

STATE ARCHIVES AND RECORDS COMMISSION
Minutes of the Quarterly Meeting
September 12, 2013
Department for Libraries and Archives

The State Archives and Records Commission met at 10:00 a.m., September 12, 2013, in the Board Room, Kentucky Department for Libraries and Archives, 300 Coffee Tree Road, Frankfort, Kentucky.

Members present: Wayne Onkst, Chair; Richard Belding, representing Citizens-at-Large; William Jones, representing Citizens-at-Large; and Tim Goff, representing Citizens-at-Large.

Representatives present: Randy Justice, representing Thomas O. Zawacki, Secretary, Education and Workforce Development Cabinet; Amye Bensenhaver, representing Jack Conway, Attorney General; Brian Lykins, representing Adam H. Edelen, Auditor of Public Accounts; Leslie Smith, representing Robert Sherman, Executive Director, Legislative Research Commission; Jennifer Frazier, representing John D. Minton, Jr., Chief Justice, Supreme Court; Glenna Goins, representing Jane C. Driskell, State Budget Director; and Glenn Thomas, representing Jim Fowler, Commissioner, Commonwealth Office of Technology.

Members not present or represented: Terry Birdwhistell, representing the University of Kentucky; Dave Schroeder, representing the Kentucky Library Association; Sheila Stuckey, representing regional colleges and universities; Charlann Hall Wombles, representing local governments; Louise Jones, representing the Kentucky Historical Society; and Linda Potter, representing Citizens-at-Large.

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

Guests Present: Alaina Myers, Dinah Bevington, Mary Elizabeth Harrod and Amanda Coulter, Personnel Cabinet; Mike Hatchel, Office of Vocational Rehabilitation.

Onkst called for introductions by those present.

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

RECORDS RETENTION SCHEDULES

PERSONNEL CABINET

Stratton was the Records Analyst working on these schedule revisions. **Revisions to the Schedule:** Series 04522, Master Personnel Folder, from 70 years to "Retain until fifty (50) years after most recent date of separation, then destroy;" Series 06080, Payroll Reports, from 70 years to 50 years; Series 06454, Off-Cycle Payroll Requests, from 70 years to 50 years; Series 06455, IRS Form W-2c (Corrected Wage and Tax Statement), from 70 years to 50 years; and Series 06456, Manual Payroll Adjustment Forms File (SAS-27 and Request for Refunds on Payroll), from 70 years to 50 years. *Staff made administrative changes to one series that did not affect retention or disposition:* Series 06105, Background Checks File.

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; Office of Governmental Services; Center of Strategic Innovation; Ky Public Employees Deferred Compensation; Department of Human Resources Administration; and the Department of Employee Insurance.

Stratton presented these Schedule revisions.

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

EDUCATION AND WORKFORCE DEVELOPMENT CABINET – DEPARTMENT OF WORKFORCE INVESTMENT – OFFICE OF VOCATIONAL REHABILITATION

Stratton was the Records Analyst working on this schedule addition. **Addition to the Schedule:** Series 06458, Voter Registration File.

The Office of Vocational Rehabilitation (KRS 151B.185) is headed by an Executive Director and is the sole state agency charged with the purpose of developing and

approving state plans required by state or federal laws and regulations as prerequisites to receiving federal funds for vocational rehabilitation. KRS 151B.185 organizes the Office into the following Divisions: Program Services and the Carl D. Perkins Vocational Training Center. The Office of Vocational Rehabilitation assists eligible individuals with disabilities achieve their employment goals. In Fiscal Year 2005, 4,995 Kentuckians became successfully employed or maintained employment with the help of qualified rehabilitation professionals. The Office of Vocational Rehabilitation employs approximately 140 rehabilitation counselors in over 50 offices serving all 120 counties in Kentucky.

Stratton said that he had received a message from Patrick Shirley at the Education and Workforce Development Cabinet's Office of Legal and Legislative Services asking that the proposed retention period of twenty-two months after the most recent applicable election be changed to twenty-four months after the most recent applicable election to help ensure compliance with United States Department of Justice standards.

Belding made a motion to approve the schedule addition with a retention period of "Retain until twenty-four (24) months after most recent applicable election, then destroy," seconded by Frazier. The vote by members and representatives present was unanimous.

EDUCATION AND WORKFORCE DEVELOPMENT CABINET – DEPARTMENT FOR LIBRARIES AND ARCHIVES

Cundy was the Records Analyst working on this schedule addition. **Addition to the Schedule:** Series 06464, Attorney General Records Management Referral File.

The Department for Libraries and Archives addresses the state's information and knowledge needs by initiating and directing statewide activities for library and archive development and for public records management. Four divisions administer the Department's programs: Field Services, State Library Services, Public Records and Administrative Services. Under the terms of KRS 171.410-740, the Public Records Division works with agencies to ensure creation and preservation of adequate and proper documentation of the agency's organizational functions, policies, decisions, procedures, and essential transactions, as well as information which protects the legal and financial rights of the government and of individuals directly affected by an agency's activities. It does this by establishing standards, procedures, and administrative regulations for recording, managing, preserving and reproducing government records, whatever their medium, and by working with the heads of state and local government agencies and their designated representatives to create and maintain active, continuing programs for the efficient management of their records. Division staff members collaborate with agencies on the inventory, analysis, and scheduling for retention of their records and description of electronic records systems and serve as consultants to agencies on a variety of archival and records management

issues. The division runs the Local Records Grants Program, which redistribute money to local offices for use in records-management-related projects. The division operates the State Archives to house and make available for research permanently valuable state and local government records. The division manages the State Records Center to provide agencies with secure, economical storage for their non-current records. While serving distinct needs, these are the state's statutorily mandated central records depositories. To ensure continued preservation of and access to records, the division also furnishes centralized micrographics and document preservation services. The division provides citizens and government with access to records by arranging and describing them, by creating finding aids and access tools to them, and by making them readily available through on site research facilities and by answering telephone and mail reference requests.

Cundy said that the Advisory Committee members recommended that PRD forward a copy of the PRD report of the referral visit to the Attorney General's Office, to be filed with the appropriate Open Records Decision and retained permanently. Cundy said that language to that effect had been added to the Function and Use and would be added to the Retention and Disposition.

Belding made a motion to approve the schedule addition, with a copy of the final report forwarded to the Attorney General's Office to be filed with the Open Records Decision, seconded by Bensenhaver. The vote by members and representatives present was unanimous.

TOURISM, ARTS AND HERITAGE CABINET – OFFICE OF FINANCIAL INCENTIVES

Cundy was the Records Analyst working on this new schedule. **Addition to the Schedule:** Series 06453, Tourism Development Loan/Incentive File.

The Office of Financial Incentives in the Department of Travel and Tourism administers loan and incentive programs to help the creation of new tourism attractions and the expansion of existing tourism attractions within the Commonwealth in order to advance the public purposes of relieving unemployment by preserving and creating jobs that would not exist if not for the incentives offered by the authority to approved companies, and by preserving and creating sources of tax revenues for the support of public services provided by the Commonwealth. The Office administers the Tourism Development Act and includes the Kentucky Film Office.

This is a new schedule for this agency.

Proposed Schedule date: September 12, 2013

In response to a question by Belding, Cundy said that records created within the Cabinet for Economic Development had a similar retention period to the one proposed here.

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

LABOR CABINET – OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

Compton was the Records Analyst working on this revised schedule. **Additions to the Schedule:** Series 06460, Case File Log; Series 06463, Case Files (Settlements); **Revisions to the Schedule:** *Changes in retention:* Series 05546, Contested Citations Exhibit Files, from “Retain with the original custodian six (6) months after case closure to reclaim the physical exhibits. Unclaimed physical exhibits may then be destroyed after review by the State Archivist.” to “Retain in Agency six (6) months after case closure, then destroy any unclaimed exhibits;” Series 05718, Commission Case Files from permanent to “Retain Final Order in Agency permanently. Retain the balance of the case file in Agency five (5) years after case closure, then destroy.” *Staff also made administrative changes to one series without changing retention or disposition:* Series 05719, Recommended Orders (Not Issued)

When employers in the Commonwealth are cited by the Kentucky Labor Cabinet, Office of Occupational Safety and Health Compliance for alleged violations of Kentucky's Occupational Safety and Health Act and Standards, and the employer or an employee contests the citations, the Kentucky Occupational Safety and Health Review Commission provides an opportunity for the contesting party to come to a hearing and defend against the citations and penalties. According to KRS 338.071, the Kentucky Occupational and Health Safety Review Commission is an independent agency. The Commission is composed of three members who are appointed by executive order of the governor. Each member is appointed based upon a specific area of expertise: one member represents the interests of employers, one represents the interests of employees and one represents the occupational safety and health profession. The members must have a minimum of five years' experience in their respective areas of expertise. This diversity assures that the interests of all litigants appearing before the Commission are represented and that due process of law is provided with an even hand. Hearings are presided over by a hearing officer who is employed by the Review Commission to consider all the evidence presented at the hearing and make written recommendations to the Review Commission concerning whether the citations and penalties should be upheld, modified or dismissed. Any party who disagrees with the findings of the hearing officer may ask the full Review Commission to consider the case further. If a party does not request further consideration of the hearing officer's recommendations, any commission member can order review. The Review Commission has the authority to uphold, modify or vacate citations and/or penalties. Final orders of

the KOSH Review Commission can be appealed to Franklin Circuit Court. The Commission operates under KRS 338 and 803 KAR 50.

This is a new records retention schedule for this agency.

Current schedule date: March 8, 2007

Proposed schedule date: September 12, 2013

Bensenhaver noted that she questioned the Commission's ability to schedule physical artifacts, such as those in Series 05546, Contested Citations Exhibit Files. Compton said that the Series had been added to the Schedule in 2007.

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

BOARD OF PODIATRY

Compton was the Records Analyst working on this revised schedule. **Additions to the Schedule:** Series 06461, Incomplete Applications; Series 06462, Investigative File – No Action Required. **Deletion from the Schedule:** Series 01375, Examination Work Papers. **Revision to the Schedule:** Series 01376, Podiatrists Mailing List, from 1 year, to permanent. *Staff also made administrative changes to two series without changing retention or disposition:* 01373, Master Folder – Podiatrists; and 01374, License Renewal File.

The Kentucky Board of Podiatry is responsible for regulating the practice and licensure of podiatry in the Commonwealth of Kentucky. The Board grants initial licensure to qualified podiatrists and oversees the annual renewal of licenses. The Board also investigates complaints against practitioners and is responsible for imposing disciplinary sanctions against those who violate Kentucky Revised Statutes Chapter 311.380-311.520 and Kentucky Administrative Regulations, Title 201, Chapter 25:011-25:080. The Board promulgates regulations concerning professional and business practice standards, continuing education and licensure requirements. In 1920, the Board of Health was provided with authority to license chiropodists (Acts of 1920, Chapter 120). In 1948, a committee of five official examiners in chiropody was established within the Department of Health (Acts of 1948, Chapter 176). In 1952, a State Board of Chiropody was established in the Department of Health (Acts of 1952, Chapter 197). In 1954, the Board established in 1952, was severed from the Department of Health (Acts of 1954, Chapter 219, Section 2 (1) and KRS 311.390 and 311.520) and a State Board of Chiropody was established. Finally, in 1962, this Board was established as the Board of Podiatry (Kentucky Acts 289, Section 3).

This is a new records retention schedule for this agency.

Current schedule date: September 1, 1977
Proposed schedule date: September 12, 2013

Compton presented the new schedule.

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

BOARD OF TAX APPEALS

Compton was the Records Analyst working on this revised schedule. **Deletions from the Schedule:** Series 01384, Franchise Assessment Books – (Old KY Tax Commission); Series 01379, Card File – State Tax Appeals; Series 01381, Case Files – Board of Assessment (Supervisor’s) Appeals; and Series 03989, Index Book. **Revisions to the Schedule:** *Closed series:* Series 01378, Card File – Citations of Authority. *Administrative changes were made to three (3) series without changing retention or disposition:* Series 01377, Board of Assessment Appeals Log; Series 01380, Case Files; and Series 01383, Order Books.

The Board of Tax Appeals is a quasi-judicial agency with exclusive jurisdiction to hear and determine appeals from determination of any agency of state or county government affecting revenue and taxation. The Kentucky Board of Tax Appeals provides an independent, impartial and neutral forum for hearing and resolving disputes on tax issues in a timely, cost-effective alternative to the court system. KRS Chapters 131 through 133 governs the Board of Tax Appeals. In order to ensure impartial decision making, the Board is organized under the Public Protection Cabinet and is completely independent of any of the taxing authorities that may appear before the Board. Section 172 of the Kentucky Constitution requires that all property be assessed for taxation at its fair cash value, estimated at the price it would bring at a fair voluntary sale. Thus, the Board’s primary function is to determine the fair market value of the particular property which is the subject of the appeal, based upon the evidence presented to the Board at the hearing and does not decide questions of equalization among assessments. The Board does not decide whether a property’s assessment is too high relative to the assessments of a neighbors’ property. Rather, the Board decides only whether the property tax assessment equals fair market value. In 1936, the Kentucky Tax Commission was created and was chaired by the Commissioner of Revenue. In 1964, Kentucky Tax Commission was abolished and Board of Tax Appeals created by act of General Assembly. The 1964 legislation removed the appearance of bias in favor of state or local tax rulings.

This is a new schedule for this agency.

Current schedule date: June 13, 1991
Proposed schedule date: September 12, 2013

Compton said that the agency is not aware of any records of the Kentucky Tax Commission. She had found no record of any holdings

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

JUSTICE AND PUBLIC SAFETY CABINET – DEPARTMENT OF CORRECTIONS

Compton was the Records Analyst working on this schedule revision. **Revision to the Schedule:** Series 03436, Inmate Grievance File, from 3 years after resolution, to “Retain in Agency until December 31 of the following year after filing, then destroy.”

The Department of Corrections (DOC) is governed by KRS Chapters 196 and 197. DOC is responsible for managing the daily operations of the state correctional institutions, private prisons, and a variety of community based services; providing secure, humane incarceration for felony offenders; supervising probation and parole; and offering an opportunity for offenders to acquire skills that facilitate non-criminal behavior.

The Department of Corrections consists of the following Divisions: **Office of General Counsel** – provides legal advice and representation of all civil lawsuits involving the Department of Corrections; **Division of Personnel Services** – provides human resources administration; **Division of Administrative Services** – provides administrative support in areas of budgeting, accounting, purchasing, facilities management, inventory, research, planning, central offender records and personnel management; **Division of Probation and Parole** - provides investigative services to the courts and Parole Board, rehabilitation services to offenders, and assistance in employment and home placement. Various duties include court appearances and testimony, reports to the releasing authorities, home visits, drug and alcohol testing, transportation of prisoners, referral of offenders to appropriate resources, and monitoring payment of fees, restitution and community service work. The Division of Probation and Parole is also responsible for the administration of the Interstate Compact which transfers cases between states, the placement office which assists incarcerated offenders with proper home placements, and the processing of Civil Rights Restoration requests submitted by ex-offenders; **Division for Local Facilities** – responsible for jail inspections, jail standards review and enforcement regulations, technical assistance to local governments, approval of construction plans, and the community residential program; **Department of Correctional Industries** – responsible for operating all correctional industry programs, providing inmates with a realistic work experience and teaching marketable skills, which will improve their chances for securing gainful employment upon release, thus reducing recidivism and lowering the Commonwealth’s resource commitment for maintaining the prison system; **Office of Victim Services** – responsible for assisting victims and survivors throughout the duration of the offender’s incarceration and supervision; provide essential, victim-

related services including: explanation of inmate release dates and release type, restitution information, awareness training for criminal justice and other victim service professionals, referrals, and victims' rights services.

Compton said that this change is being made at the request of the Commissioner of the Department of Corrections.

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

COUNTY CLERK

Carlton was the Records Analyst working on this schedule addition. **Addition to the Schedule:** Series L6646, Oaths of Officials (Elected and Appointed).

The office of the county court clerk was first created when Kentucky was part of Commonwealth of Virginia. As the title implies they actually were the clerks of the county courts. When Kentucky became a state in 1792 the first constitution of Kentucky provided for the appointment of the county clerk by the county court. The clerk's duties included collecting taxes, creating a list of persons and property for tax purposes, receiving and acknowledging deeds in and out of county court, administer oaths and performing other duties. The third constitution was adopted in 1850 and it made the county court clerk an elective office and their duties expanded to include licensing of businesses, recorded property records (deeds) and all public moneys received to the circuit court. Most of their duties were for the courts. Under the present constitution (1891) the county court clerk has taken on many duties. Those include elections, recording of deeds, mortgages, liens, collecting delinquent tax, marriage licensing, probate (recording of wills and maintaining the original will), motor vehicle licensing, recording certain UCC filings, administering oaths, recording incorporations, and other duties. The county court clerks can choose to be the clerk of the fiscal court.

Carlton presented the Schedule addition.

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

ENERGY AND ENVIRONMENT CABINET – DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Compton was the Records Analyst working on this schedule revision. **Revision to the Schedule:** Series 05494, Compliance Monitoring Records, from ten (10) years, to twelve (12) years.

The Kentucky Department for Environmental Protection has been given the duty to lead the effort to protect Kentucky's natural resources. The department's mission is to protect and enhance Kentucky's environment. This mission is important because it has a direct impact on Kentucky's public health, our citizens' safety and the quality of Kentucky's valuable natural resources - our environment. The Department for Environmental Protection is divided into six (6) divisions. The divisions are: Division of Air Quality - protects human health and the environment by achieving and maintaining acceptable air quality; Division of Compliance Assistance - enables excellence in environmental compliance, recognizes environmental leadership and facilitates activities that enhance the welfare of Kentucky's citizens and environment; Division of Enforcement - uses a clear and consistent approach in bringing about and maintaining compliance with the cabinet's regulatory programs by using appropriate and reasonable measures to resolve cases in a timely manner; Division of Environmental Services - provides centralized laboratory testing for the cabinet; Division of Waste Management - protects human health and the environment by minimizing adverse impacts on all citizens through the development and implementation of fair, equitable and effective waste management programs; Division of Water - manages, protects and enhances the water resources of the Commonwealth for present and future generations through voluntary, regulatory and educational programs.

Compton said that this change allows the Department to follow Federal guidelines.

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

JUSTICE AND PUBLIC SAFETY CABINET – INTERNAL INVESTIGATIONS BRANCH

Compton was the Records analyst working on this schedule addition. **Addition to the Schedule:** Series 06452, Prison Rape Elimination Act (PREA) Telephone Log.

The Internal Investigations Branch was created under the Justice and Public Safety Cabinet pursuant to KRS 15A.020 (3) (h). Duties and responsibilities include investigations of all complaints regarding the facilities, staff, treatment of juveniles, and other matters relating to the operation of the Justice and Public Safety Cabinet. In the event a violation of statutes, administrative regulations, policies, court decisions, the rights of juveniles who are subject to the orders of the department, or any matter relating to the Justice and Public Safety Cabinet, after conferring with the Justice and Public Safety Cabinet Secretary shall, if required, refer the matter to a law enforcement agency, Commonwealth Attorney, County Attorney, Attorney General, or federal agencies, as appropriate.

Compton presented the Schedule addition.

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

LEXINGTON/FAYETTE URBAN COUNTY GOVERNMENT

Carlton was the Records Analyst working on these schedule additions. **Additions to the Schedule:** Public Safety/Fire and Emergency Services: Series L6642, Liability Waiver Records; and General Services/Fleet Management: Series L6643, Oil Price Information Service Reports.

The Lexington/Fayette Urban County Government (LFUCG) Records Retention Schedule was approved by the Archives and Records Commission in 2004. The police department section of this schedule was completed first in 1999 and incorporated into the LFUCG retention schedule in 2004. The LFUCG retention schedule includes all departments and agencies within merged government.

In response to a question by Frazier, Carlton said that the retention period for Series L6642, Liability Waiver Records, was sufficient to meet the statute of limitations if someone were to bring a lawsuit.

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

LOCAL GOVERNMENT GENERAL RECORDS RETENTION SCHEDULE

Carlton was the Records Analyst working on these schedule additions. **Additions to the Schedule:** L6639, Water Loss Report; L6640, Boil Water Advisory; and Series L6641, Write Off of Uncollected Debt.

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.

Lykins asked about the retention periods for Series L6639, Water Loss Report, and Series L6641, Write Off of Uncollected Debt, which are both "Retain 3 years. Destroy after audit." Carlton said that the agency would have to keep the records for three years or until after the audit, whichever is longer.

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

LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT

Carlton was the Records Analyst working on these schedule additions. **Additions to the Schedule:** Metropolitan Correctional Services/Records and Information: Series L6538, Inmate Medical Folder. Air Pollution Control District: Series L6644, Stationary Source Construction Permit; and Series L6645 Stationary Source Emission History File.

Louisville and Jefferson County merged into the Louisville/Jefferson County Metro Government January 2003. This took place after special legislation was passed whereby a county with a first class city could merge into one government. A referendum was on the ballot in 2001 and was passed by voters in Jefferson County. Under the new government many of the existing incorporated municipalities could join the new merged government or retain their legal status. As of right now there are still over 80 independent cities in Jefferson County. This is the first attempt to consolidate existing Jefferson County and City of Louisville record retention schedules, to add new record series and to bring up to date the changes made to departments, divisions, programs and other Louisville Metro Government agencies after the merge.

In response to a question by Belding, Carlton said that the retention period for Series L6538, Inmate Medical Folder, would be the same for Federal, State or Local prisoners housed by Metropolitan Correctional Services.

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

PUBLIC SCHOOL DISTRICT

Carlton was the Records Analyst working on these schedule revisions. **Revisions to the Schedule:** Facilities/Security: Series L6463, Facilities Surveillance Video/Audio Recordings from "Retain Master Copy 10 days. Destroy if there is no recording that include, or allegedly include injury to students or school employees. Retain Master Copy 1 month for those recordings that include, or allegedly include, injury to students or school employees. Then destroy. NOTE: The Master Copy shall not be edited, altered or any portion destroyed. If there is an incident being investigated, retain until investigation and legal activity is complete, then destroy;" to "Retain Master Copy 1 week. Destroy if there is no recording that include, or allegedly include injury to students or school employees. Retain Master Copy 1 month for those recordings that include, or allegedly include, injury to students or school employees. Then destroy. NOTE: The Master Copy shall not be edited, altered or any portion destroyed. If there is an incident being investigated, retain until investigation and legal activity is complete, then destroy." Transportation: Series L6456, School Bus Surveillance Video/Audio Recordings, from "Retain Master Copy 10 days. Destroy if there is no recording that include, or allegedly include injury to students or school employees. Retain Master Copy 1 month for those recordings that include, or allegedly include, injury to students or

school employees. Then destroy. NOTE: The Master Copy shall not be edited, altered or any portion destroyed. If there is an incident being investigated, retain until investigation and legal activity is complete, then destroy;" to "Retain Master Copy 1 week. Destroy if there is no recording that include, or allegedly include injury to students or school employees. Retain Master Copy 1 month for those recordings that include, or allegedly include, injury to students or school employees. Then destroy. NOTE: The Master Copy shall not be edited, altered or any portion destroyed. If there is an incident being investigated, retain until investigation and legal activity is complete, then destroy;"

This retention schedule was completely revised in 2012 and is used throughout the 174 school districts throughout the Commonwealth. It is an attempt to list all records created or received by the district's central office, school board, school administration, school based decision making councils and grades K thru 12.

Carlton said that Commission members had originally approved these Records Series at the Commission's June 13, 2013 meeting. The language had been changed to match the relevant statute.

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

STATE UNIVERSITY MODEL

Cundy was the Records Analyst working on these schedule addition, deletion and revisions. **Additions to the Schedule:** A. General Records: Series U0137, Training Course Materials. **Deletions from the Schedule:** U. Electronic and Related Records: Series U2132, Training Course Information. **Revisions to the Schedule:** A. General Records: Series U0129, Records Destruction Certificate File, from "Retain permanently" to "Forward one copy to Kentucky Department for Libraries and Archives, Public Records Division. Retain one (1) copy permanently at university." D. Student/Course Records: Series U0408, Application/Authorization for Graduation File, from "Destroy one (1) year after graduation or last date of attendance;" to "Retain record copy permanently in appropriate registrar's office. This may be the University Registrar or the Registrar of the appropriate college, such as medicine or law;" Series U0413, Counseling Files, from "Retain until seven (7) years after last date of service, then destroy;" to "Retain until seven (7) years after last date of service, then destroy. If a call-log form is completed for a person who does not keep an appointment and is not assigned a counselor, retain for one (1) year, then destroy;" Series U0415, Course Syllabi, from "Destroy five (5) years from date last offered by department unless accreditation board requires a longer retention period;" to "Destroy five (5) years from date last offered by department unless accreditation board requires a longer retention period. Each course section offered each semester is a considered a unique course offering; "date last offered" is the conclusion of that specific offering;" Series U0470,

Course Proposal File (Departmental copy), from "Destroy approved proposals one (1) year after notification of approval. Destroy denied proposals after notification of denial;" to "Destroy approved proposals one (1) year after notification of approval. Destroy denied proposals after notification of denial. A record copy is maintained permanently in the minutes of the approving body." *Staff also made administrative changes to three series without changing retention or disposition:* B. Fiscal Records: Series U0238, Budget and Audit Workpapers. D. Student/Course Records: Series U0455, Student Worker Time Sheets. 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 Advisory Committee members had asked ifr Series U0137, Training Course Materials included course content, which was not listed in the description. Cundy said it does contain course content, so that has been added to the description of the contents of the Records Series.

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

The next item was **other business**.

Teague said that Dr. Leonard Curry, a former member of the Archives and Records Management Advisory Committee, had passed away on August 31, 2013. Dr. Curry was Professor Emeritus of History at the University of Louisville.

Teague said that the new State Records Center facility, which is on US HWY 421 S in Frankfort, is scheduled to be turned over to the Department by December 31, 2013. Commission members could follow the project on PRD's Facebook page (<https://www.facebook.com/kdla.prd>) or on the department's website (<http://kdla.ky.gov/records/recmgmtservices/Pages/newstaterecordscenter.aspx>).

Teague said that October will be this year's Kentucky Archives Month. The theme is "Folklore and Superstition." The Archives Month poster would be available on the Archives Month Website (<http://archivesmonth.ky.gov/>). On September 5, a Certificate of Recognition for Service by an Archivist had been given to Margaret Merrick, a member of the Archives and Records Management Advisory Committee, who recently

retired as a records manager from the Presbyterian Church, USA, following a career that included significant work at KDLA and the University of Louisville.

Teague said that Beth Shields, PRD's Electronic Records Analyst, received the Council of State Archivists' (CoSA) President's Award at the 2013 joint annual meeting of CoSA and the Society of American Archivists (SAA) in New Orleans. CoSA, the national organization of the directors of state archival programs in the 50 states, the U.S. territories, and the District of Columbia, chose Shields for its highest award based on her work on the State Electronic Records Initiative (SERI) (<http://www.statearchivists.org/seri/>).

Teague said that the department recently contracted with Tessella to use its digital preservation service, Preservica, for cloud storage of its electronic records archives. PRD's digital records for preservation purposes. This is part of PRD's effort to be certified as a Trusted Digital Repository. PRD has also subscribed to Archive-It, the Internet Archives' service for preserving websites. Myers said that staff is now preserving the websites of the Governor's Office, the Legislative Research Commission, the Court of Justice and the other Constitutional Offices.

Carlton said that approximately \$400,000 in Local Records Grants would be distributed in January and that almost \$1,000,000 had been awarded in 2013.

Onkst said that the Governor's Office will contact Commission members whose terms are expiring in September about their willingness to continue to serve.

There being no further business, Onkst adjourned the meeting at 11:20.