



RISK MANAGEMENT

RECORDS RETENTION AND DESTRUCTION SCHEDULE

State of South Dakota

Bureau of Administration

Records Management Program

(605) 773-3589

ACKNOWLEDGEMENTS

PREPARED BY:

Bureau of Administration
Records Management Program
104 S Garfield Avenue; Building E
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2018

PROJECT STAFF

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The employees of the Bureau of Administration Office of Risk Management who contributed their time to explain the purpose and review the content of each record.

STATE RECORD DESTRUCTION BOARD

Scott Bollinger, Commissioner
Bureau of Administration
(Chairman)

Pat Archer
Office of the Attorney General

Chelle Somsen, State Archivist
Department of Education

Jenna Latham
Office of the State Auditor

Marty Guindon, State Auditor General
Legislative Audit

Dana Hoffer
State Records Manager



DEPARTMENT OF
EXECUTIVE MANAGEMENT

BUREAU OF
ADMINISTRATION

PMB 01234

RECORDS MANAGEMENT PROGRAM
104 S Garfield Avenue
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MEMORANDUM

TO: State Agencies

FROM: Dana Hoffer
State Records Manager

SUBJECT: **Records Retention and Destruction Schedule Manual**

DATE: January 4, 2019

In 1967, the South Dakota Legislature established the Records Management Program and the Records Destruction Board. In the same act, the Legislature required every State agency to develop a records retention and destruction schedule and declared that “No record shall be destroyed or otherwise disposed of by any agency of the State unless it is determined by majority vote of such board (Records Destruction Board) that the record has no further administrative, legal, fiscal, research or historical value.”

According to Administrative Rule 24:52:11:01, any State government agency planning to destroy agency records shall notify the State Archivist 30 days before the date of the proposed destruction. The request shall include the name or title of the records, inclusive dates, information content of the records, and quantity. This rule applies to all records, including those granted exclusive or continuous disposal authorization by the Records Destruction Board, with the following exceptions: vouchers and supporting documents; warrants; personnel and payroll records; client/case files; capital asset inventories; cash receipts; and duplicate copies of state publications.

The State Archivist has 30 days to certify that the records have no permanent value and may be destroyed, or to make arrangements to transfer the records to the archives. If the Archivist fails to make a recommendation within this time, the records may be destroyed, provided that the agency has received authorization from the Records Destruction Board.

Finally, if you have any questions about implementing this manual or about your records in general, please contact Records Management at 773-3589. We will welcome an opportunity to discuss the proper implementation of sound records management practices.

PETITION FOR AUTHORITY TO DESTROY RECORDS

I, Jeff Bloomberg (name), acting in my position as Commissioner of the Bureau of Administration (title), request that the South Dakota State Records Destruction Board consider the attached "Records Retention and Destruction Schedule" pursuant to SDCL 1-27-13, 1-27-14, 1-27-19 and ARSD 10:03:01-02.

The records petitioned to be destroyed are described in the "Record Retention and Destruction Schedule" Authorization of the Office of Risk Management (department) consists of 7 pages and contains record series number(s) ORM-1 (consecutively re-numbered) through ORM-13.

The authority requested is to destroy each record described in the attached Schedule at the expiration of the time provided for the retention of each record.

Authority is also requested to delete "Records Retention and Destruction Schedule" Authorization of the Office of Risk Management (department) record series numbers(s) ORM-03, ORM-11 thru ORM-13, ORM-16, ORM-17, and ORM-19 thru ORM-21.

The undersigned certifies that the retention for each and every record petitioned to be destroyed does not violate any minimum retention time required by state statute; will allow for required state and federal audits to be performed or the time within which to make said audits to pass; and will allow for all applicable statutes of limitations to pass for all state contracts and Surety Bonds.



Jeff Bloomberg, Commissioner of Bureau of Administration

6-18-07

Date

The above and foregoing Petition is hereby recommended for approval by the State Records Destruction Board.



Signature, State Records Manager

6-27-07

Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 28th day of June, 2007, and authorized the destruction of the records described in the foregoing Petition at the expiration time provided for their storage.



Signature, Chairman of the Board

6-28-07

Date

PETITION FOR AUTHORITY TO DESTROY RECORDS

I, Scott Bollinger (name), acting in my position as Commissioner of the Bureau of Administration (title), request that the South Dakota State Records Destruction Board consider the attached "Records Retention and Destruction Schedule" pursuant to SDCL 1-27-13, 1-27-14, 1-27-19, and ARSD 10:03:01-02.

The records petitioned to be destroyed are described in the "Record Retention and Destruction Schedule" Authorization of the Bureau of Administration Office of Risk Management consists of 3 pages and contains record series number(s) ORM-6, ORM-7, ORM-8, ORM-9, and ORM-10.

The authority requested is to destroy each record described in the attached Schedule at the expiration of the time provided for the retention of each record.

The undersigned certifies that the retention for each and every record petitioned to be destroyed does not violate any minimum retention time required by state statute; will allow for required state and federal audits to be performed or the time within which to make said audits to pass; and will allow for all applicable statutes of limitations to pass for all state contracts and Surety Bonds.



Scott Bollinger, Commissioner of the
Bureau of Administration

11-5-18

Date

The above and foregoing Petition is hereby recommended for approval by the State Records Destruction Board.



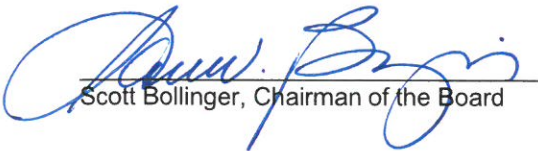
Dana Hoffer, State Records Manager

11-16-18

Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 6th day of December, 2018, and authorized the destruction of the records described in the foregoing Petition at the expiration time provided for their storage.



Scott Bollinger, Chairman of the Board

1-3-19

Date

South Dakota Codified Laws:

1-27-1. Public records open to inspection and copying. Except as otherwise expressly provided by statute, all citizens of this state, and all other persons interested in the examination of the public records, as defined in § 1-27-1.1, are hereby fully empowered and authorized to examine such public record, and make memoranda and abstracts there from during the hours the respective offices are open for the ordinary transaction of business and, unless federal copyright law otherwise provides, obtain copies of public records in accordance with this chapter.

Each government entity or elected or appointed government official shall, during normal business hours, make available to the public for inspection and copying in the manner set forth in this chapter all public records held by that entity or official.

1-27-1.1. Public records defined. Unless any other statute, ordinance, or rule expressly provides that particular information or records may not be made public, public records include all records and documents, regardless of physical form, of or belonging to this state, any county, municipality, political subdivision, or tax-supported district in this state, or any agency, branch, department, board, bureau, commission, council, subunit, or committee of any of the foregoing. Data which is a public record in its original form remains a public record when maintained in any other form. For the purposes of §§ 1-27-1 to 1-27-1.15, inclusive, a tax-supported district includes any business improvement district created pursuant to chapter 9-55.

1-27-9. Records management programs--Definition of terms. Terms used in §§ 1-27-9 to 1-27-18, inclusive, mean:

(2) "Record," a document, book, paper, photograph, sound recording, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included within the definition of records as used in §§ 1-27-9 to 1-27-18, inclusive.

1-27-11. Board to supervise destruction of records--State records manager as ex officio member--Permission required for destruction. There is hereby created a board consisting of the commissioner of administration, state auditor, attorney general, auditor-general, and state archivist to supervise and authorize the destruction of records. The state records manager shall also serve as an ex officio member in an advisory capacity only. No record may be destroyed or otherwise disposed of by any agency of the state unless it is determined by majority vote of the board that the record has no further administrative, legal, fiscal, research, or historical value.

1-27-15. Destruction of non-record materials. Any non-record material not included within the definition of records as contained in § 1-27-9 may be destroyed at any time by the agency in possession of such materials without the prior approval of the commissioner of administration.

Definitions:

Superseded: To take the place of; replace.

Obsolete: No longer in use.

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STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: Executive Management
DIVISION: Bureau of Administration
OFFICE: Office of Risk Management
PROGRAM: _____
RECORDS OFFICER: Rick Augusztin
RM CUSTOMER #: 0327

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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ORM-1. ACCIDENT AND INCIDENT REPORTS:

07-012

This series is arranged chronologically, then alphabetically by department and contains accident reports involving state owned vehicles or state owned property. Information may include, but is not limited to: police report, accord form, correspondence, estimates, and adjustment (GAB) reports. This record series is maintained for administrative purposes and to satisfy statute of limitations.

RETENTION: Retain current in office. Transfer closed to storage for 3 years. Destroy 3 years after closed.

(Note: previous record series number was ORM-01.)

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ORM-2. ADMINISTRATIVE REFERENCE FILES:

07-012

This series may be arranged by subject matter and contains information used in the daily administration of the program or office. Information may include, but is not limited to: budget, equipment, inventory, legislation, organization/association, and property management information; monthly reports; policies and procedures; reference manuals; logs; rules and regulations; mailing lists; general correspondence and any other related information. This record series is maintained for reference purposes.

RETENTION: Retain current in office. Destroy superseded or obsolete.

(Note: Cull files on a yearly basis to avoid build-up of superseded or obsolete materials.)

(Note: previous record series number was ORM-02.)

ORM-3. CONTRACTS AND AGREEMENTS:

07-012

This series contains both originals (copies of record) and reference copies of contracts and agreements between the agency and other parties. Information may include: terms and conditions of the contracts and agreements, effective dates, costs, and funding sources. This record series is maintained for reference and audit purposes.

RETENTION: Retain 6 years after terminated, then destroy.

(Note: previous record series number was ORM-04.)

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RECORD		R.D.B.
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ORM-4. CORRESPONDENCE, GENERAL:

07-012

This series is arranged chronologically and contains both copies of letters and memorandums sent and the originals of letters and memorandums received. This record series is used for occasional reference and documentation.

RETENTION: Retain 2 years in office, then destroy.

(Note: previous record series number was ORM-05.)

ORM-5. CORRESPONDENCE, PEPL:

07-012

This series is arranged chronologically and contains both copies of letters and memorandums sent and the originals of letters and memorandums received. The information pertains to the Public Entity Pool for Liability (PEPL) fund.

RETENTION: Retain 5 years in office, then destroy.

(Note: previous record series number was ORM-06.)

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ORM-6. ENTITY CLAIMS:

18-005

This series is arranged chronologically by year, then alphabetically by entity and contains claims submitted against governmental entities (i.e., cities and counties). Information may include: reason for filing, claim, claimant name, and entity filing against. This record series is maintained for potential lawsuits.

RETENTION: Retain 3 years in office, then transfer to storage for 7 years. Destroy after 10 years provided all litigation, claims, and audit finding involving the records have been resolved and final action has been taken.

(Note: previous record series number was ORM-22.)

ORM-7. INSURANCE FILES:

18-005

This series contains insurance policies purchased. Types of policies include: liability insurance, boiler insurance, aviation insurance, general property insurance, and faithful performance bonds. Information may include: policy correspondence, reports, specifications, and certificates of coverage.

RETENTION: Retain current in office. Transfer terminated to storage for 6 years. Destroy 6 years after terminated.

(Note: Retain liability and faithful performance bonds permanently on paper.)

(Note: previous record series number was ORM-07.)

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ORM-8. LAWSUITS:

18-005

This series is arranged alphabetically and contains lawsuits, cases involving PEPL, and commercial insurance companies. Information may include, but is not limited to: pleadings, correspondence and appeals. This record series is used for reference in the case of an appeal.

RETENTION: Retain current in office. After the case closes, transfer to storage for 10 years. Destroy 10 years after the case has been closed provided all litigation and claims involving the records have been resolved and final action has been taken.

(Note: previous record series number was ORM-08.)

ORM-9. LOSS CONTROL AUDIT REPORT:

18-005

This series is arranged chronologically and contains reports generated by Risk Management from inspections on stated owned property and leased non-state owned buildings. Information may include: facility name, liability exposure, and the deadline to correct the conditions. This record series is used as a loss prevention tool to minimize potential lawsuits.

RETENTION: Retain 5 years after satisfaction, then destroy.

(Note: previous record series number was ORM-09.)

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RECORD **R.D.B.**
SERIES NO. **TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE** **AUTHORITY**
NUMBER

ORM-10. NOTIFICATION (3-21) FILE:

18-005

This series is arranged alphabetically by claimant and contains the notification (3-21) file. Information may include: reason for filing, claim, claimant name, and department filing against. This record series is maintained for potential lawsuits.

RETENTION: Retain 3 years in office, then transfer to storage for 7 years. Destroy after 10 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

If the claimant is a minor, retain 3 years past age of majority, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: previous record series number was ORM-10.)

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RECORDS OFFICER: Rick Augustin
RM CUSTOMER #: 0327

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ORM-11. RECORDS MANAGEMENT FILES:

07-012

This series contains the completed forms used to track inactive records that have been sent to Records Management (RM) Storage; and the department's "Records Retention and Destruction Schedule" (RRDS). Information may include: standard records transfer receipt forms, microfilm project registration forms; and microfilm and box destruction authorization forms. This record series is maintained for tracking records sent to Records Management storage, to document the time each record series must be legally maintained, and to document authorization granted to RM for destruction of obsolete records.

RETENTION: RECORD DESTRUCTION AUTHORIZATION FORMS: Retain 3 years in office, then destroy.

ALL OTHER INFORMATION: Retain current in office. Destroy superseded or obsolete.

(Note: previous record series number was ORM-14.)

ORM-12. RISK MASTER REPORT:

07-012

This series is arranged chronologically and contains breakdowns by department of detailed accidents, incidents, and any cost associated. Information may include: legal fees, settlements, claim costs per year, accidents, and incidents. Copies are sent to departments on requests.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years.

(Note: previous record series number was ORM-15.)

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ORM-12.1. SURPLUS PROPERTY FILES:

09-012

This series contains the form submitted to the director of South Dakota Property Management for approval to dispose of State-owned personal property and the written notification received from Property Management designating the manner of disposal. Information may include: agency name; date; address or location of property; phone number; name of individual requesting; Property Management Officer's name; description of item(s); quantity; serial number; equipment number; desired method of disposal as authorized; reason for declaring property as surplus; estimate of current value; suggested selling price; minimum acceptable price; statement of content; fixed asset number, if applicable; and any other information deemed necessary. This record series is maintained pursuant to SDCL 5-24A.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

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ORM-13. TRAINING MATERIAL:

07-012

This series contains all materials used for training state employees in risk management. Materials may include, but is not limited to: loss control training and resource control catalogues, safety issues videos, handouts, and brochures.

RETENTION: Retain current in office. Transfer superseded or obsolete to storage for 3 years. Destroy 3 years after superseded or obsolete.

(Note: previous record series number was ORM-18.)