

June 2013 Trustee Tip of the Month

Records Management, Retention Schedules and Transparency

As in any public agency, public libraries create, manage, and store many types of records in carrying out the daily operations in providing library services. Since public libraries are a unit of government, all of the library's records are covered by the Public Records Act [KRS 171.410-740] and are subject to the Open Records Act [[KRS 61.870-884](#)]. All records, except those that are exempt in the Open Records Act must be accessible to be viewed by any citizen upon request. Beyond those documents created during a board meeting, these records can include patron transactions, personnel records, policies and procedures, e-mail messages and many other types of records. Records stored in any format – paper, electronic, microfilm – are all subject to the same laws. One measure of a public agency's transparency and accountability is a good records management program.

Public library board trustees receive a document, [Managing Government Records: A Cooperative Undertaking: An Introduction to Kentucky's Public Records Management Law](#) within 60 days of their appointment to the library board. This document provides a basic overview of the legal requirements of managing the library's records. While it is important for trustees to ensure the proper management of the library's records, the library director is usually appointed as the Records Officer and is delegated the task of overseeing the creation, maintenance, and use of the library's records.

To ensure that the records created are efficiently managed and are disposed of when it is legally appropriate, records retention schedules have been created to help local government agencies and libraries determine what to keep and how long it must be kept. The State Archives and Records Commission has approved three main retention schedules that apply to library records. These schedules, available on the KDLA website, are: [Local Governments: General Records Retention Schedule](#) which includes information on the management of administrative, personnel, financial, and other general records; [Public Library & Library Board: Records Retention Schedule](#), which includes information on the management of patron transactions, acquisitions, reference transactions and other library-specific types of records; and the [General Schedule for Electronic and Related Records](#).

These retention schedules provide information on the various types of records, how long the record must be maintained, and how to dispose of the record when its retention period has ended. Some records are maintained permanently, while others may be destroyed when a specific time period has elapsed – such as holding an employee's application for 60 years from the date of hire, or when an action has been completed – such as transactions of fund receipts and disbursements after an audit has been done. There may be other issues which impact the length of time a record must be kept – such as an audit, active or pending litigation, an Open Records request, or some other business or administrative use of the record.

Once a record has been determined to have fulfilled the minimum period specified in the appropriate retention schedule, not subject to litigation or an Open Records request, or to be no longer needed by the library, the library director may have the records destroyed in a secure and appropriate manner, upon approval as outlined in the internal authorization and approval process. This process may include providing appropriate staff with a list of the records due for disposal and also board approval.

Destruction of records should be documented for proof of destruction, using KDLA's destruction certificate form. Destruction of records should be irreversible, handled in a secure manner, with environmental-friendliness in mind, and in a timely manner to minimize storage costs.

Your regional librarian can assist you with information on records retention. KDLA's Public Records Division has the responsibility of working with government agencies on archival and records management issues. The Local Records Branch works with local governments and its four regional administrators can provide in-depth advice and assistance or records management training. Contact information for Local Records Branch staff along with documents providing guidelines, detailed information, retention schedules, and forms are available on the KDLA Website at: <http://kdla.ky.gov/records/Pages/default.aspx>.