

*Committee Packet for
The "State Records Committee"
May 14, 2014*

● **Agenda:**

Introductions and Roll Call: Chairman Scott Anderson

PUBLIC COMMENT: Comment may be limited to 5 minutes at the discretion of the Chairman.

AGENDA ACTION ITEMS:

Item Number 1: Chairman Scott Anderson
Review, correct if necessary and approve the minutes for the April 9, 2014 meeting.

Item Number 2: Daphne DeLeon, Jim Earl
For possible action: Discuss the Email and Work Productivity RFP (Cloud based services) from EITS.

Item Number 3: Robert van Straten
For possible action: Discuss, review and act upon the records retention schedule for:

Department of Business & Industry: Taxicab Authority		Schedule 1210100
RDA#	Title	Committee Action
1991606	Inspection of Taxicabs	Modify this RDA
1991602	Out-of-Service Notice	Delete this RDA
1991607	Twenty-four Hour Warning Notices	Delete this RDA

Records Officer: [Annette Watson](#)

Item Number 4: Robert van Straten
For possible action: Discuss, review and act upon the records retention schedule for:

Nevada Funeral and Cemetery Services Board		Schedule 440000
RDA#	Title	Committee Action
2000037	License File: Businesses	Modify this RDA
2000035	Inspection Records	Modify this RDA

Records Officer: [Diane Shaffer](#)

Item Number 5: Robert van Straten
For possible action: Discuss, review and act upon the records retention schedule for:

General Records Retention and Disposition Schedule		Schedule 100
RDA#	Title	Committee Action
1995140	Position File Maintenance Cards	Delete this RDA
1998117	Electronic records: Test Files	Delete this RDA
2009047	Administrative: Public Records Request File, Granted	Modify this RDA
2009048	Administrative: Public Records Request File, Denied	Modify this RDA
2014189	Administrative: Public Records Request Log	New RDA

Records Official: [Jeff Kintop](#)

Item Number 6: Robert van Straten
For possible action: Discuss, review and act upon the records retention schedule for:

Governor's Office: Army National Guard		Schedule 740101
RDA#	Title	Committee Action
2014190	Army National Guard Personnel Files	New RDA

Records Officer: Larry D. Hancock

Item Number 7:

Robert van Straten

For possible action: Discuss, review and act upon the records retention schedule for:

Department of Public Safety: State Board of Parole Commissioners		Schedule 930000
RDA#	Title	Committee Action
2004176	Parole Board Discharged Files	Modify this RDA

Records Officer: (sent to Board for review)

Item Number 8:

Chairman Scott Anderson

For possible action: Discuss future agenda items.

INFORMATION ITEMS

PUBLIC COMMENT: Comment may be limited to 5 minutes at the discretion of the Chairman.

Item Number 9:

Chairman Scott Anderson

For possible action: Confirm the time and location of the next meeting.

The next proposed meeting is scheduled for June 11, 2014 at 1:15 PM, in the Board Room of the Nevada State Library and Archives Building, 100 North Stewart Street, Carson City, Nevada.

ADJOURN

*Agenda Item 1: Review and approve the minutes for
April 9, 2014*



*The Committee to Approve Schedules for the
Retention and Disposition of Official State Records
The “State Records Committee”*

Minutes for April 9, 2014

Introductions and Roll Call:

Chairman Scott Anderson

The Chairman called the meeting to order at 1:25 PM. He asked everyone to introduce themselves.

Attendance Roll Committee Member	Present
Scott Anderson, Chairman, for Ross Miller, Secretary of State	Yes
Sarah Bradley for Catherine Cortez-Masto, Attorney General	By Phone
Daphne DeLeon, Nevada State Library and Archives (NSLA)	Yes
Maud Naroll for Julia Teska, Department of Administration	Yes
Jim Earl for Dave Gustafson, Enterprise Information Technology Services	Yes (Late)
Margie Kassebaum , Governor’s Appointee	Excused
Staff	
Jeffrey Kintop, Assistant Administrator for Archives and Records, NSLA	Excused
Teri J. Mark, State Records Manager, NSLA	Yes
Cynthia Laframboise, State Archives Manager, NSLA	Yes
Robert H. van Straten, Senior Records Analyst, NSLA	Yes
Jerry Lindsay, Senior Records Analyst, NSLA	Excused
Michelle Byrne, Administrative Assistant, NSLA	Yes
Sara Martel, Records Manager, NDOT	Yes
Guests	
Shelley Blotter, Human Resource Management	Yes

PUBLIC COMMENT:

There was no public comment.

AGENDA ACTION ITEMS:

Item Number 1:

Chairman Scott Anderson

Review, correct if necessary and approve the minutes for the March 12, 2014 meeting.

There were three minor corrections needed on the March 12, 2014 meeting. On item number 1 and item number 3, the “Committee Vote to Approve the motion” needed to be changed from “Unanimous with Maud Abstaining “to “All in favor with Maud Abstaining.” Also, on item number 2, the wording was changed from “...received a list of 150 questions...” to “...received a total of 150 questions...”

Committee action on Agenda Item 1:	Details:
Motion:	Approved as Amended
The motion was made by:	Maud Naroll
The motion was seconded by:	Daphne DeLeon
The Committee vote to approve the motion:	Unanimous

Item Number 2:

Jim Earl

For possible action: Discuss the Email and Work Productivity RFP (Cloud based services) from EITS.

The RFP process is ongoing.

Item Number 3:

Robert van Straten

For possible action: Discuss, review and act on the Agency Specific Records Retention Schedule for:

Department of Administration: Division of Human Resource Management		Schedule 940301
RDA#	Title	Committee Action
2013-043	Organizational Climate Study Records	New RDA

Records Officials: Lee-Ann Easton, Shelly Blotter

Staff presentation:

These records document the study conducted to assess and evaluate the culture, effectiveness of management, employee morale and internal communication of an organization (See NAC chapter 284 as amended by LCB file R021-12 and R022-13).

Committee Discussion:

This is a new function for the Division of Human Resource Management that started two to three years ago. The study is conducted at the request of agency management. The retention will be for 3 years after the final action in the study. The records being kept are summaries of what is going on, not individual responses of employees.

Committee action on Agenda Item 3:	Details:
Motion:	Approved as presented
The motion was made by:	Maud Naroll
The motion was seconded by:	Daphne DeLeon
The Committee vote to approve the motion:	Unanimous

Item Number 4:

Robert van Straten

For possible action: Discuss, review and act on the Agency Specific Records Retention Schedule for:

General Records Retention and Disposition Schedule		Schedule 100
RDA#	Title	Committee Action
2013048	Personnel: Medical Related Records	New RDA
2013046	Personnel: Internal Studies Files	New RDA

Records Official: Jeff Kintop

Staff presentation:

These two RDA's were deferred from the March meeting.

RDA 2013046 is similar to Agenda Item 3. They document the employee-management studies done by an agency, not those studies done by Human Resource Management.

RDA 2013048 combines RDA's 2004216, 2004237, 2004248 and 2004217 from the General Schedule.

Committee Discussion:

The RDA 2013048 was created under ADA Requirements to not be in the Personnel files of the employee. This is a combination of four retention schedules from the General Schedule. This new retention schedule covers the Family Medical Leave Act, Fitness for Duty, State Worker leave without Pay Act, and the Pre-employment Screening files.

The RDA 2013046 is a study that is conducted by the agency itself as an internal study.

Committee action on Agenda Item 4:	Details:
Motion:	Approve as Presented
The motion was made by:	Maud Naroll
The motion was seconded by:	Daphne DeLeon
The Committee vote to approve the motion:	Unanimous

Item Number 5:

Robert van Straten

For possible action: Discuss, review and act on the Agency Specific Records Retention Schedule for:

Department of Administration: Public Works Division		Schedule 1060100
RDA#	Title	Committee Action
2005009	School District Plan Reviews	Delete this RDA
2005010	State Board of Education Standard School Plan Reviews	Delete this RDA

Records Officer: CeCe Zimmerman

Staff presentation:

NRS 393 was amended in 2009 allowing school districts and the State Board of Education to establish building departments to review project plans. It also allows the Public Works Division to review plans if desired and so RDA 2009046 "B" Project Plan Reviews will cover any school district plan reviewed by Public Works Division.

Committee Discussion:

The RDA's 2005009 and 2005010 are to be deleted. Any school district plan reviewed by the Public Works Division will be covered under RDA 2009046.

Committee action on Agenda Item 5:	Details:
Motion:	Approve as presented
The motion was made by:	Maud Naroll
The motion was seconded by:	Daphne DeLeon
The Committee vote to approve the motion:	Unanimous

Item Number 6:

Robert van Straten

For possible action: Discuss, review and act on the Agency Specific Records Retention Schedule for:

Department of Agriculture: Animal Industry Division		Schedule 40302
RDA#	Title	Committee Action
1992710	Astray Animal Report File	Transfer this RDA from AGN 40401
2003077	Brand Inspection Certificate File	Ditto
1992702	Brand or Mark Re-recording File	Ditto
1992701	Brand or Mark Recording File	Ditto
1992703	Brand or Mark Transfer File	Ditto
1992715	Investigative Case File	Modify and Transfer this RDA from AGN 40401
1992704	Livestock Brand and Mark Card File	Transfer this RDA from AGN 40401
1992711	Livestock Railroad/Highway Kills File	Ditto
1992706	Special Permit File	Ditto
1992700	Brand or Mark Recording/Transfer Log	Delete this RDA
1992707	Brand Inspection Certificate Log	Ditto
1992709	Astray Animal Report Log	Ditto
1992705	Special Permit Log	Ditto

Records Officer: Dawn Rafferty

Staff presentation:

Through reorganization the Livestock Identification Division (AGN 40401) was combined with the Animal Industry Division (AGN 40302). These records are being transferred to the Livestock Identification Division.

RDA 1992715 is being modified. The State Archives has determined that these records do not hold historical value and should not be transferred to the Archives.

RDAs 1992705, 1992700, 1992707 and 1992709 are logs which are used for administrative purposes only. They duplicate RDA 1995-120 "Administrative: Logs" on the General Records Retention and Disposition Schedule and should be deleted.

Committee Discussion:

Staff noted that the Records Officer for the Animal Industry Division approved the separate schedules for the different divisions and also the deletion and transferring of the RDA's.

Committee action on Agenda Item 6:	Details:
Motion:	Approve as Presented
The motion was made by:	Maud Naroll
The motion was seconded by:	Jim Earl
The Committee vote to approve the motion:	Unanimous

Item Number 7:

Robert van Straten

For possible action: Discuss, review and act on the Agency Specific Records Retention Schedule for:

Department of Agriculture: Division of Consumer Equitability		Schedule 40801
RDA#	Title	Committee Action
1992613	Antifreeze Registration and Sample Analysis File	Transfer this RDA from AGN 40703
1992612	Petroleum Products Sample Analysis Reports	Ditto

Records Officer: Dawn Rafferty

Staff presentation:

These RDAs are being transferred from the Plant Industry Division (AGN 40703) to the Division of Consumer Equitability (AGN 40801) to reflect a departmental reorganization.

Committee Discussion:

These items are being transferred due to internal reorganization of the Department of Agriculture.

Committee action on Agenda Item 7:	Details:
Motion:	Approve as Presented
The motion was made by:	Maud Naroll
The motion was seconded by:	Daphne Deleon
The Committee vote to approve the motion:	Unanimous

Item Number 8:

Robert van Straten

For possible action: Discuss, review and act on the Agency Specific Records Retention Schedule for:

Department of Agriculture: Food and Nutrition Division, State Dairy Commission		Schedule 260100
RDA#	Title	Committee Action
1991-512	Out of Business Files	Delete this RDA
1998-036	Distributors License Files	Modify this RDA

Records Officer: Tom Orzech

Staff presentation:

RDA 1991512 is a duplicate of 1998036.

RDA 1998036 is being modified: Prior to 1998, this RDA had a three-year retention. In 1998, it was modified because the Commission needed the files longer to reference fines or stipulations imposed by the Commission. The Committee authorized an eight-year retention to meet those needs. However, these conditions no longer prevail. Modern technology has allowed the Commission to keep up with such occurrences. In fact, the Commission has not issued a penalty in the past five years. It is recommended that the retention period be reduced to three years as it was prior to 1998.

Committee Discussion:

Both of these RDAs are for Distributors licensing files for the Dairy Commission. As suggested by the Committee, the word "current" is to be deleted from the first sentence of RDA 1998036.

Committee action on Agenda Item 8:	Details:
Motion:	Approve as Amended
The motion was made by:	Maud Naroll
The motion was seconded by:	Jim Earl
The Committee vote to approve the motion:	Unanimous

Item Number 9:

Robert van Straten

For possible action: Discuss, review and act on the Agency Specific Records Retention Schedule for:

Department of Agriculture: Food and Nutrition Division		Schedule 40500
RDA#	Title	Committee Action
1987014	Food Distribution Case Records	Delete this RDA
1987015	Commodity Inventory Records	Delete this RDA
1987016	Commodity Loss/Damage/Claim Reports	Delete this RDA

Records Officer: [Donnell Barton](#)

Staff presentation:

These records document federal grants which are covered by the General Schedule.

Committee Discussion:

The RDA's are covered in the General Schedule under the Grant series. The committee verified that the records officer for the Department of Agriculture is aware that these RDA's are being deleted and had no further comments or questions.

Committee action on Agenda Item 9:	Details:
Motion:	Approve to Delete as Presented
The motion was made by:	Maud Naroll
The motion was seconded by:	Daphne Deleon
The Committee vote to approve the motion:	Unanimous

Item Number 10:

Robert van Straten

For possible action: Discuss, review and act on the Agency Specific Records Retention Schedule for:

Department of Agriculture: Plant Industry Division		Schedule 40703
RDA#	Title	Committee Action
1992-684	Apiary Test Records	Transfer this RDA from AGN 40302
2001-029	Pesticide Registrations	Modify this RDA
1992-609	Cooperative Agricultural Pest Survey Program Data Base	Delete this RDA
1992-614	Egg Surveillance and Grading File	Delete this RDA
1992-616	Egg Standardization File	Delete this RDA
1992-617	Insect Specimen Identification Record	Delete this RDA
1992-618	Insect Specimen Distribution Cards	Delete this RDA
1992-622	Restricted-Use Pesticide Certification Examination File	Delete this RDA
1992-632	Plant Disease Determination Report	Delete this RDA
1992-634	Quarantine of Agricultural Commodities File	Delete this RDA
1992-639	Vertebrate Pest Control Field Trials File	Delete this RDA

1992-641	Weed Herbarium Master Catalog	Delete this RDA
1992-643	Weed Control Distribution File	Delete this RDA

Records Officer: Dawn Rafferty

Staff presentation:

RDA 1992684 is being transferred from the Animal Industry Division (AGN 40302) to the Plant Industry Division (AGN 40703).

RDA 2001-029: When this RDA was appraised in 2001, it was understood that the State was the office of record for these records. However, the federal Environmental Protection Agency (EPA) by 40 CFR Subpart E “Pesticide Programs” is the office of record. Although the state may register pesticides (40 CFR Part 162), and is the primary enforcement agency (40 CFR Part 173), the federal EPA is the responsible agency for long term preservation and access to pesticide registrations. A state registration becomes a federal registration (see 40 CFR Part 162.152 (c)).

The recommended deletions are based on the reference nature of these files. Reference materials are non-record by definition.

Committee Discussion:

There was discussion in regards to only keeping the records under RDA 1992684 for 3 years. There was concern due to it being tests on bees and the results of the tests being destroyed so quickly. Copies of the tests are sent to the USDA, and the federal government is the office of record. Under RDA 2001029, once a pesticide is registered, there is a copy sent to the EPA. This RDA was approved as is, but due to the language, i.e. “inactive,” it may need to be brought back.

RDA 1992632 was tabled due to questions about how plant diseases are tracked.

Committee action on Agenda Item 10:	Details:
Motion:	Table RDA# 1992632, Approve all others Presented
The motion was made by:	Maud Naroll
The motion was seconded by:	Daphne DeLeon
The Committee vote to approve the motion:	Unanimous

Item Number 11:

Robert van Straten

For possible action: Discuss, review and act on the Agency Specific Records Retention Schedule for:

Department of Business & Industry: Division of Industrial Relations Division, Industrial Insurance Regulation		Schedule 600500
RDA#	Title	Committee Action
2013049	Worker’s Compensation Insurer’s Audit Reports	New RDA

Records Officer: Virginia Wicklund

Staff presentation:

The recommended 5 year retention is based upon the requirement found in NRS 616B.003 that the Administrator must conduct an audit of insurers at least every 5 years.

Committee Discussion:

This item was tabled because of questions that needed to be answered before being approved. One of the questions was “Why don’t you need to keep the audit report through

several audit cycles?" Another question asked was "Why don't they retain the audit report until the completion of the next audit?" The other questions presented were "Don't audit exceptions need to be tracked," and "Are the work records in the description?" This item will be brought back before the committee once the questions have been answered.

Item Number 12:

Chairman Scott Anderson

For possible action: Discuss future agenda items.

The following are ready for the May 14th meeting:

- GCB Enforcement Investigations and Audit Divisions.
- Parole and Probation Division, pre-sentence reports.
- Board of Parole Commissioners.
- Funeral Board.
- Taxicab Authority.
- Need to discuss and possible act on DMV vehicle titles.
- B&I DIR Subsequent Injury Files
- Agenda Item 2 –Discuss RDA1998117 and 1995140 from March.

INFORMATION ITEMS

- The Sunset Committee decided that this committee will continue to exist.
- NSLA is to hold Focus Groups to discuss data bases and electronic records. Also to be discussed will be public records, official records, and non records.

PUBLIC COMMENT:

There was a public comment on the Public Records and Open Meeting Law Public Forum that was held on April 2nd. The comment was that the forum was successful.

Item Number 13:

Chairman Scott Anderson

For possible action: Confirm the time and location of the next meeting.

The next proposed meeting is scheduled for May 14, 2014 at 1:15 PM, in the Board Room of the Nevada State Library and Archives Building, 100 North Stewart Street, Carson City, Nevada. The date was confirmed.

ADJOURN

Committee member Maud Naroll made the motion to adjourn. The Chairman called for a vote, and the vote was unanimous. The Committee meeting was adjourned at 3:10 PM.

● **Agenda Item 3:**

For possible action: Discuss, review and act upon the records retention schedule for:

Department of Business & Industry: Taxicab Authority		Schedule 12101
RDA#	Title	Committee Action
1991606	Inspection of Taxicabs	Modify this RDA
1991602	Out-of-Service Notice	Delete this RDA
1991607	Twenty-four Hour Warning Notices	Delete this RDA

Records Officer: Annette Watson

● Recommended modifications:

■ Title: Inspections of Taxicabs

RDA#: 1991606

Description:

Last Reviewed on: 05/12/1992

This record series consists of the quarterly inspections of all cabs for safety and meter tolerance. Inspections may also be made at other times upon need or request. Inspection forms are completed for each cab in service. The inspection includes, but is not limited to: taxicab interior and exterior; meter number, odometer reading, illumination, connections, obstructions, flag, top lights, rear deck; road check, total fare, accuracy, date meter sealed; date transmission sealed; 24-hour Warning Notices issued, Out-of-Service Notices issued; vehicle accident, driver, TA permit number, and remarks.

Authorized Retention:

~~Retain reports as long as taxicab is in service and then retain for one (1) calendar year after the cab is taken out of service.~~

Retain these records for a period of three (3) calendar years from the date the taxi is taken out of service.

Authorized Disposition:

These records may be disposed of in a normal manner.

Justification to modify RDA 1991606:

The retention period is being changed to a 3 year period of time due to the frequent subpoenas and requests for this information for litigation purposes. The 3 year period conforms to the Nevada Statute of Limitation for fraud or mistake found in NRS 11.190 (3)(d).

RDA's 1991602 "Out-of-Service Notice" and 1991607 "Twenty-four Hour Warning Notices" have been added to this RDA since they are part of the same process. These RDA's have been deleted.

● Recommended deletions:

■ Title: ~~Out of Service Notice~~ RDA#: ~~1991602~~

~~Description: Last Reviewed on: 05/12/1992~~

~~This record series consists of Out of Service Notices issued by the Authority. The notice includes sticker number, date and time, taxicab company, unit number, year model, make, license number, and description of violations.~~

~~Authorized Retention:~~

~~Retain these records for as long as cab is in service and then retain for one (1) calendar year after the cab is taken out of service.~~

~~Authorized Disposition:~~

~~These records may be disposed of in a normal manner.~~

~~■ Title: Twenty four Hour Warning Notice RDA#: 1991607~~

~~Description: Last Reviewed on: 05/12/1992~~

~~This record series consists of a warning notice issued to a taxicab company regarding a specific cab. The warning notice defines violations, such as excessive noise and vibration, body damage, paint removed, vision obstructed, dirty exterior, and unsanitary interior.~~

~~Authorized Retention:~~

~~Retain these records for as long as cab is in service and then retain for one (1) calendar year after the cab is taken out of service.~~

~~Authorized Disposition:~~

~~These records may be disposed of in a normal manner.~~

Justification to delete RDA's 1991602 and 1991607:

These RDA's are part of 1991606 and have been incorporated into that RDA.

Begin date: 2/10/2014

Appraisal date: 2/10/2014

Appraised by: RvS

• **Agenda Item 4:**

For possible action: Discuss, review and act upon the records retention schedule for:

Nevada Funeral and Cemetery Services Board		Schedule 440000
RDA#	Title	Committee Action
2000037	License File: Businesses	Modify this RDA
2000035	Inspection Records	Modify this RDA

Records Officer: Diane Shaffer

Recommended modifications:

■ Title: License Files: Businesses

RDA#: 2000037

Description:

Last Reviewed on: 5/17/2000

These records document the licensing of funeral establishments, crematories and cemeteries (see NRS chapter 642). The files may contain, but are not limited to: applications, examinations and results, authorization for service forms, copies of licenses, renewals and supportive documentation.

Authorized Retention:

Retain *these records* for a period of three (3) calendar years from the date a license is no longer active.

Authorized Disposition:

~~Transfer these records to the State Archives after the retention period has been satisfied. Destroy securely.~~

Justification to modify RDA 2000037: AB 494 (2013 Statutes of Nevada, Chapter 341, effective 10/1/13) of the 2013 Legislative Session changed the name of the Board.

The authorized disposition in RDA 2000037 is being changed. The staff of the State Archives has determined that these records do not contain sufficient historical value to preserve them in the State Archives. The disposition is being changed to have them destroyed in a secure manner to prevent reconstruction of the information.

■ Title: Inspection Records

RDA#: 2000035

Description:

Last Reviewed on: 5/17/2000

These records document licensing inspections and annual inspections for license renewal of funeral establishments, crematories and cemeteries (see NRS 642.067 and 642.0673).

These records include, but are not limited to: (1) For Funeral establishments: general information on facility, copies of price lists, copy of authorizations and contracts, display room inspection and price lists, preparation room inspection and remarks or recommendations; (2) For Crematory inspection: general information on facility, equipment information, inspection information, records information, remarks and recommendations; and (3) For Cemeteries: plot maps, name of deceased, name of preneed purchaser, reserved and available spaces, marker or memorial information, and remarks and recommendations.

Authorized Retention:

Retain this record series for a period of ~~one (1)~~ *three (3)* calendar years from the date of inspection.

Authorized Disposition:

~~These records may be disposed of in a normal manner, such as by dumping or recycling. Destroy.~~

Justification to modify RDA 2003035:

At the request of the Sunset Committee, the Board was asked to change the retention period to three years. The 3 year retention follows the Nevada Statute for fraud or mistake found in NRS 11.190 (3)(d).

Begin date: 2/6/2014

Appraisal date: 4/14/2014

Appraised by: RvS

● **Agenda Item 5:**

For possible action: Discuss, review and act upon the records retention schedule for:

General Records Retention and Disposition Schedule		Schedule 100
RDA#	Title	Committee Action
1995140	Position File Maintenance Cards	Delete this RDA
1998117	Electronic records: Test Files	Delete this RDA
2009047	Administrative: Public Records Request File, Granted	Modify this RDA
2009048	Administrative: Public Records Request File, Denied	Modify this RDA
2014189	Administrative: Public Records Request Log	New RDA

Records Official: Jeff Kintop

These two RDA's were tabled during the March 12, 2014 Committee meeting.

● **Recommended deletions:**

■ ~~Title: Personnel: Position File Maintenance Records RDA#: 1995140~~

~~Description: Last Reviewed on: 10/08/2003~~

~~This record series is a form provided by the Budget Division to all state agencies for each position within the agency. Information may include: the position title, annual salary, when a position was created, changed, upgraded, abolished, etc.~~

~~Authorized Retention:~~

~~Retain until superseded or the position is abolished.~~

~~Authorized Disposition:~~

~~These records may be disposed of in a normal manner.~~

Justification to delete RDA 1995140:

The office of record for these records is the Budget Division of the Department of Administration. The agency only receives a copy for their administrative use. The Budget Division maintains this information as part of their Work Program Files (RDA 2007-085). This information is documented within NEBS.

■ ~~Title: Electronic Records: Test Files RDA#: 1998117~~

~~Description: Last Reviewed on: 03/05/2003~~

~~This record series consists of temporary electronic reports created to test system performance. The electronic files may be on line, disk, or computer magnetic tape, and the record series includes related documentation.~~

~~Authorized Retention:~~

~~Review on a continuous basis, disposing of files and programs which are no longer administratively useful or are duplicates of records maintained elsewhere.~~

~~Authorized Disposition:~~

~~Destroy these confidential records in a secure manner that will prevent reconstruction of the information (See NAC 239.722).~~

Justification for deleting RDA 1998-117:

During the March 12, 2014 State Records Committee meeting there was questions about the need to keep this record series on the General Schedule as part of RDA 1999110 "Software, System and Program Documentation" (with a 6 year retention period). However this record series consists of temporary computer programming and as such is not a record.

Begin Date: 3/12/2014

Appraisal date: 4/14/2014

Appraised by: RvS

● **Recommended modifications:**

■ Title: Administrative: Public Records Request File, Granted RDA#: 2009047

Description:

This file documents requests for public records fulfilled by the agency. The file may contain, but is not limited to: Request documentation with related correspondence.

Note: Related invoices and accounting documentation are retained in accordance with the General Records Retention and Disposition Schedule; see RDA 2007-016 "Accounting Files - Agency Copy."

Authorized Retention:

Retain these records ~~for as long as administratively useful. It is recommended that these records be retained~~ for no longer than ninety (90) days from the date the request was granted. Check Agency-Specific Schedule for exceptions.

Authorized Disposition:

Destroy Securely

Justification for modifying RDA 2009047:

The retention period is being modified to solidify a retention period by removing the permissive and confusing "retain for as long as administratively useful" statement.

■ Title: Administrative: Public Records Request File, Denied ~~and/or Appealed~~

RDA#: 2009048

Description:

Last Reviewed on: 12/08/2009

This file documents the requests for ~~information~~ *public records* that were denied (in whole or in part) ~~and/or appealed~~. The file may contain but is not limited to: Request documentation *with* related correspondence; *denial documentation* ~~Appeal and hearing records~~.

Authorized Retention:

Retain these records for a period of three (3) calendar years from the date of ~~final outcome of the case~~ *the denial*.

Authorized Disposition:

Destroy Securely

Justification for modifying RDA 2009048:

Nevada state law (NRS 239.011) does not provide for an administrative appeal process. Individuals who request an appeal must petition the courts. Such records are covered by RDA# 2006002 "Legal: Legal Files (Agency Copy)."

● **Recommended New RDA:**

■ Title: Administrative: Public Records Request Log

RDA#: 2014189

Description:

This log tracks requests for public records. The information may include, but is not limited to: requestor contact information; request details including identity of records; date of request; date of response; date request is completed; date of denial.

Recommended Retention:

Retain these records for a period of three (3) calendar years from the end of the calendar year to which it pertains.

Recommended Disposition:

Destroy Securely

Appraisal note:

These records contain administrative and legal values.

Legal value is due to the obligation of state government to be as open and transparent as

possible as outlined by the Legislative intent recorded in NRS 239.001. The log also is legal proof of compliance to the Nevada Public Records Act (NRS 239.001 et seq.).

The 3 year retention is based on the Nevada Statutes of limitation for fraud or mistake found in NRS 11.190 (3)(d) and for a liability created in law (NRS 239.010) found in NRS 11.190 (1)(a).

Because the log may contain personal identifying information (see NRS 239B.030) the log should be destroyed in a secure manner to prevent reconstruction of that information.

Begin Date: 4/22/2014

Appraisal date: 4/23/2014

Appraised by RvS

NRS 239.001 Legislative findings and declaration. The Legislature hereby finds and declares that:

1. The purpose of this chapter is to foster democratic principles by providing members of the public with access to inspect and copy public books and records to the extent permitted by law;

2. The provisions of this chapter must be construed liberally to carry out this important purpose;

3. Any exemption, exception or balancing of interests which limits or restricts access to public books and records by members of the public must be construed narrowly; and

4. The use of private entities in the provision of public services must not deprive members of the public access to inspect and copy books and records relating to the provision of those services.

(Added to NRS by [2007, 2061](#); A [2011, 2723](#))

NRS 239.011 Application to court for order allowing inspection or copying, or requiring that copy be provided, of public book or record in legal custody or control of governmental entity for less than 30 years.

1. If a request for inspection, copying or copies of a public book or record open to inspection and copying is denied, the requester may apply to the district court in the county in which the book or record is located for an order:

(a) Permitting the requester to inspect or copy the book or record; or

(b) Requiring the person who has legal custody or control of the public book or record to provide a copy to the requester,

È as applicable.

2. The court shall give this matter priority over other civil matters to which priority is not given by other statutes. If the requester prevails, the requester is entitled to recover his or her costs and reasonable attorney's fees in the proceeding from the governmental entity whose officer has custody of the book or record.

● **Agenda Item 6:**

For possible action: Discuss, review and act upon the records retention schedule for:

Governor's Office: Army National Guard		Schedule 740101
RDA#	Title	Committee Action
2014190	Army National Guard Personnel Files	New RDA

Records Officer: Larry D. Hancock

● **Recommended new RDA:**

■ Title: Army National Guard Personnel Files

RDA#: 2014190

Description:

This record series is described in the Army Records Information Management System (ARIMS). They document the personnel actions within the Army National Guard (see NRS chapter 412), including but not limited to: orders, awards and decorations, promotions, etc.

Recommended Retention:

Retain these records for a period of thirty (30) calendar years from the date of separation from service.

Recommended Disposition:

Permanent: Transfer to the State Archives.

Appraisal note:

These records contain administrative, legal and historical values.

Legal value is due to the rights and obligations established in NRS chapter 412 and the regulations of the US Army.

Historical value is due to the uniqueness of the Nevada Militia (NRS chapter 412). These records document military service and activity and fall under the Nevada State Archives Appraisal Policy described under "Civil Protection" (2)(c)(i).

The 30 year retention is based upon the retention period of state employee personnel records (see Division of Human Resource Management, Central Records RDA 2003100 and the General Records Retention and Disposition Schedule RDA 2003156). This retention period also matches that of the Air National Guard personnel records.

Begin date: 4/24/2014

Appraisal Date: 4/25/2014

Appraiser: RvS

● **Agenda Item 7:**

For possible action: Discuss, review and act upon the records retention schedule for:

Department of Public Safety: State Board of Parole Commissioners		Schedule 930000
RDA#	Title	Committee Action
2004176	Parole Board Discharged Files	Modify this RDA

Records Officer:

● **Recommended modifications:**

■ Title: Parole Board Discharged Files

RDA#: 2004176

Description:

Last Reviewed on: 09/08/2004

This records series documents the issuance or denials for parole in accordance with NRS Chapter 213. The files may contain, but are not limited to: Certification of Board of Parole Commissioners Actions, Parole Success Likelihood Factor forms, Notification of Parole Hearings to Victims and Other Interested Parties, letters sent to advise victims and interested parties of the results of hearings, handwritten minutes by prison caseworkers of inmate's Parole hearing, letters & memos from the Division of Parole and Probation requesting changes in the parole order, Board correspondence, transcripts of Board of Pardons, Applications to the Pardons Board, Parole Violation certification and action sheets, Admonition and Advisement of rights, waiver of Board appearance, waiver of counsel, related correspondence and similar documentation.

Authorized Retention:

Retain these records for a period of six (6) calendar years from the date of parole or prison discharge.

Authorized Disposition:

~~Permanent: Transfer these records to the State Archives.~~

Destroy securely.

Justification to modify RDA 2004176:

On 1/7/2014, Cynthia LaFramboise, State Archives Manager, and Chris Driggs, Archivist, reappraised the historical value of these records. They concluded that the discharged files held little historical value. The Hearing files contain the historically significant information. It is recommended that the disposition be revised to dispose of these records in a secure manner.

Begin date: 1/7/2014

Appraisal date: 1/14/2014

Appraised by: RvS