

STATE ARCHIVES AND RECORDS COMMISSION
Minutes of the Quarterly Meeting
December 13, 2012
Department for Libraries and Archives

The State Archives and Records Commission met at 10:00 a.m., December 13, 2012, in the Board Room, Kentucky Department for Libraries and Archives, 300 Coffee Tree Road, Frankfort, Kentucky.

Members present: Wayne Onkst, Chair; Terry Birdwhistell, representing the University of Kentucky; Dave Schroeder, representing the Kentucky Library Association; Richard Belding, representing Citizens-at-Large; Linda Potter, representing Citizens-at-Large; William Jones, representing Citizens-at-Large; and Sheila Stuckey, representing regional colleges and universities; Louise Jones, representing the Kentucky Historical Society; and Tim Goff, representing Citizens-at-Large.

Representatives present: Randy Justice, representing Joseph Meyer, Secretary, Education and Workforce Development Cabinet; Amye Bensenhaver, representing Jack Conway, Attorney General; Brian Lykins, representing Adam H. Edelen, Auditor of Public Accounts; Glenna Goins, representing Mary E. Lassiter, State Budget Director; Janet Lile, representing Steve Rucker, Commissioner, Commonwealth Office of Technology.

Members not present or represented: Jennifer Frazier, representing John D. Minton, Jr., Chief Justice, Supreme Court; Robert Sherman, Executive Director, Legislative Research Commission; and Charlann Hall Wombles, representing local governments.

Public Records Division staff present: Barbara Teague, Director, Public Records Division; Jerry Carlton, Manager, Local Records Branch; Jim Cundy, Manager, State Records Branch; Pam Compton, Records Analyst; Mark Myers, Electronic Records Archivist; Beth Shields, Electronic Records Specialist.

Guests Present: Julie Bickers and Brad Popp, Cabinet for Health and Family Services; Larry Weese, Department for Community Based Services; and Stephanie Dawson, Department of Financial Institutions.

Onkst called for introductions by those present.

Schroeder made a motion to accept the minutes of the previous Commission meeting, seconded by Belding. The vote by members and representatives present was unanimous.

Onkst said a letter to Brandon Haynes, thanking him for his years of service to the Commission as a representative of the Chief Justice, had been drafted and would be sent.

RECORDS RETENTION SCHEDULES

Public Protection Cabinet – Department of Financial Institutions

Compton was the Records Analyst working on these schedule additions, deletions and revisions. **Additions to the Schedule:** Series 06411, Investigation Case Files; Series 06412, Application File – Consumer Loan and Industrial Loan Companies; Series 06413, Application File – Check Cashing Companies; and Series 06414, Application File – Money Transmission Services. **Deletion from the Schedule:** Series 00848, Closed Bank Ledger. **Revisions to the Schedule:** *Staff made administrative changes to three series without changing retention or disposition:* Series 00854, Examiner's Report File – Industrial Loan Companies; Series 04884, Examiner's Report File – Check Cashing Companies; and Series 06057, Examiner's Report File – Money Transmission Services

The Department of Financial Institutions (DFI) traces its origin to the Banking Act of 1912, which established the agency initially as the Department of Banking. It was charged with enforcing all laws relating to banks, trust companies, savings banks and combined bank and trust companies organized and doing business under Kentucky laws. DFI is the state agency responsible for the supervision of the financial services industry and for chartering, licensing and registering various financial institutions, securities firms and professionals operating in Kentucky. In order to accomplish its mission, DFI conducts examinations on state-regulated financial industries through its Division of Depository Institutions, Division of Non- Depository Institutions and Division of Securities. DFI also provides educational materials and outreach to protect consumers from financial fraud and assists the industry and public through the investigation of complaints filed with the office. DFI also works to promote economic growth through increased capital, whether by initial capitalization of private investors or retained earnings, and by flexible policies, laws and regulations that provide for competition within the industries. Primarily through the examination process, DFI determines if Kentucky's state-regulated financial institutions and securities entities are exercising safe and sound practices and/or complying with applicable laws and regulations. Depository institutions are evaluated in the areas of management, quality of assets, capital adequacy, earnings and liquidity and are checked for compliance with laws and regulations. Examiners in the Securities and Non-Depository Divisions focus primarily on regulatory compliance and consumer protection issues. The Department of Financial Institutions is governed by KRS Chapters 286 and 292.

Compton presented the schedule additions, deletion and revisions.

Lile made a motion to approve the schedule additions, deletion and revisions, seconded by Goins. The vote by members and representatives present was unanimous.

Cabinet for Health and Family Services – Department of Public Health – Epidemiology and Health Planning Division – Vital Statistics Branch

Compton was the Records Analyst working on this revised schedule. **Deletions from the Schedule:** Series 271, Physician Delivered Births with No Prenatal Kahn's Indicated Tabulation; Series 272, Selected Causes Tabulation; Series 273, Special Selected Causes Tabulation; Series 274, Accidental Deaths Tabulation; Series 275, Congenital Malformation and Birth Injuries Tabulation; Series 276, Deaths by Special Causes Tabulation; Series 277, Deaths of Foreign Born Tabulation; Series 279, Age Distribution Percentage; Series 280, Congenital Malformation and Birth Injuries Summary; Series 289, Medically Indigent Population; Series 293, Prematurity Study; Series 294, Regional Health Data; Series 297, Resident Births (By Region); Series 298, Stillbirths; Series 299, Report Worksheets; Series 300, Weighted Service Report; Series 302, Institute of Mental Health (NIMH); Series 305, Vital Statistics Profile Sheets; Series 306, Age Specific Rates; Series 307, Deaths Showing Autopsy Performed; Series 308, Distribution of Physicians; Series 309, Median Income of Physicians; Series 310, Number of Physicians; Series 311, Power Mower Accidents; Series 312, Socioeconomic Data; and Series 03840, Correction Sheet for Births, Deaths, Marriages, Divorces, Fetals. **Revisions to the Schedule:** Series 03836, Delayed Birth Certificate – Incomplete Application File, from one (1) year to five (5) years; Series 03841, Disinterment and Reinterment Permit File, from five (5) years to permanent; and Series 03839, Intransfer of Birth, Death and Stillborn Form, from two (2) years to permanent. *Closed Series:* Series 06388, Birth Summaries Tabulation (formerly series 260); Series 06389, Death Statistics Tabulation (formerly series 261); Series 06390, Death Summary Tabulation (formerly series 262); Series 06391, Infant Death Summary Tabulation – Under One Year (formerly series 263); Series 06392, Matched Infants Tabulation (formerly series 264); Series 06393, Morbidity Report Tabulation (formerly series 265); Series 06394, Cancer Deaths Tabulation (formerly series 266); Series 06395, Deaths by Occupations Tabulations (formerly series 267); Series 06396, Deaths Under Fourteen Years of Age Tabulation (formerly series 268); Series 06397, Accidental Death Summary (formerly series 278); Series 06398, Death Rates by County of Residence (formerly series 282); Series 06399, Death Rates by Occurrence (formerly series 283); Series 06400, Death from Leading Causes (formerly series 284); Series 06401, Live Births (By County of Residence) (formerly series 286); Series 06402, Live Births (By County of Occurrence) (formerly series 287); Series 06403, Maternal and Infant Mortality Rate (formerly series 288); Series 06404, Population Estimate Age Breakdown (formerly series 290); Series 06405, Population Estimate Age Breakdown (By County) (formerly series 291); Series 06406, Population Estimate Age Breakdown (formerly series 292); Series 06407, Resident Births (By County) (formerly series 295); Series 06408, Resident Births (By Percent Born in Hospital) (formerly series 296); and Series 06409, Files of Dr. Russell E. Teague, Commissioner of Health (1956-1970) (formerly series 815). *Staff also made administrative changes to thirteen series without changing retention or disposition:* Series 03827, Vital Statistics Birth Index; Series 03828, Vital Statistics Death Index; Series 03829, Vital Statistics Marriage Index; Series 03830, Vital Statistics Divorce

Index; Series 03831, Certificate of Live Birth; Series 03832, Certificate of Death; Series 03833, Report of Fetal Death; Series 03834, Marriage License Records; Series 03835, Certificate of Divorce or Annulment Records; Series 03837, Delayed Birth Certificate; Series 03838, Intransfer Index of Births and Deaths; Series 03842, Disinterment and Reinterment Log; and Series 05819, Reports of Induced Termination of Pregnancy.

The Department for Public Health, within the Cabinet for Health and Family Services, is the sole organizational unit of Kentucky's state government responsible for developing and operating all public health programs and activities for the citizens of Kentucky. These activities include health service programs for the prevention, detection, care, and treatment of physical disability, illness and disease. The Department contains seven divisions: Administrative and Financial Management; Epidemiology and Health Planning; Laboratory Services; Maternal and Child Health; Prevention and Quality Improvement; Public Health Protection and Safety; and Women's Health. There are twenty-five (25) branches and numerous programs under the Department. The Department is authorized under KRS 194A.030. It is headed by a Commissioner for Public Health, who is appointed by the Cabinet Secretary with the approval of the Governor. The Commissioner for Public Health is a duly licensed physician who by experience and training in administration and management is qualified to perform the duties of this office. The Commissioner advises the head of each major organizational unit. The Commissioner also serves as Chief Medical Officer of the Commonwealth.

This is a new records retention schedule for this Branch.

Current schedule date: June 8, 2006

Proposed schedule date: December 13, 2012

Teague said that the Advisory Committee had discussed working with the Cabinet for Health and Family Services to microfilm birth certificates maintained by the Vital Statistics Branch. KDLA already digitizes death certificates and creates microfilm from the scanned images.

In response to a question by Goins, Cundy said that no arrangement had been made between the Vital Statistics Branch and KDLA to provide imaging services.

Belding said that Committee members felt that it would make the most sense for the Vital Statistics Branch to secure these essential records through an established program like KDLA's, with experience in records reformatting and preservation. This could provide a solution that would be most cost effective for the Branch.

Teague said that she had talked to Mark Stone, Manager of PRD's Micrographics and Digital Imaging Branch, who said that PRD had not been charging Vital Statistics for the scanning and filming services for death certificates. PRD had been recouping the costs through sales of microfilm copies of the records.

Cundy said that Compton would be meeting with various PRD and Vital Statistics staff members to secure backup copies of the birth certificates.

Belding said that the representative from the Office of Vital Statistics at the Advisory meeting had also noted that the amendment of birth certificates is a regular, ongoing part of the Branch's business. Once amendment of a birth certificate is requested and proper documentation has been provided, the paper record is physically amended by striking through the original information and writing in the new. The record is then marked as amended. The documentation stays with the record.

Birdwhistell made a motion to approve the revised schedule, seconded by Belding. The vote by members and representatives present was unanimous.

Cabinet for Health and Family Services – Department for Community Based Services

Compton was the Records Analyst working on these schedule deletions and revision. **Deletions from the Schedule:** Series 1789, Child Care Payment Receipts; Series 1823, Emergency Food and Medical Files; Series 1826, Eligibility Files; Series 1862, Early Periodic Screening File; Series 1926, Day Care Reports; and Series 06157, Aged, Blind, and Disabled Programs. **Revision to the Schedule:** Series 06164, Adoption and Foster Care Subsidy Benefit Records, from ten (10) years six (6) years after case closure.

The Department for Community Based Services (DCBS) was formed in 1998 within the Cabinet for Families and Children by KRS 194.030 to give local offices more decision-making authority and the ability to collaborate more effectively with other community service providers. The Cabinet for Families and Children and the Cabinet for Health Services were consolidated in 2004. The Department provides family support; child care; child and adult protection; eligibility determinations for Medicaid and food stamps; and administration of an energy cost assistance program. The Department administers the state foster care and adoption systems and recruits and trains parents to care for the state's children who are waiting for a permanent home. With offices in every county, DCBS provides services and programs to enhance the self sufficiency of families; improve safety and permanency for children and vulnerable adults; and, engage families and community partners in a collaborative decision-making process.

Compton presented the schedule deletions and revision.

Lile made a motion to approve the schedule deletions and revisions, seconded by Lykins. The vote by members and representatives present was unanimous.

Cabinet for Health and Family Services – Department for Public Health – Division of Epidemiology and Health Planning – Infectious Diseases Branch

Compton was the Records Analyst working on these schedule additions. **Additions to the Schedule:** Series 06375, Immunization Program – Vaccines for Children Program File; and Series 06380, Immunization Program – Temperature Logs.

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Compton presented these schedule additions.

Belding made a motion to approve the schedule revision, seconded by Lile. The vote by members and representatives present was unanimous.

Cabinet for Health and Family Services – Department for Public Health – Public Health Protection and Safety Division

Compton was the Records Analyst working on these schedule additions, deletions and revisions. **Additions to the Schedule:** Series 06381, Standardization of Food Establishments File; and Series 06384, Inspection Reports. **Deletions from the Schedule:** Series 1087, Food Service Establishment Surveys; Series 1088, Retail Food Market Surveys; Series 1089, Federal Project Files for Food Services Facility Inspections; Series 1091, Collection Sheet for Fees; Series 1092, Food Labeling Report; Series 1094, Food Storage Warehouse Inspection Report; Series 1095, Frozen Food Plant Inspection Report; Series 1097, Salvage Firm Inspection Report; Series 1099, Permit Applications for All Fee-Paying Establishments; Series 1100, Permit Applications for Non-Fee Paying Establishments; Series 1102, County Food Program Plans; Series 1115, Housing Surveys; Series 1116, School Inspections Reports and Surveys; Series 1117, Hotel Inspection Reports; Series 1118, Recreational Area Inspection Reports; Series 1119, Youth Camp Inspection Reports; Series 1120, Courthouse, Boat Dock, Jail

and Public Restroom Inspection Reports; Series 1123, Permit Applications for All Fee-Paying Establishments; Series 1125, Collection Sheets for Fees; Series 1129, Sample Collection Reports and Analyses Pertaining to Inspection Reports of F; Series 1130, Consumer Product Related Epidemiological Investigations of Personal Injuries; Series 1136, Federal Performance Testing File; Series 03276, RAPSIS Monthly Cash Receipt Register Report; Series 03277, RAPSIS Monthly Cash Recap Register Report; and Series 03538, Public Swimming and Bathing Facility Approval and Checklist File. **Revisions to the Schedule:** Series 03537, Public Swimming and Bathing Facility File, from fifty (50) years to twenty (20) years after destruction of facility. *Staff also made administrative changes to the following series without changing retention or disposition:* Series 03270, X-Ray Facility Files; Series 03275, RAPSIS Monthly Activity Reports; Series 05777, Radiation Producing Machines Physicists File; Series 06382, Food Establishment File (*formerly 1090*); Series 06383, Food Manufacturing Plant Inspection File (*formerly 1093*); Series 06385, Food Service Establishment Report (*formerly 1096*); Series 06386, Mobile Home and Recreational Vehicle Parks File (*formerly 1121*); Series 06387, Septic Tank Cleaners List; and Series 06410, Laboratory Analysis Report (*formerly 1098*).

The Department for Public Health, within the Cabinet for Health and Family Services, is the sole organizational unit of Kentucky's state government responsible for developing and operating all public health programs and activities for the citizens of Kentucky. These activities include health service programs for the prevention, detection, care, and treatment of physical disability, illness and disease. The Department contains seven divisions: Administrative and Financial Management; Epidemiology and Health Planning; Laboratory Services; Maternal and Child Health; Prevention and Quality Improvement; Public Health Protection and Safety; and Women's Health. There are twenty-five (25) branches and numerous programs under the Department. The Department is authorized under KRS 194A.030. It is headed by a Commissioner for Public Health, who is appointed by the Cabinet Secretary with the approval of the Governor. The Commissioner for Public Health is a duly licensed physician who by experience and training in administration and management is qualified to perform the duties of this office. The Commissioner advises the head of each major organizational unit. The Commissioner also serves as Chief Medical Officer of the Commonwealth.

In response to a question by Bensenhaver, Compton said that "standardization" in Series 06381, Standardization of Food Establishments File, meant ensuring adherence to U. S. Food and Drug Administration standards. The Series will be revisited to clarify the title and lengthen the retention.

Lile made a motion to approve the schedule additions, deletions and revisions, seconded by Lykins. The vote by members and representatives present was unanimous.

Kenton County Airport Board – Cincinnati/Northern Kentucky International Airport

Carlton was the Records Analyst working on this new schedule. **Additions to the Schedule:** Administration: L6475 thru L6478; Police Department: L6480 thru L6483; Airport Rescue/Fire Fighting: L6484 thru L6489; Chief Executive Officer: L6490 thru L6491; Commercial & Business Development: L6492 thru L6494; Contract Administration: L6495; External Affairs: L6496 thru L6497; Finance Department: L6498 thru L6504; Human Resources: L6505 thru L6508; Identification Department: L6509 thru L6511; Internal Audit: L6512 thru L6513; Maintenance: L6514; Organizational Development: L6515; Parking and Ground Transportation: L6516 thru L6519; and Safety, Security and Compliance: L6520 thru L6530.

Cincinnati/Northern Kentucky International Airport, sometimes called the Greater Cincinnati Airport is located in Boone County, Kentucky, United States and serves the Greater Cincinnati metropolitan area. It was established in 1942 as a training facility for the military. It became a commercial airport in 1947 and has grown since then. Despite being located in Boone County, the airport operations are governed by the neighboring Kenton County Airport Board. Because it is governed by this board it is considered a local government agency. The airport's revenue does not come from taxes but from fees collected by those using the airport. The airport's code, CVG, comes from the nearest major city at the time of its opening, Covington, Kentucky. Cincinnati/Northern Kentucky International Airport covers an area of 8,000 acres. This new record retention schedule will incorporate record series from the Local Government General Records Schedule. These will be presented at the next Archives and Records Commission meeting in March 2013.

This is a new records retention schedule for this agency.

Proposed schedule date: December 13, 2012

Carlton said that the Advisory Committee had asked about Series L6497, Miscellaneous Photos and Audio Recordings. He would like to table this series pending further investigation.

Carlton said that he would have more items for this Schedule in March.

Bensenhaver asked about the retention of Series L6528, FAA Part 139 Reporting Records -12 Month Operational Records. The Function and Use Section notes a twenty-four month retention requirement, while the proposed retention period is one year. Carlton said he would look into the matter.

Bensenhaver said this represented an opportunity to address retention scheduling for special districts. Carlton said that there are a limited number of records on the County

Clerk's Records Retention Schedule that apply to special districts. The Local Records Branch does not have a list of the various special districts. Lykins said there are fifty-three possible types of special districts, with approximately forty-seven different types in use. The Auditor's Office would be happy to help. Teague said that Public Libraries, which are special districts, do have an up-to-date model records retention schedule.

Schroeder made a motion to approve the new schedule, seconded by Stuckey. The vote by members and representatives present was unanimous.

Public Protection Cabinet – Department of Housing, Buildings and Construction – Division of Fire Prevention

Cundy was the Records Analyst working on these schedule additions and revision. **Additions to the Schedule:** Series 06415, Sprinkler Inspection Reports - State Owned Buildings; and Series 06416, Fire Alarm/Sprinkler Inspector Certification File. **Revision to the Schedule:** Series 04326, Underground Storage Tank Contractor Certification File, from "Destroy three (3) years after expiration of certification and audit" to "Retain original application and active renewal records. Destroy inactive files three (3) years after expiration of certification, and audit."

The Department of Housing, Buildings and Construction was created in 1978 (KRS 198B.030) to facilitate the administration and enforcement of a uniform state building code. The new agency assumed duties and responsibilities previously delegated to several state agencies. A uniform building code was mandated by the 1978 General Assembly in response to the 1977 tragedy of the Beverly Hills Supper Club fire in Northern Kentucky. Prior to 1978, several building codes were used throughout the Commonwealth. The agency provides oversight of building construction through enforcement of building and fire codes including: elevators, boilers, manufactured housing, hazardous materials, electrical installations and plumbing. The agency also ensures fire and life safety in existing buildings; licenses/certifies plumbers, electricians, boiler contractors, sprinkler and/or fire alarm contractors and building inspectors; and serves as headquarters for the State Fire Marshal's office.

Cundy presented the Schedule additions and revisions.

Belding made a motion to approve the schedule additions and revisions, seconded by Lykins. The vote by members and representatives present was unanimous.

Local Government General Records Retention Schedule – Public Safety – Law Enforcement

Carlton was the Records Analyst working on this schedule addition. **Addition to the Schedule:** Series L6537, Inmate Extradition File

The Local Government General Records Retention Schedule was created in 1999 and has been updated periodically since that time. This schedule lists those record series that may be found throughout local government agencies. Local governments in Kentucky include but not limited to all 120 counties and their many offices, over 400 incorporated cities, 174 school districts, 15 Area Development Districts and many special districts.

Carlton said an equivalent series is on the County Sheriff's Records Retention Schedule. Local police departments are also involved in extradition, so this is being added to their schedule.

Lile made a motion to approve the schedule addition, seconded by Goins. The vote by members and representatives present was unanimous.

Board of Respiratory Care

Cundy was the Records Analyst working on this schedule revision. **Revision to the Schedule:** Series 06376, License Folder - Respiratory Care, from "Retain for fifty (50) years from the date of license termination, then destroy" to "Retain licensee's initial application, a copy of the licensee's National Board for Respiratory Care certificate and/or test scores, and the two most recent years of her/his renewal records for fifty (50) years from the date of license termination, then destroy."

Most occupations and professions that require a state license are licensed and regulated by one of 36 boards and commissions. Kentucky is an autonomous board state, which means that these 36 agencies are not organized under an umbrella agency, but rather function as independent, autonomous units of state government. The basic organizational structure and functions of the boards and commissions are quite similar. Licensure boards are comprised of board members appointed by the Governor, generally for four years, with staggered terms. The Kentucky Board of Respiratory Care (KBRC) regulates respiratory care practitioners and their services. KBRC was established in 1990 to protect the citizens of the Commonwealth of Kentucky from unsafe practitioners and practices.

Cundy said that this Series had been before Commission members at the September 13 meeting. The Board had proposed a twenty-year retention period, but the Commission approved a fifty-year retention period, which is consistent with the retention periods for similar records at other boards. This proposed revision would allow the Board to purge files of materials that are no longer needed administratively, and better manage the records in its office.

In response to a question by Lile, Cundy said he did not think this represented a negative precedent that would cause other agencies to want to destroy more

questionable material. Destruction of records that have outlived their usefulness represents sound records management by the agency.

In response to a question by Lykins, Cundy said that the records being maintained per the Retention Schedule would cover the statute of limitations for actions brought against the Board.

Bensenhaver asked whether complaints against licensees are maintained separately from the license files. Cundy said they are and that they are also fifty-year records.

Lile made a motion to approve the schedule revision, seconded by Schroeder. The vote by members and representatives present was unanimous.

General Schedule for State Agencies – Miscellaneous Records Section

Cundy was the Records Analyst working on this schedule addition. **Additions to the Schedule:** Series M0055, Agency-Conducted Training Files.

A General Schedule is a class of records retention schedule that governs the retention and disposition of specified records common to several or all public agencies. The General Schedule for State Agencies covers records for State Agencies.

Cundy said that, after the Advisory Committee on the General Schedule for State Agencies had reviewed the draft of this records series, he had received a substantial amount of feedback from State Agency Records Officers and attorneys. He reviewed the changes he had made to the Function and Use and Contents sections of the proposed Records Series. The retention period of "Retain for five (5) years after the completion of a specific training program, then destroy. If the training is updated regularly, retain until five (5) years after update, then destroy" is open for debate by Commission members.

Justice asked that the Records Series be tabled until the March 13, 2013 meeting of the Commission so that the revised draft could be recirculated to agency personnel for further review.

Justice made a motion to table the schedule addition, seconded by Goins. The vote by members and representatives present was unanimous.

State University Model

Cundy was the Records Analyst working on these schedule additions and revisions. **Additions to the Schedule:** Series U0134, Investigation File; and Series U0135, Program Client File. **Revisions to the Schedule:** Series U0133, Patent Application File, from "Retain until one year after the tenure of the patent applicant, or twenty

years from date of approval, whichever is longer, then destroy;" to "If patent is issued, retain until one (1) year after the expiration of patent term, then destroy. If patent application is rejected, retain until one (1) year after rejection by the United States Patent and Trademark Office, then destroy;" and Series U1803, Research Approval Files - Non-Human Subjects from "Destroy three (3) years after completion of the activity, unless otherwise specified by the terms of the grant contract;" to "Destroy five (5) years after completion of the activity, unless otherwise specified by the terms of the grant contract."

The State University Model Records Retention Schedule covers records that are common among Kentucky's public university campuses and its Community and Technical College System.

This is part of the ongoing effort to revise the State University Model Records Retention Schedule.

Cundy said that the Advisory Committee had recommended changing the retention period for Series U0134, Investigation Files, which was originally "Retain record copy three (3) years after termination or expiration of any settlement agreement, or until three (3) years after investigation is concluded, whichever is longer. Destroy other copies when no longer useful;" to "Retain record copy ten (10) years after termination or expiration of any settlement agreement, or until ten (10) years after investigation is concluded, whichever is longer. Destroy other copies when no longer useful." They felt that the proposed retention period did not seem long enough to permit evaluation of investigative procedures and responses to internal or external complaints of irregularities or improprieties in programs, operations, and staffing at universities. This series represents (1) investigation files prepared by a university's legal office that do not result in litigation; and (2) investigation files maintained by departments or other subunits within the university, for example explanations of technical materials that are related to an investigation but require further explanation.

Cundy said that he had submitted the proposed change to Public University Records Managers and had been asked that the Commission table the series pending further review.

In response to a question by Lykins, Cundy said that the retention period would apply to the series regardless of whether the file contained confidential material.

Belding made a motion to approve the schedule additions and revisions, except Series U0134, Investigation File, which was tabled, seconded by Schroeder. The vote by members and representatives present was unanimous.

The next item was **other business**. Onkst said that the department hopes to fill the Records Analyst position vacated when Jackie Arnold took a Regional Administrator

position in the Local Records Branch. KDLA plans to request a personnel exemption to allow this position to be filled soon.

Onkst recognized Lile, who discussed state government's information technology consolidation. Lile said that the Commonwealth Office of Technology (COT) is working to consolidate the Commonwealth's IT infrastructure to allow more efficient operations and cost savings in a shared-services model. In October 2012, Governor Beshear issued Executive Order 2012-880, ordering the consolidation of IT in the Executive Branch. Consolidation involves detailing agency IT personnel to COT, centralizing IT security, and strengthening governance. Consolidation will also allow better decision making regarding future developments in IT. The Chief Information Officer (CIO) was advertised, and a search is underway. A Technology Advisory Council is being formed to provide advice to COT on the IT consolidation. Agency assessments of the current status of IT are being completed. COT will have its organization and financial processes in place by July 1, 2013. In response to a question by Belding, Lile said that the new CIO will report to the Secretary of the Finance and Administration Cabinet and will be a member of the Governor's Executive Cabinet. In response to a question by Belding, Lile said that, agencies will realize net savings because, while they will have to pay fees to COT based on their IT usage, the agencies will no longer have to pay for IT-related salaries or equipment. Teague said the consolidation would allow for better records management across agencies. Lykins noted that while COT would be providing IT services, the information would still be owned by the agencies.

Onkst recognized Lykins who discussed the State Auditor's investigation into Special Districts across Kentucky. Lykins said that for years there had been many questions about how many special districts there are in the Commonwealth, the different types of districts, the amount of funds that move through them, their degree of compliance with reporting requirements, and the extent of waste and fraud in the districts. The Auditor's Office found that over \$2 billion moves through these districts while over \$1 billion is retained in reserves through them. There are over 1,000 statutes that address multiple special districts, making for a very complex legal environment. There is also noncompliance in submitting reports that meet auditing and budgeting requirements. Communication channels are often so convoluted that information is not always made properly available even when the special districts themselves report correctly. The Auditor's Office issued a report of its findings that makes several recommendations to address these issues. The report is available on the Auditor's website.

Onkst recognized Teague, who discussed the State Records Center consolidation project. Teague said that the project was approved at the September meeting of the Capital Projects and Bond Oversight Committee of the General Assembly. The contractor is in the process of obtaining all the necessary permits.

Onkst recognized Carlton, who discussed Local Records Grants. Carlton said that a round of grant applications was just completed and over \$511,000.00 will be distributed

in February 2013. Half of this money is for security microfilming, while the remainder is scanning, reformatting and equipment.

There being no further business, Onkst adjourned the meeting at 11:45.