



BOARD OF EXAMINERS FOR  
COUNSELOR & MARRIAGE AND  
FAMILY THERAPISTS

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  
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# 2021

## PROJECT STAFF

Jennifer Stalley, Executive Secretary  
Board of Examiners for Counselors &  
Marriage and Family Therapists

Kristen Campbell, Records Officer  
Department of Social Services

The employees of the Board of Examiners for  
Counselors & Marriage and Family Therapists  
who contributed their time to explain the  
purpose and review the content of each record.

Dana Hoffer  
State Records Manager

## STATE RECORD DESTRUCTION BOARD

Scott Bollinger, Commissioner  
Bureau of Administration  
(Chairman)

Chelle Somsen, State Archivist  
Department of Education

Russell Olson, State Auditor General  
Legislative Audit

Jenny Jorgenson  
Office of the Attorney General

Peggy Livingston  
Office of the State Auditor

Dana Hoffer  
State Records Manager



## MEMORANDUM

TO: State Agencies

FROM: Dana Hoffer  
State Records Manager

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

DATE: December 9, 2021

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.”

Pursuant to ARSD 10:04:01:03 (5), Review the inventory and the retention and destruction schedules **annually** and petition changes to the state records manager to make the schedules current, accurate, and complete.

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 for the transfer of records to state 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, Jennifer Stalley, acting in my position as the Executive Secretary, Board of Examiners for Counselors & Marriage and Family Therapists, 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 Board of Examiners for Counselors & Marriage and Family Therapists consists of 14 page(s) and contains record series number(s) BEC-1 (consecutively re-numbered) through BEC-29.

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 Board of Examiners for Counselors & Marriage and Family Therapists consists of 1 page(s) and contains record series number(s) CE-15.

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.

  
\_\_\_\_\_  
Jennifer Stalley, Executive Secretary  
Board of Examiners for Counselors & Marriage  
and Family Therapists

10-27-2021  
\_\_\_\_\_  
Date

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

  
\_\_\_\_\_  
Dana Hoffer, State Records Manager

11/1/2021  
\_\_\_\_\_  
Date

**Records Destruction Board's Action:**

- Approved as originally petitioned.

\*\*\*\*\*

**DESTRUCTION AUTHORITY**

I hereby certify that the State Records Destruction Board met on the 8th day of December, 2021, and authorized the destruction of the records as described in the foregoing Petition subject to the Addendum which is hereby incorporated and made part of the Destruction Authority at the expiration time provided for their storage. I further certify that the change(s) to the Petition as indicated in the Addendum was authorized by and through the action(s) of the State Records Destruction Board. **Authority is granted under Records Destruction Board (RDB) Number 20-018.**

  
\_\_\_\_\_  
Scott W. Bollinger, Chairman of the Board

12-8-2021  
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.

## Notes, Record Handling, & Definitions:

### Notes:

- Pursuant to ARSD 10:04:01:03 (5), Review the inventory and the retention and destruction schedules **annually** and petition changes to the state records manager to make the schedules current, accurate, and complete.

### Record Handling:

- EDMS = Electronic Document Management System (used to manage the creation, storage, capture, distribution, retention, and retrieval of documents within a centralized repository).
- Unless this records retention and destruction schedule specifies otherwise, retain scanned paper for 3 business days after a system-level backup of the records has occurred, then destroy provided all images have been verified to be accurate and complete.
- BIT's system-level backups occur daily.
- Consider converting long-term/permanent retention electronic images to microfilm.
- Records retention rules apply to all records, regardless of the media on which they reside.
- If records are being retained only in electronic format, the record must remain accessible for the entire retention requirement.
- Records, regardless the format, relevant to pending or reasonable anticipated litigation must be preserved even if this manual allows for its destruction.

### Definitions:

**Superseded:** To take the place of; replace.

**Obsolete:** No longer in use.

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DIVISION: Community Behavioral Health  
OFFICE: Licensing Boards  
PROGRAM: Board of Examiners for Counselors  
RECORDS OFFICER: Kristen Campbell  
RM CUSTOMER #: 1171

<b>RECORD SERIES NO.</b>	<b><u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u></b>	<b>R.D.B. AUTHORITY NUMBER</b>
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**BCE-1. ADMINISTRATIVE REFERENCE FILES:**

**21-018**

This series is arranged alphabetically by subject matter and contains information used in the daily administration of the agency. Information may include: vendor information, mailing list, file management, administrative rules, South Dakota Codified Laws, current state purchasing contracts, operations guides, administrative messages from other governmental agencies, and other related information. This record series is maintained for reference purposes.

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

**BCE-2. ADMINISTRATIVE RULES PROMULGATION FILES:**

**21-018**

This series is arranged by subject matter and contains administrative rules promulgation files. Information may include: notices of public hearings, affidavits of publication of notices, written comment from the public, transcripts of hearings, and final decisions. Files have little reference activity once the hearing has been held unless someone requests a copy of the transcript. This record series is maintained for documenting the proper promulgation of administrative rules pursuant to SDCL 1-26.

**RETENTION: FINAL DECISIONS:** Retain permanently in office.

**ALL OTHER DOCUMENTATION:** Retain in office for as long as rules are in effect, then destroy.

(Note: SDCL 1-26-7 states in part that “each agency shall keep the original records, documents, and instruments required by the chapter.” There is no time frame included for these records. Since SDCL 1-26-6.8 provided that “No rule is enforceable in the Courts unless properly adopted,” the records must be maintained at least until a curative statute has been adopted by the Legislature similar to SDCL 1-26a-2, which cures all defects in the adoption of rules appearing in the 1974 printed ARSD.)

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**BCE-3. ANNUAL REPORT:**

**21-018**

This series is arranged chronologically and contains the originals of all annual reports written by the Board to summarize their activities for the previous year. Information may include: number of licenses issued, number of complaints noted, time reports, and other related information. A copy of this report is filed annually with the Department of Social Services. This record series is used for reference to compare activities from year to year.

**RETENTION:** Retain 4 years in office, then destroy.

**BCE-4. APPLICATION FILES:**

**21-018**

This series is arranged alphabetically and documents individuals applying for licensure, a plan of supervision, or approved supervisor status. Information may include: application, examination score, official transcript, and verification of licensure in another state. This record series is used to determine eligibility for licensure, plan of supervision, or approved supervisor status.

**RETENTION:** APPROVED APPLICATIONS: Transfer to respective "Licensee Files", "Plan of Supervision Files", or "Board Approved Supervisor Files".

INCOMPLETE APPLICATIONS: Transfer to respective "Application Files Incomplete".

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**BCE-5. APPLICATION FILES, INCOMPLETE:**

**21-018**

This series is arranged alphabetically and contains applications that are incomplete or otherwise not approved for licensure, a plan of supervision, or approved supervisor status. Information may include: application, verification of education, examination score, official transcript, and verification of licensure in another state. This record series is used to determine eligibility for licensure, plan of supervision, or approved supervisor status. This record series is maintained to document application work in progress pending Board action.

**RETENTION:** Retain 1 year in office from the date of initial application, then destroy.

**BCE-6. ASSOCIATIONS AND ORGANIZATIONS FILES**

**21-018**

This series is arranged alphabetically and contains current correspondence and newsletters from professional associations and organizations to which the Board. Information may include: minutes of the association or organization meetings, conference agendas, participants' names, and examples of other states' legislation. This record series is maintained for reference purposes concerning ideas and policies suggested and used by the association or organization.

**RETENTION:** Retain 1 year in office, then destroy.

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**BCE-7. AUDIT REPORTS:**

**21-018**

This series contains the Department of Legislative Audit reports concerning the expenditure and administration of state funds. The reports are reviewed to identify problem areas and discrepancies so that corrective measures can be taken. The auditing agency also maintains a copy of the report.

**RETENTION:** Retain 4 years in office, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Legislative Audit maintains reports permanently.)

**BCE-8. BOARD APPROVED SUPERVISOR FILES:**

**21-018**

This series is arranged numerically by record identification number and documents personal data for board approved supervisor status issued by the Board. Information may include: original application, proof of supervision continuing education, other license information, and other related information. This record series is used to document the board approved supervisor status process.

**RETENTION:** If no respective "Licensee File", retain in office 2 years after board approved supervisor status expires, then destroy.

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**BCE-9. BOARD MEETING FILES:**

**21-018**

This series is arranged chronologically by meeting date and may contain handout material and agenda items to be discussed at the next Board meeting. Information may include: date, time and location of the meeting, items under old business, items under new business, financial information, handouts, and any licensure or registration related issues. This record series is used to determine the course of the board meetings.

**RETENTION:** Retain current in office. Destroy superseded or obsolete once the meeting minutes have been approved.

**BCE-10. BOARD MEMBER FILES:**

**21-018**

This series is arranged by fiscal year and contains information regarding individual board members. Information may include: letters of appointment, terms, expiration dates, payroll, per diem information, travel requests, and correspondence. This record series is maintained to document member appointments to the Board, and any related information pertaining to each.

**RETENTION:** Retain 4 years in office after termination, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

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**BCE-11. BOARD OF EXAMINERS FOR COUNSELORS & MARRIAGE AND FAMILY THERAPISTS:**

**21-018**

This computer licensure database system is arranged numerically by assigned record identification number and contains information for each licensee, supervisee, and supervisor under the jurisdiction of the Board. Information may include: name, address, date of birth, social security number, license number or status, education, and exam information. This record series is maintained for verification and licensure purposes.

**RETENTION:** Retain 50 years after inactivation, expiration, suspension, or revocation in EDMS, then delete.

**BCE-12. BUDGET FILES:**

**21-018**

This series is arranged chronologically and contains the yearly budget summaries for the agency. Information may include: mission statement, revenues, program performance indicators, amounts budgeted by sub-object, and narrative justifications. This record series is maintained for use throughout the year in monitoring program activities and for preparing future budget requests. The budget (Appropriations Bill) approved by the Legislature and signed by the Governor and is filed permanently with the Secretary of State.

**RETENTION:** Retain 3 years in office, then destroy.

(Note: Subject to screening by State Archives prior to disposal.)

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**BCE-13. COMPLAINT FILES:**

**21-018**

This series contains all related correspondence received from either the general public or initiated by the Board concerning problems which have occurred with licensed or unlicensed counselors. Information may include: nature of complaint, related correspondence, investigation of the allegation, conclusion of the hearing, and all other related materials. This record series is used by the Board to determine if a complaint is substantiated and if so, to take corrective action and report to national reporting entities.

**RETENTION:** LICENSEE/SUPERVISOR/SUPERVISEE: Retain until case is closed, then transfer to respective “Licensee Files”, Board Approved Supervisor Files”, or “Plan of Supervision Files.”

NON-LICENSEE: Retain 4 years in office, then destroy.

**BCE-14. CONTINUING EDUCATION AUDITS:**

**21-018**

This series is arranged by fiscal year and contains random audits of continuing education credits received by licensees. Information may include: date of audit, name, findings of fact, and education verifications. This record series is used to verify that licensees have received the education stated on their continuing education records.

**RETENTION:** Retain 4 years in office, then destroy.

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**BCE-15. CONTINUING EDUCATION PROGRAM RECORDS:**

**21-018**

This series is arranged numerically by date of program and contains approved continuing education requests from program sponsors. Information may include: the program request forms and supporting documentation. This record series is used to verify the programs meet the Board's continuing education standards.

**RETENTION:** Retain 4 years in office, then destroy.

**BCE-16. CONTRACTS AND AGREEMENTS:**

**21-018**

This series is arranged chronologically and contains copies of contracts and agreements between the Board 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 current in office. Destroy 6 years after terminated provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: SDCL 1-24A-1 requires that a copy of all consultant contracts be filed with the State Auditor.)

**BCE-17. CORRESPONDENCE, GENERAL:**

**21-018**

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

**RETENTION:** Retain 1 year in office, then destroy.



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**BCE-18. DEPOSITS:**

**21-018**

This series is arranged chronologically and contains the standard form used to deposit funds into the State Treasury. Information may include date of deposit, Board name, accounting codes, dollar amounts, total deposits, and authorized signatures. This record series is maintained for documenting and crediting each account with the amount deposited.

**RETENTION:** Retain 4 years, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

**BCE-19. ELECTRONIC COMMUNICATION RECORDS:**

**21-018**

This series may contain e-mail messages, voicemail messages, recorded telephone conversations, instant messages, etc. created or received by the Board.

**RETENTION:** Determine the record status of the message based on the content. If the message is an official record made or received pursuant to law or in connection with the transaction of official business, the retention period should be covered by an existing record series in the respective Board's retention manual. It is permissible to print record e-mails and file them with like paper records.

**NON-RECORD MESSAGES:** Retain until action has been taken, then destroy or delete.

(Note: Effective September 4, 2020, BIT automatically destroys emails over 2 years old from an employee's inbox, sent box, and emails stored in folders. Emails needing to be retained longer than 2 years, then must be kept in a location approved by BIT.)

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**BCE-20. EXAMINATION FILES:**

**21-018**

This series is arranged alphabetically and contains information on license individuals taking national examinations. Information may include: name, address, candidate ID, examination date, examination results, score, max score, and score required to pass. This record series is used to document examination results, and for annual reporting purposes.

**RETENTION:** APPLICANT EXAMINATION SCORES: Transfer to the respective "Application Files" or "Application Files, Incomplete".

NON-APPLICANT EXAMINATION SCORES: Retain 1 year in office, then destroy.

**BCE-21. FINANCIAL STATEMENTS:**

**21-018**

Financial statements provide an overview of the Board's financial condition for a given year. Information may include: balance sheets, statement of revenues, expenditures, and changes in fund balances (budgeted and actual); statement of fixed assets; summary of significant accounting procedures; supplemental information; and working papers. This record series is maintained for reference and audit purposes.

**RETENTION:** Retain 4 years in office, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

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**BCE-22. JOB TICKETS, CENTRAL DUPLICATING:**

**21-018**

This series is arranged numerically contains the printing requisition as submitted by the Board. Information may include: agency code, agency name, mailing address, submitted by, job description, date sent, date needed, number of pages, quantity of copies, printing specifications, and description. The information is used to ensure accurate completion of the request.

**RETENTION:** Retain 4 years in office, then destroy.

**BCE-23. LEGISLATION FILES:**

**21-018**

This series is arranged chronologically and constitutes the Board's central file of all proposed legislation and legislation from previous years. Information may include: resource materials, bill tracking printouts, copies of House and Senate bills, preliminary bill drafts, and the final drafts of proposed legislation. This record series is used for bill drafting, submission, and tracking during the legislative session.

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

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

DEPARTMENT: Social Services  
DIVISION: Community Behavioral Health  
OFFICE: Licensing Boards  
PROGRAM: Board of Examiners for Counselors  
RECORDS OFFICER: Kristen Campbell  
RM CUSTOMER #: 1171

<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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**BCE-24. LICENSEE FILES:**

**21-018**

This series is arranged numerically by assigned record identification number, and documents personal data for active, inactive, and expired licensees licensed by the Board. Information may include: original applications, educational transcripts, examination scores, renewal applications, and other related information. This record series is used to document the licensing and renewal process.

**RETENTION:** Retain 5 years in office after license expiration or inactivation, then scan paper. Retain electronically in an Electronic Document Management System (EDMS) for 45 years. Destroy after 50 years.

**BCE-25. MINUTES:**

**21-018**

This series is arranged numerically by board meeting date and contains the meeting minutes from each. Information may include: dates of meetings, members present, topics discussed, actions taken, and authorized signatures. The record series is maintained for reference concerning actions taken and for reporting purposes.

**RETENTION:** Retain in office permanently.

**BCE-26. PLAN OF SUPERVISION FILES:**

**21-018**

This series is arranged numerically by record identification number and documents personal data for active plans of supervision issued by the Board. Information may include: original application, educational transcripts, examination scores, and other related information. This record series is used to document the plan of supervision and licensing process.

**RETENTION:** If no respective "Licensee File", retain in office 2 years after plan of supervision expired date, then destroy.

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<b>RECORD</b>		<b>R.D.B.</b>
<b><u>SERIES NO.</u></b>	<b><u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u></b>	<b><u>AUTHORITY</u></b>
		<b><u>NUMBER</u></b>

**BCE-27. SOUTH DAKOTA FINANCIAL SYSTEM REPORTS:**

**21-018**

These daily, weekly, monthly\*\*, and year-end\*\* reports are used to monitor and reconcile fiscal year receipts and expenditures. Information is maintained by the Board and may include: revenue and journal voucher report\*, advance travel-accounts receivable reports, revenue analysis report, state general ledger trial balance\*, company general ledger trial balance\*, expenditure report\*, bank reconciliation report\*, employee receivables report\*, warrant register report\*, projects report\*, budget adjustments report, special Bureau of Administration revenue report, agency funds activity report\*, company 8000 trial balance by center\*, encumbrance balances report\*, and special travel expenditure report. The reports are maintained for audit purposes.

**RETENTION:** Retain 4 years in office. Destroy after 4 years provided all litigation, claims, or audit findings involving the records have been resolved and final action has been taken.

(Note: The asterisk (\*) indicates reports maintained permanently by the Bureau of Finance and Management. (\*\*) Many of the June monthly reports serve as the year-end reports.)

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<b>RECORD SERIES NO.</b>	<b><u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u></b>	<b>R.D.B. AUTHORITY NUMBER</b>
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**BCE-28. SURPLUS PROPERTY FILES:**

**21-018**

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 4 years in office, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

**BCE-29. VOUCHERS:**

**21-018**

This series may contain copies of direct vouchers, receiving vouchers, non-cash vouchers, travel vouchers, and journal vouchers, along with copies of supporting invoices or receipts. Vouchers are used to enter transaction on the central accounting system.

**RETENTION:** Retain 4 years in office, then destroy provided all litigations, claims, and audit findings involving the records have been resolved and final action has been taken.