



BOARD OF TECHNICAL
PROFESSIONS

RECORDS RETENTION AND
DESTRUCTION SCHEDULE

State of South Dakota

Bureau of Human Resources and Administration

Records Management Program

(605) 773-3589

ACKNOWLEDGEMENTS

PREPARED BY:

Bureau of Human Resources and Administration
Records Management Program
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2023

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

Dana Hoffer
State Records Manager

STATE RECORD DESTRUCTION BOARD

Darin Seeley, Commissioner
Bureau of Human Resources
and Administration
(Chairman)

Chelle Somsen, State Archivist
Department of Education

Russell Olson, State Auditor General
Legislative Audit

Jenny Jorgenson
Office of the Attorney General

Jenna Latham
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: July 13, 2023

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, 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 Technical Professions (department) consists of 12 pages and contains record series number(s) BTP-1 (consecutively re-numbered) through BTP-17.

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 Technical Professions (department) record series numbers(s) TPR-03 through TPR-05, TPR-09, TPR-13, TPR-15 through TPR-17, TPR-20, TPR-21, and TPR-26 through TPR-29.

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 Technical Professions consists of 6 pages and contains record series number(s) BTP-3, BTP-8, BTP-10, BTP-11, BTP-13, BTP-15, and BTP-16.

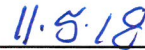
The authority requested is to destroy each record described in the attached Schedule at the expiration of the time provided for the retention of each record.

Authority is also requested to delete "Records Retention and Destruction Schedule" Authorization of the Board of Technical Professions record series number(s) BTP-12 and BTP-14.

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.

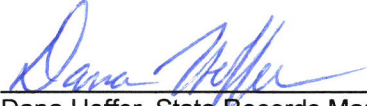


Marcia Hultman, Secretary of the Department of Labor and Regulation



Date

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



Dana Hoffer, State Records Manager



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 Technical Professions' Petition for Authority to Destroy Records.

Records Destruction Board's Action:

- Amended the retention for BTP-8 to read: SUBSTANTIATED: Retain until case is closed, then transfer to respective "Registrant Database", and encode into computer ~~and keep indefinitely.~~ Retain for 50 years, then delete provided all litigation, claims, or audit findings involving the records have been resolved and final action has been taken.

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 the 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 Technical Professions consists of 8 page(s) and contains record series number(s) BTP-2, BTP-3, BTP-8, BTP-9, BTP-10, BTP-11, BTP-13, BTP-15, BTP-16, and BTP-17.

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.



Marcia Hultman, Secretary of the Department of
Labor and Regulation

5-25-23
Date

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



Dana Hoffer, State Records Manager

6/1/23
Date

Addendum to the Board of Technical Professions' Petition for Authority to Destroy Records.

Records Destruction Board's Action(s):

- Amend the retention for BTP-2 under the section ALL OTHER DOCUMENTATION to read as follows: Retain in office for as long as the rules are in effect, then destroy provided no pending litigation.

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 13th day of July, 2023 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 23-003.**

Darin R. Seeley

Darin R. Seeley (Jul 13, 2023 13:24 CDT)

Darin R. Seeley, Chairman of the Board

Jul 13, 2023

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:

- 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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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: Board of Technical Professions
RECORDS OFFICER: Jim Dornbusch
RM CUSTOMER #: 1191

**RECORD
SERIES NO.**

TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE

**R.D.B.
AUTHORITY
NUMBER**

BTP-1. ADMINISTRATIVE REFERENCE FILES:

07-034

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: personnel reports, budget, equipment, inventory, legislation, organization/association, and property management information; reports; research materials; 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.)

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BTP-2. ADMINISTRATIVE RULE PROMULGATION FILES:

23-003

This series is arranged chronologically and contains administrative rule promulgation files. Information may include: notices of public hearings, affidavits of publication of notices, written comments from the public, transcripts from the 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 provided no pending litigation.

(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 record must be maintained at least until a curative statute has been adopted by the Legislature similar to SDCL1-26A-2, which cures all defects in the adoption of the rules appearing in the 1974 printed ARSD.)

(NOTE: Previous record series number was TPR-01.)

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

BTP-3. APPLICATIONS:

23-003

This series is arranged alphabetically and contains Comity/Reciprocity and Business applications to be reviewed by the Board and applications of individuals who appear for examination. The electronic application is saved to the profile in database and creates the registrant's profile. Information may include: application, references, experience verifications, college verifications, and verifications from other states. This record series is used for emailing notices and for reporting purposes.

RETENTION: Retain 3 years after license has lapsed, then destroy by shredding.

(Note: A digital copy of the application reviewed by the Board shall be stored in the applicant's database profile as a portable document format (PDF) file.)

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

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BTP-4. AUDIT REPORTS:

07-034

This series is arranged chronologically and contains Legislative Audit reports concerning the expenditure and administration of funds. Information may include: cover letters, statement of assets revenues and expenditures, change of fund cash balances, and observations and recommendations. This record series of reports are reviewed to identify problem areas and discrepancies so that corrective measures may be implemented.

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

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

BTP-5. BANK STATEMENTS:

07-034

This series is arranged chronologically and contains records sent from individual banks for reconciliation purposes. Information may include: date of statements, actual cancelled checks, deposit records, and bank balances. This record series is used to reconcile checking accounts with bank balances, for reference, documentation, and for audit purposes.

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

(NOTE: Previous record series number was TPR-07.)

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RECORDS OFFICER: Jim Dornbusch
RM CUSTOMER #: 1191

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BTP-6. BOARD MEMBER FILES:

07-034

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

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

(NOTE: Previous record series number was TPR-08.)

BTP-7. CASH RECEIPT TRANSMITTALS:

07-034

This series is arranged chronologically and contains the standard forms used to document payments received and deposited with the State Treasury. Information may include: agency name and code, agency receipt number, date, fund, sub-fund, revenue source, description, and amount. These are forwarded to the State Treasurer. This record series is maintained for reference and audit purposes.

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

(NOTE: Previous record series number was TPR-10.)

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PROGRAM: Board of Technical Professions
RECORDS OFFICER: Jim Dornbusch
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RECORD **R.D.B.**
SERIES NO. **TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE** **AUTHORITY**
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BTP-8. COMPLAINT FILES:

23-003

This series is arranged chronologically and contains all related correspondence received from either the general public or initiated by the Board of Technical Professions concerning problems which have occurred with engineers, land surveyors, or architects, landscape architect, and petroleum assessors or remediators. Information may include: nature of complaint, signature of party filing the complaint, related correspondence, investigation of the allegation, conclusion of the investigation, and related materials. This record series is used by the Board to determine if a complaint is substantiated, and if so, to take corrective action. If complaints are substantiated this information is placed in each respective "Registrant Database".

RETENTION: UNSUBSTANTIATED: Retain file digitally. Destroy 3 years after determined unsubstantiated provided no litigation is pending.

SUBSTANTIATED: Retain original paper documents along with the digital file until case is closed, then transfer any original documents to digital file provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken. Retain for 50 years or for the duration of the related license, whichever is longer, then delete.

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

<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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BTP-9. CONTRACT AND AGREEMENT FILES:

23-003

This series is arranged chronologically and contains contract and agreements between the Board of Technical Professions 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 documentation purposes.

RETENTION: Retain reference copies current in office. Destroy reference copy upon termination of contract.

(Note: All contracts are retained by the Administrative Services Division for 6 years.)

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

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

BTP-10. ENGINEER-IN-TRAINING AND LAND SURVEYOR INTERN:

23-003

This series contains personal information about engineers in training and land surveyors in training. Information may include: name, address, college attended, degree awarded, graduation date, examination grade, and enrollment date. This record series is used to document the enrollment of all engineers-in-training and land surveyors in training.

RETENTION: DATABASE: Retain 10 years, then purge and delete.

(Note: Electronic application is saved to profile in database and creates registrant profile. A digital copy of the application reviewed by the Board shall be stored in the applicant's database profile as a portable document format (PDF) file.)

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

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RECORDS OFFICER: Jim Dornbusch
RM CUSTOMER #: 1191

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BTP-11. MINUTES, BOARD OF TECHNICAL PROFESSIONS:

23-003

This series is arranged chronologically and contains the official minutes of the Board meetings. Information may include: dates of meetings, members present, topics discussed, actions taken, approving signatures, copies of budget reports, application records, and inspection reports. This record series is used for occasional reference and documentation purposes of Board actions taken.

RETENTION: Retain file digitally on the Board's SharePoint site permanently.

(Note: Annually send a digital copy of meeting minutes to State Archives.)

(Note: Minutes are available on the Board's website dating back to January 19, 2007 and copies of agenda for meetings are available back to September 23, 2011.)

(NOTE: Previous record series number was TPR-18.)

BTP-13. RECEIPT FILES:

23-003

This computer database series is arranged chronologically and documents all receipts of money. Receipts are generated from database after payment is made. 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, then delete 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 TPR-22.)

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BTP-15. REGISTRANT DATABASE:

23-003

This database series is arranged alphabetically or numerically and is used to register all licenses issued by the Board of Technical Professions. The electronic application is saved to the profile in database and creates the registrant's profile. Information is obtained from applications submitted, Registrant Files, and Engineer-in-Training and Land Surveyor Intern database. Information may include: licensee name, license number, personal information, change of address/employer information, whether individual was licensed by comity or by exam, continuing education hours, license renewal date, receipt of fees paid by licensee (amount and date received), name of employer or business, and any disciplinary action taken against the licensee. This record series is used for quick reference and updating licensee records.

RETENTION: Retain 3 years after license has lapsed, then purge from database provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: The records of deceased licensees can be deleted 1 year after their death.)

(NOTE: Previous record series number was TPR-23.)

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BTP-16. REGISTRANT FILES:

23-003

This series is arranged alphabetically and documents those engineers, architects, land surveyors, business firms, landscape architects, petroleum assessors, and petroleum remediators registered by the Board. Information may include: applications, college verifications, experience verifications, verification in other states, correspondence, registration numbers, fees paid, receipt number, and Board action taken for Class 2 registration by comity (reciprocity). Class 3 registrations also includes dates of examinations and scores. This record series is used to document the registration and renewal processes of all registrants.

RETENTION: CLASS 3 FILES: Transfer to respective “Registrant Files, Historical Class Three.”

ALL OTHERS: Retain 3 years after expiration, then purge from database.

(Note: All information is encoded into the Board’s licensing database.)

(NOTE: Previous record series number was TPR-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: Board of Technical Professions
 RECORDS OFFICER: Jim Dornbusch
 RM CUSTOMER #: 1191

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

BTP-17. REGISTRANT FILES, HISTORICAL CLASS THREE:

23-003

This series is arranged alphabetically and contains information on class three registrants (those individuals who took their original registration examination in South Dakota.) Information may include: applications, college verifications, experience verifications, correspondence, examinations, examination scores, registration numbers issued, renewal applications, fees paid, receipt numbers, and Board action taken. This record series is maintained for historical purposes.

RETENTION: Retain 50 years, then purge from database.

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

BTP-18. 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.