Records Management Training

Records Retention, Disposition and Writing Schedules and Amendments

Managing Your Records

In order to have the information you need (when it’s required), there has to be a way to identify, manage and retain records for the right amount of time.

Records are managed by creating agency schedules – a document that tells you how long to keep specific types of records and what should happen to them when they have served the business needs of the agency.
A Records Retention Schedule lists all the titles of a records series, length of time each series will be retained as an active record, the reason for its retention and disposition agreed by the agency and Records Management. A clearly defined plan for a record retention and disposal is a vital component of a records program.
A records retention schedule can act as the following:

An agency policy document
A list of work instructions
A compliance document
Why You Need Schedules

- Ensure records are organized and maintained to be easily retrieved
- Help to preserve historical records
- Determine appropriate records media
- Maximize use of appropriate storage
- Provide security for restricted records
- Provide control throughout the records’ life cycle

- The major goal is to provide clear guidance for agency employees on how long they should be retaining their records.
Some Risks of Not Having Schedules

- The more information an office retains, the greater the burden of identifying and locating records when needed for reference purposes and legal compliance.

- Unnecessary Storage Costs

- Possible destruction of records before they have met fiscal or legal requirements or possible destruction of archival records

- Having to produce records in Discovery proceedings that otherwise should have been destroyed
Why Bother with Retention Schedules

For obvious reasons you need schedules because things need to be written down so you and everyone around you can remember what they are. You might know what the record means to you today and how long to retain it, but will you still know tomorrow or the next day and will the person who comes after you know what those boxes of records are in the closet or on the server?
What Records Need to Be on a Schedule

All state government records must be covered by retention schedules. This includes records that never leave the creating agency's custody.

If you are creating and maintaining records in digital format, a retention schedule would still apply just as it would for paper, microfilm, and other "traditional format" records. The most important principle to remember is this: **Content, not format, determines retention.**
Record-keeping in Your Agency
Things to Consider

- What records will you retain and for what purpose?
- How long should you retain records for?
- What format are the records in?
- Do any statutory requirements apply to your records in terms of their retention?
- Do any Chapter Rules or Policies already exist which outline expectations about records, retention and destruction?
- How will records be managed?
- Where will records be stored and who will have access to them?
- What process will be in place to destroy records once retention is reached (for both paper or electronic records)?
Where Do You Begin?
Determine What You Have

It’s always best to start from the beginning!
Identify Your Records
Conduct a Records Inventory

An Inventory is an important step in determining what records your agency is creating and retaining. The Inventory is a high level survey of all types of information created, received and stored by your agency.

There are also some alternative methods of information gathering such as:

**Surveys**

The survey/questionnaire technique offers considerable advantages over a records inventory in terms of the resources needed to conduct it. If you have designed an appropriate form/questionnaire, you should yield quality results.

**Interviews**

The results of the interview can be considered more informative and detailed than can be obtained from a standard survey form.
What You Need to Know When Gathering Information

You must understand why the information is being recorded.

- What is the purpose of the record for the business needs of the agency?
- What about once business needs are met?
- Who might look at it and why?
- What business process does it support?

Answers to these questions provide key information in developing your retention schedules.
When looking at reasons a record is kept you may want to consider the following:

- Day-to-day business operations
- Audit and Budget
- Agency Policy
- Strategic planning
- Regulatory requirements
- Claims or investigations

If a record is required by law or statute, it may have a retention period that you can apply to it. In this case, you would need to research and cite your source.
Building a Structure

Once you know something about your records, you can begin building a structure.

You will need to know what to label records and how to arrange them.

This is the agency's instruction booklet on how to manage and retain all of the agency records so make it as user-friendly as possible.

Analyze your results and think about the functions of the records. Once you have determined what each record is used for, you can then build a structure that reflects those different uses.
Records can be placed within categories (or records series), and when a record comes along that does not fit into any category, a new category can be created.

Categorizing records can only be done if you understand the records use and function to your agency.
How Big is Your Bucket
Determine Your Record Series
What Makes a Record Series

A series is a grouping of records that support similar business processes or contain similar information and have related legal or operational retention requirements.

Each record series consists of a description of the process the records support and examples of the types of records that fall under the series.

A retention period is associated with each record series (and must be the same for all records in a series).
Series to AVOID

Avoid series categories such as “miscellaneous” or “general.” Agency schedules should list unique records and there isn’t any place for a “general” record at the agency level.

Creating a general category is like developing some “catch-all” type of category for unrelated records, creating the exact opposite effect of what the agency retention schedule is supposed to provide – exact instructions for your employees on what to do with specific records.
Consider General Schedule 10, Series 1, Employee Personnel Records. There may be several different documents within the folder, some of which might have more retention value than others, but it wouldn't make sense to separate out all the records, so they are grouped together under one series.

However, there may be other instances where it is easy to distinguish long term from short term retention in related files and create two series.

The goal is to select a structure that best accommodates your agency’s needs while minimizing retention duplication or longer storage of documents.
Use the Right Terms

What you are creating is like a roadmap for your records so employees know how to navigate throughout their records day. Again, using broad topics that give no direction such as “general” can lead people in circles with no clear direction on what to do with their records.

Another thing to avoid is using acronyms. AG could stand for Attorney General or Associated Grocers. Spell things out whenever possible and never assume that everyone knows what an abbreviation stands for.

The structure and terms of your series will be the foundation of your retention schedules so make sure you have all the appropriate pieces in place at the beginning.
You Got to Know When to Hold ‘Em
(And When to Fold ‘Em)
Determine Retention and Disposition
Determine Retention and Disposition of Your Records

Unfortunately, there is no universal guide to determine retention periods and disposition methods. Each record series needs to be examined individually in regard to usage patterns, departmental needs, historic value and legal issues.

Agency retentions can vary from 6 months to 60 plus years depending on a number of factors. Even records that may appear similar between two departments can have different usage patterns, and require different retention strategies.
How to Determine Retention Periods

Most agency retentions will be based on the business process for your agency.

An important thing to remember about business need in support of an active process is that it’s typically a finite need.

There may also be archival purposes beyond the active business needs.

Let's look at the Maine State Archives 4-Part Criteria
Determining Retention Periods

4 Part Criteria

1. **Administrative use:** What is the value of the records in carrying out the function of the organization? How long are they needed for immediate retrieval?

2. **Legal requirements:** Is a certain period specified for compliance with statutes, agency rules or protection of legal rights and interests of the state? Are Federal retention periods involved?

3. **Fiscal requirements:** How much time must be allowed for the completion of fiscal activities such as audit or budget?

4. **Historical or research purposes:** Do these records document historical events or the history and development of the organization?
Where to Start

Start with business or administrative need. An agency shouldn’t get rid of a record before you’re through using it. Active business use determines the minimum retention period for a records series.

Next, as part of the business process, determine if there are any fiscal or audit purposes for the records for which a specific retention time can be applied.

Determining legal requirements may prove more difficult especially in Maine. Maine Statutes often times mention the “how” of records but not the “when.”
Let’s Talk About Risk
Records Retention and the Risk Factor

Once you have gone through your business and legal needs for your records, you now need to decide whether there is some risk management issue which justifies keeping the records longer.

Sometimes it's an easy thing to figure out: administrative need might dictate 5 years but there is a very likely potential these records will be needed for another purpose – a federal requirement or audit or some other process which dictates 10 years. So the risk is very high the records will be needed beyond 5 years.
Is it Reasonable?

If you decide to hang on to records beyond business or legal needs, you need to be sure there is a reasonable justification for why you are doing so. At some point, this decision might be questioned and you will need a formal justification and a well thought out, “reasonable” decision for why these records are being retained.
Another consideration in the risk factor is attempting to forecast the future of what might occur. One reason an agency might want to keep records beyond the legal minimum is because they think there will be some need for them in the future. You need to ask yourself what you are basing your assumptions on and if these events will occur often enough or are important enough to warrant keeping the records.
AAG's will often point to Statute of Limitations when assessing records retention. Be careful here. Although statutes of limitation can be used as part of the risk factor, you again want to institute the reasonableness factor. Statutes of limitation actually don't require records retention but are intended to implement the risk factor involved of what if?

You will need to be aware of any kind of lawsuits or investigations your agency may be involved in. Knowing your records and how they are used gives you the knowledge to make the best decisions for retention.
Some Notes About Risk and Retention

For the sake of “CYA” it would be easy just to keep everything for as long as possible just in case someone, someday might want the records or in case they will provide some evidentiary information for a possible lawsuit or investigation.

However, this type of retention is both costly and impractical and would be considered poor records management.

Some possible risks are so unlikely that keeping records for that sole purpose is completely unnecessary.
Sample Risk Measurement

Risk – High
Probability – Likely to occur each year or more than 25% chance of occurrence
Impact – The impact to the agency is likely to exceed X
Significant impact to the agency and its processes, procedures and business activities

Risk – Medium
Probability – Likely to occur in a 10-year time period or less than 25% chance of occurrence
Impact – The impact to the agency is likely to be between X and Y
Moderate impact to the agency and its processes, procedures and business activities

Risk – Low
Probability – Not likely to occur in a 10-year period or less than 2% chance of occurrence
Impact – The impact to the agency is likely to be less than Y
Low impact to the agency and its processes, procedures and business activities

(Based on a scale from Managing Risks for Record and Information by Victoria Lemieux)
Some reasons people want to retain records longer than necessary:

- They overestimate the real, ongoing value of their records;
- They assume records must be kept longer for legal reasons than is actually required;
- They assume they must be able to answer any inquiry, regardless of how unreasonable or how old the information requested;
- They assume the legal risks regarding their records extend much further into the past than they really do;
- They are simply afraid to “let go” or;
- Their assumptions about risk are based upon purely hypothetical worst-case scenarios, or some past one-in-a-million occurrence.
Things To Consider

- Avoid the “Just in Case” or CYA syndrome.

- Information should be retained if there is a *reasonable* probability it will be needed at some future time to support legal or business objectives, and the consequences of its absence would be substantial.

- Remember, the presence or absence of information can be either helpful or harmful.

- A retention period is most likely to be valid if it is based on a consensus of the opinions of persons most knowledgeable about the value of the information.

- Information should be retained for the initial intent for which it was originally created. An agency shouldn’t be hanging on to records, especially personal information, “just in case” it can be used for some other purpose.
When Does Retention Begin

Retention starts at some Trigger Event - something which occurs to initiate the beginning of the retention period. Typically, for most state government records, it is when a record is considered closed (when the normal business process has concluded).

For other records it could be based on a specific event such as the close of a Legislative session; termination of employee; specific age of client; or settlement of litigation.

Decide what your trigger event for your records will be so you know when the retention period begins.
Record Disposition

**Non-archival** (non-permanent) retention is based completely on the record’s time-value to the business functions of the agency, including audit or other statutory requirements, and reasonable access by interested parties.

**Archival** (or what is sometimes referred to as **Permanent**) retention is based on the record’s value after it no longer serves the agency’s business.
Determining Final Disposition

**ARCHIVAL**
First, determine if the records have any historical significance. Once they have served the needs of the agency, will these records show: the history of the agency or historical events; how policy was formed; or other significant records which will be important to the general public hundreds of years in the future?

**Other things to consider:**
- Is this a published state document which should be sent to Maine State Library State Document/Digital Commons?
- Is this duplicate material which can be found elsewhere?
- Is this confidential?
- Is this a collection of miscellaneous items valuable to one (for reference purposes) but, can either be found elsewhere, or would not necessarily be of value to the public for research/history?

**If Non-Archival - DESTROY**
If you have determined records are non-archival (non-permanent), retention is based completely on the record’s time-value to the business functions of the agency. Records will be destroyed once they have met their retention.
Archival Value

Once the record fulfills the purpose for which it was created, the importance of the record (its **primary value**) ends.

While state government creates records for specific legal, fiscal, or administrative reasons, it may, in the process, produce records with historical value. Such records are said to have a **secondary value**; they document things of interest to other people or organizations by providing information about subjects, events, or people in the State of Maine.
Typically, less than 5% of any organization’s records will be archival.

Many agencies default to archival dispositions for their records because of the nature of their business or because keeping records “permanently” is easier than developing a true retention period, when in fact, records retained for trending and analysis or similar needs may have value for those purposes for only a few to several years.
Archival Value – Some Things to Look For

- Provides significant evidence of how the agency has instituted policy and procedure (significant historical procedures of the agency)

- Provides significant information about people, places, or events which the agency is involved with including:
  - Information **about people** - their economic conditions, their values and concerns
  - Information **about places** within state government or the state itself
  - Information **about events** - agency or state events or possibly even national events which the agency is involved in
The Significance Factor

Some things to consider when determining archival records

- When the records were created
- What kind of information the records contain
- Who created the records (are these original records created by your agency)
- What other records exist (is this information duplicated elsewhere)
- The uniqueness and value of the records
Things to Consider

• Do the records document important, or precedent setting, decisions or transactions?
• Do they shed significant light on how important decisions were reached?
• Do the records contain information on people, places, things, phenomena, or events that will be useful to researchers, historians, scholars, genealogists, etc.?
• Is the information unique, or are there other available sources that contain essentially the same information in a usable form?
What the State Archives Wants To Preserve

Agency records which best reflect the mission, goals, programs, functions, and organization of the agency and its programs.

Information for a variety of researchers including: the legal community in establishing legislative intent; genealogists seeking to find out about their ancestors; citizens seeking records to document and safeguard their rights; historians seeking primary historical source materials of all kinds; and state agency officials researching the actions and activities of their agencies in the past.
Ask the People Who Know

It’s also a good idea to ask experts – people who have knowledge of historical/archival records – instead of guessing at the value of the records that you have. (Just because they are old doesn’t always make them archival worthy or because they are important to the one doesn’t mean they have historic value to the many.)
You Find Records – Now What?

Process for Scheduling Your Records
Step One - What Are They

Find out:

**WHAT** the records are (and make sure they are actual records documenting the functions of the agency and not duplicate records)

**WHY** they exist

**HOW** they are being retained (media formats)

**WHO** is creating the records (and who is responsible for retaining the record copy)
Step Two – General Schedules

Find out if they are listed under the General Record Schedules.

The General Schedules are issued by the Maine State Archives to provide retention and disposition standards for records common to most State agencies.

If you are retaining records in your office which are covered by the General Schedules, an agency schedule would not be necessary. It would be recommended to make staff aware of any General Schedule retentions which they are to follow by way of an agency policy.
Most of the General Schedules relate to audit, fiscal, correspondence or other administrative office procedures.

- Schedule 1, Vendor Series
- Schedule 2, Accounting Series
- Schedule 3, Payrolls and Authorizations
- Schedule 4, Income Series
- Schedule 5, Budget Series
- Schedule 6, Financial Order Series
- Schedule 7, Attorney General Opinions Series
- Schedule 8, Inventory Series
- Schedule 9, Records Management Series
- Schedule 10, Personnel Series
- Schedule 11, MFASIS Reports
- Schedule 12, Minutes of Meetings
- Schedule 13, State Agency Correspondence
- Schedule 14, Rules Adopted by State Agencies
- Schedule 15, Quality Management Records
- Schedule 16, State Employee Charitable Programs
- Schedule 17, Freedom of Access Act
Step Three – Agency Schedules

Do they already exist on an Agency Schedule?

If they do, make sure the schedule is up to date with the current practices of your agency.

If the records are not on a General Schedule or Agency Schedule, then a new schedule will need to be created.
### Step 4

**Records Retention Schedules**

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<table>
<thead>
<tr>
<th>Department</th>
<th>Bureau/Division</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency Records Officer</td>
<td>Mailing Address</td>
<td>Telephone Number</td>
</tr>
</tbody>
</table>

**Certificate of Agency Representation:**

Agency Records Officer is authorized to set for this agency in matters relating to the disposal of its record series as described in this Records Retention Schedule. These records will not be needed for current business after the retention period(s) specified.

<table>
<thead>
<tr>
<th>Submit Schedule</th>
<th>Amendment to Existing Schedule</th>
<th>Schedule Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change in retention (please give justification)</td>
<td>Other (describe)</td>
<td></td>
</tr>
</tbody>
</table>

*See Inventory Form for media examples. *Other amount of time in agency and in Records Center (i.e. no. of years, containing open-ended, less than one year, permanent, etc.)*

<table>
<thead>
<tr>
<th>Series No.</th>
<th>Series Title</th>
<th>Source Type*</th>
<th>Time Series in Agency?</th>
<th>Time Series in Center?</th>
<th>Total Retention Period</th>
<th>Destroy in Archives</th>
</tr>
</thead>
</table>

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**Maine State Archives Use Only**

<table>
<thead>
<tr>
<th>Agency</th>
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<tbody>
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<td>Date</td>
<td>Signature of State Archivist</td>
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</table>

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Agency Schedules - Process

The Agency Records Officer submits an Application for Records Retention Schedule and Inventory Form (available on our website) with proper justifications for the chosen retention times. Samples of the records are also submitted.
# Application for Records Retention Schedule

<table>
<thead>
<tr>
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## Certificate of Agency Representative:
I hereby certify that I am authorized to act for this agency in matters relating to the disposal of its record series as described in this Records Retention Schedule. These records will not be needed for current business after the retention period(s) specified.

<table>
<thead>
<tr>
<th>Date</th>
<th>Signature of Agency Records Officer (Other Agency Head – Please Specify)</th>
</tr>
</thead>
</table>

- [ ] New Schedule
- [ ] Amendment to Existing Schedule

If amendment, please indicate reason and give justification:
- [ ] Change in retention
- [ ] Other (describe)

*See Inventory Form for media examples. **Give amount of time in agency and in Records Center (i.e. no. of years, contingent upon event, less than one year, permanent, etc.). Retention time would begin once records are closed. Records would not be sent to the Records Center (or Archives) until the records were closed and the agency retention time was fulfilled.

<table>
<thead>
<tr>
<th>Series No. (If Amended)</th>
<th>Series Title</th>
<th>Media Type*</th>
<th>Time Retained in Agency**</th>
<th>Time Retained in Center**</th>
<th>Destroy of Archives</th>
</tr>
</thead>
</table>

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<table>
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<th>Agency No.</th>
<th>Schedule No.</th>
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</thead>
</table>

MAA/RM 22/Rev 04/2016
## RECORD SERIES INVENTORY

<table>
<thead>
<tr>
<th>Department</th>
<th>Bureau/Division</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Person to Contact</td>
<td>Telephone No.</td>
<td>Location of Records</td>
</tr>
<tr>
<td>Contact person's mailing address</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Series Title

#### Description of Records:
Why does the agency keep these records—what program or programs do they support? How are the records used, and by whom? What might be found in a typical file? (Please include samples with inventory form; you may black out identifiable personal information if this raises confidentiality concerns. Also, please spell out all acronyms.)

Give a detailed explanation of what this records series is about and why the department keeps the records. Include what type of records can be found in a typical file. Give as much information as possible.

You must give a thorough explanation/justification of how you determined retention periods. If Archival disposition also explain.

#### Frequency of Use:
At what point does each file become "closed" as far as your business needs are concerned? How often will files need to be accessed once closed, agency retention is met and records are sent to the Records Center?

<table>
<thead>
<tr>
<th>How long do you need to store these records?</th>
<th>In Your Agency</th>
<th>In the Records Center</th>
<th>Archives or Destroy (your recommendation)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard retention times for paper records at the Records Center fall between 10 and 25 years.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### What Statutes, laws, regulations or research information did you use to determine your retention periods? (please state to give justifications):

#### Are records confidential? (no ___ yes ___)
If yes, which statutes or regulations apply?

#### Can the same information be found in other records? (if yes, please explain. It's important to know where the State would go to reconstruct records in case of disaster and also to know if there are duplicate records being retained as archival which are not vital records and if so why this is the case.)

#### Media Type:
- Paper
- Microfilm
- Microfiche
- Digital File
- Photograph
- Other

#### Arrangement:
- Alphabetically
- Chronologically
- Geographically
- Case number
- Other

#### These records are retained by:
- Calendar Year
- Fiscal Year
- Other

The chart below applies for those agencies doing an internal inventory. If you have the information, please provide.

<table>
<thead>
<tr>
<th>Date of Oldest File</th>
<th>Volume in Cubic Feet if Applicable</th>
<th>Annual Rate of Accumulation if Applicable</th>
<th>Filing and Storage Equipment (how are records stored)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signature of Agency Records Officer (Other Agency Head – Please specify)  

Date  

MSA/RM 59/Rev. 04/2016
Review and Approval

Any new schedules or amendments are submitted to the Records Management Analyst for initial review.

If there are any basic questions or retention justifications that need to be made, the Analyst will send a request back for further information or clarification. If the Analyst is in agreement with the submitted schedule or amendment, it will move on to the State Archivist and/or the Archives Advisory Board for final approval and adoption.

A signed copy will be returned. This is considered an agreed to contract between the submitting agency and the State Archives and the agency is expected to follow agreed to retentions and disposition.
Once you have schedules, what do you do with them? Make sure all schedules are written into agency policy or office file plans and train staff so all employees are consistently retaining records the same way for the same length of time. Have the agency policy approved and enforced by management to ensure adherence to the schedules by all staff. Conduct annual reviews to purge information, making this part of your records management policy.
Time to Update – Now What

The Process for Updating Schedules
Why You Need an Amendment

After a retention schedule has been approved by the Maine State Archives, your agency may need to change it.

Business Needs
Program Ending
Media Change
Steps to Complete the Amendment

Step One – If you haven’t done an inventory of your records for a number of years, now would be the time to do one.

Step Two – If you are doing a complete schedule revision - this isn’t a one-person job. You will need input from all sections regarding the changes to records and business functions. It’s best to form a team and a plan of attack to review inventory results and current schedules.

Step Three – Once you have results and a team in place, decide what is outdated, what needs to be revised and what new records need to be added. If your schedules haven’t been updated for 30 years, you could be starting from scratch.

Step Four – Submit the Application for Records Retention Schedule form. Mark the application “amendment.”
# AMENDING SCHEDULES

**complete the following information**

## Application for Records Retention Schedule

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## Certificate of Agency Representative:

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- New Schedule
- Amendment to Existing Schedule
- Schedule Number

If amendment, please indicate reason:

- [ ] Change in retention (please give justification)
- OR IF OBSOLETE OR SOME OTHER CHANGE MARK OTHER BELOW AND ALSO GIVE JUSTIFICATION FOR CHANGE (UNLESS MINOR CORRECTION WHICH WOULD NEED NO EXPLANATION)
- [ ] Other (describe)

*See Inventory Form for media examples. **Give amount of time in agency and in Records Center (i.e. no. of years, contingent upon event, less than one year, permanent, etc.)

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**MSA/RM 22/Rev. 11/2015**
Department Series Report

<table>
<thead>
<tr>
<th>Schedule #</th>
<th>715</th>
<th>23#: Milk Pool Calculation Sheets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Media</td>
<td>715</td>
<td>Computer sheets calculating the redistribution of the Maine Milk Pool.</td>
</tr>
<tr>
<td>Last Updated</td>
<td>23#</td>
<td>1/3/1989</td>
</tr>
<tr>
<td>Retention</td>
<td>7 Years</td>
<td>1/3/1989</td>
</tr>
<tr>
<td>Rec Center Retention</td>
<td>No Retention</td>
<td>1/3/1989</td>
</tr>
<tr>
<td>Disposition</td>
<td>Destroy</td>
<td>1/3/1989</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>Schedule #</th>
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4: Conservation 58M: Forestry - Forest Policy and Management

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Retention Schedule in FOAA or Discovery Proceedings

If your retention schedules have been well designed they can help considerably when you consider this day and age of Freedom of Access.

1. The retention schedule tells you what you have and don't have - When you get a 10 year request for records but your schedule states records are only kept for 6 years (and if you have followed your retentions correctly) this can save you time so you know what or how much to search for.

2. Your schedule functions as an index - The schedule provides a list of records you have, how much you have, what format they’re in and where they should be stored.

3. The schedule helps you explain absent records - When there is a request and someone complains about the absence of records, you should be able to demonstrate that their absence is entirely legitimate based on properly justified retention periods
Things to Consider

- If your retention decisions are called into question, your retention periods must comply with applicable laws, so make sure that they do.

- You need to be able to justify retention periods and understand the functions of your records. If nobody in your agency can explain how the schedule was developed, this could be taken as a sign of negligence.

- The destruction of records should occur as a routine business process in accordance with the retention schedule.

- If you do become aware of a lawsuit or other type of discovery, any relevant records cannot be destroyed until it is determined that the matter is resolved or the legal hold is lifted.
Record Maintenance

Maintain Your Records on an Ongoing Basis

We recommend you review your schedules every 2 years. Schedules that are 40 years old are probably as ineffective and inefficient as having no schedules at all.

Review new laws and regulations that effect records retention requirements. Retention schedules can quickly become outdated.

Review programs, policies and procedures, and disposal processes on a regular basis. Clean out inactive records or those which have met their retention periods, including electronic records. Schedule a records “clean-up” day on a quarterly (or other regular) basis which every employee participates in.
Final Note
Where Records Are Located

The Structure of the Archives
• The State Records Center – located in Hallowell – for records that have a disposition destroy
• The State Archives – for permanent records with historical/archival value

Ownership of Records
• All records in Records Center status, including pre-archival records, remain under legal control of the agency that created them.
• Records in the Records Center are released only to cardholders of the creating agency.
Questions

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felicia.kennedy@maine.gov

Maine State Archives: http://www.maine.gov/sos/arc/records/state/