



# Board of Landscape Architects

## 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.

## **Board of Landscape Architects**

The Board of Landscape Architects serves the Commonwealth to protect the public health, safety, and welfare through effective regulation of the practice of Landscape Architecture. The Board accomplishes this mission through examination and credentialing of prospective landscape architects, regulation and discipline of all licensed landscape architects, and through appropriate communication of information and laws pertaining to the practice of Landscape Architecture within the Commonwealth.

The title and practice of landscape architecture are governed by Kentucky Revised Statutes 323A and 201 Kentucky Administrative Regulations, Chapter 10.

RECORDS RETENTION SCHEDULE

Signature Page

Board of Landscape Architects
Agency

June 13, 2013
Schedule Date

Unit

Change Date

June 13, 2013
Date Approved By Commission

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APPROVALS

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

Jane Alexander Gardner
Agency Head

6.26.13
Date of Approval

Jane Alexander Gardner
Agency Records Officer

6.26.13
Date of Approval

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

6/13/13
Date of Approval

Wayne Orbit
Chairman, State Archives and Records Commission

6/13/2013
Date of Approval

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

Ram Compton
Records Analyst/Regional Administrator

06-13-2013
Date of Approval

Sue Segel
Appraisal Archivist

6/13/13
Date of Approval

State/Local Records Branch Manager

6/13/13
Date of Approval

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The determination as set forth meets with my approval.

M. Brian Lykins
Auditor of Public Accounts

6-13-13
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  
Landscape Architects, Board of Examiners and Registration of

Record Group  
Number

Series	Records Title and Description	Function and Use
01364	<b>Master Folders - Registered Landscape Architects</b>	This series documents state licensing and regulation of licensed landscape architects pursuant to KRS Chapter 323A. Licensed landscape architects are persons who offer or render any professional services in connection with the planning of outdoor space, at least twenty-one (21) years of age, a graduate of an accredited landscape architecture curriculum approved by the Board, with at least two (2) years professional landscape architectural experience that meets the satisfactory requirements of the Board and passed an examination as prescribed by the Board (KRS 323A.010 and KRS 323A.040). Licenses are renewed annually (KRS 323A.100).
	<b>Access Restrictions</b>	KRS 61.878(1)(a) re personal information
	<b>Contents</b>	Series may contain: Applications; examination records; college transcripts and documentation regarding an accredited landscape architecture curriculum; continuing education credit; and correspondence; disciplinary actions and findings (Series 06451).
	<b>Retention and Disposition</b>	Retain licensee's initial application, a copy of applicant's certificate from an accredited curriculum, test scores, and the two (2) most recent years of her/his renewal records for fifty (50) years from the date of license termination, then destroy.
01365	<b>Incomplete or Denied Registration Application</b>	This series documents incomplete or denied applications, whether applicants did not complete the process of submission of required documentation or did not meet the requirements prescribed by the Board pursuant to KRS Chapter 323A.
	<b>Access Restrictions</b>	KRS 61.878 (1)(a) re personal information
	<b>Contents</b>	Series may contain: Application; education history; test scores; experience documentation; and correspondence
	<b>Retention and Disposition</b>	Retain in Agency five (5) years from date of submission, then destroy.
01366	<b>Landscape Architects Log</b>	This series represents a listing of all licensed landscape architects in the Commonwealth.
	<b>Access Restrictions</b>	None
	<b>Contents</b>	Series may contain: Name, phone number and address of licensee; date license issued; date of renewal of license
	<b>Retention and Disposition</b>	Retain in Agency permanently and update as needed.
01367	<b>Unacceptable/Failed Examinations</b>	This series documents applicants who have failed the examination or a section thereof and did not complete the prescribed examination requirements within a continuous three (3) year period or an applicant who tested in an examination that was not approved by the Board pursuant to KRS 323A.040 and KRS 323A.070.
	<b>Access Restrictions</b>	KRS 61.878(1)(a)
	<b>Contents</b>	Series may contain: Name of applicant; test scores; date of examination; name of examination institution; correspondence
	<b>Retention and Disposition</b>	Retain in Agency five (5) years after date of examination, then destroy.

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

**STATE AGENCY RECORDS**  
**RETENTION SCHEDULE**

General Government  
Landscape Architects, Board of Examiners and Registration of

**Record Group**  
**Number**  
**1625**

<b>Series</b>	<b>Records Title and Description</b>	<b>Function and Use</b>
<b>06449</b>	<b>Continuing Education Approval File</b>	This series documents approval by the Board of continuing education training requested by landscape architect licensees. The approved courses are taken by licensees to fulfill continuing education requirements.
	<b>Access Restrictions</b>	KRS 61.878 (1)(a) re personal information
	<b>Contents</b>	Series may contain: Application, agenda, curriculum vitae, course outline, certificates and related documentation.
	<b>Retention and Disposition</b>	Retain in Agency three (3) years from date of approval, then destroy.
<b>06450</b>	<b>Complaints - Unsubstantiated</b>	This series documents complaints against licensees that are unsubstantiated and on which no action is taken.
	<b>Access Restrictions</b>	KRS 61.878 (1)(a) re personal information
	<b>Contents</b>	Series may contain: Name of complainant, documentation re complaint, name of licensee; investigation and conclusion documentation.
	<b>Retention and Disposition</b>	Retain in Agency one (1) year from date of conclusion, then destroy.
<b>06451</b>	<b>Disciplinary Files</b>	This series documents complaints against licensees and the actions taken by the Board pursuant to KRS 324A.
	<b>Access Restrictions</b>	KRS 61.878 (1)(a) re personal information
	<b>Contents</b>	Series may contain: Complaint forms, responses, investigative reports, correspondence, legal documentation, and disciplinary actions.
	<b>Retention and Disposition</b>	Retain in Agency and transfer to the Master Folder (Series 01364) after final resolution. (Master Folder retention is fifty (50) years from the date of license termination, then destroy.)

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## *Electronic System With Included Records Series*

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### **General Government**

#### *Landscape Architects, State Board of Examiners*

**System Description:** The Board of Landscape Architects regulates the practice of Landscape Architecture through examination and credentialing of prospective landscape architects, regulation and discipline of all licensed landscape architects, and through appropriate communication of information and laws pertaining to the practice of Landscape Architecture within the Commonwealth.

This database contains information about all licensed landscape architects in Kentucky. This staff uses the database to house total list of former & current licensees.

**System Contents:** The database contains the following licensee information: name, phone number, address, date license issued, and date of renewal of license.

**Gen. Schedule Items:**

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System Title: **Kentucky Board of Landscape Architects Database** Alternate Title:

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<b>Series #</b>	<b>Series Title:</b>	<b>Disposition Instructions:</b>
01366	Landscape Architects Log	Retain in Agency permanently and update as needed.

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# *Electronic System With Included Records Series*

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## **General Government**

### *Landscape Architects, State Board of Examiners*

**System Description:** The Board of Landscape Architects regulates the practice of Landscape Architecture through examination and credentialing of prospective landscape architects, regulation and discipline of all licensed landscape architects, and through appropriate communication of information and laws pertaining to the practice of Landscape Architecture within the Commonwealth.

This system allows licensed landscape architects, active and inactive, to renew their licenses online from May 1 to August 31 of each year. It requires applicants to assure the Board that they are not currently in arrears with the Kentucky Higher Education Assistance Authority and have completed continuing education requirements. Applicants must also provide current contact information and payment information for licensing fees. Applicants log into the system using their license number and last four digits of their social security number.

**System Contents:** Licensee contact information: name, address, phone number, email address.  
Continuing education: proof of completed hours, course title, course outline, course instructor, and completion date.  
Payment information: Bank account information for ACH (automated clearing house) payment (Bank Routing Number, Account number) or MasterCard / VISA information in order to pay the annual renewal fee plus a processing fee.  
Contains ONLY license renewal information from Series 01364, Master Folders

#### **Gen. Schedule Items:**

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System Title: **Kentucky Board of Landscape Architects License Renewal System**      Alternate Title:

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<b>Series #</b>	<b>Series Title:</b>	<b>Disposition Instructions:</b>
01364	Master Folders - Registered Landscape Architects	Retain licensee's initial application, a copy of applicant's certificate from an accredited curriculum, test scores, and the two (2) most recent years of her/his renewal records for fifty (50) years from the date of license termination, then destroy.