



COLORADO
**Governor's Office of
Information Technology**

Serving People. Serving Colorado.

Dec. 15, 2023

Staff of the Legislative Council
State Capitol Building
200 East Colfax
Denver, Colorado 80203

Dear Staff of the Legislative Council:

In accordance with Section 24-72-204.5(3), C.R.S., I am pleased to present you with a report outlining the electronic mail ("email") retention policy of the Governor's Office of Information Technology (OIT).

Statute requires reporting to the Staff of the Legislative Council. Specifically:

On or before January 1, 2024, each member of the general assembly, the governor's office and each office of the governor, and each state agency and institution shall submit a report to the staff of the legislative council of the general assembly outlining its respective electronic mail retention policy. The members of the general assembly may submit individual reports or may submit a report that specifies the electronic mail retention policies of multiple members of the general assembly.

The Governor's Office of Information Technology email retention policy is attached.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael McReynolds'.

Michael McReynolds
Senior Manager of Government Affairs & Legislative Liaison





<i>OIT Email Retention Policy</i>	Document ID:	POL 100-44
	Effective Date	7/15/2021
	Revision Date:	
Version: 1.0	Document Type:	POLICY

1. Title: OIT Email Retention Policy

2. Purpose

State agencies may make rules and adopt a policy regarding the retention, archiving, and destruction of such records. The purpose of this policy is to outline the email retention policy and processes for the Governor's Office of Information Technology (OIT). This policy establishes how long an email will remain in your state email account before being deleted automatically, what emails need to be preserved and how to prevent emails from being auto-deleted. It is a best practice to automate the retention management of emails so that they are removed from the system in a consistent manner without any manual intervention. Doing so eliminates storage of digital assets no longer needed, human error, and any potential bias.

3. Policy

- 3.1 All email that is older than 60 days, other than email with a DONOTDELETE label, will be auto-deleted. This includes email in inbox, sent, and other labels.
- 3.2 OIT employees shall apply a DONOTDELETE label to emails that should be kept longer than 60 days.
- 3.3 OIT employees shall periodically review emails with the DONOTDELETE label and remove the label when the email no longer needs to be retained.

4. Applicability

This policy applies to all classified and non-classified employees within OIT including full or part-time permanent and temporary employees, independent contractors, volunteers, and interns, regardless of physical work location.

5. References

- 5.1 [OIT's Email Retention Policy FAQ](#)
- 5.2 [Governor's Office Employee Manual](#) (see sections on Document Retention Policy and Email)
- 5.3 [State Agency Records Management](#)
- 5.4 [COVID-19 Records Retention](#)
- 5.5 [OIT CORA Policy, POL 100-14](#)



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6. Definitions

- 6.1. **Colorado Open Records Act (CORA):** CORA requires that public records be open to public inspection, subject to some exceptions. A "public record" includes most writings made, maintained, or kept by OIT. Anyone can request public records in the possession of a government office, including OIT.
- 6.2. **DONOTDELETE label:** A label that must be applied to an individual email to preserve it from auto-deletion.
- 6.3. **Google Vault:** A tool that, among other things, enables OIT to configure the automatic preservation and deletion rules for data in Google Workspace including Gmail messages. Once an email is removed via Google Vault, it is irretrievable.
- 6.4. **Label:** Google's term for the equivalent of an email folder.
- 6.5. **Legal Hold:** (also called Preservation or Litigation Holds): State and federal law require that all forms of relevant written or electronic data, which includes but is not limited to email messages, documents, voice messages, videos, reports, photographs, etc., be preserved when litigation is reasonably anticipated.
- 6.6. **Other Sensitive Holds:** Refers to email that must be maintained for internal matters that involve security searches, human resources matters, or other matters deemed necessary to perform an employee's essential job duties.

7. Standards

7.1 Emails that should be preserved and given the DONOTDELETE label

There are certain emails that should be maintained. This includes:

- Email correspondence "showing significant new policies or work practices in place during the [COVID-19] pandemic" pursuant to guidance from the Colorado State Archives,
- Email subject to legal or other sensitive holds, and
- Email which is the subject of a CORA request.

See the OIT Email Retention Policy FAQ for instructions on how to properly apply the DONOTDELETE label.

7.2 Emails that should not be preserved



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Emails that are transitory, routine in nature, or of time limited value because they serve a time defined administrative purpose should be deleted by the user as soon as their usefulness has ended or auto-deleted after 60 days. Examples of these types of emails include but are not limited to the following:

- Meeting or scheduling notices
- Routine inquiries and advertisements
- Lunch or break arrangements
- Emails unrelated to work activities
- Emails flagged as spam or are suspicious in nature
- Emails of fleeting or no value

7.3 Practices prohibited under this policy

- Intentional efforts to subvert this policy shall be avoided. Examples of such practices include but are not limited to the following:
 - Downloading or printing emails for the sole purpose of storage.
 - Using unapproved software to automate the saving and/or storing of work emails.
 - Forwarding work emails to a personal email account for the sole purpose of storing those emails.
 - Using a personal peripheral storage device such as a jump drive or other storage devices to save and store work emails.
 - Deleting any email the employee has been informed is the subject of a CORA request.

8. Responsibilities

8.1 Google Team

- 8.1.1 Sets up and manages the email retention policy period in Google Vault.
- 8.1.2 Posts email retention policy training information and/or user guides on TechU.

8.2 OIT Employees

- 8.2.1 Routinely manages their state email box.
- 8.2.2 Applies the DONOTDELETE label in accordance with the Standards set forth in Section 7 above.
 - If in doubt, employees should apply the label and check with their manager and/or HR.



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- Employees should not use the DONOTDELETE label to retain non-essential email or email with no business or governmental value.
- 8.2.3 Periodically review emails with the DONOTDELETE label and remove the label when the email no longer needs to be retained.
- 8.3 OIT CORA Coordinator
- 8.3.1 Notifies applicable employees of CORA requests and emails that should not be deleted as the subject of CORA requests (See OIT CORA Policy POL 100-14 for more information about CORA and CORA requests).
9. **Compliance**
Failure to comply with this policy may result in corrective action or disciplinary action, up to and including termination.
10. **Expiration**
This policy remains in effect until superseded or rescinded by the State Chief Information Officer & Executive Director.