



BOARD OF
BARBER 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
c/o 500 East Capitol Avenue
Pierre, South Dakota 57501-5070

2019

PROJECT STAFF

Marcia Hultman, Secretary
Department of Labor and Regulation

The employees of the Board of Barber Examiners who contributed their time to explain the purpose and review the content of each record.

Kate Boyd, Executive Director
Board of Barber Examiners

Dana Hoffer
State Records Manager

Jim Dornbusch, Records Officer
Department of Labor and Regulation

Connie Nold
Records Management Specialist

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
c/o 500 East Capitol Avenue
Pierre, SD 57501-5070
Phone: (605) 773-3589
Fax: (605) 773-5955

MEMORANDUM

TO: State Agencies

FROM: Dana Hoffer
State Records Manager

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

DATE: July 24, 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, Pamela S. Roberts (name), acting in my position as Secretary of the Department of Labor (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 Barber Examiners (department) consists of 16 pages and contains record series number(s) BEB-1 (consecutively re-numbered) through BEB-20.

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 Barber Examiners (department) record series numbers(s) BE-7, BE-8, BE-10, BE-15, BE-16, BE-23, BE-26, and BE-27.

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.


Pamela S. Roberts, Secretary of the Department of Labor

8-8-07
Date


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


Dana Hoffer, State Records Manager

8/20/2007
Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 22nd day of August, 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

8-22-07
Date

PETITION FOR AUTHORITY TO DESTROY RECORDS

I, Marcia Hultman, acting in my position as the Secretary of the Department of Labor and Regulation, requests 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 Barber Examiners consists of 5 pages and contains record series number(s) BEB-5, BEB-8, BEB-9, BEB-13, BEB-14, and BEB-15.

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 Barber Examiners record series number(s) BEB-12 and BEB-18.

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.

M. Hultman

Marcia Hultman, Secretary of the Department of
Labor and Regulation

11.5.18

Date

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

Dana Hoffer

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.

See Attached Addendum

Scott Bollinger, Chairman of the Board

Date

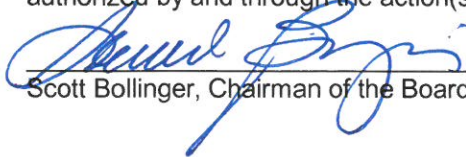
Addendum to the Board of Barber Examiners' Petition for Authority to Destroy Records.

Records Destruction Board's Action(s):

- Deferred action for the following record series: BEB-5, BEB-9, BEB-13, BEB-14, and BEB-15.
Reason: Further clarification is needed on the proposed retention.

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 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.



Scott Bollinger, Chairman of the Board

 1-3-19
Date

PETITION FOR AUTHORITY TO DESTROY RECORDS

I, Marcia Hultman, acting in my position as Secretary of the Department of Labor and Regulation, 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 Barber Examiners consists of 4 page(s) and contains record series number(s) BEB-5, BEB-9, BEB-14, and BEB-15.

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 Barber Examiners consists of 1 page(s) and contains record series number(s) BEB-13.

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.



Marcia Hultman, Secretary of the Department of
Labor and Regulation

6/3/19

Date

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



Dana Hoffer, State Records Manager

7/3/2019

Date

Records Destruction Board's Action:

- Approved as originally petitioned.

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 16th day of July, 2019, 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 19-001.**



Scott Bollinger, Chairman of the Board

7-16-19

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.

TABLE OF CONTENTS

Department of Labor & Regulation

DIVISION: Secretary
OFFICE: Boards and Commissions
PROGRAM Barber Examiners Board

BEB-1.	ADMINISTRATIVE REFERENCE FILES:	1
BEB-2.	ADMINISTRATIVE RULES PROMULGATION FILES:	2
BEB-3.	AGENDAS, BOARD MEETINGS:	3
BEB-4.	ANNUAL REPORTS:	3
BEB-5.	APPLICATION FILES:	4
BEB-6.	APPLICANT FILES, DEFICIENT:	5
BEB-7.	BOARD APPOINTMENT FILES:	6
BEB-8.	CASH RECEIPTS:	6
BEB-9.	COMPLAINT FILES:	7
BEB-10.	COMPLAINT, NON-JURISDICTIONAL:	8
BEB-11.	CONTRACTS AND AGREEMENTS:	8
BEB-14.	LICENSEE FILES, MASTER-ACTIVE:	9
BEB-15.	LICENSEE FILES, MASTER-INACTIVE:	10
BEB-16.	LICENSE NUMBER LISTS:	10
BEB-17.	MINUTES, BARBER EXAMINERS BOARD:	11
BEB-19.	SHOP LICENSE & INSPECTION FILES, ACTIVE:	11
BEB-20.	SHOP LICENSE & INSPECTION FILES, INACTIVE:	12
BEB-21.	SURPLUS PROPERTY FILES:	13

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

DEPARTMENT: Labor and Regulation
DIVISION: Secretary
OFFICE: Boards and Commissions
PROGRAM: Barber Examiners Board
RECORDS OFFICER: Jim Dornbusch
RM CUSTOMER #: 0276

<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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BEB-1. ADMINISTRATIVE REFERENCE FILES:

07-033

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; 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 BE-01.)

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------------------------------------	---	--

BEB-2. ADMINISTRATIVE RULES PROMULGATION FILES:

07-033

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.)

(Consider maintaining on microfilm instead of paper and destroying paper after microfilm has been inspected and verified to meet quality standards.)

(NOTE: Previous record series number was BE-02.)

STATE OF SOUTH DAKOTA
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DESTRUCTION SCHEDULE
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DEPARTMENT: Labor and Regulation
DIVISION: Secretary
OFFICE: Boards and Commissions
PROGRAM: Barber Examiners Board
RECORDS OFFICER: Jim Dornbusch
RM CUSTOMER #: 0276

<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>
------------------------------------	---	--

BEB-3. AGENDAS, BOARD MEETINGS:

07-033

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.

(NOTE: Previous record series number was BE-03.)

BEB-4. ANNUAL REPORTS:

07-033

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 inspections conducted (if applicable), number of violations noted, man hours, time reports, and other related information. A copy of this report is filed annually. This record series is used for reference to compare activities from year to year.

RETENTION: Retain 5 years in office, then destroy.

(NOTE: Previous record series number was BE-04.)

STATE OF SOUTH DAKOTA
RECORDS RETENTION &
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OFFICE: Boards and Commissions
PROGRAM: Barber Examiners Board
RECORDS OFFICER: Jim Dornbusch
RM CUSTOMER #: 0276

<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>
------------------------------------	---	--

BEB-5. APPLICATION FILES:

19-001

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 respective "Licensee Files, Master-Active" or "Shop License & Inspection Files, Active".

UNSUCCESSFUL APPLICANTS: Transfer to respective "Applicant Files, Deficient".

(NOTE: Previous record series number was BE-05.)

STATE OF SOUTH DAKOTA
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OFFICE: Boards and Commissions
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RM CUSTOMER #: 0276

<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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BEB-6. APPLICANT FILES, DEFICIENT:

07-033

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.)

(NOTE: Previous record series number was BE-06.)

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RECORDS RETENTION &
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PROGRAM: Barber Examiners Board
RECORDS OFFICER: Jim Dornbusch
RM CUSTOMER #: 0276

<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>
------------------------------------	---	--

BEB-7. BOARD APPOINTMENT FILES:

07-033

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

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

(NOTE: Previous record series number was BE-09.)

BEB-8. CASH RECEIPTS:

18-018

This series is arranged chronologically and documents all receipts of money. Information may include: date issued, received of, address, amount, form of payment, purpose, and received by signature. This record series is maintained for 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.

(NOTE: Previous record series number was BE-11.)

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<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>
------------------------------------	---	--

BEB-9. COMPLAINT FILES:

19-001

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 apprentice barbers, master barbers, or barber shops. 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 Files, Master-Active" or "Shop License & Inspection Files, 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 for 10 years, then destroy.)

SUBSTANTIATED: Retain 5 years in office, then place a copy of the final determination into the respective "Licensee File, Master-Active" or "Shop License & Inspection Files, Active".

(NOTE: Previous record series number was BE-12.)

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DEPARTMENT: Labor and Regulation
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RM CUSTOMER #: 0276

<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>
------------------------------------	---	--

BEB-10. COMPLAINT, NON-JURISDICTIONAL:

07-033

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.

(NOTE: Previous record series number was BE-13.)

BEB-11. CONTRACTS AND AGREEMENTS:

07-033

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 current in office. Destroy 6 years after terminated.

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

(NOTE: Previous record series number was BE-14.)

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<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>
------------------------------------	---	--

BEB-14. LICENSEE FILES, MASTER-ACTIVE:

19-001

This series is arranged alphabetically by last name of licensee and documents personal data for licensed master barbers. Information may include (if relevant to their level of licensure): the information transferred from the "License Files, Apprentice-Active," original application, education history, copies of diplomas, examination results, photographs, license numbers issued, verification of experience, reciprocity application, requests for name change, most current license renewal form, and correspondence. This record series is used to document the licensure and renewal process of all master barbers.

RETENTION: Retain active Licensee Files in office. Transfer inactive files to "License Files, Master-Inactive."

(NOTE: Previous record series number was BE-19.)

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BEB-15. LICENSEE FILES, MASTER-INACTIVE:

19-001

This series is arranged alphabetically by last name of licensee and documents personal data for licensed but inactive master barbers. Information may include (if relevant to their level of licensure): the information transferred from the "License Files, Apprentice-Active," original application, education history, copies of diplomas, examination results, photographs, license numbers issued, verification of experience, reciprocity application, request for name changes, most current license renewal form, and correspondence. This record series is used to document the licensure and renewal process of all master barbers. Information for these files may be transferred to the "License Files, Master-Active" upon completion of requisite master's examination.

RETENTION: Retain 15 years in office after expiration of license, then destroy provided no pending litigation.

(NOTE: Whenever an Active Licensee does not renew within the timeframe prescribed by SDCL 36-14-22, the Active Licensee file becomes an Inactive Licensee file, until such time the licensee either reactivates his license pursuant to SDCL 36-14-25 or allows the license to expire completely.)

(NOTE: Previous record series number was BE-20.)

BEB-16. LICENSE NUMBER LISTS:

07-033

This database series is arranged alphabetically by last name of licensee for each license type issued by the Barbers 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.

(NOTE: Previous record series number was BE-21.)

<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>
------------------------------------	---	--

BEB-17. MINUTES, BARBER EXAMINERS BOARD:

07-033

This series is arranged chronologically and contains the official minutes of the Barber 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 microfilm and maintain film permanently.

(NOTE: Paper is subject to archival screening prior to disposal.)

(NOTE: Previous record series number was BE-22.)

BEB-19. SHOP LICENSE & INSPECTION FILES, ACTIVE:

07-033

This series is arranged alphabetically and contains licensing and inspection information for barber shops in South Dakota. Information may include: shop name, address, owner's name and license number, name and license numbers of all barbers and apprentices employed, most current renewal forms, correspondence, five most recent inspection reports, inspection date, condition of equipment, inspector's comments, inspection fees collected, signatures of barbers on duty, and signatures of inspectors. This record series is used to document the licensure and inspection of all barber shops in South Dakota.

RETENTION: Retain in office until expiration, then transfer to Shop License & Inspection Files, Inactive.

(NOTE: Previous record series number was BE-24.)

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

DEPARTMENT: Labor and Regulation
DIVISION: Secretary
OFFICE: Boards and Commissions
PROGRAM: Barber Examiners Board
RECORDS OFFICER: Jim Dornbusch
RM CUSTOMER #: 0276

<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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BEB-20. SHOP LICENSE & INSPECTION FILES, INACTIVE:

07-033

This series is arranged alphabetically and contains licensing and inspection information for licensed but inactive barber shops in South Dakota. Information may include: shop name, address, owner's name and license number, name and license numbers of all barbers and apprentices employed, most current renewal forms, correspondence, inspection report, inspection date, condition of equipment, inspector's comments, inspection fees collected, signatures of barbers on duty, and signatures of inspectors. This record series is used to document the licensure and inspection of all barber shops in South Dakota.

RETENTION: Retain 5 years in office after expiration, then destroy.

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

(NOTE: Previous record series number was BE-25.)

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

DEPARTMENT: Labor and Regulation
DIVISION: Secretary
OFFICE: Boards and Commissions
PROGRAM: Barber Examiners Board
RECORDS OFFICER: Jim Dornbusch
RM CUSTOMER #: 0276

<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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BEB-21. 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.