



STATE OF ALASKA COMMISSIONER GENERAL RECORDS RETENTION SCHEDULE

Schedule #200.1

January 2009



**Department of Education & Early Development
Division of Libraries, Archives & Museums
Archives & Records Management Program
141 Willoughby Avenue
Juneau, Alaska 99811-0525**

http://www.archives.state.ak.us/records_management/records_management.html

**COMMISSIONER GENERAL
RECORDS RETENTION SCHEDULE #200.1
AUTHORIZATION & APPROVAL**

The purpose of the *Commissioner General Records Retention Schedule #200.1* is to list and describe common records series that Offices of the Commissioner administer; and, prescribe mandatory minimum retention periods for those records. These records include paper documents, magnetic tape, compact discs, dvd's, flash drives, hard drives, floppy disks, microfiche, microfilm, maps and all other recorded information, regardless of medium or characteristics as defined in AS 40.21.150 (6).

Commissioner's Office staff may also refer to the *General Administrative Records Retention Schedule* or their own specific Commissioner program schedule for guidance.

Records and their proper maintenance are a matter of law and fact. Alaska Statute 40.21 (*State Records Management Act*) and 4 AAC 59 (Archives & Records Management Services) provide the necessary legal framework for the administration of the State of Alaska's records. As records constitute a risk that must be managed properly to minimize the liability to the State, Alaska has established an archives and records management program within the Division of Libraries, Archives & Museums to assist state agencies in mitigating this risk.

4 AAC 59.020 (c) requires agencies to follow general records retention schedules that Archives & Records Management establishes. This general schedule enables offices to further comply with AS 40.21.060 (2), which mandates each agency chief executive officer to establish and maintain an active, continuing program for the efficient management of its records and to apply the provisions of approved records retention schedules to ensure the orderly disposition of state records.

An approved records retention schedule is the legal authority to dispose of records under 4 AAC 59.015 & .020. Records not identified on an approved retention schedule may not be destroyed without authorization from the Attorney General, Commissioner of Administration, State Archivist and Chief Executive Officer of the agency (4 AAC 59.025).

Under the provisions of 4 AAC 59.020, the retention periods for records listed in *Commissioner General Records Retention Schedule #200.1* are approved for retention and disposition as indicated.

All records are nonconfidential unless identified and cited otherwise (e.g., confidential, classified, sensitive, privileged) by the Commissioner, *Alaska Statutes*, *Alaska Administrative Code*, or Attorney General's Office.

AUTHORIZATION & APPROVAL

Under the authority of AS 40.21 and 4 AAC 59 the records listed on *Commissioner General Records Retention Schedule #200.1* are approved for retention and disposition as indicated.

| /for/ Commissioner of Administration | Date | /for/ Attorney General | Date |
|---|----------------|-------------------------------|----------------|
| <i>Kim Garnero /s/</i> | 1/29/09 | <i>Craig Tillery /s/</i> | 1/23/09 |
| State Archivist | Date | State Records Manager | Date |
| <i>Glenn Cook /s/</i> | 1/16/09 | <i>D. Dawson, CRM /s/</i> | 1/16/09 |

**COMMISSIONER GENERAL
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GENERAL INFORMATION & INSTRUCTIONS**

Benefits of Utilizing the Commissioner General Records Retention Schedule

- ✓ **Locate** the right information quickly
- ✓ **Reduce Volume** of records stored in paper-based and electronic systems
- ✓ **Improve** storage and retrieval systems
- ✓ **Increase Efficiency** of office operations
- ✓ **Reduce Costs** for equipment, supplies, space, and personnel
- ✓ **Identify and Protect** vital and confidential records
- ✓ **Improve** customer relations and accountability of public funds
- ✓ **Reduce Risk and Liability**
- ✓ **Ensure Compliance** with applicable laws, rules, and regulations

Disposition of State Records—General Rule

The suggested timeframes for retaining common records series must be followed by all Commissioner's Offices, unless the Commissioner has a program records retention schedule that stipulates a longer retention period. Offices that dispose of unscheduled records must dispose of them in accordance with 4 AAC 59.025. Whenever the records contractor or other vendor in Juneau or Anchorage performs destruction services for scheduled, unscheduled or confidential records, the Office must complete a *Records Disposition Authorization* form. The Commissioner, Records Officer and State Archivist must sign the *Disposition* to fully authorize the destruction. Duplicate copies of documents may be disposed after all administrative and management need is met.

In the event you become aware of a public records request under 2 AAC 96, actual or threatened litigation, audit or investigation that may concern a group of records, **Do Not Dispose** of records until authorized to do so by the Attorney General's Office.

The General Schedule & Electronic Records

This *Commissioner General Records Retention Schedule* applies to records regardless of their physical format. Therefore, records created or maintained as the **Record Copy** in electronic format must be retained in accordance with the minimum retention requirements presented on this schedule.

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GENERAL INFORMATION & INSTRUCTIONS**

Definition of Record

AS 40.21.150 (6) defines "record" to mean "any document, paper, book, letter, drawing, map, plat, photo, photographic file, motion picture film, microfilm, microphotograph, exhibit, magnetic or paper tape, punched card, electronic record, or other document of any other material, regardless of physical form or characteristic, developed or received under law or in connection with the transaction of official business and preserved or appropriate for preservation by an agency or a political subdivision, as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the state or political subdivision or because of the informational value in them."

Definition of Electronic Record

AS 40.21.150 (4) defines "electronic record" to mean "any information that is recorded in machine readable form." Refer to 4 AAC 59.005 regarding requirements for the retention and preservation of electronic records.

"Record" Electronic-Mail [E-mail]

The State of Alaska runs on e-mail. E-mail is created, received, and transmitted on an electronic mail system. E-mail that constitutes a "record" as defined above in AS 40.21.150 (6), including attachments that are transmitted with the e-mail, is subject to this *General Records Schedule*. Record e-mail, which also may include text and instant messages (text messages in real-time), shall be retained for the same period of time as the records series that most closely matches the subject matter contained within the e-mail. E-mail that is declared a record shall be archived in retention folders or buckets within the *Enterprise E-mail Archive System* [or other system approved by the State Archivist]. E-mail that is listed as **Permanent** on a records schedule shall be archived in a 99-year retention bucket and printed out for transfer to the Alaska State Archives in accordance with the appropriate schedule.

Non-Record E-mail

E-mail, attachments, text and instant messages that are not "records" as defined in AS 40.21.150 (6) may be destroyed immediately. Non-record communications include those of a transitory nature primarily generated for informal transmission of information, not the perpetuation or formalization of knowledge. [Refer also to Item 9, Transitory & Miscellaneous Administrative Information.] Personal messages constitute non-records as they are not "accounts" or "writings" "developed or received by a public agency," and are not "preserved for their informational value or as evidence of the organization or operation of the public agency" under AS 40.25.110.

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RECORDS RETENTION SCHEDULE #200.1
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**COMMISSIONER GENERAL
RECORDS RETENTION SCHEDULE #200.1
COMMISSIONER RECORDS**

| Item No. | Records Series & Description | Retention & Disposition | Remarks |
|-----------------|--|---|--|
| 1 | <p>Reading Files:</p> <p>Copies of outgoing letters, memoranda, and messages. Maintained as a discrete records series, often electronically, these files are used for various administrative purposes.</p> <p>Commissioner, Deputy/Assistant Commissioner, Special Assistant</p> <p>All other Commissioner staff</p> | <p>Permanent Transfer to the State Archives every 3-5 years.</p> <p>Retain 3 years, then dispose.</p> | <p>Arranged chronologically.</p> <p>Often copied to Program Administration and/or Special Project Files.</p> |
| 2 | <p>General Correspondence Files:</p> <p>Sometimes known as <i>Program Administration, Subject, or Central Files</i>, this records series consists of original incoming and copies of outgoing letters and memoranda related to the substantive functions for which the Department is statutorily responsible. These files are often arranged topically according to a file classification system.</p> <p>Includes the following types of correspondence: intra/inter-departmental, legislative, executive, federal, professional association, steering committee, Native organization, local government, school district, and public. Also may consist of conference/training materials, organizational charts, delegations of authority, studies, etc.</p> | <p>Permanent Transfer to the State Archives every 3-5 years.</p> | <p>Transfer copy of file classification system or taxonomy with each shipment to the State Archives.</p> <p>Records transferred for permanent retention may be weeded.</p> |

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| Item No. | Records Series & Description | Retention & Disposition | Remarks |
|-----------------|--|---|--|
| 3 | <p>Special Projects:</p> <p>Includes the following information related to special projects and issues of a Department: goals, objectives, Gantt Charts/other schedules, project management, task assignment, tracking, resource allocation data, and correspondence.</p> | <p>Permanent</p> <p>Transfer to the State Archives three years after project closeout.</p> | <p>Records transferred for permanent retention may be weeded.</p> |
| 4 | <p>State Legislation & Regulation Files: [updated per State Archivist 9/1/2011]</p> <p>These records document Departmental concerns/action on pending or proposed State legislation and regulation.</p> <p>Consists of copies of proposed bills/regulations, review letters, position papers, departmental/sectional analyses, impact/sponsor statements, bill history/action sheets, email printouts, copies of news releases, and correspondence.</p> <p>[State Legislation & Regulation Working Files are usually administered at the Division level.]</p> | <p>Retain until administrative or management need is met, then dispose.</p> | <p>Regulation Files: Department of Law transfers to State Archives for permanent retention. Lt. Governor administers Official Record Copy of permanent regulations & transfers to the State Archives.</p> <p>Bill Files: The Legislature administers the complete Official Record Copy of all bill files & transfers to the State Archives. Governor's Legislative Liaison transfers bill files to the State Archives.</p> <p>Federal legislation file retention falls under General Correspondence or Special Projects.</p> |
| 5 | <p>Department Policies & Procedures—Major:</p> <p>Substantive and binding Commissioner-issued policies, procedures, directives, decisions, compliance/emergency orders, rules, guidance, and manuals that address mission essential functions for which the Department is statutorily responsible.</p> | <p>Permanent</p> <p>Transfer to the State Archives when obsolete, superseded, & administrative or management need is met.</p> | <p>Policy: a governing principle established at the executive level, which mandates or constrains action and has enterprise-wide application.</p> <p>Procedure: a set of effective and logical interrelated steps that implement a policy.</p> |

**COMMISSIONER GENERAL
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| Item No. | Records Series & Description | Retention & Disposition | Remarks |
|-----------------|--|--|--|
| 6 | <p>Legal Opinions:</p> <p>Series consists of opinions received from the Attorney General’s Office, correspondence, and backup.</p> | <p>Retain until administrative or management need is met, then dispose.</p> | <p>The Department of Law administers Record Copy permanently.</p> |
| 7 | <p>Minutes & Meeting Files— Major Policy Making:</p> <p>Documents the Commissioner's role on state boards, commissions, advisory councils, task forces, special committees, and major policy making group activities. Includes the following: agenda, information packets, reports, notes, transcripts, media releases, meeting summaries, public testimony statements, and questionnaires.</p> | <p>Permanent Transfer to the State Archives every 3-5 years.</p> | <p>These records document the policies, decisions and historical activities of the Commissioner.</p> |
| 8 | <p>Minutes & Meeting Files— Non-Policy Making:</p> <p>For all general staff, routine and operational meetings that do not result in changes to state positions or procedures. Consists of agenda, minutes, notes, and other backup.</p> | <p>Retain for 3 years, then dispose.</p> | |

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COMMISSIONER RECORDS**

| Item No. | Records Series & Description | Retention & Disposition | Remarks |
|-----------------|--|--|--|
| 9 | <p>Transitory & Miscellaneous Administrative Information:</p> <p>This records series consists of documents that are created primarily for the communication of information, as opposed to communications designed for the perpetuation of knowledge. Transitory messages do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt. Includes: e-mail, voice mail, and text messages with short-lived or no administrative value (including messages received on cell/smart phones and personal digital assistants), self-adhesive notes, data input documents, appointment books/calendars, invitations, intra-office correspondence tracking logs, word processing files, suspense files, temporary instructions, publication bulletins, notary certificates (copies) meeting notices, announcements, and training flyers.</p> | <p>Retain until administrative need is met, then dispose.</p> | <p>Microsoft Outlook Calendar items are retained for five years.</p> |
| 10 | <p>Drafts & Working Papers:</p> <p>This series contains documents, correspondence, reports, memoranda, and other materials in preliminary or developmental form before their iteration as a final product. Drafts may include copies of materials circulated for review for grammar, spelling, and content. Working papers may include notes and miscellaneous documents used in compiling and assembling the final product.</p> | <p>Retain until obsolete, superseded, & administrative or management need is met, then dispose.</p> | <p>May be confidential under statute, regulation, rule, directive, guidance or the following privileges: attorney client, deliberative process, executive.</p> |

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| Item No. | Records Series & Description | Retention & Disposition | Remarks |
|-----------------|---|--|---|
| 11 | <p>Reports—Annual:</p> <p>Reports and publications issued by the Department that describes responsibilities, functions, activities, and events.</p> | <p>Retain 5 years; then, transfer to the State Archives.</p> | <p>Under AS 14.56.120 each agency must provide four copies of its state publications to the State Publications Program; or, provide a publications link for web-based monographs.</p> |
| 12 | <p>Reports—Audit:</p> <p>Audit reports authored by Legislative Audit, the Office of Management & Budget (OMB), internal auditors and contractors documenting the financial accountability and statutory/regulatory compliance of the Department.</p> | <p>Retain until administrative or management need is met, then dispose.</p> | <p>Legislative Audit administers Audit Reports permanently and are confidential until the report has been approved for release under AS 24.20.311.</p> <p>OMB retains Performance Audits 5 years.</p> <p>The Division of Finance administers Record Copy of State and Federal Single Audit Reports 5 years.</p> |
| 13 | <p>Technical Reference Files:</p> <p>Consists of technical studies, publications, consultant reports, internet printouts from any source related to Department administration and functions.</p> | <p>Retain until administrative or management need is met, then dispose.</p> | |

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| Item No. | Records Series & Description | Retention & Disposition | Remarks |
|-----------------|--|--|--|
| 14 | <p>Memoranda of Understanding/Agreement:</p> <p>This series documents cooperative agreements/projects between the Department and other agencies—State, federal, and international.</p> <p>MOU express mutual accord on an issue between the State and two or more parties. MOU may be legally binding, based on the rights and obligations addressed in them. Also called letter of intent.</p> <p>MOA establish the Department's scope of association with another entity and mutual responsibilities.</p> | <p style="text-align: center;">Retain 6 years after expiration, then dispose.</p> | <p>MOU/A: Memoranda of Understanding/Agreement</p> <p>Under AS 09.10.120 statute of limitation for contract actions brought in the name of the State is 6 years.</p> |

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PUBLIC INFORMATION OFFICE RECORDS**

| Item No. | Records Series & Description | Retention & Disposition | Remarks |
|-----------------|--|--|--|
| 20 | <p>Public Records Log & Requests for Public Information:</p> <p>Unless a request is governed by 2 AAC 96.300, under 2 AAC 96.320 a public agency shall maintain a log of each written request for public records that it receives. The log must include date of request, requestor name, and tracking information.</p> | <p>Retain 1 year, then dispose.</p> | <p>Retention Authority: 2 AAC 96</p> <p>2 AAC 96.300 pertains to records prepared for routine public distribution including pamphlets, maps, press releases, forms, applications, etc.</p> |
| 21 | <p>Department History Files:</p> <p>These records document function, organizational structure, history, activities, and accomplishments of the Department. Includes: media/press releases, public information files, photographs (digital, prints, negatives), videotapes/discs, scrapbooks, newspaper clipping files, audio tapes/cd's, speeches by Commissioner, written histories, strategic plans, monographs, and other publications (brochures/leaflets/pamphlets) related to the statutory functions for which the Department is responsible.</p> | <p>Permanent</p> <p>Retain until administrative or management need is met; then, transfer to the State Archives.</p> | <p>Recommend review/transfer every five years.</p> <p>These records possess longterm research value and document Department activities and accomplishments.</p> |
| 22 | <p>Web Site Content, Management & Operations Records:</p> <p>This records series consists of Department internet and intranet web site content documentation. May include: web master policies; procedures; notes; content pages that compose the site, inclusive of the HTML markup; records generated when a user interacts with a site; lists of URL's referenced in the site's hyperlinks; web site design records; records addressing usage of copyrighted material; software applications used to operate the site; web snapshots; site maps depicting directory structure saved after substantive site changes have been implemented; and, correspondence.</p> | <p>**Retain 5 years or until obsolete, superseded or administrative need is met, whichever comes later, then dispose.</p> | <p>**Contact the State Archives regarding web site records that may have historical value.</p> |

**COMMISSIONER GENERAL
RECORDS RETENTION SCHEDULE #200.1
HEARING OFFICER RECORDS**

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|-----------|---|---|---|
| 30 | <p>Litigation, Adjudicatory, & Administrative Hearing Case Files:</p> <p>This series documents formal hearings conducted by the Departmental or independent Hearing Officers and may include: accusation or statement of issues, hearing requests by a respondent, pleadings, notices, orders, Department response, transcripts, exhibits, written evidence, investigator's request for warrants, copies of warrants, final decisions, stipulated settlements, appeals, correspondence, and other notes/materials.</p> | <p>Retain until case is closed plus 6 years, then dispose.</p> | <p>Certain investigative materials may be confidential.</p> <p>Department may transfer case files to Records Center if necessary.</p> |
| 31 | <p>Complaint & Investigation Case Files, Not Prosecuted or Adjudicated:</p> <p>These case files include all documentation of complaints and subsequent investigation.</p> | <p>Retain until case is closed plus 5 years, then dispose.</p> | <p>Certain investigative materials may be confidential.</p> |

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