

**ADMINISTRATIVE PROCEDURES**

|  |  |
| --- | --- |
| **01.05 Records Retention**  | **Revised: August 25, 2022** |

1. GOVERNING REGULATIONS

Records retention procedures are governed by State laws and A&M System policies and regulations:

1.1 Texas Government Code, [Section 441.182](http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.441.htm)

1.2 Texas Government Code, [Chapter 552](http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.552.htm)

1.3 Texas Administrative Code, [Title 13, Part 1, Chapter 6](http://texreg.sos.state.tx.us/public/readtac%24ext.ViewTAC?tac_view=4&ti=13&pt=1&ch=6)

1.4 System Regulation [61.01.02](http://policies.tamus.edu/61-01-02.pdf) Public Information

1.5 System Regulation [61.99.01](http://policies.tamus.edu/61-99-01.pdf) Retention of State Records

2. PURPOSE

This procedure helps ensure that all administrative units of the agency (divisions, departments or offices) manage and retain state records according to the [A&M System Records Retention Schedule](http://assets.system.tamus.edu/files/legal/pdf/System-Records-Retention-Schedule.PDF) and applicable laws.

3. DEFINITIONS

**Archival state record** – state record of enduring historical value that is preserved on a continuing basis. See Texas Gov’t Code § 441.180(2).

**Convenience copies** – other copies of a record held by other offices in the agency. These copies should not be retained after the destruction of the record copy.

**Electronic state records** – records created or received and maintained in electronic formats, including electronic mail and the product of computer processing. See Texas Gov’t Code § 441.189; 13 Texas Admin. Code § 6.91(5).

**Record copy** – the official copy of a state record that must be retained for the retention period designated on the retention schedule and destroyed at the end of the specified amount of time.

**Records management** – the application of management techniques to the creation, use, maintenance, retention, preservation, and disposition of records for the purpose of improving the efficiency of recordkeeping, ensuring access to public information under the Public Information Act and reducing costs. See Texas Gov’t Code § 441.180(7).

**Records series** – groups of related state records that are normally used and/or filed together, and are evaluated as a group for retention scheduling purposes. See 13 Texas Admin. Code § 6.1(13).

**State records** – any written, photographic, machine-readable or other recorded information created or received by or on behalf of the agency that documents activities in the conduct of state business or the use of public resources. See Texas Gov’t Code § 441.180(11).

**Transitory information** – records of temporary usefulness that are not an integral part of a records series, that are not regularly filed within a recordkeeping system and that are required only for a limited period of time for the completion of an action by an employee or in the preparation of an on-going records series. Transitory records are not essential to the fulfillment of statutory obligations or to the documentation of agency functions. See 13 Texas Admin. Code § 6.91(8).

**Vital record** – any state record necessary to the resumption or continuation of agency operations in an emergency or disaster, for the re-creation of the legal and financial status of the agency or the protection and fulfillment of obligations to the people of Texas. See Texas Gov’t Code § 441.180(13).

4. RECORDS OFFICER

The Director has designated the Compliance Coordinator as the Records Officer for the agency to provide oversight of the retention and disposition of state records.

5. RECORDS OFFICER RESPONSIBILITIES

5.1 Ensure that the A&M System Records Retention Schedule lists all the records series created or received by and maintained by the agency.

5.2 Assist administrative units in developing and periodically reviewing listings of types of documents maintained by the administrative units and the records retention requirements for each.

5.3 Work in cooperation with the agency historical records coordinator appointed by the Director to identify records with historical significance to the agency and ensure that the identified records are preserved.

5.4 Assist with the development and maintenance of administrative procedures on records retention.

5.5 Provide training and assistance to agency staff on compliance with records management procedures.

6. DIVISION/DEPARTMENT HEAD RESPONSIBILITIES

* 1. Designate a Records Coordinator for each administrative unit to work with the Records Officer on issues related to records retention and disposition.
	2. Identify each type of record maintained by the administrative unit and work with the Records Officer to develop a schedule of documents and retention requirements.
	3. Ensure that administrative unit records are retained in accordance with retention schedule.
	4. Ensure that administrative unit staff prepares a [Records Destruction Form](http://tfsfinance.tamu.edu/modules/finance/admin/procedures/Records%20Destruction%20Form.xlsx) and obtains approval from Records Officer prior to destruction of records.
	5. Ensure that records are properly destroyed.

7. RECORDS AVAILABILITY

The record copy of agency records, including electronic formats, should be readily accessible for any purpose, such as agency business, public information request, audit, or litigation.

8. DESTRUCTION OF STATE RECORDS

8.1 State records may not be destroyed or otherwise disposed of without the written approval of the agency’s Records Officer using the Records Destruction Form. Note: This requirement does not apply to duplicates, convenience copies or transitory information, which can be destroyed when the purpose of the document has been fulfilled. Copies should not be kept longer than the official record copy.

8.2 State records listed on the retention schedule cannot be destroyed until the designated retention period has expired and the Records Officer has approved the destruction. The retention periods on the schedule apply only to the record copy of agency records.

8.3 A state record cannot be destroyed if any litigation, claim, negotiation, audit, open records request, administrative review, or other action involving the record is initiated before the expiration of the retention period. The record must be retained until the completion of the action and the resolution of all issues that arise from it, or until the expiration of the retention period, whichever is later.

8.4 State records not listed on the records retention schedule cannot be destroyed until the Records Officer obtains written approval from the Texas State Library and Archives Commission.

8.5 Destruction of state records must be done in a manner that ensures protection of sensitive or confidential information. Paper documents will be shredded.

8.6 The final disposition of state records must be documented by the Records Officer.

8.7 If a state record is destroyed without proper authorization, notify the Records Officer as soon as the error is discovered.

9. TRAINING

9.1 A&M System training is currently available through a web-based course in TrainTraq, “Retention of State Records.” Additional training is provided by the Records Officer as needed.

* 1. The Records Officer, Records Coordinators and division/department heads are required to take the A&M System web-based course.
	2. The Records Officer works with the Employee Development Department Head to ensure that appropriate training assignments are made and that training completion is documented.

CONTACT: Records Officer, (979) 458-6648