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# **The Arkansas General Records Retention Schedule Procedural Handbook**

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**Developed by the  
Arkansas Records Retention Workgroup**

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## Introduction

The Arkansas General Records Retention Schedule covers records commonly found in most Arkansas state agencies. The General Record Schedule was developed for state agencies, boards, and commissions (referenced hereafter as “agencies”) by the Arkansas Records Retention Workgroup, under the facilitation from the Office of Information Technology. This publication will help you understand how to use the retention schedule and how to identify records for disposition and retention. The publication can also be used as a model for scheduling the retention of records unique to your agency.

The Arkansas General Records Retention Schedule indicates the shortest amount of time an agency is required to retain records that are referenced therein; it does not require that an agency destroy records at that time. Often, agencies may decide to keep some of their records longer than required.

Retention periods listed in the General Records Retention Schedule apply to the content contained in a record regardless of the medium in which the content resides: paper, microfilm, electronic, etc. Whatever the medium, an agency must retain records for the length of time specified by the Arkansas General Record Schedule and ensure that the records are accessible for the full retention period. You have not met the retention requirement, for example, if your organization does not have the hardware and software needed to read an electronic record that you have carefully saved on a now-obsolete diskette. Consider whether the record needs to be transferred to paper or converted to a new medium.

Occasionally, people believe that a retention schedule has certain functions that it really does not have. For example, the Arkansas General Records Retention Schedule does not indicate: a) how long to retain non-records (such as blank forms or outside publications); b) how to destroy records; and, c) how to identify confidential or restricted records.

Another common misconception is that the Arkansas General Records Retention Schedule lists all the records the agency must create. The Arkansas General Records Retention Schedule includes many types of records, but no state agency is expected to have every record that is listed. If your agency does not normally create a particular record, the presence of that item within the record schedule does not mean that your agency must create it. It does mean that if at some point you create such a record, then you must retain it for the listed period.

## **Why Use the Arkansas General Records Retention Schedule?**

The purpose of the Arkansas General Records Retention Schedule is to ensure that records are retained as long as they are needed for administrative, fiscal, legal, or research purposes. The Arkansas Records Retention Workgroup identified minimum record retention periods by carefully studying and analyzing records to determine their potential value for these purposes. Without a record schedule in place, there is no guide or legal requirement (unless specifically stated in statute) to keep, store or dispose of common agency records. The following are advantages to using the Arkansas Records Retention Schedule:

Enables prompt discard of records no longer needed

Reduces staff time needed to access records

Reduces the number of records maintained

Reduces record storage costs

Saves filing and storage space

Preserves records that need to be available for a long period or permanently

## **How to Use the Arkansas General Records Retention Schedule**

Because the Arkansas General Records Retention Schedule covers the records commonly found within most state agencies, the Workgroup developed the retention schedule to make it pertinent to a large number of diverse organizations. Because of the general nature of the Arkansas General Records Retention Schedule, you may need practice in order to use it efficiently. Using the retention schedule is fairly easy if agencies follow these steps:

## **Quick Reference Outline for Each Record within the General Records Retention Schedule**

Before completing these steps, the General Records Retention Schedule should be read in its entirety.

Identify the record or record category

Check the schedule's functional headings and table of contents listing record types

Search for keywords in an electronic version of the schedule

Determine whether you have the official version of the record (unofficial or copies of a record have no retention requirement and, therefore, steps 3 and 4 can be ignored).

Note the record's retention requirements

Remember exceptions to the record schedule; not every record in your agency will be contained in the General Records Retention Schedule.

## **1. Identify the Record Category**

Before determining the appropriate retention period for a record, you must first identify the record category. Since agency staffs are usually familiar with their records, this step is often the easiest. Talk with someone who uses the records on a daily basis to try to determine the purpose of the record. Knowing the purpose will help you identify the category in the retention schedule for that particular record.

### **A. Check the record schedule's functional headings and table of contents**

Before using the General Records Retention Schedule, take time to read the schedule's introductory section and become familiar with the functional headings and table of contents within the schedule. The General Records Retention Schedule arranges record categories in sections under headings that reflect their function (such as "Fiscal" and "Personnel"). The schedule does not generally identify individual documents or specific forms; instead, it describes the purpose or function of the category. If a record's category content and function are substantially the same as an item described in the schedule, you should consider the category covered by that item.

### **B. Search for keywords in an electronic version of the General Records Retention Schedule**

Sometimes, the easiest way to find a specific item in the General Records Retention Schedule is to open an electronic version of the schedule with your word processing program and search for specific keywords. When doing this search, remember that the General Records Retention Schedule might not use the same words that you use to describe a certain function, so search for likely synonyms as well.

## **2. Determine whether you have the official version of a record**

When using the General Records Retention Schedule, determine whether you are dealing with the official version or "master" of a record or a secondary or duplicate copy. The General Records Schedule retention periods apply only to official versions of records. All other copies are merely duplicates, and you may dispose of those whenever you no longer need them as outlined in the retention schedule.

If your agency is not responsible for keeping an official version of the record, the remaining steps can be ignored.

### **3. Retention requirement**

Once you have located the official version of the record in your possession and identified it in the retention schedule, you must then retain and manage it for the specified period of time.

## **4. Exceptions to the General Records Retention Schedule**

Although in general, agencies can follow the guidelines of the General Records Retention Schedule without question, there are a few situations that will suspend implementation of the schedule.

### **A. Organizational preference**

Certain situations within your organization may create the need for retention periods that exceed the minimum periods listed in the General Records Retention Schedule. Examples include stringent internal audit requirements, use of records to conduct research, or use of records for ongoing investigations. You are not required to destroy records at the end of the retention period or to inform any entity if you intend to keep records longer.

### **B. Outstanding legal proceedings**

To comply with current or pending legal actions, agencies may need to retain some records beyond their scheduled retention periods. The General Records Retention Schedule addresses such situations in its "Legal" records category, but it is mentioned here for emphasis. You must keep any records used in such actions for at least the duration of the action, even if the records' retention periods have passed. Legal actions may include subpoenas and notices of claim (the first indication of a pending filing of a lawsuit). If the retention period has not expired, you must retain the records for the remainder of the retention period.

### **C. Outstanding Freedom of Information Act (FOIA) requests**

If records that are the subject of a FOIA request exist at the time of the request, then you must not destroy the records until after responding to the request. If the request is denied, do not destroy the records until after any potential appeal is made and resolved.

### **D. Pending audit or other review**

Pertinent records must be retained if there is a pending state or federal audit that will involve those records. However, if there is no requirement that an audit be done of

certain records and if you have not been told of an impending audit, then the applicable records may be discarded once they have reached the end of their retention period.

Review by another organization, such as for accreditation review, may also require you to retain records beyond their retention period.

#### **E. Records converted to electronic format**

If you have properly converted paper records to electronic format and have verified the accuracy of their contents, then you may designate the electronic version as the official version.

#### **F. Records not listed in the General Records Retention Schedule**

In the case a record is not listed in the General Records Retention Schedule, you should refer to your own internal procedure for handling such records. There is no legal requirement that such documents be retained, unless a specific state or federal retention statute applies. You should discuss the applicability of a state or federal retention law with your General Counsel or other appointed legal advisor.

## **State Agency Records Not Covered by the Arkansas General Records Retention Schedule**

The retention schedule is not intended to cover all the records that a state agency has in its possession. The General Records Retention Schedule only includes records that are commonly found within most state agencies. Records not covered in the General Records Retention Schedule include, but are not limited to, the following:

Records unique to an agency

Records that are not designated as the official version regardless of the medium in which they exist

Records subject to longer federal record retention requirements: Agencies must make certain that the retention periods in the retention schedule meet applicable retention requirements for any programs subject to federal audits or oversight. If some records require longer retention periods to meet federal requirements, you must ensure that the documents are properly maintained.

Records of courts (these must be obtained from the appropriate local government or court office).



## Records Disposition Made Easy

The most difficult aspect of records retention isn't determining how long to keep certain records but rather disposing of unneeded records regularly to avoid developing a backlog or creating unnecessary storage. To make discarding records easier, try following these simple suggestions:

### Become Familiar with the General Records Retention Schedule

You don't need to be an expert on the retention periods for all the records you have, but knowing how to find a retention period will make you more likely to follow it and to discard records no longer of value to the agency or the public.

### Set Aside Time for Records Disposition

You are busy. Everyone you work with is busy, and this is the main reason people don't get around to discarding obsolete records. A good way to remind yourself to take care of disposition is to periodically set aside part of a day to dispose of all obsolete records. Evaluate your work schedule, identify your slower periods, and schedule disposition days or allocated time periods.

### Keep Disposition in Mind When Setting up Files

Often when we create and file records (whether paper or electronic), we don't consider how or when we will discard the records. Typically we consider only how much we need the records right now.

#### Disposition Example 1

Many organizations sensibly remove personnel folders from filing cabinets once these files become inactive. The permanent record which summarizes an employee's years of service is usually the only permanent record within each personnel file. This can be maintained on AHRMS and AASIS and/or as a permanent paper document.

#### Disposition Example 2

If you maintain subject files with diverse retention requirements, mark the dates of disposition (or at least the dates of the contents) directly on the folders. This will allow you to scan the files quickly to determine retention periods. Taking time at the outset to consider how to make disposition easier will ultimately save you time.

### **Disposition Example 3**

Periodically examine your E-mail folders and delete non-substantive correspondence records that are no longer of administrative value.

## **Set Up Office Retention Schedules**

Putting together an office retention schedule can be time consuming and many people avoid doing it. You may wish to use the General Records Retention Schedule as a model for creating a schedule of records unique to your agency. Once everyone in your organization has a list of all the retention periods for all the records in their offices, records disposition becomes easier.

## **List Dates of Disposition on Boxes of Inactive Records**

This is the simplest solution, but some people don't do it. If you add the date, you can throw the box away according to the box label. This simplifies the process of identifying obsolete records. If you don't do this and have no other way of identifying obsolete records, then you will have to go through the time consuming process of examining the contents of each box to determine if you can discard them.

## **Disposing of Records According to Agency Policy**

You must regularly destroy unnecessary records in order to manage and conduct your work as efficiently as possible. Once a record has reached its minimum retention period AND is no longer of administrative value, that record should be disposed of following your agency's policy on the physical destruction of records.

If you don't make the disposition of obsolete records a routine task in your office, you will probably waste hours of staff time searching through unmarked boxes of records and unorganized electronic files just to find a single record. Making disposition routine will always be the more efficient way to eliminate obsolete records.

## Records To Consider For Permanent Retention

The following supplement is intended to assist state agencies in discovering which of its records need to be classified as permanent.

### Agency Permanent Records

A *permanent agency record* can be classified into one of the following three categories:

Permanent Operating Records

Permanently Required Records

Agency Historic Records

Records included in these categories of Permanent Records are subsets of the major business record categories, (i.e., Administrative Records, Automated System Records, Meeting Records, Fiscal Records, Legal Records, Personnel Records, and Grant Records). What distinguishes the permanent records subset is their perpetual usefulness to agency operations, the external requirement for their perpetual retention, or their usefulness to the study of history.

Some permanent agency records are found in the Arkansas General Records Retention Schedule list and are identified with a retention period of “permanent.” Agency-specific permanent records do not appear within the General Records Retention list.

On the next page is a list of record categories to aid in the evaluation of agency-specific records for potential permanent retention. This list provides the name of the category along with examples or descriptions of records that should be considered for permanent retention.

Note: the following permanent record categories are listed to assist agencies in identifying possible records that might need a permanent retention period; it is up to each agency to determine if the record warrants a permanent retention.

Permanent Record Categories	
*Records of Historic Value	
Category	Category Description
Administrative Records	Significant press releases*
Agreements between Governments	Agreements between state, federal, and local governments, including such items as Indian treaties and Interstate Compact records *
Claims, Petitions, and Appeals made on State Government by Citizens, and the Disposition Thereof	Court system records, consumer protection records, records of interactions (legislative process, agency administration, and executive activities) by citizens (lobbyists, private individuals, or citizens' groups) *
Establishment and Protection of Fundamental Rights	Birth, death, marriage, and divorce records; articles of incorporation; treaties; land title and real property records; voter registration and election records; court records; certain veterans' benefits records *
Policy Records	Executive level board and commission meeting minutes and transcripts, executive level files, historic speeches, policy manuals, annual reports, legal files, legal opinions, agency histories, organizational charts, legislative files, rules and regulations *
Protection of the State's Resources – Human, Natural, and Fiscal	Health and environmental statistics, studies, and plans; hazardous waste records; disaster response records; public safety records; regulatory records; audit reports; budget, appropriation, and monetary policy records *
Significant Project Records	Significant project records, reports, studies, manuals, hearings, procedures/instructions, handbooks/guides, publications (created by agency), meeting minutes, registers, blueprints/drawings/specifications (significant public structures), maps, indexes *  <i>A <u>significant</u> project would be an endeavor undertaken to create a product or service that is not part of an agency's routine and is given a designated beginning and end date and would <u>hold historic value to the state.</u></i>

## **Conclusion**

Records retention and disposition training should be a part of your agency's ongoing orientation and staff training requirements.

For questions regarding the use of this Handbook or the Arkansas General Records Retention Schedule, please contact the Office of the Executive Chief Information Officer at 501-682-4300 or 501-682-4301.