NORTH CAROLINA BOARD OF DIETETICS/NUTRITION

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

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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 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. The agency agrees to comply with 07 NCAC 04M. 0510 when deciding on a method of destruction. Electronic records will be destroyed so that the data and metadata are overwritten, deleted, or unlinked in such a way that the records may not be practicably reconstructed. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. 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.

The North Carolina Board of Dietetics/Nutrition and the Department of Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods which allow them to be destroyed when *"administrative/reference value ends."* The North Carolina Board of Dietetics/Nutrition hereby agrees that it will establish and enforce internal policies setting minimum retention periods for records with this disposition instruction. Without the establishment of internal policies, the agency is not authorized by the Department of Cultural Resources to destroy these records. For those record series scheduled to be microfilmed, the North Carolina Board of Dietetics/Nutrition will be responsible for cost of microfilm production.

The North Carolina Board of Dietetics/Nutrition and the Department of Cultural Resources concur that the long-term and/or permanent preservation of electronic records require additional commitment and active management by the agency. The North Carolina Board of Dietetics/Nutrition agrees to comply with all policies, standards, and best practices published by the Department of Cultural Resources regarding the creation and management of electronic records.

E-mail messages sent or received by Executive Branch agencies shall be retained for 5 years pursuant to Executive Order No. 12 (issued May 21, 2013 by Governor Pat McCrory). Any e-mail messages requiring retention longer than 5 years, including those with permanent historical value, shall be designated with specific retention periods in this program records 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.

9/10/2014 Kyna Herzinger

The North Carolina Board of Dietetics/Nutrition agrees to destroy, transfer or dispose of records in the manner and the times specified herein. This schedule is to remain in effect until superseded.

APPROVAL RECOMMENDED

Charla Burill, Director
North Carolina Board of Dietetics/Nutrition

Sarah E. Koonts, Director
Division of Archives and Records

Kathleen Sodoma, Chair
North Carolina Board of Dietetics/Nutrition

Susan W. Klutz, Secretary
Department of Cultural Resources

NORTH CAROLINA BOARD OF DIETETICS/NUTRITION

ITEM 50225. BOARD OF DIETETICS/NUTRITION MEMBERS FILE

Records concerning nominations and appointments to the board. File includes board nominations and appointments, correspondence, ethics training, roster of board members, recommendations, and letters of resignation.

DISPOSITION INSTRUCTIONS: Retain in office permanently.

ITEM 50226. COMPLAINTS AND INVESTIGATIVE FILE

Records concerning complaints received by the board that request or precipitate an investigation of alleged violations of the Dietetics Practice Act. File includes correspondence, complaint forms, investigative reports, board findings, and other related records. (Comply with applicable provisions of G.S. 132-1.1(a), G.S. 132-1.2.(2), G.S. 132-1.10, and regarding the confidentiality of legal counsel recommendations, electronic payments, and social security numbers. Comply with applicable provisions of 45 CFR §60.20 regarding confidentiality of information reported to the National Practitioner Data Bank.)

DISPOSITION INSTRUCTIONS: Destroy in office 10 years after case is closed if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

ITEM 50229. BOARD OF DIETETICS/NUTRITION (ELECTRONIC) FILE

Electronic records concerning personal histories of active, inactive, relinquished, and deceased licensees and weight control providers. File includes data fields consisting of licensee names, registration numbers, licensing dates, addresses, complaints, disciplinary actions, continuing education, exam history, payment transactions, and other related information. (Comply with applicable provisions of G.S. 132-1.10 regarding the confidentiality of social security numbers. Comply with applicable provisions of 45 CFR §60.20 regarding confidentiality of information reported to the National Practitioner Data Bank.)

DISPOSITION INSTRUCTIONS: Update in office routinely. Retain in office permanently.

ITEM 50231. DENIALS FILE

Records concerning denied applications for licensure. File includes applications, board actions, examination results, verification of licensure in other states, transcripts, and other related records. (Comply with applicable provisions of G.S. 132-1.1(a) and 132-1.10 regarding the confidentiality of communications by board's legal counsel and social security numbers. Comply with applicable provisions of 45 CFR §60.20 regarding confidentiality of information reported to the National Practitioner Data Bank.)

DISPOSITION INSTRUCTIONS: Destroy in office after 5 years.

ITEM 50235. DIETETICS/NUTRITION LICENSE (ACTIVE) FILE

Records concerning the issuance and maintenance of licenses. File includes original license applications; transcripts; renewal applications; continuing education records; correspondence, including email; and other related records. (Comply with applicable provisions of G.S. 132-1.1(a), 132-1.2.(2), and 132.1.10 regarding the confidentiality of interaction between the board and legal counsel, electronic payments account numbers, and social security numbers. Comply with applicable provisions of 45 CFR §60.20 regarding confidentiality of information reported to the National Practitioner Data Bank.)

DISPOSITION INSTRUCTIONS: Transfer inactive, relinquished, lapsed, or deceased license files to Dietetics/Nutrition License (Inactive) File (Item 50375).

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ITEM 50236. BOARD OF DIETETICS/NUTRITION MINUTES FILE

Records concerning the North Carolina Board of Dietetics/Nutrition meetings. File includes minutes, agendas, committee reports, and financial statements. (Comply with applicable provisions of 45 CFR §60.20 regarding confidentiality of information reported to the National Practitioner Data Bank.)

DISPOSITION INSTRUCTIONS: Transfer a duplicate copy of the official signed governing board minutes to the State Records Center after 1 year for security storage. Retain signed (original) board minutes in office permanently.

ITEM 50237. OFFICIAL RULES AND RULE - MAKING HEARINGS FILE

Records concerning board rules and rule changes. File includes transcripts of hearings, draft rules, publications, and correspondence regarding rule changes. (Comply with applicable provisions of G.S. 132.1.1(a) regarding the confidentiality of communications by board's legal counsel.)

DISPOSITION INSTRUCTIONS: Retain in office official rules permanently. Destroy in office remaining records when reference value ends.

ITEM 50240. STRATEGIC PLANNING FILE

Records concerning the board's strategic planning. File includes planning templates, reference books, notes, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office when superseded or obsolete.

ITEM 50242. WEIGHT CONTROL PROGRAM FILE

Records concerning weight control programs in North Carolina that have demonstrated compliance with G.S. 90-368(7). File includes forms, certificates, correspondence, brochures, advertisements, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office records for programs that cease to demonstrate compliance with G.S. 90-368(7) after 1 year.

ITEM 50246. PERSONNEL FILE

Records concerning board employees. File includes applications, resumes, job descriptions, personnel action forms, information concerning termination of service, and other related records. (Comply with applicable provisions of G.S. 126-22, 126-23, and 126-24 regarding the confidentiality of personnel records.)

DISPOSITION INSTRUCTIONS: Destroy in office 30 years after employee terminates service.

ITEM 50375. DIETETICS/NUTRITION LICENSE (INACTIVE) FILE

Records concerning inactive Dietetics/Nutrition licenses. File includes original license applications; transcripts; renewal applications; continuing education records; correspondence, including email; inactive status request or relinquish forms, and other related records. (Comply with applicable provisions of G.S. 132-1.1(a), 132-1.2.(2), and 132.1.10 regarding the confidentiality of interaction between the board and legal counsel, electronic payments account numbers, and social security numbers. Comply with applicable provisions of 45 CFR §60.20 regarding confidentiality of information reported to the National Practitioner Data Bank.)

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after 10 years. Records will be held for the agency in the State Records Center 30 additional years and then destroyed.