

ILMCT Annual Conference: Records Management and Retention Schedules – June 2024

Overview



Check out the design for the new IARA building going in downtown Indianapolis in 2026!

- RIM Overview
- Retention Schedule & Record Series
- If you can Destroy Records...
- Frequently Asked Questions
- Question & Answer

RIM Overview

Records & Information Management Overview

Taking care of government records and retaining them under the requirements set out by the state of Indiana and federal laws, using records retention schedules developed for you by IARA.

Your 3 Partners:

Indiana Archives & Records Administration (IARA)

County Commission of Public Records (CCPR)

YOU as the Records Custodian!

#1 Legal Responsibility

To perform your legal mandates and responsibilities.

#2 Physical Costs

To minimize the costs of records storage.

#3 Public Accessibility

To assure public access to the documentary evidence of government.

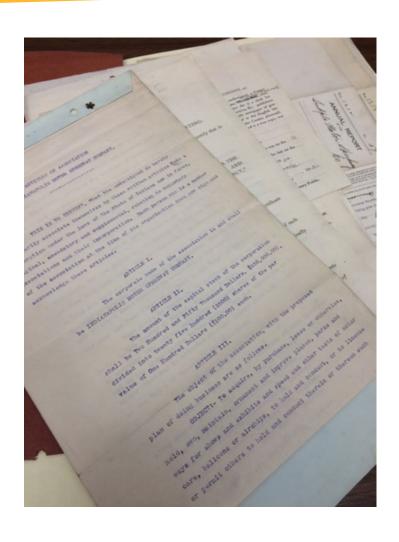
What is the CCPR and who is the secretary?

Every county in Indiana has a County Commission of Public Records (CCPR) that meets at least once per year, is made up of (7) office holders, and they are one of your partners in records management. The CCPR gathers NOD forms for their meeting minutes, approves/denies PR-1A or PR-1B forms, and helps guide county offices on records retention and IARA updates.

The CCPR Secretary is always either the County Clerk or Recorder

Want to know more about the CCPR? Watch the Webinar!

What is a Public Record?



Any piece of recorded information that is

 created or received by your office AND documents the activities of your office.

No matter what

 medium it's recorded on OR format it's recorded in.

What's a Non-Record?

Any piece of recorded information that is

received by or in your office

BUT it DOESN'T

document the activities of your office.

No matter what

 medium it's recorded on OR format it's recorded in.



Examples of Public Records & Non-Records

Sending a question via email to a co-worker about a new agency policy. Private company's business card

A pamphlet created by your office.

Your agency's board minutes

A brochure from a private organization.

Receiving an email from a co-worker asking you to lunch.

Retention Schedules & Record Series

Retention Schedules

IARA creates **records retention schedules** to make it as easy as possible for you, listing and describing

- the **categories** of records commonly created by your office
- how long to keep the records in each category
- what happens to those records both during and after that time period

A **retention schedule is a collection of record series** in much the same way that a **dictionary is a collection of definitions**, except that a record series both defines a type of record *and* tells you what need to be done with it.

Where to find retention schedules



Services For Government

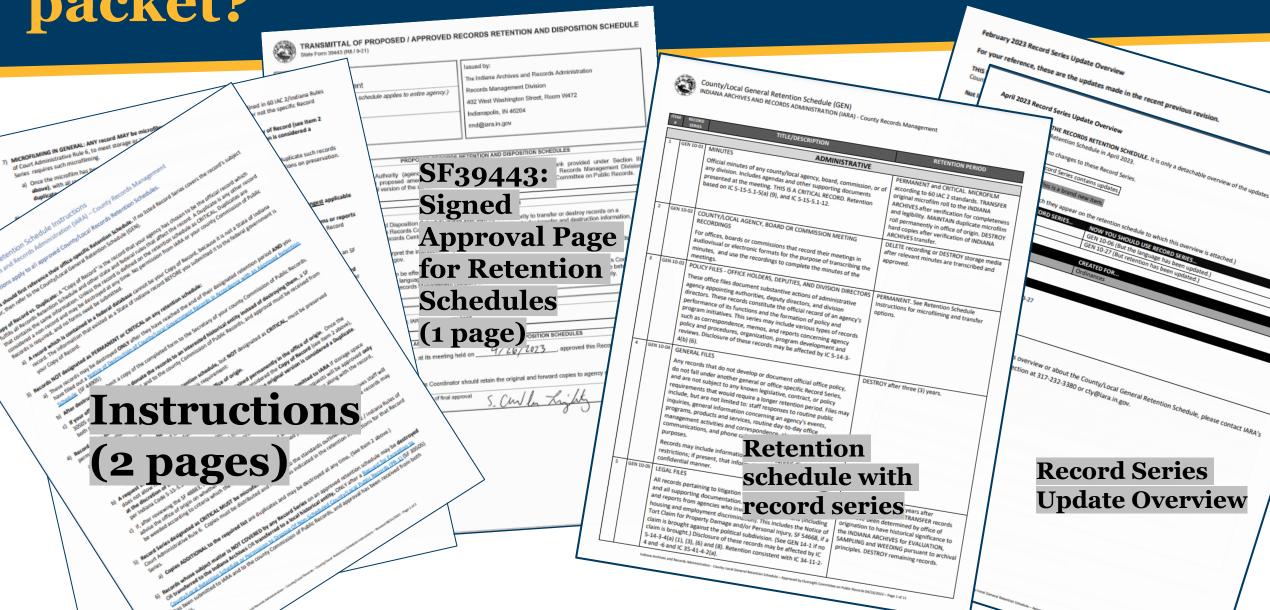
IARA's website (in.gov/iara)
Services for Government >
County/Local Retention
Schedules

Or

Email IARA's Records & Information Management staff cty@iara.in.gov

All retention schedules can be found on the IARA website

What makes up a retention schedule packet?



Retention Schedules (2)

1. Office-specific

lists all the record series that belong to a general function of county or local government, rather than any specific county, city, or other political subdivision.

So, the County Recorder (RE) retention schedule applies to all county recorders in the state of Indiana, the Local Health Dept. retention schedule applies to all local health depts. in the state of Indiana, etc.

2. County/Local General

contains broad and common record series that can apply to **all** units of county or local government. Those record series should only be used, however, if there isn't an applicable record series on the office-specific retention schedule for your type of government office.

Office-specific retention schedules

- Assessing Officials (AS)
- County Auditor (AU)
- County Treasurer (TR)
- Non-Judicial County Clerk (CL)
- County Recorder (RE)
- County Coroner (CO)
- Educational Institutions (ED)
- Public Libraries (LIB)

- Public Safety Agencies (PSA)
- Cities & Towns (CT)
- County Surveyor (SU)
- Local Health Dept (HD)
- Township Trustee (TT)
- Zoning, Planning, Development,
 Enforcement (LAND)
- Public Private Agreement Operators
 (PPA)

Do clerks and treasurers have office-specific schedules? YES!

Yes,

Clerks can use the Non-Judicial County Clerks (CL) Retention Schedule Treasurers can use the County Treasurer (TR) Retention Schedule

And

You can use the County/Local General (GEN) retention schedule!

Non-Judicial County Clerk Retention Schedule (CL)



Non-Judicial County Clerk Retention Schedule (CL)

INDIANA ARCHIVES AND RECORDS ADMINISTRATION (IARA) - County/Local Records Management

Approved by the Oversight Committee on Public Records on: 10/25/2023

ITEM #	RECORD SERIES	TITLE/DESCRIPTION	RETENTION PERIOD
GENE	RAL OPE	RATIONS	
1	CL 10-6	OATHS/CERTIFICATES OF PUBLIC OFFICIALS	PERMANENT. See Retention Schedule Instructions
		Copy received or created by the office of the County Clerk. Public	for format and transfer options.
		officials may include, but are not limited to: Auditor, Clerk, Recorder,	
		Treasurer, Sheriff, Surveyor, Assessor, Constables, Small Claims Court,	
		Deputy Clerks of Circuit Court, Local Alcoholic Beverage Commission	
		Appointed Members, Library Board Members.	
2	CL 10-17	BAIL AGENT LICENSE/POWER OF ATTORNEY	DESTROY three (3) years after expiration of license.
		Retention based on IC 27-10-3.	
3	CL 10-18	CASH BOND RECORD	DESTROY six (6) years after bond becomes
			distributable and after receipt of STATE BOARD OF
			ACCOUNTS Audit Report and satisfaction of
			unsettled charges.
4	CL 10-20	YEARLY REGISTRY OF ALCOHOLIC BEVERAGE PERMITS	DESTROY after the new registry is available for
		Retention based on IC 7.1-2-3-9.1.	public inspection.
5	CL 11-01	PASSPORT APPLICATION TRANSMITTAL	DESTROY two (2) years after creation. Destruction
			must meet standards determined by U.S.
			Department of State.

- This Retention Schedule is divided into five (5) categories:
 - 1. General Operations
 - 2. Child Support
 - 3. ISETS Records
 - 4. Trust Registers and Disbursement Records
 - 5. Election Records
- CL schedule is applicable to ALL Clerk offices.

County Treasurer Retention Schedule (TR)

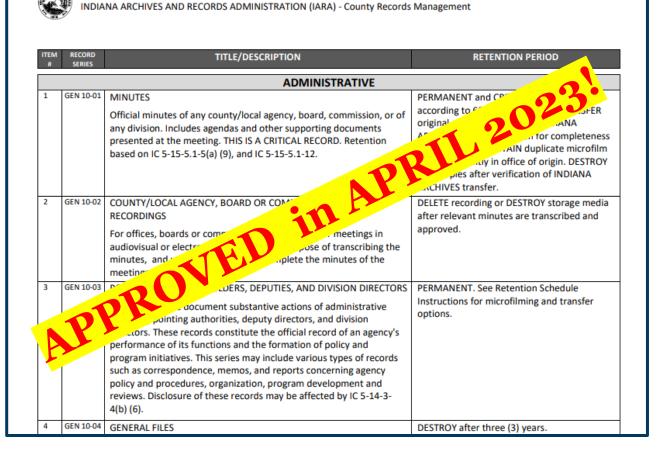


INDIANA ARCHIVES AND RECORDS ADMINISTRATION (IARA) – County/Local Records Management County Treasurer Retention Schedule (TR)

EM #	RECORD SERIES	TITLE/DESCRIPTION	RETENTION PERIOD
1	TR 10-01	PROPERTY TAX DUPLICATES Records may include but are not limited to Form 9 (Tax Duplicate), Form 63 (Ditch Duplicate), Form 63M (Ditch Duplicate for Maintenance Assessments), and Delinquent Tax Duplicates (through 1876; now obsolete), or their substitutes.	PERMANENT. See Retention Schedule Instructions for microfilming and transfer options.
2	TR 22-01	DELINQUENT PROPERTY TAX JUDGMENTS Records may include but are not limited to Form 74T (Treasurer's Record of Delinquent Personal Property Tax and Judgment Docket) or its substitutes.	PERMANENT. See Retention Schedule Instructions for microfilming and transfer options.
3	TR 22-02	PROPERTY TAX SALE RECORDS Records may include but are not limited to Form 137 (Tax Sale Record) or its substitutes.	PERMANENT. See Retention Schedule Instructions for microfilming and transfe options.
4	TR 10-02	PROPERTY TAX RETURN, DEMAND, NOTICE, AND PAYMENT RECORDS Records may include but are not limited to Form 18 (Real Estate Tax Statement/Receipt), Form 18CD (Conservancy District Tax Statement/Receipt), Form 18P (Personal Property Tax Statement/Receipt), Form 18TJ (Personal Property Tax Judgment/Receipt), Form 63A Drainage Maintenance Tax Statement/Receipt. Form 135 (Mobile Home Tax Statement/Receipt), Form 137B (Statement of Costs Paid on Tax Sale Property), Form 143 (County Treasurers Record of Demands for Payment of Delinquent Personal Property), Levies on and Sales of Personal Property, Certification to Clerk of Circuit Court, Record of Notice Precedent to Executions, and Form 143B (Demand Notice, Personal Property Taxes).	DESTROY after ten (10) years and after receipt of STATE BOARD OF ACCOUNTS Audit Report and satisfaction of unsettle charges.
5	TR 10-03	BANKRUPTCY FILES	DESTROY file and corresponding index ca

- This Retention Schedule does NOT have categories.
- TR schedule is applicable to ALL Treasurer offices.

County/Local General Retention Schedule (GEN)



County/Local General Retention Schedule (GEN)

- This Retention Schedule is divided into five (5) categories:
 - 1. Administrative
 - 2. Accounting and Finance
 - 3. Personnel
 - 4. Publications and Reports
 - 5. Audio, Video and General Media
- GEN schedule is applicable to **ALL** offices in addition to their office specific Retention Schedule.

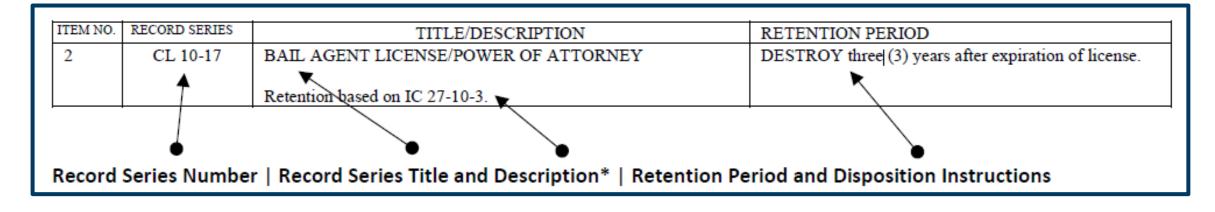
GEN 10-27 PERSONNEL FILES

Current retention period:

PERSONNEL GEN 10-27 PERSONNEL FILES DESTROY/DELETE 10 years after employee separates from service AND after verifying Records documenting the job history of agency workers, including that employee name, job title, employment full-time, part-time and temporary employees, paid or unpaid dates, and rehire eligibility status have been interns, and paid or unpaid volunteers. Records may include added to a permanent log of former application for employment with the government unit, PERF forms, employees under RS GEN 20-02. request for leave, performance appraisals, memos, correspondence, complaint/grievance records, miscellaneous notes, examination records, copies of employee tax documents, benefit elections, and public employee union information. Disclosure of these records may be affected by IC 5-14-3-4(b)(2),(3),(4),(6), and (8).

Record Series & Retention Periods

Record Series includes a Number #, Title & Description, and Retention & Disposition instructions



Retention Period & Disposition Instructions may include:

- 1. Information on how long the records need to remain
- 2. What finally happens to your records after their retention period is over

Examples: PERMANENT, PERMANENT & CRITICAL, DESTROY/DELETE, RETAIN, etc.

REMEMBER...

When trying to locate the correct record series for a record...

First, always look at your *office-specific* retention schedule County Clerk (CL) & County Treasurer (TR)

Second, look at the *GEN* retention schedule

Third, reach out to *IARA* (me) for help!

Copy of Record, Duplicates, Originals, Oh My!

The Copy of Record is whichever version of the information your office currently uses to fulfill the legal retention requirements for that type of information, all other versions being a duplicate.

The Copy of Record does not need to be the original. It doesn't even need to remain the same copy over the lifetime of the record: if you duplicate a paper record in microfilm format, you might decide that the microfilm is now the Copy of Record and then you can destroy the paper originals as duplicates.

As long as

- the information is an authentic duplicate (the information in the record is exactly the same)
- the format and medium meet IARA standards (60 IAC 2 for microfilm, and OCPR Policy 20-02 for electronic records)

then any version of the information can be the Copy of Record.

Duplicates & Non-Records

The following items may be destroyed *at any time*, once they are no longer needed/useful for your office:

- Duplicates of a public record that are NOT the Copy of Record
- **Non-Records** (records that may be in your office but do <u>not</u> document the activities of your office)

You do not need prior permission from IARA or your CCPR, nor do you need to notify anyone afterward. You don't need to fill out any forms because these things are not considered public records.

Duplicates of confidential materials are still confidential and must be destroyed in a confidential manner.

When it says, "DESTROY" or NON-PERMANENT records

If a record series says "DESTROY" on the retention period, these are non-permanent records, and they may be kept in ANY format or media.

• One format may be better than another for **easy access**; one medium may be better than another at **preserving** records for a long time.

• The order of importance is the other way around: how long you are required to keep a record should be one of the first things you consider when you're choosing the best media and formats to balance your access and preservation requirements.

PERMANENT or CRITICAL records

•Records marked PERMANENT: Only one Copy of Record is required to exist, but IARA recommends that copy be physical (paper or microfilm) unless the original format makes it impossible to create a physical copy. You can digitize in addition to microfilming or keeping the paper, but it is *not* a best practice to only keep a digital copy of permanent records.

•Any records marked **PERMANENT AND CRITICAL:** It is a best practice to microfilm records marked PERMANENT AND CRITICAL. You can digitize *in addition* to filming, but IARA does not recommend maintaining these records in electronic-only format.

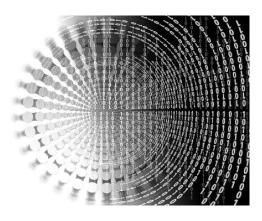
Critical Records Program - NEW!

- Provides support through guidance and policies developed to assist state and local governments in making defensible and sustainable decisions about how they create, maintain, access, and preserve their records designated as CRITICAL on an Oversight Committee on Public Records approved retention schedule. This program was developed in accordance with IC 5-15-5.1-12.
- Critical Records are defined in IC 5-15-5.1 as records that are necessary to:
 - Resume or continue governmental operations;
 - o Reestablish the legal and financial responsibilities of government in Indiana; or
 - Protect and fulfill governmental obligations to the citizens of Indiana.
- If you have questions, reach out to cty@iara.in.gov. See the <u>Critical Records Program</u> webpage for more information.

No CRITICAL records on TR, one on CL, and only a few on the GEN.

Electronic Records





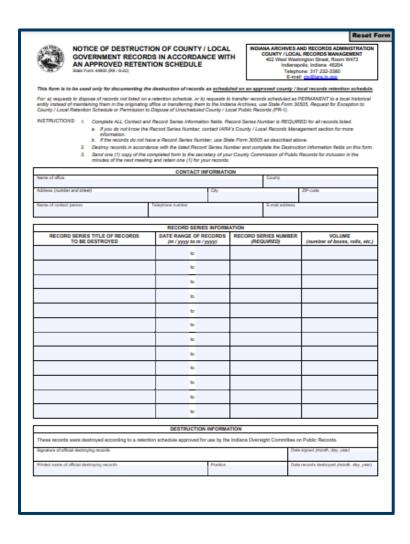
- SAME record keeping requirements as paper records, doesn't matter the media and format, it's about the content or type of information.
- **Handbook, pages 23-26,** OCPR Policies 20-01 and 20-02, Electronic Records Guidelines, Retaining Email Records Quick Reference, Recommended Capabilities for Electronic Recordkeeping Systems
- To find these ER publications/policies, check IARA's Website,
 iara.in.gov
- 2 Electronic Records Archivists Anna Lucas and Kalita Lopez! Contact them at erecords@iara.in.gov

If you can Destroy Records...

If your record(s) can be destroyed...

If your record is on the CL, TR, or GEN retention schedules, and you've read its retention period and you can destroy those records...

fill out the **SF44905**, also called the **Notice of Destruction form** or "**NOD**" for short.



Notice of Destruction SF 44905

Instructions

Contact Information

Record Series Information

Destruction Information





NOTICE OF DESTRUCTION OF COUNTY / LOCAL GOVERNMENT RECORDS IN ACCORDANCE WITH AN APPROVED RETENTION SCHEDULE

State Form 44905 (R10 / 4-23)

INDIANA ARCHIVES AND RECORDS ADMINISTRATION

COUNTY / LOCAL RECORDS MANAGEMENT
402 West Washington Street, Room W472
Indianapolis, Indiana 46204
Telephone: 317-232-3380
E-mail: ctv@iara.in.gov

This form is to be used only for documenting the destruction of records as scheduled on an approved county / local records retention schedule.

For requests to dispose of records not listed on a retention schedule use State Form 30505. For requests to transfer records scheduled as PERMANENT to a local historical entity instead of maintaining them in the originating office or transferring them to the Indiana Archives, use State Form 57236.

INSTRUCTIONS: 1. Complete ALL Contact and Record Series Information fields. Record Series Number is REQUIRED for all records listed.

- a. If you do not know the Record Series Number, contact IARA's County / Local Records Management section for more information.
- b. If the records do not have a Record Series Number, use State Form 30505 as described above.
- 2. Destroy records in accordance with the listed Record Series Number and complete the Destruction Information fields on this form.
- Send one (1) copy of the completed form to the secretary of your County Commission of Public Records for inclusion in the minutes of the next meeting and retain one (1) for your records.

CONTACT INFORMATION						
Name of office			County			
Address (number and street)		City		ZIP code		
Name of contact person	Telephone number		E-mail address			

RECORD SERIES INFORMATION						
RECORD SERIES TITLE OF RECORDS TO BE DESTROYED	DATE RANGE OF RECORDS (m / yyyy to m / yyyy)		RECORD SERIES NUMBER (REQUIRED)	VOLUME (number of boxes, rolls, etc.)		
	to					
	to					
	to					
	to					
	to					
	to					
	to					
	to					
	to					
	to					
	to					
	to					

DESTRUCTION INFORMATION							
These records were destroyed according to a retention schedule approved for use by the Indiana Oversight Committee on Public Records.							
Signature of official destroying records	Date signed (month, day, year)						
Printed name of official destroying records	Printed name of official destroying records Position						

Contact Information

CONTACT INFORMATION						
Name of office		County				
Address (number and street)	City			ZIP code		
Name of contact person	Telephone number		E-mail address			
Name of contact person	Telephone number		E-mail address			

	CONTACT	INFORMATION		
Name of office Random Office Name			County Random	
Address (number and street)		City		ZIP code
123 Main St		Random		12345
Name of contact person Amy Random	Management of the second of th	E-mail addres amy@rand		

Record Series Information

RECORD SERIES INFORMATION						
RECORD SERIES TITLE OF RECORDS TO BE DESTROYED	DATE RANGE OF RECORDS (m / yyyy to m / yyyy)	RECORD SERIES NUMBER (REQUIRED)	VOLUME (number of boxes, rolls, etc.)			
Personnel Files	1/2000 to 5/2014	GEN 10-27	10 boxes			
	to					
	to					
	to					
	to					

Review the NOD form

You as the records custodian are responsible for checking that the **Contact** and **Record Series Information** are **correct**, and the record series retention period matches the dates listed on the form.

GEN 10-27 -> 10-year retention -> 1/2000-05/2014 -> Correct! Can destroy.

GEN 10-27 -> 10-year retention -> 6/2014 & after -> Incorrect! Can't destroy yet.

IARA is available to review your NOD form or answer any questions you have when filling out the form.

Destroy the records!

Once the NOD form is verified as correct by your office or IARA, then you can destroy the record immediately or schedule destruction for a certain date in the future.

There is no longer a 30-day waiting period and no approval process through IARA.

Methods of Destruction (paper)

The proper way to destroy records would be through **shredding or incineration**.

Do not sell or give public records away.

Public records must either be destroyed in an **authorized location such as government property or by a vendor** that specializes in the destruction of records. Public records cannot be destroyed in an unauthorized location, such as your home or a similar location.

For methods of destruction for **electronic** records or **severely damaged** records, contact IARA's Records Management division.

Destruction Information

DESTRUCTION INFORMATION						
These records were destroyed according to a retention schedule approved for use by the Indiana Oversight Committee on Public Records.						
Signature of official destroying records	Signature of official destroying records					
Printed name of official destroying records	Position	Date records destroyed (month, day, year)				

DESTRUCTION INFORMATION						
These records were destroyed according to a retention schedule approved for use by the Indiana Oversight Committee on Public Records.						
Signature of official destroying records Amy Random	Signature of official destroying records Amy Random Date signed (month, day, year) 6/10/2024					
Printed name of official destroying records Amy Random	Position Title	Date records destroyed (month, day, year) 6/10/2024				





NOTICE OF DESTRUCTION OF COUNTY / LOCAL GOVERNMENT RECORDS IN ACCORDANCE WITH AN APPROVED RETENTION SCHEDULE

INDIANA ARCHIVES AND RECORDS ADMINISTRATION COUNTY / LOCAL RECORDS MANAGEMENT 402 West Washington Street, Room W472

West Washington Street, Room W⁴ Indianapolis, Indiana 46204 Telephone: 317-232-3380 E-mail: cty@iara.in.gov

State Form 44905 (R10 / 4-23

This form is to be used only for documenting the destruction of records as scheduled on an approved county / local records retention schedule

For requests to dispose of records not listed on a retention schedule use State Form 30505. For requests to transfer records scheduled as PERMANENT to a local historical entity instead of maintaining them in the originating office or transferring them to the Indiana Archives, use State Form 57236.

INSTRUCTIONS: 1. Complete ALL Contact and Record Series Information fields. Record Series Number is REQUIRED for all records listed.

- a. If you do not know the Record Series Number, contact IARA's County / Local Records Management section for more information.
- b. If the records do not have a Record Series Number, use State Form 30505 as described above
- 2. Destroy records in accordance with the listed Record Series Number and complete the Destruction Information fields on this form.
- Send one (1) copy of the completed form to the secretary of your County Commission of Public Records for inclusion in the minutes of the next meeting and retain one (1) for your records.

	CONTACT	INFORMATION			
Name of office Random Office Name	County Random				
Address (number and street) 123 Main St		City Random		ZIP code 12345	
Name of contact person Telephone n Amy Random (123) 456			E-mail addres amy@ran		

	RECORD SERIES INFORMATION						
RECORD SERIES TITLE OF RECORDS TO BE DESTROYED	DATE RANGE OF RECORDS (m / yyyy to m / yyyy)	RECORD SERIES NUMBER (REQUIRED)	VOLUME (number of boxes, rolls, etc.)				
Personnel Files	1/2000 to 5/2014	GEN 10-27	10 boxes				
	to						
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DESTRUCTION INFORMATION		
These records were destroyed according to a retention sche	edule approved for use by the Indiana Oversi	ght Committee on Public Records.
Signature of official destroying records ${\cal A}my \; {\cal R}an$	ndom	Date signed (month, day, year) 6/10/2024
Printed name of official destroying records Amy Random	Position Title	Date records destroyed (month, day, year) 6/10/2024

Completed NOD Form

Keep a copy in your files according to GEN 20-01 permanently

Send a copy to the Secretary of your County Commission of Public Records (CCPR)

Don't know who your County Secretary is? ASK ME!

Secretary is either the Clerk or Recorder.

Tutorial on the NOD Changes!

A Guide to Responsible Records Destruction

An overview of records destruction procedures for all record types.

- It explains basic records and information management requirements surrounding public records destruction, government employee responsibilities, and how to appropriately destroy public records.
- Also includes Indiana Code citations that pertain to the destruction of public records.
- The proper way to destroy paper records would be through **shredding or** incineration.

Do not sell or give public records away.

For methods of destruction for **electronic** records or **severely damaged** records, contact IARA's Records & Information Management division.

A Guide to Responsible Records
Destruction for State Agencies and
County/Local Offices

Indiana Archives and Records Administration Records and Information Management Division Date of publication in this format: October 2023

Frequently Asked Questions

If I submit my records to Gateway, is SBOA now the records custodian?

No, you are only "submitting" a copy of your record to Gateway for reporting or auditing purposes. You or your office must maintain the record for the duration of its retention period.

Does my office have to create every record series listed on the retention schedule?

No!

the record series listed on the retention schedules are *potential* records your office may create.

Only worry about the records you are creating; you don't have to make records appear from thin air just because they are listed on the schedule!

If I only use a few record series, can I create my own "cheat sheet" to use as reference?

Of course!

Do whatever you can to make records management easier for you and your office.

Please disregard and discard any OUTDATED file plans, cheat sheets, guidance from any previous records custodians. They will be severely inaccurate.

If the new retention schedule says we are to keep records for a certain period – but we've only been keeping that record for a shorter period or not at all, what will happen to us? Is there a fine?

No, there is no fine.

You, like all other county/local offices, have a legal responsibility to keep public records according to state and federal laws. The retention schedules are set by those laws and following them moving forward will help you maintain compliance and a good records management program.

If an employee finds records were destroyed before their retention period was met OR the NOD form was not filed, should it be done retroactively?

If the employee can document what was destroyed, yes,

fill out an NOD form retroactively and then focus on moving forward in compliance.

Where can I access the information from this training?

The County/Local Records Custodian Handbook!

IARA's website: https://www.in.gov/iara/

Subscribe to the monthly email bulletin or attend monthly Teams chats by emailing "subscribe me!" to cty@iara.in.gov

Contact me!

Question & Answer



Thank You!

mayoung@iara.in.gov cty@iara.in.gov