

POLICY No.	AUTHOR	PROMULGATION DATE	UPDATE
A&RM-01	Director, Archives & Records Management	04/05/2022	N/A

TITLE
<b>Information &amp; Records Policy</b>

PURPOSE
The purpose of this policy is to establish guidelines to identify, maintain, and safeguard information and records that are required for the conduct of both spiritual and temporal affairs at the Diocese of St. Augustine, to comply with state, federal and canon law, and to assign responsibilities for administering the function within the organization.

SCOPE
This policy applies to all information and records created by Diocesan Agencies and their employees, volunteers, and data custodians as a function of Diocesan business and ministry.

DEFINITIONS
<p><b>Agent</b> An agent of the Diocese of St. Augustine shall include contract employees or third-party vendors engaged for services.</p> <p><b>Disposition</b> The final stage record retention as dictated by approved Records Retention Schedules. Disposition of a record may be destruction or permanent retention in the Diocesan Archives or a permanent digital repository.</p> <p><b>Data Custodian</b> An employee or agent who has administrative and/or operational responsibility over Institutional Data. They are responsible for implementing tactical execution of data governance; ensuring data integrity, reliability, security, and accessibility; ensuring data protection through management of architecture, practices, and processes related to data; data cleansing per Information Governance policies; and providing timely and relevant access to data. An enterprise application may have a team of multiple data custodians. Data custodians may be Diocesan employees or an engaged agent, such as database vendors or information technology consultants</p> <p><b>Entity</b> An entity shall include any department, institution, office, school, or subdivision thereof owned and/or operated by the Roman Catholic Bishop of St. Augustine, a corporation sole as well as public juridic persons (such as parishes) subject to the authority of the Bishop of St. Augustine.</p> <p><b>Information</b> Regardless of format, everything produced by an institution, whether structured or unstructured, is information. This includes content, documents, data, and records.</p> <p><b>Information Custodian</b> An employee or agent who produces information. This includes all diocesan employee and contractors, parish staff, school staff, and anyone who does work-for-hire for an Diocesan entity.</p>

**Institutional Data**

Any symbols or characters that represents facts or figures and form the basis of information.

**Litigation Hold**

A litigation hold is a suspension of record retention/destruction policies for those records that may be relevant to a legal issue and/or lawsuit that has been actually filed or one that is reasonably anticipated. It ensures that relevant information, including records, are not destroyed and key employees are notified of information preservation requirements.

**Records**

All recorded information created as a function of Diocesan business and ministry. Records include, but are not limited to: documents, letters, maps, books, photographs, films, sound recordings, tapes (magnetic and otherwise), electronic database records, electronic data processing records, and any other documentary material regardless of media type or characteristic that have been created, received, used, maintained, or preserved by an agency of the Diocese of St. Augustine, its employees, or its agents in the course or transaction of business or ministry or pursuant to its legal obligations.

**POLICY STATEMENT**

**Ownership of Information & Records**

All information, including records, created, received, used, maintained, or preserved by an entity or employee of the Diocese of St. Augustine during the course of employment or in the transaction of diocesan business or using Diocesan issued equipment (including computers, handheld electronic devices, etc.) is solely the property of the Diocese of St. Augustine. No information shall be removed, destroyed, transferred, stored, migrated into another media type including digitized, or otherwise disposed except in compliance with Diocesan Policies governing properly established Retention Schedules and procedures developed by the Office of Archives & Records Management.

**Records Retention Schedules**

A Records Retention Schedule is created by the Office of Archives & Records Management for each agency of the Diocese that includes the record series title, description, retention period, and legal/canonical citation. Records Retention schedules governing the disposition of all Diocesan Records shall be approved by the Chancellor and/or his/her designee, the Department Director/Agency head, and Diocesan Legal Counsel. Standard Operating Procedures established by the Archives & Records Management Office administers Records Retention Schedules and approves record destruction.

**Litigation Hold Notices**

When any Diocesan agency or employee receives written notification of anticipated litigation, the agency or employee should preserve all records relevant to the anticipated litigation and shall suspend routine destruction of relevant records until further notice.

**ROLES/RESPONSIBILITIES**

Per Canon 482, the **Chancellor** is responsible for overseeing the management of the Diocesan Archives & Records Management program, which includes management of information and records.

The **Director of Archives & Records Management** is responsible for administering the Diocesan Archives & Records Management Program. This includes proposing and collaborating in the development of Policy regarding information and records with appropriate Diocesan bodies and/or the Catholic Bishop of St. Augustine; publishing record keeping guidelines and standard operating procedures (SOPs) for Information Management; educating Information Custodians on Information and Records Policy/Procedure; administering the Diocesan Archives; and serving as a content expert on Diocesan events and history.

The **Archives & Records Management Office** is responsible for providing advice, education/training, and information to support the business and pastoral activities of the Catholic Diocese of St. Augustine.

It is the responsibility of **Information Custodians, Data Custodians, and Agents** to adhere to promulgated Diocesan Policy, Diocesan Record Keeping Guidelines and SOPs.

#### REFERENCES/CITATIONS

**ARMA, Intl. Technical Report: Glossary of Records and Information Management Terms, 5<sup>th</sup> Edition (ARMA International TR 22-2016)**

**Coriden, James A., Thomas J. Green, and Donald E. Heintschel. *The Code of Canon Law: a text and commentary*. New York: Paulist Press, 1985.**

**Canon 22** – Civil law to which the law of the Church yields are to be observed in Canon Law with the same effects, in so far as they are not contrary to Divine Law and unless Canon Law provides otherwise.

**Canon 482 §1** – In every curia a chancellor is to be appointed whose principal function, unless particular law establishes otherwise, is to take care that acts of the curia are gathered, arranged, and safeguarded in the archive of the curia.

**Canon 483 §1** – Besides the chancellor, other notaries can be appointed whose writing or signature establishes authenticity for any acts, for judicial acts only, or for acts of a certain case or affair only.

**Canon 484** – It is the duty of notaries:

- 1° to draw up the acts and instruments regarding decrees, dispositions, obligations, and the things which require action;
- 2° to record faithfully in writing what has taken place and to sign it was a notation of the place, day, month, and year;
- 3° having observed what is required, to furnish acts or instrument to one who legitimately requests them from the records and to declare copies of them to be in conformity with the original.

**Canon 486 §1** - All documents which regard the diocese or parish must be protected with the greatest care.

**Canon 486 § 2** - In every Curia, there is to be erected a safe place a diocesan archive, or records storage area, in which instruments and written documents which pertain to the spiritual and temporal affairs of the diocese are to be safeguarded after being properly filed and diligently secured.

**Canon 489 §1** - In the diocesan curia there is also to be a secret archive, or at least in the common archive there is to be a safe or cabinet, completely closed and locked, which cannot be removed; in it documents to be kept secret are to be protected most securely.

**Canon 490**

**§1** - Only the bishop is to have the key to the secret archive.

**§2** - When a see is vacant, the secret archive or safe is not to be opened except in a case of true necessity by the diocesan administrator himself.

**§3** - Documents are not to be removed from the secret archive or safe.

**Canon 491**

**§1** – The diocesan bishop is to take care that the acts and documents of the archives of the Cathedral, collegiate, parochial, and other churches in his territory are preserved and that inventories or catalogs are to be made in duplicate, one of which is to be preserved in the archive of the church and the other in the diocesan archive.

**§2** – A diocesan bishop is also to take care that there is an historical archives in the diocese and that documents having an historical value are diligently protected and systematically ordered in it.

**§3** – In order to inspect or remove the acts and documents mentioned in §1 and §2 the norms established by the diocesan bishop and are to be observed.

**Canon 1276**

**§1.** - It is for the ordinary to exercise careful vigilance over the administration of all the goods which belong to public juridic persons subject to him, without prejudice to legitimate titles which attribute more significant rights to him.

**§2** - With due regard for rights, legitimate customs, and circumstances, ordinaries are to take care of the ordering of the entire matter of the administration of ecclesiastical goods by issuing special instructions within the limits of universal and particular law.

**Canon 1279**

**§1** - The administration of ecclesiastical goods pertains to the one who immediately governs the person to which the goods belong unless particular law, statutes, or legitimate custom determine otherwise and without prejudice to the right of the ordinary to intervene in case of negligence by an administrator.

**§2** - In the administration of the goods of a public juridic person which does not have its own administrators by law, the charter of the foundation, or its own statutes, the ordinary to whom it is

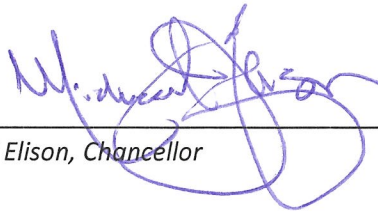
subject is to appoint suitable persons for three years; the same persons can be reappointed by the ordinary.

\*Florida State laws governing recordkeeping procedures.

\*Federal laws governing recordkeeping procedures

Leumas, Emilie G.; Audrey P. Newcomer; & John J. Treanor. *Managing Diocesan Archives & Records: A Guide for Bishops, Chancellors, and Archivists*. Chicago: Association of Catholic Diocesan Archivists, 2012.

\*These vary by record created. See *Diocese of St. Augustine Records Retention Schedule* for specific details.



Deacon Michael Alison, Chancellor

5 APR 2022

Date



Most Rev. Felipe J. Estévez, Bishop of St. Augustine

April 5, 2022

Date