



Governor's Office of Agricultural Policy

Records Retention Schedule

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



This records retention schedule governs retention and disposal of records created, used and maintained by the Governor's Office of Agricultural Policy. **Government records in Kentucky can only be disposed of with the approval of the State 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 Governor's Office of Agricultural Policy personnel and Archives and Records Management Division staff, and reviewed and approved by the Commission. This schedule provides the legal authority for the Governor's Office of Agricultural Policy to destroy the records listed, after the appropriate retention periods have passed.

Governor's Office of Agricultural Policy 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 the Governor's Office of Agricultural Policy.

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.

This retention schedule covers the content of records created by the Governor's Office of Agricultural Policy, including records created or stored using computers and computer systems. The *General Schedule for Electronic and Related Records* applies to records related to computers or a computer system. Examples of these include system documentation and use records, backup files, or website format and control records.

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.

Governor's Office of Agricultural Policy

The Governor's Office of Agricultural Policy (GOAP), established in 1998, helps to promote, develop and implement development policies that result in a stronger agricultural base in the Commonwealth. GOAP provides a direct link between the Governor and one of the state's most important industries. The office administers the Governor's Commission on Family Farms, the Kentucky Agricultural Resource Development Authority (KARDA), the Kentucky Agricultural Development Board (Phase I), the Kentucky Tobacco Settlement Trust Corporation (Phase II), and the Kentucky Aquaculture Infrastructure Development Fund. Additionally, GOAP represents Kentucky's interests as national agricultural policy is developed.

RECORDS RETENTION SCHEDULE

Signature Page

Governor's Office of Agricultural Policy
Agency

March 9, 2017
Schedule Date


Unit

Change Date


March 9, 2017
Date Approved By Commission

APPROVALS

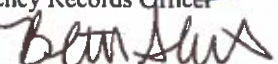
The undersigned approve of the following Records Retention Schedule or Change:


Agency Head


2/20/17
Date of Approval


Agency Records Officer

2/20/2017
Date of Approval


State Archivist and Records Administrator
Director, Public Records Division

3/7/17
Date of Approval

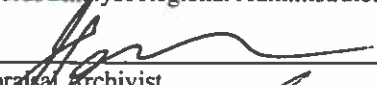

Chairman, State Archives and Records Commission

3/9/17
Date of Approval

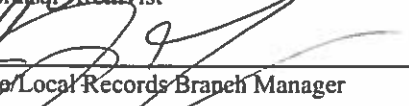
The undersigned Public Records Division staff have examined the record items and recommend the disposition as shown:


Records Analyst/Regional Administrator

2-23-17
Date of Approval


Appraisal Archivist

3/7/17
Date of Approval


State/Local Records Branch Manager

03/07/2017
Date of Approval

The determination as set forth meets with my approval.


Auditor of Public Accounts

3-9-17
Date of Approval

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

STATE AGENCY RECORDS
RETENTION SCHEDULE

Governor, Office of the
Agricultural Policy, Governor's Office of

Record Group
Number
0055

Series	Records Title and Description	Function and Use
05421	Agricultural Development Fund Approved Cost-Share Program Files (V)	This series documents cost share programs approved for funding through the Kentucky Agricultural Development Fund (KADF). The KADF, also known as the Rural Development Fund, represents fifty percent (50%) of the money in the Tobacco Settlement Agreement Fund. The Tobacco Settlement Agreement Fund was established for depositing all monies received by the Commonwealth from the Master Settlement Agreement between the participating tobacco manufacturers and the forty-six (46) settling states, signed on November 22, 1998. Effective April 26, 2000, the Kentucky Agricultural Development Board (KADB) was established to distribute KADF monies for the purpose of diversifying Kentucky's agricultural economy. Staff at the Governor's Office of Agricultural Policy is responsible for carrying out administrative duties for KADB, including all accounting, financial and grant transactions, research, and policy recommendations. The Board reviews grant applications on a monthly basis. Thirty-five percent (35%) of KADF funds are applied toward county-level projects while sixty-five percent (65%) are applied to state-level projects. One hundred eighteen (118) counties share the allotted thirty-five percent (35%), with decisions based on a county's tobacco production dependency relative to other Kentucky counties.
	Access Restrictions	KRS 61.878 (1)(a) - social security number. Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: the application, agreement, financial documentation, correspondence, periodic and closing reports, other related documentation for model programs, County Agricultural Investment Program (CAIP), shared-use equipment program and other cost-share programs as developed by the KADF.
	Retention and Disposition	Retain final narrative and financial reports permanently in Agency. Transfer remainder of file to Records Center six (6) months after submission of final report and retain at Records Center for four (4) years six (6) months, then destroy. Total retention of remainder of file is five (5) years.
05422	Agricultural Development Fund Grant Applications -- Denied/Withdrawn (V)	This series documents denied or withdrawn applications for grant funding through the Kentucky Agricultural Development Fund (KADF). The KADF, also known as the Rural Development Fund, represents 50% of the money in the Tobacco Settlement Agreement Fund. The Tobacco Settlement Agreement Fund was established for depositing all monies received by the Commonwealth from the Master Settlement Agreement between the participating tobacco manufacturers and the forty-six settling states, signed on November 22, 1998. Effective April 26, 2000, the Kentucky Agricultural Development Board (KADB) was established to distribute KADF monies for the purpose of diversifying Kentucky's agricultural economy. Staff at the Governor's Office of Agricultural Policy is responsible for carrying out administrative duties for KADB, including all accounting, financial and grant transactions, research, and policy recommendations. The Board reviews grant applications on a monthly basis.
	Access Restrictions	KRS 61.878 (1)(a) - social security number. KRS 61.878(1)(c)(2)(a) - Records required to be disclosed in conjunction with an application for or the administration of a loan or grant. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: the application, correspondence, denial of funding letter, other related documentation.
	Retention and Disposition	Transfer to Records Center six (6) months after denial or withdrawal of application and retain at Records Center for four (4) years six (6) months, then destroy. Total retention is five (5) years.

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Series	Records Title and Description	Function and Use
05423	Agricultural Development Fund Approved Project Files (V)	This series documents projects funded through the Kentucky Agricultural Development Fund (KADF). The KADF, also known as the Rural Development Fund, represents fifty percent (50%) of the money in the Tobacco Settlement Agreement Fund. The Tobacco Settlement Agreement Fund was established for depositing all monies received by the Commonwealth from the Master Settlement Agreement between the participating tobacco manufacturers and the forty six (46) settling states, signed on November 22, 1998. Effective April 26, 2000, the Kentucky Agricultural Development Board (KADB) was established to distribute ADF monies for the purpose of diversifying Kentucky's agricultural economy. Staff at the Governor's Office of Agricultural Policy is responsible for carrying out administrative duties for KADB, including all accounting, financial and grant transactions, research, and policy recommendations.
	Access Restrictions	KRS 61.878 (1)(a) - social security number. KRS 61.878(1)(c)(2)(a) - Records required to be disclosed in conjunction with an application for or the administration of a loan or grant. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: the application, agreement, financial documentation, correspondence, periodic and closing reports, other related documentation.
	Retention and Disposition	Retain final narrative and financial reports permanently. Transfer remainder of file to Records Center six (6) months after submission of final report and retain at Records Center for six (6) years six (6) months, then destroy. Total retention of remainder of file is seven (7) years.
05425	Kentucky Aquaculture Production Systems (KAPS) Grant File (V)	CLOSED SERIES: This series documents grants approved for funding through the Kentucky Aquaculture Production System (KAPS). The purpose of the program is to promote the construction of commercial aquaculture ponds to meet market demands for aquaculture products. Application procedures, eligibility requirements and awards criteria are delineated in 200 KAR 35:020. Two funding cycles were established for the program: FY2001 (1 July 2000-30 June 2001) and FY2002 (1 July 2001-30 June 2002). Up to \$1,000,000 was set aside for each cycle to be used for the reimbursement of eligible expenses incurred in aquaculture production system development activities undertaken during those years. The KAPS grant program came under the jurisdiction of GOAP in 2000. The final application was received in 2001, though, as of May 2005, GOAP is still awaiting reports from certain grantees.
	Access Restrictions	KRS 61.878 (1)(a) - social security number. Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: grant application, scoring sheets, financial documentation, correspondence and reports.
	Retention and Disposition	Retain final narrative and financial reports permanently in Agency. Retain remainder of the file in Agency five (5) years after date of final report, then destroy.
05427	Kentucky Agricultural Finance Corporation (KAFC) Revolving Loan File (V)	This series documents loans approved for funding through the Kentucky Agricultural Finance Corporation (KAFC). KAFC was created in 1984 to help secure adequate funding, on reasonable terms, for individuals who wished to pursue agricultural projects, but could not secure that funding privately. It came under the administrative auspices of the Governor's Office of Agricultural Policy in 2004. KAFC is authorized to make, or participate in the making of, loans directed toward purchasing agricultural real estate, machinery, equipment or livestock; improving agricultural real estate; leasing equipment; introducing new agricultural commodities; or enhancing agricultural markets (KRS 297.946[4-7]). Applications are judged according to criteria listed in KRS 247.946(2)(a-e), including: (1) the applicant's experience, training and financial ability; (2) the economic need for the project; (3) the economic soundness of the project; and (4) the consistency of the project with other policies designed to promote beneficial agricultural conditions in the Commonwealth. Applications are evaluated monthly. This series represents applications that have been funded and for which the applicant has fulfilled the obligations related to the loan. KAFC is the sole lender for these loans, though loans to support agricultural projects are available from other sources.
	Access Restrictions	KRS 61.878 (1)(a) - social security number. KRS 61.878(1)(c)(2)(a) - Records required to be disclosed in conjunction with an application for or the administration of a loan or grant. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: the application, agreement, financial documentation, correspondence, periodic and closing reports, other related documentation.
	Retention and Disposition	Retain final narrative and financial reports permanently in Agency. Transfer remainder of file to Records Center six (6) months after submission of final report and retain at Records Center for six (6) years six (6) months, then destroy. Total retention of remainder of file is seven (7) years.

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

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Governor, Office of the
Agricultural Policy, Governor's Office of

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Number
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Series	Records Title and Description	Function and Use
05428	Kentucky Agricultural Finance Corporation (KAFC) Revolving Loan Application File -- Denied/Withdrawn (V)	This series documents denied or withdrawn applications for loan funding through the Kentucky Agricultural Finance Corporation (KAFC). KAFC was created in 1984 to help secure adequate funding, on reasonable terms, for individuals who wished to pursue agricultural projects but could not secure that funding privately. It came under the administrative auspices of the Governor's Office of Agricultural Policy in 2004. KAFC is authorized to make or participate in the making of loans directed toward purchasing agricultural real estate, machinery, equipment or livestock; improving agricultural real estate; leasing equipment; introducing new agricultural commodities; or enhancing agricultural markets (KRS 297.946[4], [6], [7]). Applications are judged according to criteria listed in KRS 247.946(2), including: (1) the applicant's experience, training and financial ability; (2) the economic need for the project; (3) the economic soundness of the project; and (4) the consistency of the project with other policies designed to promote sound agricultural conditions in the Commonwealth. Applications are evaluated monthly.
	Access Restrictions	KRS 61.878 (1)(a) - social security number.KRS 61.878(1)(c)(2)(a) - Records required to be disclosed in conjunction with an application for or the administration of a loan or grant. Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Loan application, correspondence.
	Retention and Disposition	Retain in Agency for six (6) months and then transfer to Records Center after denial or withdrawal of application. Retain at Records Center for four (4) years six (6) months, then destroy. Total retention is five (5) years.
05429	Linked Deposit Loan Program File (V)	This series documents loans made through the Linked Deposit Investment Program (KRS 41.600-41.990). This program provides for loans to be given from monies derived from the state's unclaimed and abandoned property program, and invested in linked deposits, per KRS 42.510. These monies are targeted at low-interest loans for agricultural production or small business expansion or development, made through approved state financial institutions. Loans do not exceed \$100,000 and have a maximum maturity of seven years. Lending institutions forward loan packages to the Kentucky Agricultural Finance Corporation (KAFC) for review. Monies obtained through the Linked Deposit Investment Program may be used for annual working capital for production costs, interest costs, capital expense and debt refinancing.
	Access Restrictions	KRS 61.878 (1)(a) - social security number. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: the application, agreement, financial documentation, correspondence, periodic and closing reports, other related documentation.
	Retention and Disposition	Retain final narrative and financial reports permanently in Agency. Retain remainder of file in Agency five (5) years from date of final report, then destroy.