

OFFICE OF ADMINISTRATIVE HEARINGS

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

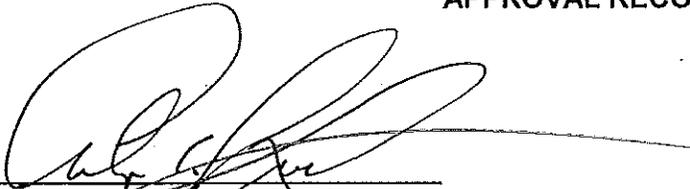
OFFICE OF ADMINISTRATIVE HEARINGS

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.**

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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 This schedule is to remain in effect until superseded.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



Arlo Lund, Chief Records Officer
Office of Administrative Hearings



David Brook, Director
Division of Historical Resources

APPROVED



Julian Mann III, Director-Chief Administrative Law Judge
Office of Administrative Hearings



Lisbeth C. Evans, Secretary
Department of Cultural Resources

September 23, 2005

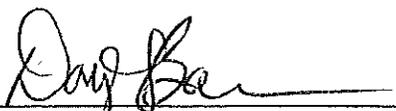
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PROGRAM RECORDS RETENTION AND DISPOSITION SCHEDULE AMENDMENT

OFFICE OF ADMINISTRATIVE HEARINGS
RULES DIVISION

Amend the program records retention and disposition schedule approved September 23, 2005 by amending items 19125 as shown on the included schedule. No other items on this schedule have been amended, added, or removed.

APPROVAL RECOMMENDED

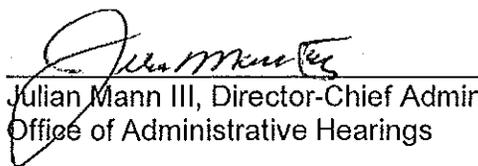


Darryl Bass, Chief Records Officer
Office of Administrative Hearings



David Brook, Director
Division of Historical Resources

APPROVED



Julian Mann III, Director-Chief Administrative Law Judge
Office of Administrative Hearings



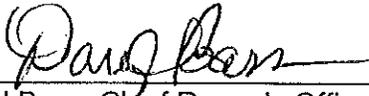
Lisbeth C. Evans, Secretary
Department of Cultural Resources

PROGRAM RECORDS RETENTION AND DISPOSITION SCHEDULE AMENDMENT

**OFFICE OF ADMINISTRATIVE HEARINGS
RULES DIVISION**

Amend the program records retention and disposition schedule approved September 23, 2005 by the changing the disposition instructions for the following item 3680 as shown on the included schedule. No other items on this schedule have been amended, added, or removed.

APPROVAL RECOMMENDED

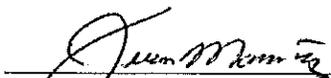


Darryl Bass, Chief Records Officer
Office of Administrative Hearings

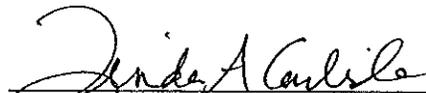


David Brook, Director
Division of Historical Resources

APPROVED



Julian Mann III, Director-Chief Administrative
Law Judge
Office of Administrative Hearings



Linda A. Carlisle, Secretary
Department of Cultural Resources

October 24, 2011

AWH

**OFFICE OF ADMINISTRATIVE HEARINGS
RULES DIVISION**

ITEM 3680. NORTH CAROLINA ADMINISTRATIVE CODE HISTORY FILE.

State of North Carolina's rules submitted by state agencies under the authority of the Administrative Procedures Act. File includes official signed submission forms and original copies of rule text as adopted. Information entered into North Carolina Administrative Code Database (Electronic) File (Item 40503). (Rules and Regulations of State Agencies File (Item 2922) dated 1943-1976 have been transferred to the custody of the Archives.) (This is an essential agency record.) Amended 10-24-2011

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after 3 years. Records will be held for agency in the State Records Center 50 additional years and then transferred to the custody of the Archives. Transfer records currently being held for agency in the State Records Center to the custody of the Archives 50 years from date of record.

ITEM 18632. NORTH CAROLINA ADMINISTRATIVE CODE (ELECTRONIC)(DATABASE) FILE.

Daily record of rule submissions filed with the division. Rule submission includes citation, effective date, action taken, and other related data.

DISPOSITION INSTRUCTIONS: Function and records transferred to North Carolina Register and Administrative Code (Electronic)(Database) File (Item 18635).

ITEM 18633. NORTH CAROLINA REGISTER PUBLICATION FILE.

State of North Carolina's proposed rules submitted by state agencies to be published in the "North Carolina Register" under the authority of the Administrative Procedures Act. File includes official signed submission form and original copy of rule(s) text as proposed. Information is entered into North Carolina Register Database (Electronic) File (Item 40504).

DISPOSITION INSTRUCTIONS: Destroy in office six months after publication in "North Carolina Register."

ITEM 18634. NORTH CAROLINA REGISTER FILE.

Bi-monthly publications of the State of North Carolina's proposed rules in the "North Carolina Register." The register is published in print form and is also available on the agency's Web site.

DISPOSITION INSTRUCTIONS: Transfer 1 or more copies (as required) of each publication to the State Documents Clearinghouse, North Carolina State Library, when received from printer, in accordance with 150B-21.24 (b)(9).

ITEM 18635. NORTH CAROLINA REGISTER AND ADMINISTRATIVE CODE (ELECTRONIC) (DATABASE) FILE.

Electronic records concerning rule submissions filed with the division each day. Rule submission includes citation, action taken, and proposed effective date. This file also includes records formerly listed under the (RRC) schedule (Item 47018), and is used to generate reports for: Notebooks File (Item 19125), Website File (Item 46803), and Legislative Reports File (Item 46803).

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

ITEM 18637. AGENCY CORRESPONDENCE FILE.

Correspondence in paper and electronic form received from state agencies concerning corrections, additions, or changes in published codes. This file also includes records formerly listed under the (RRC) schedule (Item 19127).

DISPOSITION INSTRUCTIONS: Destroy in office when administrative value ends 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.

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RULES DIVISION**

ITEM 19125. NOTEBOOKS FILE.

Records concerning rules before the commission for approval or disapproval. File includes agendas, commission minutes, reports, correspondence, records in support or opposition to rules, logs, technical change requests, and staff opinions on rules. Reports are generated from North Carolina Register and Administrative Code (Database) File (Item 18635).

DISPOSITION INSTRUCTIONS: Transfer a duplicate copy of the notebooks to the State Records Center after each meeting for security storage. Transfer official signed notebooks to the State Records Center after 5 years. Records will be held for agency in the State Records Center 20 additional years and then transferred to the custody of the Archives. Destroy duplicate copies in the State Records Center after the original records have been transferred to the State Records Center. Destroy in office remaining records when reference value ends.

ITEM 19127. RULES REVIEW COMMISSION (RRC) CORRESPONDENCE FILE.

Correspondence concerning matters not otherwise contained in Notebooks File (Item 19125).

DISPOSITION INSTRUCTIONS: Function and records transferred to Agency Correspondence File (Item 18637).

ITEM 21559. OATHS OF OFFICE FILE.

Oaths of office and appointment letters of commission members.

DISPOSITION INSTRUCTIONS: Destroy in office when administrative value ends.

ITEM 21568. RULES REVIEW COMMISSION REPORTS FILE.

Reports of the RRC concerning rules updates for various agencies required by Section 3, Chapter 747 of the 1985 Session Laws and Section 37, Chapter 1028 of the 1985 Session Laws (Regular Session 1986). File includes correspondence and other related records.

DISPOSITION INSTRUCTIONS: Item discontinued. All records transferred. As a courtesy to OAH, retain reference on schedule permanently, or until notified by agency that it is no longer needed.

ITEM 40503. NORTH CAROLINA ADMINISTRATIVE CODE DATABASE (ELECTRONIC) FILE.

Electronic records concerning current administrative rules. Text of administrative rules, history notes, statutory authority references, and other related data are entered into this electronic file and is available in reference form on OAH's website.

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

ITEM 40504. NORTH CAROLINA REGISTER DATABASE (ELECTRONIC) FILE.

Electronic records concerning proposed rules. Text of proposed administrative rules, agencies data, and other related data are entered into this electronic file, which is available, in reference form, on OAH's Web site.

DISPOSITION INSTRUCTIONS: Erase in office electronic file when permanent rule is received from agency or notification is received from agency that proposed rule is withdrawn.

ITEM 46803. LEGISLATIVE REPORTS FILE.

Records concerning reports made to the North Carolina General Assembly. File includes list of rules approved by legislature and annual reports. Reports are generated from the North Carolina Register and Administrative Code (Database) File (Item 18635).

DISPOSITION INSTRUCTIONS: Destroy in office after 5 years.

**OFFICE OF ADMINISTRATIVE HEARINGS
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ITEM 47018. RULES REVIEW COMMISSION DATABASE (ELECTRONIC) FILE.

Electronic records concerning rules filed in order to generate reports. Electronic file includes rule numbers, titles, and descriptions used to generate reports for Notebooks File (Item 19125), Legislative Reports File (Item 46803), and List of Approved Rules File (Item 47019). Data is entered into this database from the Submission For Permanent Rule File (Item 47036). (File maintenance and backup procedures conducted by office personnel.)

DISPOSITION INSTRUCTIONS: Function and records transferred to North Carolina Register and Administrative (Database) File (Item 18635).

ITEM 47019. LIST OF APPROVED RULES FILE.

Records concerning reports listing rules approved at monthly commission meetings. Reports are generated from the Rules Review Commission Database (Electronic) File (Item 47018).

DISPOSITION INSTRUCTIONS: Function and records transferred to North Carolina Register and Administrative (Database) File (Item 18635).

ITEM 47036. SUBMISSION FOR PERMANENT RULE FILE.

Records concerning permanent and temporary rules filed with the commission by state agencies. File includes Submission for Permanent Rule forms. Data entered into North Carolina Register and Administrative Code (Database) File (Item 18635).

DISPOSITION INSTRUCTIONS: Function and records transferred to North Carolina Administrative Code History File (Item 3680).

ITEM 47466. PROPOSED TEMPORARY RULES FILE.

Records in paper and electronic formats concerning proposed temporary rules submitted by state agencies. Information is posted on the OAH website as required by G.S. 150B-21.1(a3)(1) until approval of temporary rule by (RRC) or OAH receives notification from the submitting agency that the proposal has been withdrawn. File submission includes citation, schedule of public hearings, action taken, and other related records.

DISPOSITION INSTRUCTIONS: After posting on the OAH website, print electronic records and transfer paper records to the North Carolina Administrative Code History File (Item 3680). Destroy electronic records when administrative value ends.

ITEM 47467. PROPOSED PERMANENT RULES WITH SUBSTANTIAL CHANGES FILE.

Records in paper and electronic formats concerning permanent rules adopted with substantial changes. Information is posted on the OAH website as required by G.S. 150B-21.12. File includes signed submission forms, rule text as adopted, and other related records.

DISPOSITION INSTRUCTIONS: After posting on the OAH website, print electronic records and transfer paper records to the North Carolina Administrative Code History File (Item 3680). Destroy electronic records when administrative value ends.

ITEM 47535. WEBSITE (ELECTRONIC) FILE.

Records concerning website maintained by OAH as required by G.S. 150B. File includes proposed and temporary rules made available for public comment, the NC administrative code, the "North Carolina Register," forms for rules submissions, and other related records. For related paper records see North Carolina Administrative Code File Item 3680.

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