DEPARTMENT HEALTH AND HUMAN SERVICES
DIVISION OF VOCATIONAL REHABILITATION

Program Records Retention and Disposition Schedule

The Program Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

DIVISION OF VOCATIONAL REHABILITATION

do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. **Public records including electronic records not listed in this schedule or in the *General Schedule for State Agency Records* are not authorized to be destroyed.**

The

DIVISION OF VOCATIONAL REHABILITATION

agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

APPROVAL RECOMMENDED

Gerry Schall, Chief Records Officer
Department of Health and Human Services

George McCoy, Director
Division of Vocational Rehabilitation

David J. Olson, Director
Division of Historical Resources

APPROVED

Carmen Hooker Odom, Secretary
Department of Health and Human Services

Lisbeth C. Evans, Secretary
Department of Cultural Resources

July 30, 2002

AWH

ABOUT RECORDS RETENTION AND DISPOSITION SCHEDULES IN NORTH CAROLINA STATE GOVERNMENT

Records may be destroyed *only* on the basis of both the program records schedule developed for your office and the *General Schedule for State Agency Records*. The consistent and routine implementation of the disposition instructions listed in these schedules provides the proper and legal foundation for the disposition of public records through destruction or transfer to the State Records Center. Your program records disposition schedule lists those program-specific records maintained in your office as reported to the Division of Historical Resources. It lists only those records that are unique to your office, whether they are to be destroyed in your office or transferred to the State Records Center. The General Schedule addresses records commonly found in agencies throughout state government, provides uniform descriptions and disposition instructions, and indicates minimum retention periods. Every schedule provides a brief description of each records group (following the item identification number) and instructions for their authorized disposition (following the words "DISPOSITION INSTRUCTIONS").

Authority for these disposition instructions is contained in Chapters 121 and 132 of the *General Statutes of North Carolina*. Compliance with the disposition instructions listed will help ensure conformity with these laws. Compliance will also help assure that records of continuing value are retained and those no longer of value are destroyed. Procedures to be followed in applying this schedule are explained in the N.C. Administrative Code, Title 7, Chapter 4, Subchapter M, Section 500. Errors and omissions do not invalidate these schedules or render them obsolete. All provisions of these schedules remain in effect until they are officially superseded.

Supervisors or other responsible office personnel, acting through their Records Officers, are requested to notify the Government Records Branch whenever corrections, additions, or deletions in program records schedules should be made. Government Records Branch personnel will then amend that schedule in order to ensure that it remains complete and accurate.

The **official** published version of the *General Schedule* is available through the Government Records Branch's site on the World Wide Web (www), currently located at the following address: http://www.ah.dcr.state.nc.us/sections/archives/rec/ (Please note that this address is subject to change over time.)

The Government Records Branch will provide, upon request, the following assistance to agencies in the maintenance and operation of records schedules: amendment or update of existing program schedules; supply and delivery of boxes, tape and labels for records listed on program schedules as scheduled to be transferred to the State Records Center; pickup of records to be transferred; reference service on records stored in the State Records Center; and advice and technical assistance in solving records management problems. There is currently no charge for these services.

For questions, please contact
Albert W. Hargrove, Records Management Analyst
al.hargrove@ncmail.net

ELECTRONIC MAIL AS A PUBLIC RECORD

Guidelines for Its Retention, Disposition, and Destruction

The Division of Historical Resources assumes that every state agency or other political unit in the state of North Carolina sends and receives electronic mail ("e-mail") or will shortly have the capability of doing so. E-mail (unless it is personal in nature) contains information of value concerning, or evidence of, the administration, management, operations, activities, and business of an office. Like paper records---such as the memoranda, correspondence, reports, and the hundreds of other types of records received traditionally, for example, through interoffice or U.S. mail or other avenues---e-mail has administrative, legal, reference, and/or archival values. The content of electronic mail is a public record (according to G.S. 121-2 (8) and 132.1) and may not be disposed of, erased, or destroyed without specific guidance from the Department of Cultural Resources. This regulation, along with a current records retention and disposition schedule, is intended to provide for that guidance.

Accordingly, agencies and their offices which use e-mail should normally retain or destroy e-mail by following the provisions of either their own program-specific records retention and disposition schedule or the *General Schedule for State Agency Records.* Taken together, these two schedules will guide the filing of e-mail (whether in paper or electronic format) within existing records series, and the handling of it according to the disposition instructions assigned to each such records series. Because of the characteristics of the medium, however, electronic mail also possesses a dual identity. E-mail is also used to transmit and receive messages which may have reference or administrative value but which are simultaneously of an ephemeral, temporary, or transient nature. As such, e-mail of this kind functions in some ways like telephone calls or telephone messages. Such messages remain public records but may be treated as having a reference or administrative value which ends when the user no longer needs the information such a record contains. E-mail of ephemeral or rapidly diminishing value may be erased or destroyed when the user has determined that its reference value has ended.

Agencies and offices need, however, to pay particular attention to the sometimes complex requirements for the retention of e-mail for longer periods of time, i.e. e-mail of more than transient value. E-mail in this category may be retained in electronic or paper form (the latter may in some cases be the only means of providing for archival retention, for example through microfilming of paper copies), but must be retained for as long as the period specified in a valid records schedule. If retained in paper form, the copies must retain transmission and receipt data. If electronic mail is retained in electronic form, office administrators need to insure that their electronic environment (client server, mainframe computer in or outside their agency, or office personal computer) assures the retention of e-mail for the required period of time. Office administrators may need to contact relevant personnel at ITS (Information Technology Services), at their own agency computer systems unit, or any other personnel who operate computer units or systems immediately or remotely, to insure that such systems process e-mail in accordance with records retention schedules and provide for backups, disaster recovery, physical and electronic security, and the general integrity of the system, its components, and the records it generates and maintains. Office administrators may also need to assure that office filing systems adequately provide for the proper classification of electronic files (including e-mail) in the same manner as currently provided for paper-based files.

All state employees who use e-mail should regularly and consistently retain and delete e-mail in accord with the program records retention and disposition schedule for their offices, the *General Schedule for State Agency Records,* and other instructions, as provided above. Retention of e-mail or any other records, whether in electronic or paper format, for longer than provided in a valid records retention and disposition schedule leads to inefficiency and waste and may subject the affected unit to legal vulnerabilities.

Street address:
215 N. Blount St.
Raleigh, NC 27601-2823
Phone: 919.733.3540

Government Records Branch
NC Division of Historical Resources

Mailing address:
4615 Mail Service Center
Raleigh, NC 27699-4615
Fax: 919.715.3627

PUBLIC RECORDS WITH SHORT-TERM VALUE

Guidelines for Their Retention and Disposition

According to North Carolina General Statutes 121 and 132, every document, paper, letter, map, book, photograph, film, sound recording, magnetic or other tape, electronic data processing record, artifact, or other documentary material, regardless of physical form or characteristic, made or received in connection with the transaction of public business by any state, county, municipal agency, or other political subdivision of government is considered a public record and may not be disposed of, erased, or destroyed without specific guidance from the Department of Cultural Resources. The Department of Cultural Resources recognizes that many records exist that may have very short-term value to the creating agency. These guidelines, along with an approved program records retention and disposition schedule and the *General Schedule for State Agency Records*, are intended to authorize the expeditious disposal of records possessing only brief administrative, fiscal, legal, research, or reference value, in order to enhance the efficient management of public records. Examples of those records include:

- Facsimile cover sheets containing only transmittal ("to" and "from") information, or information that does not add significance to the transmitted material.
- Routing slips or other records that transmit attachments.
- Reservations and confirmations.
- Personal messages (including electronic mail) not related to official business.
- Preliminary or rough drafts containing no significant information that is not also contained in the final drafts of the records.
- Documents downloaded from the World Wide Web or by file transfer protocol not used in the transaction of business.
- Records that do not contain information necessary to conduct official business, meet statutory obligations, carry out administrative functions, or meet organizational objectives.

The records described above may be destroyed or otherwise disposed of when their reference value ends.

This guideline is not intended to serve as authorization to destroy or otherwise dispose of unscheduled records. This guideline is intended to complement the use of both an approved records retention and disposition schedule for the creating agency or unit, and the *General Schedule for State Agency Records*, not replace or supersede either. Should a creating agency or unit lack an approved program records retention and disposition schedule, it may not destroy or otherwise dispose of any records in its custody, whether in electronic, paper, or other format (including electronic mail), which are not so authorized by the *General Schedule*. Such offices should contact the Government Records Branch of the Division of Historical Resources for assistance in creating a schedule.

While records of short-term value may be discarded as described above, all public employees should be familiar with specific program records retention and disposition schedules and applicable guidelines for their office, the *General Schedule for State Agency Records*, as well as the public records law (G.S. §132). When in doubt about whether a record has short-term value, or whether it has special significance or importance, retain the record in question.

Street address:
215 N. Blount St.
Raleigh, NC 27601-2823
Phone: 919.733.3540

Government Records Branch
NC Division of Historical Resources

Mailing address:
4615 Mail Service Center
Raleigh, NC 27699-4615
Fax: 919.715.3627

PROGRAM RECORDS RETENTION AND DISPOSITION SCHEDULE AMENDMENT

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF VOCATIONAL REHABILITATION
CLIENT ASSISTANT PROGRAM

Amend the program records retention and disposition schedule approved July 30, 2002 by changing the disposition instructions for Item 46033 as shown on substitute page dated April 29, 2003.

APPROVAL RECOMMENDED

Anna Wasdell, Chief Records Officer
Department of Health and Human Services

Jimmy Chappell, Records Officer
Division of Vocational Rehabilitation

George McCoy, Director
Division of Vocational Rehabilitation

David J. Olson, Director
Division of Historical Resources

APPROVED

Carmen Hooker Odom, Secretary
Department of Health and Human Services

Lisbeth C. Evans, Secretary
Department of Cultural Resources

April 29, 2003

AWH

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF VOCATIONAL REHABILITATION
CLIENT ASSISTANT PROGRAM

ITEM 46033. ASSISTANCE DOG REGISTRATION FILE

Records in paper and electronic formats concerning assistance animals registered with the state. File includes applications, correspondence, tag numbers, and other related records. (Comply with applicable provisions of 34 CFR 361.38 regarding the confidentiality of client records.) Amended 4-29-03

DISPOSITION INSTRUCTIONS: Destroy in office paper and electronic records when administrative value ends.

ITEM 46034. CLIENT ASSISTANCE PROGRAM CASE FILE

Records in paper and electronic formats concerning cases opened on behalf of clients seeking assistance with program problems. File includes clients' names, addresses, telephone numbers, types of disabilities, correspondence, release forms, and other related records. (Comply with applicable provisions of 34 CFR 361.38 regarding confidentiality of client records.)

DISPOSITION INSTRUCTIONS: Destroy in office electronic copy immediately after paper copy has been generated. Destroy in office paper records after 5 years.

ITEM 46035. CLIENT ASSISTANCE PROGRAM CONTACT FILE

Records in paper and electronic formats concerning clients who contact the Client Assistance Program. File includes clients' names, telephone numbers, region, referral source, type of action, and other related records. (Comply with applicable provisions of 34 CFR 361.38 regarding confidentiality of client records.)

DISPOSITION INSTRUCTIONS: Destroy in office electronic copy immediately after paper copy has been generated. Destroy in office paper records after 5 years.

ITEM 46039. DIRECTOR'S CORRESPONDENCE FILE

Records in paper and electronic formats concerning correspondence with clients, staff, and other agencies. (Comply with applicable provisions of 34 CFR 361.38 regarding confidentiality of client records.)

DISPOSITION INSTRUCTIONS: Print electronic records and interfile with related paper records. Destroy in office electronic versions of records when reference value ends. Transfer paper records to the State Records Center after 5 years. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives.

ITEM 46043. FEDERAL FISCAL YEAR STATISTICAL SUMMARY FILE

Records in paper and electronic formats concerning cases which have been served by Client Assistance Program staff during federal fiscal year. File includes new cases opened, total cases served, problem areas, regional breakdown for primary problems, status of cases, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office electronic copy immediately after paper copy has been generated. Destroy in office paper records after 5 years.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF VOCATIONAL REHABILITATION
CLIENT ASSISTANT PROGRAM

ITEM 46044. REHABILITATION SERVICES ADMINISTRATION REPORT 227 FILE

Records in paper and electronic formats concerning annual federal report of number of cases served by program staff. File includes carryover of open cases, reasons for case closures, outcomes, type of individual served, problem areas, outreach services, advocacy, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office electronic copy immediately after paper copy has been generated. Destroy in office paper records after 5 years.

ITEM 46045. REHABILITATION SERVICES REPORT 722 FILE

Records in paper and electronic formats concerning cases in the appeals process. File includes number of cases in mediation or the appeals process, findings and decisions of hearing officers and court proceedings. (Comply with applicable provisions of 34 CFR 361.38 regarding confidentiality of client records.)

DISPOSITION INSTRUCTIONS: Destroy in office electronic copy immediately after paper copy has been generated. Destroy in office paper records after 5 years.