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# **Conducting City Business on Personal Devices & Accounts**

Complying with SB944

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# What is SB 944 and how does it change current law?

- SB 944 affirms that city information held by a city employee or official in a private electronic account or on a private device is subject to the Public Information Act and provides civil and criminal penalties for failing to safeguard the information and not providing the information in response to a public information request.



# Temporary Custodian rights and duties

- As a city employee, you are responsible (the temporary custodian) for any emails, texts or other city business on your personal device or personal email account.
- The best option is not to use your personal device or email for city business.
- If you do, you must:
  - (1) forward or transfer the public information to the City; or
  - (2) preserve the information in its original form.



# What does this include?

- Texts
- Emails
- Social Media Posts/Messages
- Instant Messages



# How do I know what to keep?

- Ask yourself
  - Is this a record?
  - Is this related to my job?
  - Am I the temporary custodian?

If you answer yes, then you must keep the record. If no, once it is no longer administratively valuable, delete the record.



# How do I save the information?

- Forward Emails to your @plano.gov email account
- Screen Shots
  - Take a screen shot of the text, post, etc.
  - Forward to your @plano.gov email account
  - Be sure to use a meaningful naming convention i.e. Text – Name (or number), Subject Matter, Date
  - Best practice is to set up an outlook folder to keep emails by retention period.



# How long do I have to keep the information?

- General information about retention

- Transitory/Routine

- Items that have temporary usefulness, meeting notices, phone messages, drafts, working papers and similar items. Keep as long as administratively valuable.

- General

- Correspondence pertaining to regular operation, policies, programs, services, projects and similar items. Keep for 2 years.

- Administrative

- Correspondence pertaining to formation, planning, implementation, modification, or redefinition of policies, programs, services, or projects and similar items. Keep for 4 years.

# How long do I have to keep the information?

- General information about retention
  - Retention schedules can be found on Cityweb in the Records Management folder <https://cityofplano.sharepoint.com/sites/records/default.aspx>
  - If you have retention questions, please contact Records Management or Lisa Henderson.





# What happens if I don't keep the information?

- You may be subject to Criminal Penalties
- HR disciplinary actions



# Examples

- Shannah receives a message via her personal Facebook Messenger about a pothole.
- Lisa receives a text on her personal cell phone during a Council Meeting from staff informing her the Mayor's lapel mic is not working.
- A field employee receives a text on his personal cell with his next project location.



# Questions?





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**Thank you**

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