statement

Born-digital records are records that have been natively created in digital format rather than digitized from paper records. To ensure accessibility, legibility, reduce the risk of data loss or premature disposition, and preserve records of permanent (archival) value, the following policy is established for the maintenance and disposition of born-digital public records.

This policy does not supersede existing federal, state, or local laws and regulations that require maintaining public records and documents in a prescribed format.

Definition of Born-Digital Record

A born-digital record is a record that has been natively created in a digital format rather than paper, microfilm, or other non-digital formats.

Examples of born-digital records include the following: email, Microsoft Office Suite (Word, PowerPoint, Excel, Access, etc.), PDF, images, video, data sets, and data bases.

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The *Codes of Laws of South Carolina, 1976*, section 30-1-10 (b), states that public records “includes all ...documentary materials regardless of physical form or characteristics prepared, owned, used, in the possession of, or retained by a public body,” therefore, born-digital records created by public bodies are considered a public records.

Records Retention Requirements for Born-Digital Records

State and local government officials creating born-digital records are required to follow the guidelines in the records retention schedules issued by the South Carolina Department of Archives and History.¹ The official version of the born-digital record must remain accessible, legible and indexed for the entire lifetime of the record.

Record retention requirements will vary based on the value of the record and can range from short term to permanent. The South Carolina Department of Archives and History created the following standards for the storage and preservation of born-digital records based on the record retention period.

Maintenance of all born-digital records with any established retention period

- Limit file formats or keep a log of file formats used
- Create appropriate indexes or other finding aids that will provide access to the records
- Perform a periodic visual inspection of the records to ensure legibility and continued accessibility
- Report destruction of the official version of born-digital records via the Report on Records Destroyed Form (ARM-11)

Maintenance of records with an established retention of ten years or more, including Permanent Born-Digital Records

Long-term storage and preservation of born-digital records requires additional criteria to prevent loss of records or information. Therefore, the South Carolina Department of Archives and History created the following standards to follow in addition to the standards above for records with any established retention period:

- Maintain back-up copies of the born-digital records and indexes stored in a secure off-site facility.²

¹ *Codes of Laws of South Carolina, 1976, Section 3-1-90 (b)* states “In addition, general schedules for records series common to agencies and subdivisions may be issued by the Archives. Agencies and subdivisions must be allowed to opt out of these general schedules and proceed pursuant to the provisions of subsection (A) in the establishment of specific records schedules.”

² A secure off-site facility should be a secondary physical location for the digital records and indexes. Therefore, if both the original and copies are stored in the same location, such as in an office, the secure off-site requirement is not met. For current guidelines and best practices, see the Digital Media Storage section of the Electronic Records Management Guidelines, available at <https://scdah.sc.gov/records-management/electronic-records/electronic-records-management-guidelines>

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- Plan for regular upgrades and system migration records. The State Archives *highly recommends*, migrating and converting both working and security copies of the digital records and indexes at least every ten years.
- Sample both working and security copies of the digital records and indexes at least once a year to ensure that the data is still readable. Recopy if loss of information is detected.
- Establish and document written policies and procedures regarding the creation and management of born-digital records.
- (Optional): If storage method requires vendor or third party, maintain the contract information as part of the documentation process.

Transferring Permanent Born-Digital Records (State Agencies)

Born-digital records with an established retention period of permanent may be transferred to the South Carolina Department of Archives and History by state agencies. Other agencies such as Colleges/Universities, Local Governments, School Districts, and Special Purpose Districts can contact the State Archives to determine if their records are approved for transfer and permanent accession on a case-by-case situation.

To transfer permanent born-digital records, the agency must complete and submit an Electronic Records Transmittal Form (ARM-15) along with the born-digital record stored in a removable media. The form gives authorization for the South Carolina Department of Archives and History to become the owner of the records, and the records will become part of the South Carolina Electronic Records Archive.

Recommendations for the selection and use of digital imaging records systems

For current guidelines and best practices, see the *Electronic Records Management Guidelines*, available at <https://scdah.sc.gov/records-management/electronic-records/electronic-records-management-guidelines>

For questions and comments

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