



BOARD OF
SOCIAL WORK EXAMINERS

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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Pierre, South Dakota 57501-5070

2020

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The employees of the Board of Social Work Examiners 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

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DEPARTMENT OF
EXECUTIVE MANAGEMENT

BUREAU OF
ADMINISTRATION

PMB 01234

RECORDS MANAGEMENT PROGRAM
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MEMORANDUM

TO: State Agencies

FROM: Dana Hoffer
State Records Manager

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

DATE: December 16, 2020

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 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, Carol Tellinghuisen (name), acting in my position as Executive Secretary, Board of Social Work Examiners (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 Board of Social Work Examiners (department) consists of 16 pages and contains record series numbers SW-1 (consecutively numbered) through SW-25.

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.

Carol Tellinghuisen
Signature

2/18/03
Date

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

Mary Ellen Besson
Signature, State Records Manager

4/7/03
Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 5th day of May, 2003, and authorized the destruction of the records described in the foregoing Petition at the expiration time provided for their storage.

Steve P. Stoneback
Signature, Chairman of the Board

5-5-03
Date


PETITION FOR AUTHORITY TO DESTROY RECORDS

I, Carol Tellinghuisen, acting in my position as the Executive Director, Board of Social Work Examiners, 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 Social Work Examiners consists of 7 page(s) and contains record series number(s) SW-2, SW-4, SW-5, SW-12, SW-18, SW-19, and SW-21.

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.



Carol Tellinghuisen, Executive Director
Board of Social Work Examiners



Date

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



Dana Hoffer, State Records Manager



Date

Records Destruction Board's Action:

- Approved as originally petitioned.

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 10th day of December, 2020, 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 20-014.**



Scott Bollinger, Chairman of the Board

12-10-2020
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:

- 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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RECORDS RETENTION &
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AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: Social Services
DIVISION: Community Behavioral Health
OFFICE: Licensing Boards
PROGRAM: Board of Social Work Examiners
RECORDS OFFICER: Kristen Campbell
RM CUSTOMER #: 1198

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
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SW-1. ADMINISTRATIVE REFERENCE MATERIAL:

03-008

This series is arranged alphabetically by subject matter and contains information used in the daily administration of the Board by the Executive Secretary. Information may include: correspondence, vendor information, mailing lists, file management, administrative rules, codified laws, license ledgers, and other information of interest or benefit to the Executive Secretary or staff. This record series is maintained for reference, decision making, and to maintain consistency with administrative policies.

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

(NOTE: Cull files at least once a year to avoid build-up of superseded or obsolete material.)

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SW-2. ADMINISTRATIVE RULES PROMULGATION FILES:

20-014

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 provides 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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SW-3. AGENDAS, BOARD MEETINGS:

03-008

This series is arranged chronologically by meeting date and contains 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, and any licensure related issues. This record series is used to determine the course of the board meetings.

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

SW-4. ANNUAL REPORTS:

20-014

This series is arranged chronologically and contains the originals of all annual reports written by the Board to summarize its activities for the previous year. Information may include: number of licenses issued, number of inspections conducted (if applicable), number of violations noted, man hours, time reports, and other related information. A copy of this report is filed with the South Dakota Department of Social Services annually. This record series is used for reference to compare activities from year to year.

RETENTION: Retain 5 years in office, then transfer to State Archives for final disposition.

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SW-5. APPLICATION FILES:

20-014

This series is arranged alphabetically by applicants' last name and documents the personal data of individuals applying for licensure. Information (if relevant to their level of licensure) may include: original application, college grade transcripts, references, internship verification, examination scores, and any other information requested by the Board. This record series is used to determine eligibility for licensure.

RETENTION: SUCCESSFUL APPLICANTS: Transfer to the Licensee Files to be retained 5 years in office after last license expiration, then scan paper. Maintain electronic images in an Electronic Document Management System (EDMS) for 40 years, then destroy.

UNSUCCESSFUL APPLICANTS: Transfer to the Applicant Files, Deficient to be retained 5 years in office, then destroy.

(NOTE: Within 5 years of application date, Deficient Files may become Licensee Files if the applicant has provided all necessary documentation, has met all licensure requirements, and has been approved by the Board.)

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SW-6. APPLICANT FILES, DEFICIENT:

03-008

This series is arranged alphabetically and documents personal data of individuals applying for licensure and is a deficient application file. Information (if relevant to their level of licensure) may include: original application, college grade transcripts, references, internship verification, experience verification, and any other information requested by the Board. Applicant has five years to attain licensure approval from the Board before this file is destroyed, then the applicant must start the entire application process over again.

RETENTION: Retain 5 years in office, then destroy.

(NOTE: Within 5 years of application date, Deficient Files may become Licensee Files if the applicant has provided all necessary documentation, has met all licensure requirements, and has been approved by the Board.)

SW-7. ASSOCIATION FILES:

03-008

This series is arranged alphabetically and contains the current correspondence and newsletters from professional associations to which the Social Work Examiners Board belongs. Information may include: minutes of association meetings, conference agendas, and expense reports. This record series is used for reference purposes concerning ideas and policies suggested and used by these associations.

RETENTION: Retain 1 year in office, then destroy.

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SW-8. ATTORNEY GENERAL OPINIONS:

03-008

This series contains official opinions handed down by the State Attorney General's Office concerning questions pertaining to the Social Work Examiners Board. This record series is used for occasional reference and as support for the administrative decisions made and actions taken.

RETENTION: Retain 3 years in office, then destroy.

(NOTE: All Attorney General's Opinions are printed in the Biennial Report of the Attorney General.)

SW-9. BOARD APPOINTMENT FILES:

03-008

This series is arranged alphabetically and contains information regarding individual Board members. Information may include: letters of appointment, terms, expiration dates, correspondence, and any related information pertaining to each Board member. This record series is maintained to document member appointments to the Social Work Examiners Board.

RETENTION: Retain 3 years in office after termination, then destroy.

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SW-10. BUDGETARY ACCOUNTING/MSA REPORTS:

03-008

These daily, weekly, monthly, and year-end computer printout reports are used to monitor and reconcile fiscal year receipts and expenditures for the Board. Reports may include: Daily and/or Monthly Revenue and Journal Voucher Reports, Daily Transaction Progress Reports, Accounts Receivable Reports, General Ledger Reports, Warrant or Payment Registers, Monthly Expenditure Reports, and Annual Budget Reports. This record series is maintained for audit purposes.

RETENTION: Retain 2 years in office, then transfer to storage for 2 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

SW-11. CASH RECEIPT TRANSMITTALS:

03-008

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

RETENTION: Retain 2 years in office, then transfer to storage for 2 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(NOTE: The State Treasurer's Office maintains the originals.)

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SW-12. COMPLAINT FILES:

20-014

This series is arranged alphabetically by licensee name and contains all related correspondence either received from the general public or initiated by the Board concerning problems which have occurred with social workers, social work associates, certified social workers, and certified social workers engaged in private independent practice (PIP). Information may include: nature of complaint, related correspondence, investigation of the allegation, conclusion of the investigation, final determination, stipulations and agreements, and other related material. This record series is used by the Board to determine if a complaint is substantiated and, if so, to take corrective action against the licensee. If a complaint is substantiated, a copy of the final determination is placed into the respective "Licensee File, Active."

RETENTION: UNSUBSTANTIATED: Retain 5 years in office after final determination, then destroy.

(NOTE: If like complaint exists within this 5 years, then retain like complaints in office. Destroy 10 years after last license expiration.)

SUBSTANTIATED: Retain in office, place a copy of the final determination into the respective "Licensee File, Active," to be scanned. Maintain electronic images in an Electronic Document Management System (EDMS) for 40 years, then destroy.

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SW-13. COMPLAINT, NON-JURISDICTIONAL:

03-008

This series is arranged alphabetically by name of the person or facility named in the complaint and contains correspondence regarding allegations about persons or facilities not licensed by the Board, not licensed by the Board at the time of allegation, or other matters the Board cannot take any remedial action to investigate or rectify. Information may include: name of complainant, date and circumstances surrounding alleged activity, and related correspondence between the complainant and the Board. This record series is used to document consumer complaints or allegations about individuals or issues over which the Board has no jurisdiction.

RETENTION: Retain 3 years in office, then destroy.

SW-14. CONTINUING EDUCATION PROVIDER FILES:

03-008

This series is arranged chronologically by date of class and contains documentation regarding approved continuing education courses, classes, or programs. Information may include: the approval request form, date of program, curriculum, and supporting documentation. This record series is used to verify that continuing education courses meet the Board's standards.

RETENTION: Retain 2 years in office, then destroy.

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SW-15. CONTRACTS AND AGREEMENTS:

03-008

This series is arranged chronologically, then by name of contractor and contains reference copies of contracts and agreements in which the Board may have an interest. It also contains the Board's copy of contracts and agreements between the Board and other parties. Information may include: terms and conditions, effective dates, costs, and funding sources. This record series is maintained for reference and audit purposes.

RETENTION: Retain originals (copies of record) current in office. Destroy 6 years after terminated.

Retain reference copies current in office. Destroy terminated.

(NOTE: SDCL 1-24A-1 requires consulting contracts be filed with the State Auditor.)

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SW-16. CORRESPONDENCE, GENERAL:

03-008

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

RETENTION: Retain 2 years in office, then destroy.

SW-17. LEGISLATION FILES:

03-008

This series is arranged chronologically and constitutes the Social Work Examiners Board's central file of all proposed legislation and legislation from previous years. Information may include: resource material, correspondence, Bill Tracking Printouts, copies of House and Senate bills, national legislation, 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 2 years in office, then destroy.

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SW-18. LICENSEE FILES, ACTIVE:

20-014

This series is arranged alphabetically by last name of licensee and documents personal data for licensed social workers, social work associates, certified social workers, and certified social workers engaged in private independent practice (PIP). Information may include (if relevant to their level of licensure): original application, college grade transcripts, examination scores and related information, references, internship verification, verification of experience, requests for name changes, most current renewal application, and renewal date. This record series is used to document the licensure and renewal process of all Social Workers.

RETENTION: Retain 5 years in office after last license expiration, then scan paper. Maintain electronic images in an Electronic Document Management System (EDMS) for 40 years, then destroy.

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(Std Form RM-1 Rev 1/03)

DEPARTMENT: Social Services
DIVISION: Community Behavioral Health
OFFICE: Licensing Boards
PROGRAM: Board of Social Work Examiners
RECORDS OFFICER: Kristen Campbell
RM CUSTOMER #: 1198

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

SW-19. LICENSEE FILES, INACTIVE:

20-014

This series is arranged alphabetically by last name of licensee and documents personal data for licensed but inactive social workers, social work associates, certified social workers, and certified social workers engaged in private independent practice (PIP). Information may include (if relevant to their level of licensure): original application, college grade transcripts, examination scores and related information, references, internship verification, verification of experience, requests for name changes, most current renewal application, and renewal date. This record series is used to document the licensure and renewal process of all Social Workers.

RETENTION: Retain 5 years in office after last license expiration, then scan paper. Maintain electronic images in an Electronic Document Management System (EDMS) for 40 years, then destroy.

(NOTE: Whenever an Active Licensee does not renew within the timeframe prescribed by law, the Active Licensee file becomes an Inactive Licensee file, until such time the licensee either reactivates his license or allows his license to expire completely.)

STATE OF SOUTH DAKOTA
RECORDS RETENTION &
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AUTHORIZATION FORM
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RECORD SERIES NO.	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	R.D.B. AUTHORITY NUMBER
SW-20.	<u>LICENSE NUMBER LISTS:</u> This database series is arranged alphabetically by last name of licensee for each license type issued by the Social Work Examiners Board. Information may include: license number, licensee name and address, level of licensure, and expiration/renewal date. This record series is used for licensure verification. RETENTION: Retain current information. Delete superseded or obsolete.	03-008
SW-21.	<u>MINUTES, SOCIAL WORK EXAMINERS BOARD:</u> This series is arranged chronologically and contains the official minutes of the Social Work Examiners Board meetings. Information may include: date of meeting, members present, topics discussed, and actions taken. This record series is used for occasional reference and to document action taken by the Board. RETENTION: Retain 5 years in office, then scan paper. Maintain electronically in Electronic Document Management System (EDMS) permanently. (NOTE: Consider converting electronic images to microfilm.)	20-014
SW-22.	<u>POLICIES AND PROCEDURES:</u> This series is arranged by topic and contains the current procedures or policies implemented by the Board. Information may include the Board's position or interpretation of issues and policies and date of implementation or adoption. This record series is used to determine the proper course of action to take in certain situations. RETENTION: Retain current in office. Destroy superseded or obsolete.	03-008

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		<u>NUMBER</u>

SW-23. SOCIAL WORK ASSOCIATE VALIDATION FILES:

03-008

This series is arranged chronologically by year, then alphabetically and contains validation of supervision forms submitted annually by social work associates. Information may include: name of associate, information regarding supervisor, and length and frequency of supervision. This record series is maintained to verify supervision of social work associates and the professional competence of the licensee.

RETENTION: Retain 5 years in office, then destroy.

SW-24. SURVEYS:

03-008

This series is arranged chronologically and contains surveys conducted by membership associations throughout the country. Information may include: date survey was conducted, issues, legislation, licensure numbers, degrees, application process, and any relative information obtained via survey from sources and licensees. This record series is used mainly for reference purposes and may be used to develop new policies or legislation to address various national issues.

RETENTION: Retain 3 years in office, then destroy.

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

SW-25. VOUCHERS AND PAYROLL INFORMATION:

03-008

This series is arranged chronologically and may contain copies of travel, non-cash, direct, receiving, and journal vouchers and Board payroll information. Each voucher may include: nature of expense, fund expended from, date, who the funds went to or what account they were transferred to, and authorized signatures. Board member payroll information may include: name, social security number, time worked, and authorized signatures. This record series is used for reference to determine quantities and descriptions of supplies and services ordered, for vendor information, for Board member payroll information, and for audit purposes.

RETENTION: Retain 2 year in office, then transfer to storage for 2 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.