



Website & Social Media Archiving:

A Compliance Guide For K-12 Schools

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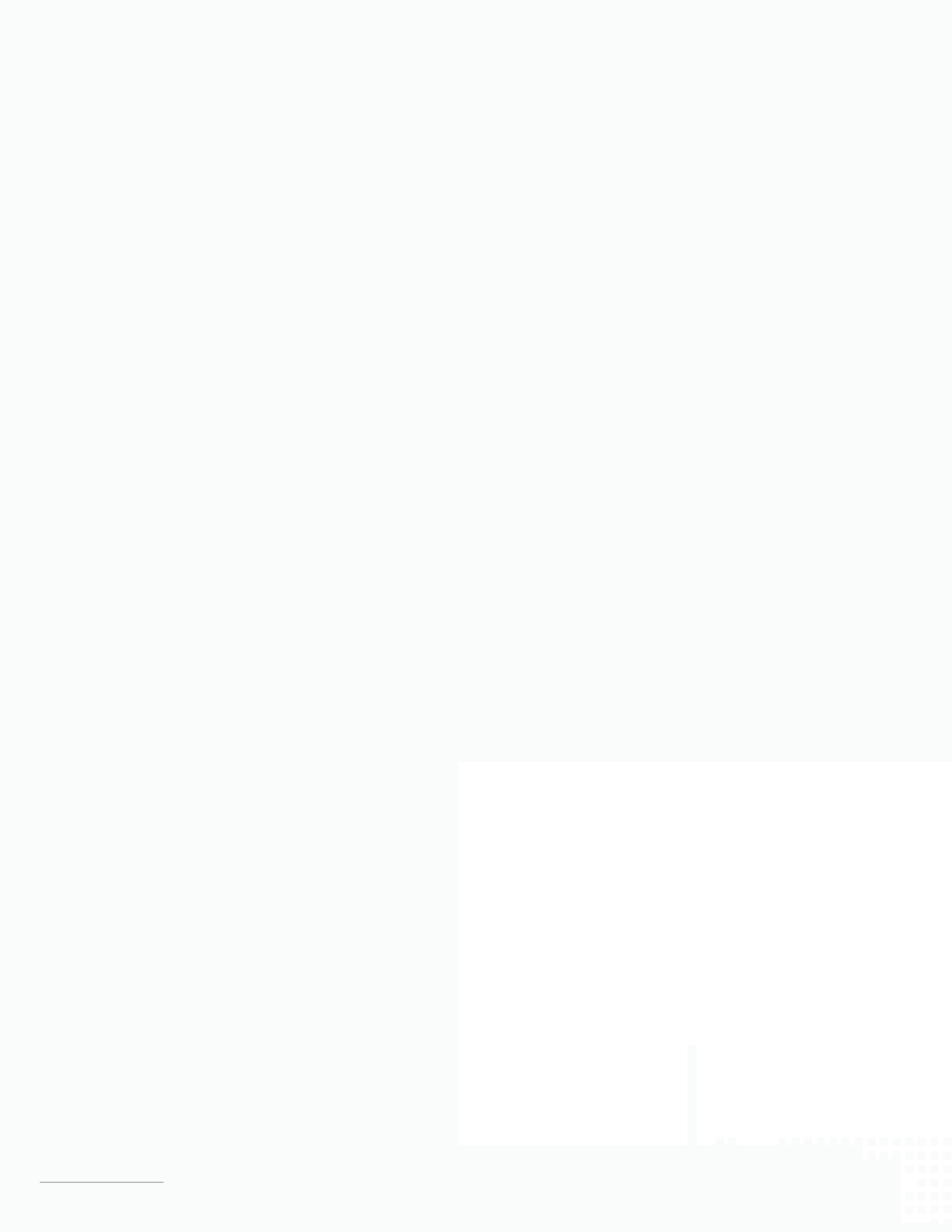
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AN INTRODUCTION TO ONLINE GOVERNMENT CONTENT

DIGITAL COMMUNICATIONS HAVE HELPED GOVERNMENT AGENCIES AND SCHOOLS CONNECT WITH CITIZENS AND APPLY "OPEN GOVERNMENT" PRINCIPLES... BUT THEY HAVE ALSO CAUSED A MASSIVE INCREASE IN ELECTRONIC PUBLIC RECORDS.

Now more than ever, the business of government is online. School board meeting agendas and minutes can be downloaded from the website; some districts even broadcast them on YouTube, news is delivered via RSS feeds, transportation schedules are published to online calendars, opinion polls are taken in forums, codes and bylaws can be viewed in online databases, the police blotter appears on Twitter ... and that's just for starters. Every day, government agencies and schools at every level and across the globe are communicating through website and social media technologies.

Government websites and social media content -- just like any traditional public records -- are subject to e-discovery proceedings, lawsuits, Open Records/FOIA

requests, audits, or investigations. Agencies are starting to understand the responsibilities inherent in their online activities. They're starting to ask questions about the best ways to preserve digital records.

.....
"How do agencies handle social media and FOIA? What constitutes a public record? How are agencies storing information and have information ready if they need to release it?"
- Pat Fiorenza, Research Analyst, GovLoop
.....

OPEN GOVERNMENT AND RECORDS RETENTION

“OPEN GOVERNMENT” AND “OPEN DATA” HAVE BECOME BUZZWORDS OVER THE PAST FEW YEARS, BUT THEY BRING REAL LIFE CHALLENGES TO THE AGENCIES THAT SEEK TO IMPLEMENT THEM.

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Beginning with President Obama’s call for open government in 2009, hundreds of agencies have been using web and social media tools to achieve the goals of “transparent, participatory, collaborative” Government.

“Agencies should proactively use modern technology to disseminate useful information.” - President’s Open Government Directive, 2009

The gist was that agencies should not sit around waiting for Open Records requests -- they should be publishing government information online while keeping their web presence interactive, accessible and current. This included the publishing of datasets for the private sector to view and use, but also expanded to include the publishing of “the everyday business of government” -- from social services to sanitation and beyond.

The benefits of using web technologies to connect with citizens are manifold -- they make the sharing of information faster and less expensive, allow for greater interaction and collaboration with the public, and enhance a government’s image in the eyes of the people who use website and mobile tools for

all their daily activities. Even small agencies are growing their online presence, as an affordable way to “do more with less.” Open data is filtering down to every level and size of government.

Digital government records must be maintained if agencies are to remain truly open to the public. As your agency updates its web pages, are the older versions lost? As conversations slide past on Twitter, is there a record of what has been said? How quickly can your agency respond to an Open Records request if the records are buried in a confusing online database?

“The Government cannot be open and accountable if it does not preserve -- and cannot find -- its records.” - David S. Ferriero, Archivist of the Wserve --



SOCIAL MEDIA CHALLENGES

PUBLIC SCHOOLS MUST RECOGNIZE THE REGULATORY RISK INVOLVED WITH SOCIAL MEDIA IN THE ABSENCE OF PROPER RECORDS MANAGEMENT POLICIES.

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As school districts have realized the value of real-time communication with citizens, many have become active on some type of social network, often without establishing policies for managing the information that is published by the agency. A recent report released by IBM's Center for the Business of Government concludes that, in general, governments have shown a "lack of standards for records management" within social media.

According to the report, 22 out of 24 major agencies are utilizing social media tools. The most popular are RSS feeds, microblogs, social networking sites (like Twitter and Facebook), blogs and video sharing. These platforms hold vast potential for connecting citizens with their governments, but agencies must recognize the regulatory risk involved with social media in the absence of proper records management policies.

.....
"New media brings with it new challenges especially for records managers struggling to apply existing records management laws and regulations . . . in a social media world."
Patricia C. Franks, Associate Professor, School of Library and Information Science, San Jose State University, CA
.....

Recent guidance prepared by the National Archives and Records Administration (NARA) identified several reasons why social media is so troublesome for records managers:

- Public expectations that all web content is both permanently valuable and accessible
- Content located in multiple places
- Recordkeeping in a collaborative environment
- Ownership and control of data that resides with a third party
- Interactive content management
- Identification of record series

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If your school or agency already employs a retention strategy, it's important to recognize that not all electronic records are created equal. Suppose your agency did find itself facing legal action or e-discovery proceedings. How would your web records hold up in court? It is critical for organizations to understand how digital evidence is treated by law. Your website and social media pages are transient by nature. The Federal Rules of Evidence require proof that the data presented is authentic, and has not been manipulated, altered, or misrepresented.

Without a defensible archive of a web page, those requirements are very difficult to meet. For digital records to be accepted in court, you must be able to prove their authenticity and integrity. Data authenticity verifies that the presented web content was indeed from your website and was online at a specified date. Data integrity verifies that the presented web content is an exact representation of the

original and has not been changed over time. If you can't prove the verifiability of your digital evidence, it may be thrown out, resulting in higher litigation costs for your agency.

The standards for this burden of proof can be met by utilizing three key components: a certified atomic clock to establish a legally accepted time, a digital signature to establish data integrity, and a digital timestamp to establish data authenticity. How can Alaskified atomt dig websites and social media pages.



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INSTITUTION CHECKLIST

HOW WILL YOU KNOW WHICH ARCHIVING SOLUTION MEETS YOUR INSTITUTION'S NEEDS? HERE ARE SEVERAL KEY COMPONENTS TO CONSIDER.

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POWERFUL CONTENT CAPTURE METHOD

Make sure your chosen solution can archive complex or hard-to-reach content (like Flash or AJAX). It's best to make sure your agency is covered even in a wide range of circumstances and site / page designs.

PERFECT REPRESENTATIONS

Once the archives are captured, you need to ensure they can be re-produced and re-played in their original format. This is particularly important within a legal context.

ELIMINATES DEPENDENCY

The preservation and storage of digital content is best approached using the SaaS (software as a service) model -- everything happens online, independent of specific technologies or databases. If you need to keep your records in-house, look for a service that supports both options.

POWERFUL SEARCH

Tagging records with metadata is one of the most time-consuming retention tasks. Employing an archiving solution that allows for keyword searches, filtering commands and other organizational aids can eliminate the necessity of tagging archives, or digging through online files in search of a particular record.

SECURE ARCHIVE STORAGE

Responsible handling of your agency's sensitive data is of vital importance. Make sure your archives will be stored securely in accordance with rigorous auditing standards (SSAE 16, etc.) Archives should also be stored in more than one location for an added precaution.

CUSTOM OPTIONS

With archival crawlers browsing your website and social media pages, capturing everything within a defined scope, it's important to limit the amount of data stored. You should be able to define specific URL paths, archive individual pages and otherwise tailor the archives, keeping them relevant to your agency's needs.

DEFENSIBLE DIGITAL RECORDS

Remember that your archives should be re-playable in their original form (as required for legal use). They should also be marked with a digital timestamp and signature to prove data integrity and authenticity.

LITIGATION HOLD

Your archiving solution should provide prompt exports of archived content when needed for legal or e-discovery proceedings. Regular data export is also a valuable function, if you require local copies of your records for any reason.

CONTACT PAGEFREEZER

OETC MEMBERS CAN BENEFIT FROM A VOLUME PRICE AGREEMENT WITH PAGEFREEZER. VISIT [OETC.ORG/PAGEFREEZER](https://oetc.org/pagefreezer) FOR MORE INFORMATION.

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