

## **Higley Groves Homeowners Association Email Retention Policy**

In order to protect the Association from litigation and to ease the burden of compliance to ARS 33-1805 (<http://www.azleg.state.az.us/ars/33/01805.htm>) the following guidelines are to be observed by Board Members.

Incoming emails related to the Homeowners Association should immediately be categorized as either “public” or “confidential.” Emails that are classified as confidential are those defined by ARS 33-1804. (<http://www.azleg.state.az.us/ars/33/01804.htm>)

Emails shared between Board members or the Management Company not categorized as “confidential” shall be categorized as “public” and stored in a folder for such purposes.

Email must be deleted after three (3) months unless retention is required for active long term projects. i.e. communications for a document rewrite committee that might span more than three months.

### **Email Use Policy**

It is recommended but not required to utilize an account solely identified for HOA correspondence. Due to the confidential nature of some HOA emails, it is unacceptable to allow a non-Board member access to the account used for HOA purposes unless blocking access to confidential emails can be guaranteed.

Email interaction between Board members is intended to help facilitate information dissemination and enhance organization and is not intended to replace public debate.

When composing emails, the content of an email must not cross boundaries between public and confidential. Board members are instructed to always copy the Board distribution list or themselves in cases where discussion is between individuals so there is a full record of sent items that can easily be sorted into the appropriate folders. Emails that are confidential must include “Confidential” in the subject line to allow email rules to be utilized to sort email automatically. Emails requiring a response should also include “Response Required” in the subject where a reply is required.

In cases of emergencies requiring a vote of the Board, an email vote may take place but must be unanimous. Such votes must then be presented at the next Board Meeting to be entered into the public record.

### **Compliance of ARS 33-1805**

Upon receipt of a request of email records that complies with ARS 33-1805, Board Members must provide reasonable access to the requested records within ten days. When following the above email categorization, sorting by dates and exporting of information should be possible. It is recommended to store email in an “Outlook PST” file format where it can then be accessed by the requesting party at the Management Company office. Board Members who will be traveling for more than a few days need to ensure that they will have remote access to their email to conform to ARS 33-1805 requests within the allotted time frame unless written permission from the requestor is obtained to allow a time extension. Members serving on the Board who cannot comply with ARS 33-1805 will be discharged from the Board to protect the Association from litigation. Upon such discharge, former Board members are to destroy all confidential information as required in the email use policy.