

STATE ARCHIVES AND RECORDS COMMISSION
Minutes of the Quarterly Meeting
September 10, 2015
Department for Libraries and Archives

The State Archives and Records Commission met at 10:00 a.m., September 10, 2015, 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; David Gregory, representing regional colleges and universities; Jeremy Rogers, representing Citizens-at-Large; Louise Jones, representing the Kentucky Historical Society; Dave Schroeder, representing the Kentucky Library Association; Debra Batliner, representing local governments; and Roger Hamperian, representing Citizens-at-Large.

Representatives present: Randy Justice, representing Thomas Zawacki, Secretary, Education and Workforce Development Cabinet; Amye Bensenhaver, representing Jack Conway, Attorney General; Brian Lykins, representing Adam H. Edelen, Auditor of Public Accounts; Jennifer Frazier, representing John D. Minton, Jr., Chief Justice, Supreme Court; Kara Smothermon, representing Jane Driskell, State Budget Director; and Glenn Thomas, representing Jim Fowler, Commissioner, Commonwealth Office of Technology.

Members not present or represented: Richard Belding, representing Citizens-at-Large; Mary Margaret Bell, representing Citizens-at-Large; and Executive Director, Legislative Research Commission.

Archives and Records Management Division staff present: Tim Tingle, Manager, Archival Services Branch; Jim Cundy, Manager, State Records Branch; Trace Kirkwood, Manager, Local Records Branch; Kris Justus, Electronic Records Analyst; Pam Compton, Records Analyst; Joe Isaac, Records Analyst; Pam Howarah, Local Records Regional Administrator.

Guests Present: Dawn Moreland and Amanda Coulter, Personnel Cabinet; Chad Shive, Transportation Cabinet; Sandy Milburn and Maryellen Allen, State Board of Elections; Emily Dennis, Registry of Election Finance; Corey Bellamy, Jill Cook, Kim Bellamy, and Leah Boggs, Office of the Attorney General.

Onkst called for introductions by those present. He noted that Governor Beshear had reappointed Schroeder for another four-year term representing the Kentucky Library Association.

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

RECORDS RETENTION SCHEDULES

Department of Law – Office of the Attorney General – Office of Consumer Protection

Compton was the Records Analyst working on the revised Schedule. **Additions to the Schedule:** Series 06619, Assurance of Voluntary Compliance and Judgement File; Series 06620, Class Action Fairness Act Notice File. **Deletions from the Schedule:** Series 04972, Business Opportunity Registration File; Series 04980, Health Spa Closure File; Series 04981, Health Spa Registration File; Series 04982, Health Spa Exemption File; Series 04983, Transient Merchant File; Series 04984, Fundraising Consultant Registration File; Series 04985, Telemarketing Merchant Registration File; Series 04986, Telemarketing Exemption File; Series 04987, No Telephone Solicitation Call List; Series 04988, Professional Solicitor Registration File; Series 04989, Recreation and Retirement Use Land Sales Registration File; and Series 04991, Federal Form 990 File. **Revisions to the Schedule:** Series 04168, Registration File, from "Retain in Agency two (2) years; transfer to the State Records Center for three (3) years; destroy. Total retention is five (5) years," to "Retain in Agency three (3) years after date of the most recent registration, denial or exemption, if no bond is required, then destroy. If bond is required, retain in Agency three (3) years after the release or expiration of bond, transfer to the State Records Center three (3) years, then destroy. Total retention is six (6) years after release or expiration of bond;" Series 04170, Pre-Need Seller Monthly Reports, from "Retain in Agency eight (8) years; transfer to the State Records Center for two (2) years; destroy. Total retention is then (10) years," to "Retain in Agency five (5) years after date of the most recent registration, transfer to the State Records Center for three (3) years, then destroy. Total retention is eight (8) years;" Series 04171, Cemetery, Pre-Need and Crematory Files, from "Retain in Agency eight (8) years; transfer to the State Records Center for two (2) years; destroy. Total retention is ten (10) years," to "Retain in Agency five (5) years after date of the most recent registration, transfer to the State Records Center ten (10) years, then destroy. Total retention is fifteen (15) years after most recent registration;" Series 04172, Pre-Need Check Log Receipt File, from "Transfer to State Records Center. Destroy after audit," to "Retain in Agency three (3) years, then destroy;" Series 04971, Business Opportunity Exemption File, from "Retain in Agency for one (1) year after the determination of exemption status; transfer to the State Records Center for three (3) years; destroy. Total retention is four (4) years," to "Retain in Agency one (1) year after the determination of exemption status, transfer to State Records Center five (5) years, then destroy. Total retention is six (6) years;" Series 04991, Notice Of Private Lawsuit File, from "Retain in Agency two (2) years; destroy," to "Retain in Agency five (5) years,

then destroy;" Series 05011, Criminal Background Checks, from "Retain in Agency for one (1) year after background check has been performed; transfer to State Records Center for four (4) years; destroy. Total retention is five (5) years," to "Retain in Agency thirty (30) days after issuance or denial of license or registration, then destroy." *Staff also made administrative changes to six (6) series without changing retention or disposition:* Series 04164, Complaint File; Series 04166, Investigation File; Series 04167, Litigation File; Series 04169, Anti-Trust Litigation File; Series 04175, Consumer Protection Litigation Files Index; and Series 04992, Bankruptcy Notice File.

The Office of Consumer Protection is organized under the Civil Division of the Office of Attorney General. It protects Kentucky from unfair, false, misleading or deceptive acts or practice in trade or commerce by enforcing the Kentucky Consumer Protection Act. The Office of Consumer Protection enforces the Act by filing legal proceedings in the public interest to obtain consumer redress and civil penalties including but not limited to automobile sales, telemarketing sales, business opportunities, charitable solicitations, debt collection, truth in lending, privacy, recreation and retirement land sales, internet sales, pharmaceutical drugs and for-profit schools. The Office of Consumer Protection also serves as a clearinghouse for consumer complaints and helps resolve individual citizens' complaints involving consumer transactions. The Office also conducts educational programs to teach consumers, seniors and schoolchildren about their consumer rights, how to avoid being victimized by scam artists and how to be better consumers.

This is a complete revision of the retention schedule for the Office of Consumer Protection.

Current Schedule Date: June 8, 2000

Proposed Schedule Date: September 10, 2015

Compton presented the revised Schedule.

Rogers made a motion to approve the revised Schedule, seconded by Frazier. The vote by members and representatives present was unanimous.

Registry of Election Finance

Compton was the Records Analyst working on the Schedule addition. **Addition to the Schedule:** Series 06609, Special Prosecutions/Investigations Permanent File.

The Registry of Election Finance (Registry) was created by statute in 1966, as an independent agency to administer the statutes pertaining to political campaign and election finance (KRS Chapter 121). The Registry assures the integrity of the Commonwealth's electoral process by providing full public access to campaign financial

data and financial disclosure reports by administering Kentucky's campaign finance laws. The Registry's duties include tracking of candidate and committee election finance activities, audit functions, investigations, review of and response to requests for advisory opinions, and adjudication of administrative charges of violations of campaign finance laws. Campaign finance laws apply to all candidates for office, including gubernatorial slates, judicial, statewide, legislative, city, county, and school board candidates, as well as political issue committees, permanent committees (PACs), unauthorized campaign committees, and caucus campaign committees.

Compton presented the Schedule addition.

Onkst noted that David Gregory, representing regional colleges and universities; and Louise Jones, representing the Kentucky Historical Society, had joined the meeting.

Birdwhistell made a motion to approve the Schedule addition, seconded by Hamperian. The vote by members and representatives present was unanimous.

State Board of Elections

Compton was the Records Analyst working on the revised Schedule. **Additions to the Schedule:** Series 06558, County Board of Elections Notice of Establishment of Elections and Voting Equipment Security Plan; Series 06559, County Board of Elections Notice of Establishment of Local Elections Emergency Contingency Plan Procedures; Series 06560, Election Day Complaints; Series 06561, Complaint and Affidavit with Final Determination for Violation of Title III of the Help America Vote of 2002; Series 06562, County Precinct Maps; Series 06566, Request for Voter Registration System Access; Series 06567, Request for Cancellation of Access to Voter Registration System; Series 06568, Notice of Death and Deceased Voter Notice; Series 06569, Notice of Incompetency; and Series 06570, Notice of Convicted Felon. **Deletions from the Schedule:** Series 01981, Election Expense Account Reports (Primary and General); Series 01982, Records of Presidential Electors; Series 01983, State Election Returns (From Counties); Series 01984, Election Returns (Primaries); Series 01985, Election Returns (General); Series 01988, Payment Record of Election Expenses; Series 01989, Communications from Board of Elections to all County Clerks Concerning Elect; Series 03600, Voter Registration System (VRS).

The State Board of Elections was created in 1932 as Board of Election Commissioners and consisted of two (2) members, one Republican and one Democrat. It is currently an independent agency that administers the Commonwealth's election laws, promulgates administrative regulations necessary to properly carry out its duties, supervises the registration and purgation of voters, appoints the political party representatives to the one hundred twenty (120) county boards of elections, and certifies the official election results. The State Board of Elections is comprised of seven members: the Secretary of

State (Chairman), three Democratic members and three Republican members. It is governed by KRS Chapter 117.

Compton presented the Schedule additions and deletions.

Jones made a motion to approve the Schedule additions and deletions, seconded by Rogers. The vote by members and representatives present was unanimous.

Public Protection Cabinet – Department of Financial Institutions

Compton was the Records Analyst working on this Schedule addition. **Addition to the Schedule:** Series 06610, Mortgage Loan Originator and/or Mortgage Loan Processor Licensee Files.

The Kentucky Department of Financial Institutions (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. The Department of Financial Institutions 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.

In response to a question by Lykins, Compton said that DFI did not create or maintain the record copies of these licensee files. Rather, the information is kept by the federal government in the Nationwide Mortgage Licensing System and Registry (NMLS) for five years. DFI staff accesses the information in NMLS on an as-needed basis, and will destroy what they print when they no longer need it.

Rogers made a motion to approve the Schedule addition, seconded by Lykins. The vote by members and representatives present was unanimous.

Personnel Cabinet

Isaac was the Records Analyst working on the Schedule additions and revisions. **Additions to the Schedule:** Series 06625, Organizational Structure Charts File; Series 06626, Cabinet and Department Organizational Number Assignment File; and Series 06627, Annual Leave Sharing File (Duplicate) – (Original in Respective agency) **Revisions to the Schedule:** Series 03471, Position Description Questionnaire File, from “Retain current plus the preceding Position Descriptions. Destroy Position Description Form sixty (60) days after position is abolished,” to “Retain current plus the preceding Position Descriptions. Retain in for five (5) years after the abolishment of the position, then destroy.” *Closed Series:* Series 04341, Salary Review Forms File; and Series 04524, Request for Position Action Only File. *Staff also made administrative changes to the following eight series without changing retention or disposition:* Series 04338, Unclassified Service Position File; Series 04339, Job History Summary File; Series 04340, Official Job Class Specification File; Series 04342, Salary Survey; Series 06444, Job Duties Desk Audit File; Series 04423, Flexible Benefits Program File; Series 04893, KEHP Health Insurance and Flexible Spending Account Enrollment; and Series 03931, Sick Leave Sharing File (Duplicate) – (Original in Respective agency).

During the First Extraordinary Session of the 1956 Kentucky General Assembly, the Division of Personnel of the Department of Finance was abolished and the Department of Personnel was created. It was headed by a Commissioner appointed by the Governor. Chief among its responsibilities then, as now, was the certification of applicants for state jobs. Approximately four years later, a uniform Merit System for the Executive Department was created. On December 13, 1995, Executive Order 95-19 elevated the Department of Personnel to cabinet status and all powers and responsibilities of the Department of Personnel were transferred to the Personnel Cabinet. Upon expiration of the order, Executive Order 96-909 was issued on July 11, 1996, to create the Personnel Cabinet and this was confirmed by 1998 SB 139. Currently, the Personnel Cabinet is organized as follows: Office of the Secretary; Office of Administrative Services; Office of Legal Services; Office of Employee Relations; Office of Diversity and Equality; Governmental Services Center (GSC); Center of Strategic Innovation; KY Public Employees’ Deferred Compensation Authority; Department of Human Resources Administration; and the Department of Employee Insurance.

Isaac said that there are agency copies of Series 06627, Annual Leave Sharing File, and these will be added to the General Schedule on State Agencies at the Commission’s December 10, 2015 meeting.

In response to a question by Lykins, Cundy said that closed series are those that an agency is no longer producing, but that need to remain on its retention schedule. This usually happens because its retention period has not been met. Once the retention period has passed, the series can come off the schedule.

Jones made a motion to approve the Schedule additions and revisions, seconded by Birdwhistell. The vote by members and representatives present was unanimous.

Transportation Cabinet – Department of Highways – Office of Project Development – Division of Environmental Analysis

Isaac was the Records Analyst working on the revised Schedule. **Revision to the Schedule:** Series 06565, Environmental Project Folder (formerly Record Series 731), from “Destroy five (5) years after disposal of property,” to “Retain completed Environmental Documents permanently in agency.”

This is complete revision of the retention schedule for this Division.

Current schedule date: April 1, 1981

Proposed schedule date: September 10, 2015

Transportation Cabinet – Department of Highways – Office of Project Delivery and Preservation – Division of Maintenance

Isaac was the Records Analyst working on the Schedule addition. **Addition to the Schedule:** Series 06617, Roadway Viewer Photo Log File.

The statutory organization for the Transportation Cabinet is set forth in KRS Chapter 174. KRS 174.010 creates the Cabinet and KRS 174.020 – 174.100 outlines the various organizational components and administrative duties of the Cabinet. The Cabinet is responsible for maintaining and improving the delivery of transportation services in the state. The organizational structure of the Cabinet is as follows: the Office of the Secretary, the Office of Public Affairs, the Office of Inspector General, the Office of Budget and Fiscal Management, the Office of Legal Services, the Office for Civil Rights and Small Business Development, the Office of Information Technology, the Office of Support Services, the Office of Audits, the Office of Human Resource Management, the Office for Transportation Delivery, the Department of Aviation, the Department of Highways, the Department of Rural and Municipal Aid and the Department of Vehicle Regulation. Other bodies attached to the Cabinet administrative purposes are the Kentucky Airport Zoning Commission, the Kentucky Motorcycle Advisory Commission for Highway Safety, the Kentucky Motorcycle Safety Education Advisory Commission, the Kentucky Bicycle and Bikeway Commission and the Kentucky Motor Vehicle Commission.

Isaac said that Justus had completed a System Description for Series 06617, Roadway Viewer Photo Log File.

In response to a question by Birdwhistell, Shive said that pavement analysis is permanent because it allows the agency to investigate the deterioration of pavement over time. It does represent a small amount of data.

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

Justice and Public Safety Cabinet – Department of Public Advocacy

Compton was the Records Analyst working on the revised Schedule. **Deletions from the Schedule:** Series 01508, Attorney Post Conviction Service File; Series 01509, Attorney's District and Circuit Court Litigation Case Files; Series 01510, Investigator's Case Files – Circuit Court; Series 01511, Deputy Assistant Public Advocate's System for Docket Control of Appellate Caseload; Series 01512, Deputy Assistant Public Advocate's Operations Miscellany and Legal Correspondence, Responses to Requests for Defender Services; Series 01513, Seminar Work File; Series 01514, Case Report Forms; Series 01515, Attorney's Appeal Litigation Briefs; Series 01516, Master Card Index of Briefs; Series 03070, Contract/County File; Series 03622, Death Sentence Case Files; Series 05330, Violent Offender Case File. **Revisions to the Schedule:** Series 01507, Attorney Appeal Litigation Case File, from "Retain in Agency; transfer to State Records Center two (2) years after case closure. State Records Center retains for an additional thirty (30) years for a total of thirty-two (32) years after case closure," to "Retain in Agency two years after case closure, transfer to the State Records Center for an additional twenty-eight (28) years for a total retention of thirty (30) years after case closure, then destroy;" Series 01517, Client Log, from "Retain in Agency and destroy when no longer useful," to "Retain in Agency thirty (30) years after case closure;" Series 01519, Protection and Advocacy Client Files, from "Retain in Agency four (4) years after protection and advocacy efforts have ended; transfer to State Records Center thirty (30) years; destroy. Total retention is thirty-four (34) years," to "Retain in Agency four (4) years after protection and advocacy efforts have ended; transfer to State Records Center for twenty six (26) years, then destroy. Total retention is thirty (30) years;" Series 03621, Attorney Litigation Case File – District Court, from "Retain in Agency three (3) years after case closure, destroy," to "Retain in Agency five (5) years after case closure, then destroy;" Series 03631, Attorney Post Conviction Service File – No Court Action, from "Retain in Agency and destroy four (4) years after inmate assistance activity is completed, or when the inmate has served the sentence and is released, whichever comes first," to "Retain in Agency four (4) years after inmate assistance activity is completed, or, if applicable, transfer to appropriate litigation file and retain per specific series, then destroy; Series 05701, Juvenile Appeals, from

"Retain in Agency until child is eighteen. Transfer to the State Records Center for 5 years. Destroy," to "Retain in Agency until the individual is eighteen (18) years of age; transfer to the State Records Center five (5) years, then destroy." *Staff also made administrative changes to six (6) series without changing retention or disposition: Series 03057, Attorney's Death Penalty Appeal Litigation File; Series 03623, Attorney Post Conviction Service File – Court Action; Series 03632, Attorney's Litigation Case File – Circuit Court; Series 05702, Juvenile Status – Public Offenders; Series 05703, Juvenile Sexual Offenders; and Series 05704, Juvenile Youthful Offenders.*

The Department of Public Advocacy provides for the establishment, maintenance and operation of a state-sponsored and controlled system for the representation of indigent persons accused of crimes or suffering psychological conditions that may result in their incarceration or confinement. The system consists of full-time state-employed public defenders, full-time non-state public defenders, and part-time private attorneys who are under contract with the Department. Created by KRS 31.010, the Department also pursues legal, administrative and other appropriate remedies to ensure the protection of the rights of the developmentally disabled. The Office of Public Defender was created in 1972 and in 1978 the name changed to Office of Public Advocacy. In 1984, the Office became the Department of Public Advocacy and attached to the Public Protection Cabinet. In 2004, the Office of Public Advocacy was attached to the Justice and Public Safety Cabinet.

This is a complete revision of the records retention schedule for this agency.

Current schedule date: September 1, 1980

Proposed schedule date: September 10, 2015

Compton said that Justus had completed a System Description for the agency.

In response to a question by Frazier, Cundy said that "child" had been changed to "individual" in Series 05701, Juvenile Appeals, because, once the client has turned eighteen, she or he would not be a minor.

Frazier made a motion to approve the revised Schedule, seconded by Schroeder. The vote by members and representatives present was unanimous.

Cabinet for Economic Development

Isaac was the Records Analyst working on the Schedule addition and revisions. **Addition to the Schedule:** Series, 06618, Litigation File. **Revisions to the Schedule:** *Closed Series:* Series 04526, Enterprise Zone Program File; and Series 06124, Kentucky Procurement Assistance Program (KPAP) Files. *Staff also made*

administrative changes to the following series without changing the retention or disposition: Series 01312, KY Economic Development Finance Authority Project Files.

In 1956, the Department of Economic Development was created as the successor to the Agricultural and Industrial Development Board, which was created in 1948. In 1962, the Department was renamed the Department of Commerce. The Department was placed under the newly created Development Cabinet by Executive Order 72-1167, issued on December 22, 1972. Also included within the Cabinet were the Departments of Agriculture, Fish and Wildlife, and Parks, as well as the State Fair Board and the Bicentennial Commission. In 1982, the Development Cabinet became the Commerce Cabinet, which was renamed in 1988 as the Cabinet for Economic Development. The Cabinet formerly included the Department of the Arts, the Tobacco Research Board, and the Kentucky Geological Survey to the University of Kentucky. The Department of the Arts was abolished by Executive Order 90-727, which was issued August 7, 1990. Its divisions were transferred to other areas of state government. In 1992, the Kentucky Economic Development Partnership was created as a board to govern the Cabinet, and the Kentucky Economic Development Finance Authority replaced the Kentucky Development Finance Authority and the Kentucky Rural Economic Development Authority. The Cabinet for Economic Development is the primary state agency in Kentucky responsible for encouraging job creation and retention and new investment in the state. Programs administered by the Cabinet are designed to support and promote economic development within the state, primarily by attracting new industries, assisting in the development of existing industries, leading a statewide network of support for entrepreneurs, small business owners and knowledge-based start-up entities, and assisting communities in preparing for economic development opportunities. Currently, the Cabinet consists of the Office of the Secretary, the Department for Business Development, the Office of Legal Services, the Office of Financial Services, the Office of Research and Public Affairs, and the Office of Entrepreneurship.

Isaac presented the Schedule addition and revisions.

Birdwhistell made a motion to approve the Schedule addition and revisions, seconded by Jones. The vote by members and representatives present was unanimous.

Tourism, Arts and Heritage Cabinet – Kentucky Historical Society

Isaac was the Records Analyst working on the Schedule addition. **Addition to the Schedule:** Series 06611, Deaccession File.

The Kentucky Historical Society was created by the General Assembly in 1880. Pursuant to KRS 171.311-171.395 and as set forth in its charter, the goal of the Kentucky Historical Society is to collect, maintain, and preserve authentic records, information,

facts and relics connected with the history of the Commonwealth and to promote a wider appreciation of American heritage. The Society is governed by an Executive Committee, whose members are elected by its general membership. The Society was reorganized by Executive Order 91-518, effective June 16, 1991 and confirmed by HB 139 during the 1992 Session of the General Assembly. The Collections and Preservation Division and the Resource Development Division were abolished. In 1994, the Society Services Division was replaced by the Oral History and Educational Research Division. The Society has four divisions: Research and Publications, Administration, Museum, and Oral History and Educational Research. The divisions are headed by a director appointed by the Executive Committee of the Kentucky Historical Society. KHS operates the Old State Capitol, the Kentucky Military History Museum, and its headquarters, the Thomas D. Clark Center for Kentucky History. Since 1999 the thirty-million-dollar Center has welcomed more than one million visitors.

In response to a question by Frazier, Isaac said that there is a record of what happens to items that are deaccessioned by the Historical Society.

Thomas made a motion to approve the Schedule addition, seconded by Rogers. The vote by members and representatives present was unanimous.

Kentucky Housing Corporation

Isaac was the Records Analyst working the Schedule additions. **Additions to the Schedule:** Series 06563, Employee Medical and Sick Leave File; Series 06564, Benefit Billing Working Papers; Series 06612, Annual Allocation Plan; Series 06613, Annual Allocation Plan – Draft; Series 06614, Annual Allocation Plan – Working Papers; Series 06615, Budget Draft and Proposal; Series 06616, Budget Work Papers; Series 06621, Limited Remote Annual Compliance Review; Series 06622, Annual Approved Operating Budget; Series 06623, Record of Budget Amendments; and Series 06624, Recruiting/Hiring Process Material File.

To promote and improve the health, welfare, and prosperity of the people of the Commonwealth of Kentucky, the Kentucky Housing Corporation (KHC) was established as a result of the passage of HB 27 during the 1972 General Assembly. KRS Chapter 198A specifies KHC's creation, purpose, and powers. Among its powers, the KHC can provide low-cost housing to low- and moderate-income families, make insured construction loans to sponsors of land development and residential housing, purchase insured mortgage loans made to sponsors and to families of low and moderate income, and lease and sublease residential housing to families of low and moderate income.

Isaac presented the Schedule additions.

Frazier made a motion to approve the Schedule additions, seconded by Jones. The vote by members and representatives present was unanimous.

Public Library and Library Board

Kirkwood was the Records Analyst working on the Schedule addition. **Addition to the Schedule:** Series L6915, Material Challenge File.

This retention schedule was last revised in 2001 and contains those record series that are specific to all public libraries in the state. Additionally, all libraries use the Local Government General Records Retention Schedule.

Schroeder said that a record of these challenges is included in the annual reports that public libraries submit to the Department for Libraries and Archives.

In response to a question by Frazier, Schroeder said that, other than in preparation of annual reports, there is no re-entry into these files.

Lykins asked whether the proposed retention period of one (1) year meant one year from the date the challenge is filed or one year from the date it is resolved. Kirkwood said it is from date of filing. Schroeder said that challenges are resolved very quickly, usually after no more than a month. Bensenhaver suggested that the retention period be change to "Retain until one (1) year from date of filing, then destroy." Kirkwood said he would make the change.

Gregory made a motion to approve the Schedule addition, with a change in disposition from "Retain for one (1) year, then destroy," to "Retain until one (1) year from date of filing, then destroy," seconded by Frazier. The vote by members and representatives present was unanimous.

Public School Districts

Kirkwood was the Records Analyst working on this Schedule revision. **Revision to the Schedule:** Series L2087, Vehicle Maintenance and Inspection File, from "Retain five (5) years, then destroy," to "Destroy one (1) year after vehicle has been removed from district service."

The first attempt to assemble a public school district-wide records retention schedule was made in 1988. The Archives and Records Commission approved the schedule that year. In 1999 a complete revision of the schedule was approved by the Commission. This schedule included K through 12 and the school district central office in one schedule. In June 2015 the Commission approved a complete revision of the entire schedule. The 174 school districts in the Commonwealth produce an overwhelming

amount of paper and electronic records. We continue to work with school districts providing records management training and direct service.

In response to a question by Rogers, Kirkwood said that surplus school buses are sold at auctions. Rogers asked whether school districts might be liable for claims and may need to keep these records for a longer period of time. Kirkwood said he was not aware of any school district encountering this issue. Buses sold at actions are sold as-is, and buyers are provided with a service history of the vehicle.

Jones made a motion to approve the Schedule revision, seconded by Hamperian. The vote by members and representatives present was unanimous.

State University Model

Cundy was the Records Analyst working on the Schedule addition and revisions. **Addition to the Schedule:** M. Campus Police Records: Series U1313, Body-Worn Camera Recordings (Audio/Video). **Revisions to the Schedule:** M. Campus Police Records: Series U1301, Investigative File, from "Destroy five (5) years after close of case," to "Retain for seven (7) years or until five (5) years after closure of case, whichever is longer, then destroy;" Series U1308, Uniform Citation, from "Destroy traffic citations after payment or three (3) years, whichever is longer. Retain all other Uniform Citations for three (3) years, then destroy," to "Retain for seven (7) years or until five (5) years after closure of case, whichever is longer, then destroy;" Series U1309, Uniform Offense Report (KYIBRS), from "Retain for two (2) years, then destroy," to "Retain until seven (7) years after incident is reported to the university, then destroy." *Staff also made administrative changes to two (2) series without changing retention or disposition:* A. General Records: Series U0134, Investigation File. F. Personnel/Payroll Records: Series U0647, Periodic Payroll Reports (Includes Time Sheets/Time Cards).

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 addition of Series U1313, Body-Worn Camera Recordings (Audio/Video), comes at the request of the University of Louisville, whose Campus Police will be using body-worn cameras. This retention period of this series matches that of Series L6707, Body-Worn Camera Recordings (Audio/Video), on the Local Government General Records Retention Schedule.

Cundy said that the changes to Series U1301, Investigative File; Series U1308, Uniform Citation; and Series U1309, Uniform Offense Report (KYIBRS), brought these series into line with federal requirements in the Jeanne Clery Disclosure of Campus Security Policy

and Campus Crime Statistics Act and state requirements in the Michael Minger Act. In response to a question by Rogers, Cundy said that these requirements pertain only to college and university campuses and would not apply to local governments.

In response to a question by Frazier, Cundy said that the Uniform Citations used by Campus Police are sent to the Kentucky State Police and are maintained in the KyOPS System.

Birdwhistell made a motion to approve the Schedule addition and revisions, seconded by Schroeder. The vote by members and representatives present was unanimous.

The next item was **other business**. Onkst said that Barbara Teague had retired as Archives and Records Management Division Director on August 31, 2015, after over thirty-two years of service to the Division. Department staff members had drafted a resolution in her honor and Onkst read it into the minutes. [See attached.] The application deadline to fill the vacancy was August 28, 2015 and interviews would be conducted soon.

Frazier made a motion to approve the resolution drafted in the honor of Barbara Teague, seconded by Rogers. The vote by members and representatives present was unanimous.

Onkst said that Kirkwood had been hired as Local Records Branch Manager. Pam Howarah had been hired as Local Records Regional Administrator for the North Central Region. Staff is in the process of filling position of Local Records Regional Administrator for Western Kentucky.

Onkst congratulated Shields, who was one of the 2015 recipients of the Council of State Archivists President's Award of Excellence for her work on the State Electronic Records Initiative.

Onkst said that the division had been awarded a National Historical Publications and Records Commission State Electronic Records Grant that would start on October 1, 2015. Shields said that the two-year, \$200,000 grant will support the division's transition to a fully-functional trusted digital repository. KDLA will make records accessible online; improve workflows for accessioning born-digital records; improve audio/video preservation and access; provide training for Kentucky state government officials and repository users; and provide training to archival and records management programs in other states and territories. The division will also be able to hire two temporary, grant-funded staff members.

Cundy said that Steve Shackelford had been named Administrative Section Supervisor at the State Records Center. As a result of the division's most recent reorganization, the

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State Records Center had been designated an Administrative Section within the State Records Branch. This required naming an Administrative Section Supervisor.

Cundy said that several division staff would be attending the Southeastern Archives and Records Conference in Columbia, South Carolina, on September 27 through 29, 2015.

Onkst said that the department and he had been sued because it is legally required to prescribe the form of the Marriage License filed in county clerks' offices. The firm of Stoll, Keenon & Ogden is representing the department and Onkst.

There being no further business, Onkst adjourned the meeting at 10:50.

Resolution of Appreciation

to

Barbara Teague

The Kentucky State Archives and Records Commission takes special pleasure in recognizing Barbara Teague, upon the occasion of her retirement, August 31, 2015.

Whereas, Barbara Teague's career with the Archives and Records Management (formerly Public Records) Division began in 1983, and her contributions have continued for over thirty-two years, most recently serving as State Archivist and Records Administrator and Director of the Archives and Records Management Division since February 2008;

Whereas, Barbara Teague, as Coordinator of Kentucky's State Historical Records Advisory Board, and a member and past chair of the Kentucky Council on Archives, provided advice, assistance, and leadership to nearly 300 archival and manuscript repositories in the Commonwealth;

Whereas, Barbara Teague has provided regional and national archives and records management leadership as an active member of the Southeastern Archives and Records Conference, the Council of State Archivists, the Society of American Archivists, and the National Association of Government Archives and Records Administrators;

Whereas, Barbara Teague's experience and expertise have greatly influenced the work of KDLA, and its goals and mission, and she has fulfilled her many responsibilities and duties with consummate skill and professionalism;

Whereas, Barbara Teague's commitment to service and dedication to good government has served as an inspiration to her colleagues and provided enormous benefits to the people of Kentucky;

Be it therefore resolved by the Kentucky State Archives and Records Commission that we recognize, with deep appreciation, Barbara Teague for her exceptional contributions to the work of the Commission and to the Kentucky Department for Libraries and Archives.

Adopted this day, September 10, 2015 in Frankfort, Kentucky



Wayne Onkst

Chair, State Archives and Records Commission