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Major General Lee E. Tafanelli
The Adjutant General and Director of
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Adjutant General's Department

Sam Brownback,
Governor

TO: All Employees of the Kansas Adjutant General's Department

FROM: Lee E. Tafanelli, Major General, KSNG, The Adjutant General 

DATE: October 12, 2016

SUBJECT: Use of Personal Accounts for Official State Business

The Kansas Adjutant General's Department is committed to adhering to the principles of the Kansas Open Records Act (KORA). Transparency in State government is of fundamental importance to preserving the trust between the citizens of Kansas and the entities of government that serve them, and the Adjutant General takes that responsibility very seriously.

It is often necessary for some staff members to work outside of regularly scheduled business hours and/or from locations other than their normal work station. While these employees must obtain authorization to work outside of their normal work hours or from locations other than their normal work station pursuant to agency policies, the manner by which this has been accomplished has largely been left to each employee to determine for themselves. Recent amendments to KORA have now made this issue an important one.

As amended, KORA defines "public record" to mean any recorded information, regardless of form, characteristics or location, which is made, maintained or kept by or is in the possession of: any public agency; or any officer or employee of a public agency pursuant to the officer's or employee's official duties and which is related to the functions, activities programs or operations funded by public funds, but the term "private person" does not include an officer or employee of a public agency who is acting pursuant to the officer's or employee's official duties.

Therefore, this policy is to clarify that Adjutant General's Department employees should not conduct or perform official department business using non-government issued communications equipment such as mobile phones, smart phones, tablets, laptops and personal computers; OR use non-government email accounts or any other type of medium by which official records as defined by KORA may be accessed, created, distributed or in any other way disseminated. In rare exceptions where use of the aforementioned devices and/or services are utilized (such as during Continuity of Operations or emergency scenarios) employees should also copy their corresponding government account(s) in order to create official records that fulfil agency record retention requirements.

This policy will help to further the interests of not only open, efficient and transparent government but also in the privacy of State employees.

Questions regarding possible violations of this policy may be addressed with the State Human Resources Director at 785-274-1460.