



Board of Architects and Certified Interior Designers

Records Retention Schedule

Prepared by the State Records Branch
Archives and Records Management Division
Approved by the State Libraries, Archives, and Records Commission



Kentucky Department for Libraries and Archives

This records retention schedule governs retention and disposal of records created, used, and maintained by this agency. **Government records in Kentucky can only be disposed of with the approval of the State Libraries, Archives, and Records Commission (the Commission). If records do not appear on a Commission-approved records retention schedule, agencies should not destroy those records.** This agency-specific schedule was drafted by agency personnel and Archives and Records Management Division staff and reviewed and approved by the Commission. This schedule provides the legal authority for this agency to destroy the records listed, after the appropriate retention periods have passed.

Agency personnel should use this agency-specific schedule in combination with the *General Schedule for State Agencies (General Schedule)*, also approved by the Commission. The *General Schedule* applies to records that are created, used, and maintained by staff at all or most state agencies. Agency-specific retention schedules are used only by specific agencies and apply to records that are created only by a particular state agency, or to records that a state agency is required to retain longer than the approved time period on the *General Schedule*. The *General Schedule* and agency-specific retention schedule should cover all records for this agency.

This retention schedule applies to state agency records and information regardless of how it is created or stored. For example, information created and sent using e-mail is as much a public record as materials created or maintained in paper. Kentucky law defines public records, in part, as "documentary materials, *regardless of physical form or characteristics*, which are prepared, owned, used, in the possession of or retained by a public agency" (KRS 171.410[1]). This means that records management standards and principles apply to all forms of recorded information, from creation to final disposition, regardless of the medium. Records retention scheduling is important in developing, using, and managing computer systems and other electronic devices. Records management practices encourage cost-effective use of electronic media through accurate retention scheduling and legal destruction of records.

All state government employees are responsible for maintaining records according to the retention schedule, whether those records are stored electronically or in paper. Information must be accessible to the appropriate parties until all legal, fiscal, and administrative retention periods are met, regardless of the records storage medium.

Audits and Legal Action

Agency records may be subject to fiscal, compliance or procedural audit. If an agency should maintain records longer than the approved retention period, as may be the case with some federal audits, then all affected records should be retained until the audit has been completed and the retention period met. In no case should records that are subject to audit be destroyed until the audit has been completed and retention periods met, or the records have been officially exempt from any audit requirements.

Records may also be involved in legal or investigative actions, such as lawsuits, administrative hearings, or open records matters. These records must be retained at least until all legal or investigative matters have concluded, regardless of retention period. This includes all appeals of lawsuits.

Vital Records

Vital records are essential to the continued functioning of an agency during and after an emergency. Vital records are also essential to the protection of the rights and interests of an

agency and of the individuals for whose rights and interests it has a responsibility. Vital records are identified in the retention schedule with a (V).

Confidential Records

While all records created, used, and maintained by government agency personnel are public records, not all of those records are open to public inspection. Whether a record is open to public inspection is determined by the state's Open Records laws and other relevant state or federal statutes and regulations. Restriction of public inspection of confidential records may apply to the whole record or only to certain information contained in the record.

Kentucky's public records are considered open for public inspection unless there is some specific law or regulation that exempts them. Agency personnel who believe certain records are confidential should submit a citation from Kentucky Revised Statutes, Administrative Regulations, Code of Federal Regulations, or similar authority. **State agency heads have the responsibility to know all the appropriate confidentiality laws, statutes and regulations that apply to the records maintained by their agency and to see that those laws are enforced.** Even though a record series may or may not be marked confidential on a retention schedule, contradictory laws or regulations that are passed after the schedule has been approved must be honored.

Copies of Records

Agency personnel often make copies of records for internal use or reference purposes. Agencies should designate one copy as the official copy and make sure it is retained according to the records retention schedule. Agencies can destroy all other copies when no longer useful.

Updating the Retention Schedule

Per 725 KAR 1:010, the head of each state government agency is required to designate a member of his or her staff to serve as a records officer. The agency records officer represents that agency in its records-related work with the Archives and Records Management Division. The agency records officer is responsible for assisting the Archives and Records Management Division in drafting a records retention schedule, and in finding any schedule updates to bring before the Commission. The retention schedule should be reviewed on a regular basis to suggest appropriate changes to the Commission.

Architects and Certified Interior Designers, Board of

The Kentucky Board of Architects was established by an Act of the Kentucky General Assembly in 1930 to protect the public health, safety and welfare by the regulation of architects. It was originally entitled the Kentucky Board of Examiners and Registration of Architects. Since July, 2002, the Board has additionally assumed the responsibility for the certification of interior designers in the Commonwealth. The Board is governed by the Kentucky Revised Statutes under Title XXVI, Occupations and Professions, Chapter 323.

RECORDS RETENTION SCHEDULE

Signature Page

Board of Architects
Agency

March 11, 2010
Schedule Date

Unit

Change Date

March 11, 2010
Date Approved By Commission

APPROVALS

The undersigned approve of the following Records Retention Schedule or Change:

[Signature]
Agency Head

3/23/10
Date of Approval

[Signature]
Agency Records Officer

3/23/10
Date of Approval

Barbara Taylor
State Archivist and Records Administrator
Director, Public Records Division

3/11/10
Date of Approval

Wayne Oakes
Chairman, State Archives and Records Commission

3/11/2010
Date of Approval

The undersigned Public Records Division staff have examined the record items and recommend the disposition as shown:

[Signature]
Records Analyst/Regional Administrator

3/11/2010
Date of Approval

[Signature]
Appraisal Archivist

3/10/2010
Date of Approval

[Signature]
State/Local Records Branch Manager

11 MAR 10
Date of Approval

The determination as set forth meets with my approval.

Brian Lepore
Auditor of Public Accounts

3-11-10
Date of Approval

STATE ARCHIVES AND RECORDS COMMISSION
Archives and Records Management Division
Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
RETENTION SCHEDULE

General Government
Architects and Certified Interior Designers, Board of

Record Group
Number
0140

Series	Records Title and Description	Function and Use
00836	Master File - Architects and Interior Designers (V)	This series documents the state licensure and regulation of Architects and the certification and regulation of Interior Designers. Since 1930 the Kentucky Board of Architects (KBA) has been charged with regulating the licensing of Architects and as of 2002, has additionally been charged with regulating the certification of Interior Designers. Per KRS 323.020, a person must be licensed to practice architecture in this state and per KRS 323.402, a person may not use the title of Certified Interior Designer as a designation without first being certified by the KBA.
	Access Restrictions	KRS 61.878(1)(a) & (g) Personal Information & Exam Information
	Contents	Series may contain: Name and contact information, applications, personal interview data, license and/or certification number, SSN, DOB, education, continuing education, complaints, status of license and/or certification, national registration, photos, drawings and related documents and related correspondence.
	Retention and Disposition	Destroy 100 years after date of birth or destroy upon verification of death. Update files as needed. State Archivist will review files prior to destruction.
00841	Case Files (V)	This series documents investigations of alleged violations conducted by the Ky Board of Architects (KBA) regarding those individuals licensed and/or certified by KBA. Where applicable, these records may document administrative orders, administrative appeals, circuit court orders and judgments rendered. These files contain record copies of all proceedings, motions and actions created during the hearings, including video and audio records where applicable.
	Access Restrictions	KRS 61.878(1)(a) Personal information
	Contents	Series may contain: Names, dates, SSN, addresses, contact information, investigation reports, affidavits, violations, orders, notices, complaints, hearing transcript, subpoenas, photo and video evidence and related documents and related correspondence.
	Retention and Disposition	Retain Permanently.

Electronic System With Included Records Series

General Government

Architects and Certified Interior Designers, Board of

System Description: This system documents the state Licensure and regulation of Architects and the certification and regulation of Interior Designers. Since 1930 the Kentucky Board of Architects (KBA) has been charged with regulating the licensing of Architects and as of 2002, has additionally been charged with regulating the certification of Interior Designers. Per KRS 323.020, a person must be licensed to practice architecture in this state and per KRS 323.402, a person may not use the title of Certified Interior Designer as a designation without first being certified by the BA.

The system also documents investigations of alleged violations conducted by the Ky Board of Architects (KBA) regarding those individuals licensed and/or certified by KBA. Where applicable, these records may document administrative orders, administrative appeals, circuit court orders and judgments rendered. These files contain record copies of all proceedings, motions and actions created during the hearings, including video and audio records where applicable.

System Contents: Data input by office staff. The Database may contain: Name and contact information, applications, personal interview data, license and/or certification number, SSN, DOB, education, continuing education, complaints, status of license and/or certification, national registration, photos, drawings and related documents and related correspondence, investigation reports, affidavits, violations, orders, notices, complaints, hearing transcript, subpoenas, photo and video evidence.

Gen. Schedule Items:

System Title: **Kentucky Board of Architects Data Administration** Alternate Title: **Back Office**

Series #	Series Title:	Disposition Instructions:
00836	Master File - Architects and Interior Designers	Destroy 100 years after date of birth or destroy upon verification of death. Update files as needed. State Archivist will review files prior to destruction.
00841	Case Files	Retain permanently. Retain in Entity
