



Making an Office Retention Schedule

New York State Archives
www.archives.nysed.gov

Agenda

- Understanding Retention Schedules
- How to Use Retention Schedules
- Developing Office Schedules
- How Long to Keep Records in the Office
- How to Destroy Records

What is a Retention Schedule?

- Lists minimum records retention periods
- Does **not** mandate destruction
- Does **not** address all RM issues
 - How to destroy records
 - Identify what records are confidential
 - Mandate creation of records
 - Cover non-records

Scope of Schedules

- State Archives develops local government and state agency schedules
- Each covers many governments and agencies
- Certain records not covered by local government Archives schedules

Not Covered by LG Schedules I

■ Vital records

- Birth, death, & marriage: retain original paper record permanently unless the paper record is microfilmed/scanned in which case reformatted copy should be kept permanently and the paper record can be destroyed after 3 years.
- Burial transit permits: ditto above, but 1 year
- Correspondence, applications or requests for copies of vital records: destroy after 5 years

Not Covered by LG Schedules II

- Special authorization for use of item not yet in LG schedules (8 NYCRR 185.5(c))
 - e.g., retention of checks that are received by local government, scanned and then electronically deposited into the bank

How State Archives Develops Retention Schedules

- Archives examines
 - Statutes, regulations, and policy
 - Audit requirements
 - Need for legal evidence
 - Administrative needs
 - Secondary use
- Archives compiles list of retentions
- Subject to regulatory process
- Board of Regents approves

NYS Civil Practice Law & Rules

- 208: Protects legal rights of minors (18 yrs of age plus 3 yrs)
- 211: 20 yrs for bonds, support, and alimony
- 212: 10 yrs for recovery of real property
- 213: 6 yrs for contracts
- 214: 3 yrs for personal injury
- 214-A: 30 mths for medical, dental, or podiatric malpractice

NYS Criminal Procedure Law

■ Sect. 30.10

- None: Class A felonies
- 5 years: other felonies
- 2 years: misdemeanors
- 1 year: petty offenses, including traffic infractions
- Extensions in certain cases: misconduct in public office

“Permanent” Records I

- Records of heads of government
- Records of legal counsel
- Records of public relations
- Real property conveyance records
- Records documenting significant impact to environment

“Permanent” Records II

- Records of major public works projects
- Records documenting formation and dissolution of governments
- Records documenting individuals in care and custody of government
- Records that document significant events, including disasters

Types of Schedules

(For Local Governments)

- Schedule CO-2 (Counties)
- Schedule ED-1 (Schools/BOCES)
- Schedule MI-1 (Misc. gov'ts)
- Schedule MU-1 (Towns, cities, villages, fire districts)
- County Board of Elections Schedule

Why Do You Use a Schedule?

- Keep records as long as required
- Discard records no longer needed
- Improve records retrieval
- Save money and space
- Identify permanent records
- Make your work easier

How to Use Schedules

1. Adopt the schedule
2. Identify the record series
3. Determine the official copy
4. Check schedule's functional headings
5. Search keywords in electronic version
<http://www.archives.nysed.gov>
6. If still no luck, call RAO or Albany



Can't Find a Match?

- Missed it
- Tried to find too perfect a match
- Mistook one section as the correct one
- Unexpected divisions of sections
- Forgot to check "General" or "Misc."
- Record is not in schedule



Managing the Retention of E-Records

- Follow the appropriate schedule, as you would for records in other formats
- Address retention in system design
- Manage records centrally, as much as possible
- Simplify retention schedule for e-records

Office Retention Schedules

- Concise
- Allow longer retentions
- Identify records by common name
- Include records from disparate schedules
- Indicate retention
- Help implement records management
- Serve as list of records for FOIL

Elements of Office Retention Schedules (Common)

- Department/unit
- Record series title
- Office retention period (active)
- Storage retention period (inactive)
- Total retention
- Archives schedule item number

Elements of Office Retention Schedules (Less Common)

- Appraisal notes
- Whether official or secondary copy
- Whether confidential
- Type of disposition: trash, shredding, etc.
- Notes on weeding the files
- Other comments?

Types of Office Schedules

Full word-processed office schedules

Pros

- Includes any information you need
- Flexible
- Accessible on computer

Cons

- Updating can be time-consuming

Types of Office Schedules

Full office schedules in a database

Pros

- Includes any information you need
- Most flexible
- Accessible on computer

Cons

- Must design the database
- Must backup and maintain

Types of Office Schedules

Case file retention sheet

Pros

- Helps manage difficult files
- Can save time
- Makes difficult decisions easy

Cons

- Used for limited number of series
- More work

Electronic Records and Office Schedules

- Office schedules
 - Indicate if electronic record is official copy
 - Help manage electronic records
 - Encourage disposition of electronic records

Student Records Example

Academic Folder					
Who Maintains G/P = Guidance and/or Principal	Document Description	Retention Format E = Electronic P = Paper	NYS Minimum Retention Period	GC7 Retention Period	When Purged
	Report cards		n/a	Permanent	n/a
	Progress reports		n/a	Permanent	n/a
	Student photos		n/a	Permanent	n/a
	Basic academic student profile		n/a	Permanent	n/a
	Information on school entry		Permanent	Permanent	n/a
	Information on withdrawal		Permanent	Permanent	n/a
	Information on graduation		Permanent	Permanent	n/a
	Subjects taken (transcript)		Permanent	Permanent	n/a
	Grades received from examinations (transcript)		Permanent	Permanent	n/a
	Registration forms (i.e. home language questionnaire)		6 years after student graduates or would normally have graduated from high school	6 years after student graduates or would normally have graduated from high school	Age 24
	Screening evaluation reports (i.e. speech, hearing, vision)		6 years after student graduates or would normally have graduated from high school	6 years after student graduates or would normally have graduated from high school	Age 24
	Remedial program participation record (as per report card)		6 years after student graduates or would normally have graduated from high school	Permanent	n/a
	Teacher comments (anecdotal notes)		6 years after student graduates or would normally have graduated from high school	Permanent	n/a
	Correspondence		6 years after student graduates	6 years after student graduates	Age 24



Town Legal Dept. Example

Record Series #	Record Series	Office Retention	Storage Retention	Confidential	Comments
	Town Board				
001	Minutes	2 years	0		Town Clerk Official Copy
002	Local Laws	2 years	0		Town Clerk Official Copy
	Planning Board				
003	Subdivisions	Release of bond date + 1 year	2 years	Yes	
004	Site Plans	CO or bond release + 1 year	2 years	Yes	
	Zoning Board of Appeals				
005	SUP's, variance, etc.	120 days	1 year	Yes	
	Litigation				
006	Tax Certiorari	2 years	Case closed + 6 years	Yes	Official Copy
007	Zoning & Planning	2 years	Case closed + 6 years	Yes	Official Copy
008	Code Enforcement	1 year	Case closed + 6 years	Yes	Official Copy
009	Misc/Other	1 year	Case closed + 6 years	Yes	Official Copy
	Personnel				
010	Collective Bargaining & other personnel contracts	Most recent 2 contracts		Yes	
011	Employee Discipline/Grievance	Decision + 3 years		Yes	
	Improvement				



Tax Assessor Example

Records Series	Archives Schedule Item #	Retention Minimum	Office Retain	Storage Retain
Assessment Rolls – Final	MU-1 #594b	10 years	1 year	9 years
Assessment Rolls – Tentative	MU-1 #594a	5 years	1 year	4 years
Assessor's Report	MU-1 #592	10 years	5 years	5 years
Change of Assessment Notices And Summaries	MU-1 #10b	6 years	6 years	0
E-911 Address Change/Verification Correspondence	MU-1 #10b	6 years	6 years	0
Minutes of Board of Assessment Review	MU-1 #590	Permanent	0	Permanent
Notice of Determination of Board of Assessment Review	MU-1 #590	6 years	6 years	0
Property Assessment Cards	MU-1 #583	Permanent	Permanent	0
Purchase Orders (Duplicate Records)	MU-1 #19	0 after no longer needed	0 after no longer needed	0
Real Property Appraisals	MU-1 #584	4 years after superseded or obsolete	4 years after superseded or obsolete	0
Renewal Applications for Seniors and Disabled Persons	MU-1 #589b	6 years	6 years	0



Tax Receiver Example

Records Series	Archives Schedule Item #	Retention Minimum	Office Retain	Storage Retain
General Fund subject files	66/256	6 years + current	6 years + current	N/A
Bank Statements	61/263	6 years + current	6 years + current	N/A
General Correspondence	2/10b	6 years + current	6 years + current	N/A
School tax collection files	173/595a	6 years + current	6 years + current	N/A
Town tax bills	173/595a	6 years + current	1 year + current	5 years
School tax bills	173/595a	6 years + current	2 years + current	4 years
Water bills	66/256b	6 years + current	1 year + current	5 years
Water district usage printouts	66/256b	6 years + current	6 years + current	N/A
Town Tax Roll	173/594c	Permanent	3 years + current Microfiche for earlier years is in Clerk's office	N/A
Warrants	173/594c	Permanent	Permanent	N/A



Town Clerk Example

Records Series	SA #	Office	Storage
Annual Reports	[23]		
Notes:		Total Retention	
Building Inspection, Police, Town Clerk's Office		Permanent	

Records Series	SA #	Office	Storage
Cemetery Records	[63]-[69]		
Notes:		Total Retention	
		Permanent	

Records Series	SA #	Office	Storage
Dog Kennel License Records	[162]		
Notes:		Total Retention	
		0 after superseded or obsolete	

Records Series	SA #	Office	Storage
Peddler and Stadium Vendors Permits	[315]		
Notes:		Total Retention	
		3 years after expiration or denial of renewal license	

Keep Records Longer ?

- Can keep records longer than required
- Do so selectively
- When in doubt: Don't

Determining Longer Retention Periods I

- Decide how long to keep records in office
(Until they are inactive)
- Determine how long records are active
 - Interview records users
 - Keep use statistics

Determining Longer Retention Periods II

- Decide how long to keep records altogether
 - However long you need them
- Determine need to refer to records
 - Can other records fulfill this need?
 - Is need real, or an office tradition?

Determining Longer Retention Periods III

- Decide if there are historical reasons to keep records longer
- Are records valuable historically?
 - When?
 - Why?
 - What information?
 - Who?



Making Sure Offices Use Your Schedule I

- Have offices/units help develop schedule
- Give offices/unit own copies of schedules
- Make schedules part of policy
- Set up formal disposal day each year

Making Sure Offices Use Your Schedule II

- Remind people to clean their files
- Explain how schedule helps them
- Include schedule in all staff orientation

How to Destroy Records

- Choose method of destruction
- Dispose of records appropriately
- Destroy confidential records completely

Managing Destruction of ER

- Control all computers
 - PCs, laptops, tablets, PDAs, digital cameras
- Control all copies
 - Backups, printouts, microfilm
 - Detachable devices, removable media
- Have method of halting destruction

Destruction of ER

When

- Planning records system
- End of retention period
- Computer reassignment or put into surplus

How

- Physical destruction
- Degaussing
- Overwriting (scrubbing)

Documenting Disposition

- Maintain record of what is destroyed
 - Keep track of records destroyed
 - For your protection
 - Proves you disposed of records legally

Importance of Schedules

- Disposition is a way to control records
- Office schedules help formalize RM
- Appropriate destruction solves problems
- Documenting disposition avoids problems



Questions?

Thank you all for coming!