

**Kansas Department of Administration**  
**Policy on the Use of Personal Accounts**  
**for Official State Business**

The Kansas Department of Administration (D of A) 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 D of A takes that responsibility very seriously.

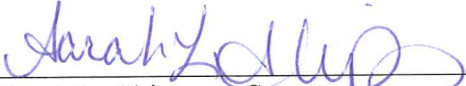
It is often necessary for some D of A staff members to work outside of regularly scheduled business hours and/or from locations other than their normal work station. While these employees must obtain authorization to work outside of their normal work hours or from locations other than their normal work station pursuant to other 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 of any public agency. Under KORA the term “public record” does not include records which are owned by a private person or entity and are not related to 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 D of A employees are not to conduct or perform official State business using non-State issued cell phones or smart devices unless authorized through the Smart Device Acceptable Use Policy and Procedures, EBIT Smart Device Activation Request process. Employees are not to conduct or perform official State business using non-State email accounts or any other type of medium by which official State records as defined by KORA may be accessed, created, distributed or in any other way disseminated, without also copying their corresponding State account(s) in order to fulfil agency record retention requirements. Such accounts are now subject to the requirements of KORA and may therefore be required to be made available.

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 this policy should be directed to John Yeary, in the Office of the Chief Counsel. John Yeary can be contacted by email at John.Yeary@ks.gov or by phone at (785) 296-6003.

  
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Sarah L. Shipman, Secretary  
Department of Administration

7/1/16  
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Date