

# Records Retention Scheduling: A Procedural Guide

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## 1 Introduction

Government agencies in Kentucky are required by law to establish and maintain effective records management programs as a normal part of their daily activities.

**Public records** are those records created or received by state and local government agencies in the course of regular business. Public records are created in a variety of formats – paper, film, videotape, or digital file, for example. Public records are important because they allow government agencies to effectively carry out programs, document actions and policies, secure the legal and financial rights of government, protect the rights of citizens, and record the history and intent of public policy.

**Records management** involves maintaining physical and intellectual control of records so that they are secure and accessible for use as long as needed.

**Records retention schedules** are central to proper records management. Retention schedules are inventories or lists of all records that agencies create, use or maintain, together with information indicating how long a record should be kept to meet business needs and what should happen to it when the business need has ended. Maintaining documentation of essential transactions and information on an agency over time requires that certain records be retained permanently, while efficient, effective business operations dictate that selected records be destroyed when there is no further use for them. Evaluating records and assigning value to them, known as records appraisal, is central to the records retention scheduling process. These procedures describe the retention scheduling process for Kentucky's state and local government agencies and identify the roles and responsibilities of all participants in the process.

### 1.1 Definitions

**Appraisal** is the process of determining the value and then the disposition of records based on their current administrative, legal, and fiscal use; their evidential and informational or research value; their arrangement; and their relationship to other records.

**Commission** is the State Libraries, Archives, and Records Commission, defined in KRS 171.410 (3) and 171.420.

**Department** is the Kentucky Department for Libraries and Archives, defined in KRS 171.410.

**Disposition** is the action taken with regard to non-current records following their appraisal. These actions might include transfer to the State Records Center for temporary storage, transfer to the State Archives for permanent preservation, maintain in agency, reproduce on microfilm, or destroy.

**Division** is the Archives and Records Management Division, Kentucky Department for Libraries and Archives.

**Public agency**, defined in KRS 171.410 (4), is

- every state or local office, state department, division, bureau, board, commission and authority;
- every legislative board, commission, committee and officer;

- every county and city governing body, council, school district board, special district board, municipal corporation, and any board, department, commission, committee, subcommittee, ad hoc committee, council or agency thereof; and
- any other body which is created by state or local authority and which derives at least twenty-five percent (25%) of its funds from a state or local authority.

**Public record or record**, defined in KRS 171.410 (1), is documentary material, regardless of physical format or characteristics, which is prepared, owned, used, in the possession of, or retained by public agencies.

**Records inventory or inventory** is a list identifying the location, name and description of each records series, held by a state or local government agency. A completed inventory provides information essential to preparing a records retention schedule, with appropriate retention and disposition instructions, for records created and maintained by a state or local government agency.

**Records officer**, defined in 725 KAR 1:010, is the public agency employee who represents a unit of government in its relations on records management issues with the Division.

**Records series** is a file unit or group of documents related to a particular subject or function, resulting from the same activity, having a common form, or having another relationship in their creation, receipt or use.

**Records series number or series number** is a unique identifying number assigned to each records series on a records retention schedule.

**Retention period** is the minimum length of time a record is to be maintained for administrative, legal, fiscal, historical, or other purposes. Retention periods apply to eye-readable and machine-readable formats. Records may be maintained at the creating agency or at an approved archives or records storage facility.

**Retention schedule or schedule** is a document governing the retention and disposition of records series of a state or local public agency. A schedule contains a list of the various records or records series created, used or maintained by a public agency, together with information about the specific periods of time during which records must be maintained and disposition instructions to be applied to the series when its business use has ended.

## 1.2 Legal Requirements

The inventory and appraisal of Kentucky’s public records are subject to the terms of **KRS 171.410-740** (*the State Archives and Records Act*), in conjunction with **725 KAR 1:030, Scheduling public records for retention and disposal; procedures**.

The Commission has explicit authority under Kentucky statute to review and approve state and local government agency schedules for the retention and destruction of public records. Instructions for the retention and disposition of Kentucky public records are found on Commission-approved records retention schedules (KRS 171.420), which provide an agency with appropriate legal authority to make disposition of its records. The Commission’s decisions are final and binding for government agency records.

The head of each state and local government agency is responsible for establishing and maintaining an effective, continuing program for the management of the agency's records. This includes proper records retention and disposition (KRS 171.680), following the procedures of the Commission.

In the retention scheduling process, the Department serves as the link between the Commission and state and local government agencies across the state. KRS 171.520 charges the Department with ensuring "the maintenance and security of records deemed appropriate for preservation" and for facilitating "the segregation and disposal of records of temporary value." This is best accomplished by maintaining complete, up-to-date records retention schedules and by agencies' regular application of their schedules to the management of their records.

### **1.3 The State Libraries, Archives, and Records Commission**

The Commission meets quarterly in March, June, September, and December, on the second Thursday of each month. New records retention schedules, additions, or changes to existing schedules are submitted to the Commission. The Commission is also authorized to create advisory bodies to obtain advice on archives and records management issues.

#### **1.3.1 Duties of the Commission**

Under the terms of KRS 171.420, the Commission shall:

- Advise the Department on matters relating to archives and records management, federal and state library development issues, federal and state funding, public library standards, and other federal and state library service issues;
- Review and approve schedules for retention and destruction of records for all state and local government agencies; and
- Determine all questions which relate to destruction of public records.

#### **1.3.2 Members of the Commission**

- The Commission is a seventeen-member body constituted as follows:
- The state librarian or his or her designee, who shall be the chairperson of the Commission;
- The secretary of the Education and Workforce Development Cabinet or his or her designee, who shall serve as vice chairperson;
- The Auditor of Public Accounts or his or her designee;
- The state law librarian or his or her designee;
- The director of the Legislative Research Commission or his or her designee;
- The Attorney General or his or her designee;
- The executive director of the Kentucky Military Heritage Commission or a designee of the commission;
- The executive director of the Commonwealth Office of Technology or his or her designee;
- The president of the Kentucky Association of School Librarians or his or her designee;
- The executive director of the Kentucky Historical Society or his or her designee;
- The executive director of the Kentucky Library Association or his or her designee;

- The president of the Council on Postsecondary Education or his or her designee;
- Four (4) citizens at large appointed by the Governor, including one (1) member representing library users with disabilities, one (1) member representing disadvantaged persons, and two (2) members representing library users; and
- One (1) member, who shall not be an elected official, appointed by the Governor from a list of three (3) persons, with one (1) name submitted by each of the presidents of the Kentucky League of Cities, the Kentucky Association of Counties, and the Kentucky Association of School Administrators.

## **1.4 Summary of the Process**

Retention scheduling involves several steps, including:

- records inventory;
- comprehensive records description;
- records appraisal, with a recommended retention period;
- proposed retention periods and disposition instructions reviewed and approved by the Commission;
- promulgation of an administrative regulation implementing approved records retention schedules; and
- appropriate distribution of approved records retention schedules.

## **2 Records Inventory**

The records retention scheduling process begins with an inventory of the records created, used or maintained by a state or local government agency.

### **2.1 When to Conduct an Inventory**

A records inventory may be necessary due to one or more circumstances:

- the Commission has not approved a records retention schedule for a state or local public agency;
- a records retention schedule that has been approved by the Commission is in significant need of revision;
- a current, Commission-approved records retention schedule needs additions or changes, though not significant revision; or
- the Record Description and Analysis form (see section 4) for a given records series is in need of revision.

### **2.2 Participants**

Participants in the records inventory should include, but need not be limited to:

- the public agency’s records officer or custodian of records,
- other state or local government agency personnel who are familiar with the records under consideration, and
- the appropriate Division staff.

Planning an inventory requires support from agency personnel familiar with the records created and used at that agency. In conjunction with Division staff, agencies assemble the information necessary to support the records retention and disposition recommendations made to the Commission. If not directly involved in the inventory, upper-level management and agency heads should be informed about the process.

### 3 The Records Retention Schedule

**The final product of the retention scheduling process is an approved records retention schedule**, which is a list of each type of record and any electronic records systems maintained by an agency, together with descriptions of the records, and the retention period and disposition instructions for each records series.

#### 3.1 The Records Series

Retention schedules list records according to records series. For example, Kentucky’s Local Government General Records Retention Schedule lists the following records series:

**L5011, Accounts Payable File** (May include list of claims, claims, claim stub book, requisition, purchase order, vendor invoice, receipts, travel requests, voucher copies, check copies, receiving orders, receiving reports, cash receipt register, treasurers receipt book and supporting documents. This series is used to document the requisitioning, purchasing and remitting process.)

This series contains many documents that are considered individual records in their own right, such as invoices and receipts. In this instance, these documents filed together serve a common purpose, and are retained for the same period of time. They are therefore listed as one records series on the records retention schedule. That series is assigned a unique identifier, **the records series number**, in this case L5011.

#### 3.2 Contents of the Retention Schedule

*The records retention schedule contains the following information:*

- the name of the retention schedule, which may also be the name of the agency or office;
- the date the retention schedule was approved by the Commission;
- the record series number and title;
- whether a records is “vital” (essential for business continuity and restoration of services following a disaster);
- whether access to a record or information contained in the record is restricted by statute or regulation and thereby confidential;

- the date an individual record series was approved by the Commission, if it differs from the date the entire schedule was approved by the Commission;
- a description of each record series;
- the contents of each records series;
- the period of time a record is retained in the creating agency;
- instructions on what actions are taken when this time period has been satisfied (disposition instructions); and
- instructions on transferring a record to the State Archives or State Records Center for retention, if applicable.

### **3.3 Types of Retention Schedules**

A state or local government agency records retention schedule may be either general or agency-specific. In managing their records, state and local agencies are expected to apply both applicable agency-specific schedules and the general schedules, where appropriate.

#### **3.3.1 General Records Retention Schedules**

General Records Retention Schedules apply to records that are created or used by all or most state or local agencies. Examples of general records include budgeting records, personnel records, and payroll records. Listing these records on a general schedule applicable to records created by most agencies prevents redundancy and reduces paperwork in the scheduling process. The Commission has approved separate general records retention schedules for both state and local government agencies.

#### **3.3.2 Agency-Specific Records Retention Schedules**

Agency-specific retention schedules document records that are unique to a specific agency or office. They actually list several types of records:

- records that are specific to an state or local agency and not created or used by any other agency;
- records that are specific to more than one state or local agency but not common among all state or local agencies;
- records that are created or used by all or most state or local agencies but which may need to be retained by a specific agency for a longer period of time than is required on the appropriate general schedule, usually to fulfill legal obligations; and
- records that are created or used by all or most state or local agencies, and are retained by a specific public agency for the same period found on the appropriate general schedule, but are included on an agency-specific schedule for ease-of- use purposes.

Agency-specific schedules may be approved for a specific agency or for a specific office (e.g., County Clerk).

Agency-specific schedules are available at KDLA's website.

## **4 Records Description and Analysis**

The inventory process is documented by writing a thorough description about each series. This is done through completion of the Record Description and Analysis form for each records series. The retention schedule is based on the completed Description and Analysis Form. (See Appendix A, Records Description and Analysis Form and Instructions)

## 5 Retention Schedule Approval

Draft retention schedules are submitted to the Commission for approval. The Commission discusses schedule changes or additions in its quarterly meetings. The decision is documented through the meeting minutes of the Commission and with the appropriate signatures on the retention schedule.

Approval of records retention schedules is documented on the Records Retention Schedule Signature Page. The Signature Page is signed by the following individuals:

- Agency Head;
- Agency Records Officer;
- Chair, State Libraries, Archives, and Records Commission;
- KDLA's Records Analyst or Regional Administrator;
- KDLA's Appraisal Archivist;
- KDLA's State or Local Records Branch Manager; and
- Auditor of Public Accounts.

It is the responsibility of the agency records officer to sign the Signature Page and see that it is signed by the agency head.

## 6 Administrative Regulations

**After the Commission has approved schedules, they are incorporated by reference into an appropriate Administrative Regulation (AR).** Following quarterly meetings of the Commission, Department staff initiates steps to implement newly approved retention schedules through administrative regulation. When that process has been completed for any given group of retention schedules, the Department announces the new schedules are in effect.

## 7 Retention Schedule Distribution

**The Division will distribute approved retention schedules to the appropriate agencies via the Department's website.** Posting notification on the Department's website will be considered distribution of notification for general schedules and for schedules for state and local government agencies.

## 8 Timeline

All schedule changes or additions are reviewed by several bodies before being placed before the Commission for approval, including the Department's Schedule Review and Appraisal Committee, and other appropriate external advisory bodies created by the Commission, pursuant to KRS 171.510. These advisory bodies usually meet at least one week before the Commission.

Revisions, additions, and changes to agency-specific schedules need to be submitted to appropriate

Division staff no later than four weeks before a meeting of the Commission for consideration at that meeting.

Revisions, additions, and changes to general schedules need to meet the same timetable outlined above. To permit ample opportunity for agencies to comment or obtain clarification on proposed changes to general schedules, however, changes to general schedules will be announced as “under review” at one meeting of the Commission (for example, September), but final action will not be taken until the next scheduled meeting of the Commission (December). Agencies are invited to submit questions or comments on those proposed changes during the interim and to appear before the advisory committees to the Commission which may meet to consider the proposed changes.

**Appendix A**  
**Records Description and Analysis Form and**  
**Instructions**

ARM 320 Rev. 02/2019		1. RECORD GROUP NO.		2. SERIES NO.	
<b>Records Description and Analysis</b>  Archives and Records Management Division  Department for Libraries & Archives		3. ORIGINATING AGENCY			
		4. ADMINISTRATIVE UNIT			
		5. PHYSICAL CUSTODIAN			
		COMPILER		DATE	
<b>IDENTIFICATION AND DESCRIPTION</b>					
6. TITLE OF RECORD			7. VARIANT TITLE		
8. RECORD IS <input type="checkbox"/> Original <input type="checkbox"/> Duplicate		9. LOCATIONS OF ALTERNATE COPIES (Original or Duplicate)			
10. INFORMATION SUMMARIZED IN:					
11. MEDIUM <input type="checkbox"/> Paper <input type="checkbox"/> Computer Printout <input type="checkbox"/> Microform <input type="checkbox"/> Computer Disk <input type="checkbox"/> Computer Diskette <input type="checkbox"/> Computer Tape <input type="checkbox"/> Audio/Video Tape <input type="checkbox"/> Photographic Negative <input type="checkbox"/> Photographic Print <input type="checkbox"/> Motion Picture <input type="checkbox"/> Other (Explain)					
12. ARRANGEMENT SORT/SEQUENCE (Alpha, Numeric, Chronological, Random, etc.): Explain in detail.					
13. INDEX/FINDING AIDS					
14. DATE SPAN:		In Agency		State Records Center	
		From: To:		From: To:	
15. VOLUME:		In Agency		State Records Center	
		From: To:		From: To:	
16. ANNUAL ACCUMULATION: (Cu. Ft.)		17. REFERENCE RATE (Number of times you use each year's accumulation)			
		1st Year:                  2nd Year:                  3-5 Years:                  More than 5 Years:			
18. FUNCTION AND USE (For what purpose is/was record created? What activity, process or transaction does it document?)					

<b>19 CONTENTS</b> (Documents in this file? Information on this form? Data elements in this computer file, etc.)		
<b>20. INPUT RECORDS</b> (What records flow into or provide information to create this record?)		
<b>21. OUTPUT RECORDS</b> (What records flow out of the information in this records series?)		
<b>22. VITAL RECORD?</b> Yes      No	<b>23. If Yes, VITAL RETENTION PERIOD</b>	
<b>24. VITAL RECORDS PROTECTION INSTRUCTIONS</b> <input type="checkbox"/> <input type="checkbox"/>		
<b>25. ACCESS RESTRICTIONS?</b> Yes <input type="checkbox"/> No      If yes, explain restrictions and attach copy of authority (KRS, KAR, CFR, etc.).		
<b>26. IS RECORD SUBJECT TO AUDIT?</b> Yes    No <input type="checkbox"/>	If yes, list <b>AUDITING AGENCY</b> (Federal, State, Internal)	<b>27. AUDIT RETENTION REQUIREMENT</b>
<b>28. LEGAL RETENTION REQUIREMENT?</b> Yes    No      If Yes, cite statute and length of retention period required. <input type="checkbox"/> <input type="checkbox"/>		
<input type="checkbox"/> <input type="checkbox"/> <b>ANALYSIS</b>		
<b>29. APPRAISAL CRITERIA</b> Administrative Retention Value Legal Retention Value Fiscal Retention Value Research Retention Value <input type="checkbox"/> Intrinsic Retention Value	<b>Years</b>	<b>30. RATIONALE FOR RETENTION</b>
<b>31. AGENCY RETENTION</b> <input type="checkbox"/> <input type="checkbox"/>		
<b>32. DISPOSITION INSTRUCTIONS</b>		
<b>33. RECORDS CENTER RETENTION</b>	<b>34. ARCHIVES CENTER RETENTION</b>	<b>35. TOTAL RETENTION</b>
Records Analyst Signature		Date

## **Records Description and Analysis Instructions**

The form consists of thirty-five numbered data fields. These are completed for each records series by agency and Division staff performing the records inventory. The items relate to one of three areas:

- Records Description
- Records Appraisal
- Records Retention and Disposition

### **Records Description**

Items numbered 1-28 relate to description of the various records series used by a state or local government agency.

#### **ITEM #1:**

Record Group Code: Leave blank. This is for Archives and Records Management Division (ARM) use only.

#### **ITEM #2**

Series No.: If this record series already appears on a Commission-approved records retention schedule, this is the number that appears in the left-hand column in an agency's Records Retention Schedule. If this series does not appear in an agency's Records Retention Schedule, leave blank and a number will be assigned by ARM staff.

EXAMPLES: F0007 (General Schedule for State Agencies, Fiscal Records), 05422 (Governor's Office of Agricultural Policy), and L1234 (County Clerk Records Retention Schedule).

#### **ITEM #3**

Originating Agency: The name of the agency (cabinet, department, etc.) that created or accumulated the records series and that is responsible for the record's informational content.

EXAMPLES: Department of Insurance; Department for Local Governments.

#### **ITEM #4**

Administrative Unit: The name of the division, branch, section, or unit within the originating agency responsible for actual maintenance of the records series.

EXAMPLES: Administrative Services; Financial Records

#### **ITEM #5**

Physical Custodian: The name of the administrative unit that has physical custody of the active record. (NOTE: "Physical custodian" of the active record should not be the State Records Center, even though the records stored may have a high rate of activity. Compiler: The name of the records officer or designee responsible for completion of the form. Date: The date the form was completed by the compiler. Phone No: The phone number of the compiler.

#### **ITEM #6**

Title of Record: The title of the record, exactly as it appears in an agency's Records Retention Schedule, if the record series already appears on a Commission-approved records retention schedule. If the series is unscheduled or inaccurately titled, the title that best describes the series' function and content.

EXAMPLES: Individual Agent License File; Accounts Payable File.

#### **ITEM #7**

Variant Title: The title by which the series is commonly referred to within the office or unit, if different from retention schedule title. This may be any previous title or any other informal title which differs from Item #6. For example, Program Status Reports may be referred to, in-house, as Status Reports. This entry provides another means of identifying and accessing a series.

#### **ITEM #8**

Record Is: Specify whether the series is the original (Record Copy) or a duplicate, by placing an "X" in the appropriate box.

#### **ITEM #9**

Location(s) of Alternate Copies: If the series is the original, location(s) of duplicate(s) are listed by entering the name of the party or parties holding the duplicate(s). If the series is a duplicate, the custodian of the original record should be identified by entering the name of the appropriate party.

EXAMPLE: Circuits Courts may have a copy of many police records; banks or vendors may have copies of financial records.

#### **ITEM #10**

Information Summarized In: The title(s) and series number(s) of other series which partially or totally summarize information in this series. This item is particularly important because records containing summarized information may be more appropriate for long-term retention.

EXAMPLES:

- publications (L4957 [Local Governments]; M0007 [State Agencies]);
- annual reports (L4950; M0022);
- general ledgers (L4994; F0006); and
- audits (L4998; F0005).

### **ITEM #11**

Medium: An “X” should be placed by the appropriate entry or entries to identify the physical form(s) of the series. A series may exist in more than one medium, e.g., in both hard copy (paper) and in microform (16 mm roll film). This item helps establish special storage and handling requirements.

### **ITEM #12**

Arrangement/Sort Sequence: How the series is arranged or filed. Arrangements are usually combined, for example:

- chronological by year, thereunder alphabetical by client’s surname, or
- chronological by month/year, thereunder numeric by district, there under alphabetical by name.

If the series is a machine-readable (electronic) record, specify the sort sequence, i.e., random, chronological, etc.).

### **ITEM #13**

Index/Finding Aids: Any finding aids used to access the records series. This information is particularly applicable to case file series and to information created and stored via computer. If the index or finding aid is scheduled, its exact title and series number as it appears in the agency’s Records Retention Schedule. (NOTE: For access/retrieval, indices must accompany case files when transferred to the State Archives Center.)

EXAMPLES: Database, book index.

### **ITEM #14**

Date Span:

- In Agency: The date span of the portion of the series that is located in the agency. The series may have been created in 1975 and is still being created. In that situation, the entry is: 1975 to present. If the series is no longer created, the last year the series was created, e.g., 1975 to 1980.
- State Records Center: If the records series is stored in the State Records Center, consult the Records Transmittal file to determine the date span.
- State Archives Center: If the series is maintained in the State Archives Center, consult the Records Transmittal file to determine the date span.

## **ITEM #15**

Volume:

- In Agency: The volume of the portion of the series located in the agency. For paper records, specify the volume in cubic feet. For bound volumes, specify the number and size of the volumes. If the series is on a medium other than paper, specify that unit, such as the number of rolls and size of film, the number and size of computer tapes, disks, etc. This information aids in anticipating space and handling needs in the agency and at the State Records and State Archives Centers.
- State Records Center: Consult Records Transmittal file to determine the volume of series transferred to the State Records Center.
- State Archives Center: Consult Records Transmittal file to determine volume of series transferred to the State Archives Center.

## **ITEM #16**

Annual Accumulation: Indicate, in cubic feet, in the number of bound volumes, in the number of rolls of film, in the number of computer tapes, disks, etc., the annual accumulation for the records series. This information is necessary in anticipating future space/storage needs.

## **ITEM #17**

Reference Rate: Indicate how many times the records series will be referenced during the first year of its creation, the second year, the next three-five years, and how many times the series will be referenced after more than five years. Reference rates can be daily or a specific number of times per week, per month, or per year. For example, the series may be referenced daily the first year, twice monthly the second year, six times during the third year, with activity ceasing thereafter. Determining the reference rate aids in establishing retention and disposition instructions.

## **ITEM #18**

Function and Use: This item and the next are central to establishing retention and disposition for a series. Describe in detail the purpose for which this series is or was created and used. Include specific information regarding what activity, process, or transaction the record documents. Provide information as to how the series is used within the office or unit and its relationship to other series. List previous titles by which this series may have been known or any other information that will bring a better understanding of the series, e.g., a record formerly manually created is now computer generated and maintained. As a resource, the Kentucky Revised Statutes (KRS), the Kentucky Administrative Regulations (KAR) and the Code of Federal Regulations (CFR) governing an agency may provide information concerning creation of some records and the specific activities related to their creation.

## **ITEM #19**

Contents: Describe in detail the specific information contained in this records series. If the series is a single record or document, list all entries it contains. If the series is a file consisting of several documents, list each one separately. If the series is computer created, list the various data elements it contains. Detailed information about a series' function, use, and content requested in Items #18 and #19 is crucial to establishing correct retention and disposition instructions and to providing appropriate access to the information.

## **ITEM #20**

Input Records: List related series titles and numbers (if known) from which information was drawn to partially or completely create the series. This entry helps show how the series may relate to other series. It also identifies related information useful for research when the series is not available or is incomplete. Input records which are "not on schedule" must also be described and incorporated into your Records Retention Schedule.

EXAMPLES: If the description is for a canceled check, an input record would be a pay-in voucher or an authorization to pay. If the description is for an annual report, periodic reports would be an input record.

## **ITEM #21**

Output Records: List other series (include publications where applicable) by title(s) and number(s) (if known) that are created directly from the information.

EXAMPLES: For a canceled check, an output record would be a check register, which lists every check written. Annual reports might be output records for periodic reports.

## **ITEM #22**

Vital Record: A vital record (generally comprising less than 10% of all records) is considered absolutely essential to the continued operation of a program or agency or one required to protect rights of individuals and/or the government. All records identified as vital require special protection activities (see Item #24).

EXAMPLE: Series number L5000, Accounts Receivable Files, from the General Schedule for Local Governments, Accounting Records Section, is listed as a vital record, because agencies need records that document moneys customers owe them. This record series facilitates the collection of revenue necessary to do business, an undertaking unlikely to be accomplished by customers. Without revenue collection, business could not continue.

## **ITEM #23**

If Yes, Vital Retention Period: The length of time the series must be kept to satisfy vital

records requirements.

EXAMPLE: The accounts receivable file discussed above would be vital only until payment.

#### **ITEM #24**

Vital Records Protection Instructions: The method by which the vital record is protected.

EXAMPLES:

- Natural dispersion (natural dispersion occurs when duplicates of vital records are dispersed to other off-site locations by virtue of the agency's normal operating procedures);
- Duplicating the record and storing off-site;
- Duplicating the record and storing on-site in a protected environment;
- Storing the record on-site at the end of each day in a protected environment; or
- Storing the record off-site at the end of each day in a protected environment.

#### **ITEM #25**

Access Restrictions: Indicate whether or not access to the series is restricted or confidential. A confidential record is one not open to public inspection, by authority of KRS, KAR, Code of Federal Regulations (CFR), court order, or similar legal authority. If the record is restricted, attach a copy of the legal authority restricting access.

EXAMPLES:

- Series number 04522, the Master Personnel Folder for state employees, is listed as confidential. The citation is KRS 61.878(1) (a).
- Series number L2363, Student Cumulative Record Card/Folder (Current, Graduates, & Withdrawals), from the Public School District Schedule is listed as confidential. The cites are 20 USC Section 1232g et seq. and KRS 160.700 et seq.

#### **ITEM #26**

Is Record Subject to Audit? Indicate whether or not the series is subject to audit and by which agency, i.e., state, federal, and/or internal agency audit. (NOTE: Audits may be either compliance, program, or fiscal.)

#### **ITEM #27**

Audit Retention Requirement: The number of years this series must be retained to satisfy audit requirements. Unless otherwise supported by KRS or Federal requirements specifying a longer retention, the standard retention requirement for Kentucky is three years.

## **ITEM # 28**

Legal Retention Requirement: If there is a legal requirement that this series be maintained for a specific period of time, this is the length of time this series must be retained, with the specific statutory reference, KAR, or CFR requiring the retention. Legally mandated retention periods, if they are longer, supersede retention periods on the General Schedule for State Agencies and on the Local Government General Retention Schedule. In these cases, the record in question is listed on the agency-specific retention schedule with the longer retention period, even though it may also be listed on the general retention schedule.

EXAMPLE: All divisions within the Department of Insurance maintain general correspondence for five years. This follows from KRS 304.2-150, which requires that the office maintain all its records for a minimum of five years. This requirement exists, in spite of the retention period for series M0002, General Correspondence, on the General Schedule for State Agencies, which is set at two years.

## **Records Appraisal**

Once records have been described, they must be appraised. Appraisal means to attach a certain value to an item; in this case, it involves assigning a retention period to a record based on those different potential use values.

## **ITEM #29 Appraisal Criteria**

There are various purposes for which a record may have value: administrative, fiscal, legal, evidential, or historical. This documents the various retention values attached to the record.

### **Administrative Value**

Identifies the usefulness of the records series to the originating agency in carrying out day-to-day activities.

### **Legal Value**

Records with legal value may be of two types:

- Those with legally mandated retention (for example, the five-year retention of records by Department of Insurance Personnel is mandated by law); or
- Those records which document legally enforceable rights or obligations, both those of the government and those of persons directly affected by an agency's activities.

### **Fiscal Value**

The records series documents financial authorizations, obligations, and transactions, and provides an audit trail.

## **Historical/Research Value**

The series provides valuable information relating to persons, things, places, and phenomena which may be valuable for historical or scientific research. There are two types of historical value that may be attached to a record:

- **Evidentiary Value:** Records providing evidence of the agency's functions, policies, decisions, procedures, operations, or other activities which produced them (for example, the agency's name changes or the number of people its staff served).
- **Informational Value:** Records, created as a result of an agency's programs, which provide valuable information relating to persons, things, places and phenomena which may be valuable for historical or scientific research (for example, demographic trends or epidemiological or other general medical information).

## **Records Retention and Disposition**

Items numbered 30-35 document the retention and disposition requirements for the record being described.

### **ITEM # 30**

**Rationale for Retention:** Any additional information to support a recommended retention period. Why is the recommended retention necessary? What will be accomplished by retaining this record?

**EXAMPLES:** The rationale for retention for series number 03351, Local Government Tax Ordinances, on file with the Department of Insurance reads:

Series has primary and secondary administrative value. It is unknown if or how often a local government agency will change the local government premium tax charged to insurance companies. Administratively, that information would be important at all times. Historically, it would provide documentation for all local government premium tax changes.

The rationale for retention for series number L4654, Department Policies and Procedures, from the Local Government General Schedule, Law Enforcement Section reads:

Even if these are updated or changed, a copy should be kept for reference purposes and as a research tool in documenting the administration of the agency.

### **ITEM #31**

**Agency Retention:** Length of time this series must be retained in the agency prior to

final disposition; final disposition may be destruction, transfer to either the State Records Center or State Archives Center, or permanent retention in the agency. This is, at a minimum, the amount of time the records will be needed in the office for active business use. Records also may be maintained indefinitely in the agency, depending on when a trigger event may occur, which will activate the retention period. If the length of time before that event occurs is unknown, the agency retention is indefinite.

#### EXAMPLES:

- The retention period for Series 03237, Self-Funded Health Plans, filed with the Department of Insurance's Health Insurance Policy and Managed Care Division is indefinite. The records can be destroyed when the policy on file is obsolete. Office staff does not know when the policy is going to become obsolete, so the record may be on file any amount of time before it can be destroyed.
- The retention period for Series L4955, General Correspondence, on the Local Government General Records Retention Schedule, is two years and the disposition is Destroy. The local agency is obligated to maintain the series for only two years in the office and then staff may destroy it.

#### **ITEM #32**

Disposition Instructions: Specifies the instructions for the disposition of records when the retention period has been met. Instructions may include destruction, transfer of the record to another series, or transfer of the record to the State Archives Center.

#### **ITEM #33**

Records Center Retention: Length of time this series is to be maintained at the State Records Center. The majority of records maintained at the Records Center are non-permanent and will be destroyed as scheduled. There are instances when permanent records are transferred to the Records Center, however, due to a high rate of retrieval. In such cases, the series is maintained at the Records Center until retrieval declines to a much lower rate, at which time the series is transferred to the State Archives Center for permanent preservation.

EXAMPLE: The in-agency retention period for record series 03363, Legislative and Regulation Research File, from the Department of Insurance's is indefinite. The disposition instructions read, "Transfer to the State Records Center one year after legislation and regulations are no longer subject to legal challenge and the need for interpretation has diminished." The State Records Center retention is nine years.

#### **ITEM #34**

Archives Center Retention: If the records series has a permanent retention and will be maintained at the State Archives Center, enter "permanent"

#### **ITEM #35**

Total Retention: The maximum retention for the series.

EXAMPLE: The in-agency retention for series number 03094, General Correspondence from the Department of Insurance's Division of Agent Licensing is one year. The disposition instructions read "Transfer to the State Records Center." State Records Center retention for this records series is four years. Thus, total retention for this record series is five years.