

*The Committee to Approve Schedules for the
Retention and Disposition of Official State Records
The “State Records Committee”
Minutes for February 10, 2016*

1: Call to Order, Welcome, Roll Call

- The meeting was called to order at 1:16 pm. The meeting was held at the Nevada State Library and Archives Board Room, at 100 N. Stewart St, Carson City, NV.

Committee Members:

Jeff Landerfelt, for Barbara K. Cegavske, Secretary of State - Present

Kathryn Etcheverria, Governors Appointee - Present

Sarah Bradley, for Adam Laxalt, Nevada Attorney General - Present

Daphne DeLeon, Administrator, Nevada State Library, Archives and Public Records – Present

Stacie Hancock, For Patrick Cates, Director of the Department of Administration – Present

Jim Earl, for Shannon Rhaming, Administrator, Enterprise Information Technology Services – Present

Staff:

Teri Mark, State Records Manager, NSLAPR – Excused

Jeff Kintop, Assistant Administer for Archives and Records, NSLAPR - Excused

Cynthia Laframboise, State Archives Manager, NSLAPR – Present

Sara Martel, Senior Records Analyst, NSLAPR – Present

Gerald Lindsay, Senior Records Analyst, NSLAPR – Excused

Michelle Byrne, Administrative Assistant, NSLAPR – Present

Kimbra Andrews, Department of Transportation – Excused

Guests Present:

Anita Moore, Department of Taxation

Martin Roberto, Department of Public Safety; Capitol Police

Lori Hoover, Governor’s Finance Office; Division of Internal Audits

Nate Hanson, Treasurer’s Office

2: Public Comment

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

- There was no public comment.

3: Review and Approve the Minutes for November 18, 2015

- The minutes were approved as presented. The motion was made by Jim Earl and the second was by Sarah Bradley. The vote was unanimous.

4: Department of Public Safety: Capitol Police

A.	2003050	Annual Statistical Report	Delete – Obsolete
B.	2009007	Capitol Police Personnel (Pre-Post) Training Files	Delete – Obsolete
C.	2009009	Crime Statistics Database	Delete – Non Record

Agency review:

The appraisal is supported by the Capitol Police Records Officer.

Justification for Deletion of RDA 2003050:

Capitol Police no longer creates this report. Annual Reports are created by the Department of Public Safety – General Services Division under RDA 2006165 “Annual Statistical Report of Crime”. The retention and disposition is 5 years from the date of issue then transfer to the State Archives.

Justification for Deletion of RDA 2009007:

Capitol Police is not the office of record for training files. Training records are maintained in the personnel file and/or NEATS.

Justification for Deletion of RDA 2009009:

This schedule is for an index database. As a non-record, this RDA should be deleted from the schedule. The official record is covered under General Schedule RDA “202004 Law Enforcement: Crime/Incident Reports”.

Discussion and Votes:

- This item was approved as presented. The motion was made by Jim Earl and the second was by Sarah Bradley. The vote was unanimous.

5: Governor’s Finance Office, Internal Audit

A.	2006153	Internal Controls Class Training Files	Modify
B.	2006154	Compliance Review Files	Modify
C.	2006145	Annual Plan	Modify
D.	2006146	Annual Report	Modify
E.	2006147	Audit Workpapers	Modify
F.	2006148	Biennial Compliance Reports	Modify
G.	2006162	Final Audit Reports	Modify
H.	2006151	LCB Audit follow-Up Workpapers	Modify
I.	2010013	Report on Internal Controls	Modify
J.	2016003	Agency Training Audit Plan	New
K.	2016004	State Fraud, Waste and Abuse Hotline Files	New
L.	2016006	Procurement Card Applications	New
M.	2006149	DIA Follow-Up Database	Delete – Non Record
N.	2006150	LCB Audit Follow-Up Database	Delete – Non Record

O. 2006152 Financial Managers Electronic Training Delete – Obsolete
Files

Agency review:

The appraisal is supported by the Internal Audit Records Officer.

Justification for Modification of RDA 2006153:

As social security numbers are no longer used for employee identification, these records no longer contain confidential information. As such, a secure destruction is no longer necessary. The agency has requested all retentions to be changed to the “end of the calendar year to which they pertain” to simplify destruction.

Justification for Modification of RDA 2006154:

Audit report is not an accurate term for the summary of findings report. Many of the documents listed are no longer used. By removing the specific names of documents, the description does not have to be modified each time the process is updated with new reports etc. The agency has requested all retentions to be changed to the “end of the calendar year to which they pertain” to simplify destruction.

Justification for Modification of RDA 2006145:

The agency has requested to change to “end of calendar year” so all their retentions are the same. Copies are non-records and should be removed from the schedule.

Justification for Modification of RDA 2006146:

The agency has requested to change to “end of calendar year” so all their retentions are the same. Copies are non-records and should be removed from the schedule.

Justification for Modification of RDA 2006147, 2006148, 2006162, 2006151, 2010013:

The agency has requested to change to “end of calendar year” so all their retentions are the same.

Justification for New RDA 2016003:

This RDA is needed to cover records not previously on a schedule. The 5 year retention is recommended based on NAC 353A.100: “...any employee of an agency whose duties include administering budgetary accounts shall, at least once every 5 years, attend training provided by the Division of Internal Audits”. The agency has requested all retentions to be changed to the “end of the calendar year to which they pertain” to simplify destruction

Justification for New RDA 2016004:

The three year retention is recommended based on NRS 11.190(3)(d) “**NRS 11.190 Periods of limitation.....3.**Within 3 years:.....Except as otherwise provided in NRS 40.4639, 125B.050 and 217.007, actions other than those for the recovery of real property, unless further limited by specific statute, may only be commenced as follows:....(d)Except as otherwise provided in NRS 112.230 and 166.170, an action for relief on the ground of fraud or mistake, but the cause of action in such a case shall be deemed to accrue upon the discovery by the aggrieved party of the facts constituting the fraud or mistake.”

Three years also allows for legislative cycles.

This record series may contain confidential or sensitive information and should be destroyed in a secure manner that will prevent reconstruction of the information.

Justification for New RDA 2016006:

This RDA is needed to cover records not previously on a schedule. A 30 day retention is being recommended since the agency has very limited involvement in the process. Once the Internal Controls are approved, Internal Audit does not have any further contact with the agency. Thirty days is being recommended to allow for distribution to Purchasing and any possible issues with distribution.

Justification for Deletion of RDA 2006149, 2006150:

This schedule is for an index database. As a non-record, this RDA should be deleted from the schedule.

Justification for Deletion of RDA 2006152:

This schedule is for an index database. As a non-record, this RDA should be deleted from the schedule. Additionally, training is tracked by Department and not on an employee level.

Discussion and Votes:

- This item was approved in two parts. Sub-item A was approved as amended, with the amendment of the change in the retention statement of “*..in which they were printed*” to “*..in which the class was conducted.*” Sub-items B-O was approved as presented. There was no further discussion needed. The motion was made by Sarah Bradley and the second was by Jim Earl. The vote was unanimous.

6: Office of the State Controller

A.	2004097	ADVANTAGE™ Financial System Microform Reports	Modify
B.	2016002	Financial Reports	New
C.	2016005	Cancelled Checks	New
D.	2004095	ADVANTAGE™ Financial System Files	Delete
E.	2004098	ADVANTAGE™ Financial System Reports	Delete
F.	2004099	ADVANTAGE™ Financial System Vendor Records	Delete
G.	2004096	DAWN Data Warehouse Files	Delete
H.	2002053	Fraudulent Checks	Transfer

Agency review:

The appraisal is supported by the Office of the State Controller Records Officer.

Justification for Modification of RDA 2004097:

An appraisal of this record series by the State Archivist determined that the only report of historical significance within this record series is the Budget Status Report (BSR). As such, this RDA is being modified so that only the BSR is scheduled for transfer to the archives. A new records series (2016002) is being recommended to schedule the other report types.

Justification for New RDA 2016002:

Transaction reports were separated from the annual budget summary report as the State Archivist determined that only the annual budget summary report had archival and historical value. A new record series is being created to schedule the remaining report types. A three year retention is being recommended based on 2 year audit cycle NRS 353A.025 and the period of limitation for fraud or mistake.

Justification for New RDA 2016005:

The Treasurer’s and Controller’s offices handle similar functions regarding cancelled and fraudulent checks. The Treasurer’s office processes checks that are cancelled due to forgery. The Controller’s office processes checks that are cancelled because they are not cashed or deposited. RDA 2002053 “Fraudulent Checks” is on this agenda to be transferred to the Treasurer’s office. This new RDA clarifies the Controller’s role in the process of cancelled checks.

Justification for Deletion of RDA 2004095:

This RDA is an electronic record keeping guide and not a record series. ADVANTAGE™ is a database, and the data and the system files are not records.

Justification for Deletion of RDA 2004098:

The records defined in this record series are ad hoc reports created only as needed and not for retention purposes. As such, they are considered non records.

Justification for Deletion of RDA 2004099:

ADVANTAGE™ is a database, and the data are not records and should be removed from the schedule. The vendor records are scheduled under RDA 2004100 “Vendor Registration and Maintenance Records”.

Justification for Deletion of RDA 2004096:

DAWN is a database, and the data are not records. So, it should be removed from the schedule.

Justification for Transfer of RDA 2002053:

The process relating to fraudulent checks has been transferred from the Office of the State Controller to the Office of the State Treasurer.

Discussion and Votes:

- This item was approved in two parts. Sum-items A, B, D, E, F, G and H were approved as presented. Sub-item C was approved as amended, with the amendment pertaining to the name of the schedule. The name was changed from *Cancelled Checks* to *Stale Checks* to better reflect the nature of the items the schedule applies to. The motion was made by Daphne DeLeon and the second was by Jim Earl. The vote was unanimous.

7: Department of Taxation

Department of Taxation, Local Government Services

A. 1993105	Property Tax Appeal Files	Delete - Obsolete
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Agency review:

The appraisal is supported by the Records Officer for the Department of Taxation, Local Government Services.

Justification for Deletion of RDA 1993105:

This item was tabled in June 2014. The Committee asked staff to work with the Department of Taxation to determine the official record. Upon review, it was determined that the “Property Tax Appeal Files” are working documents and not the official record. All documents, except the decision letter, are part of the State Board of Equalization hearings and are sent to Archives for permanent preservation under the applicable open meeting law record series. The decision letter also has a permanent retention under RDA 2014184 “State Board of Equalization Decision Papers.

Since the official record is accounted for under current RDAs, and these files are working papers (non-records) it is recommended this RDA be deleted.

Discussion and Votes:

- This item was approved as presented. The motion was made by Sarah Bradley and the second was by Jim Earl. The vote was unanimous.

8: General Schedule

A. 2005114	Bids & Requests for Proposals (RFP) Evaluation Committee Files	Delete - Obsolete
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Justification for Deletion of RDA 2005114:

The agency in charge of the evaluation committee is the office of record. All records associated with the RFP process belong to the office of record, and are covered under RDA 1995086 “Contracts and Agreements”. Any duplicate materials are considered non-records.

Discussion and Votes:

- This item was approved as presented. The motion was made by Sarah Bradley and the second was by Daphne DeLeon. The vote was unanimous.

9: Review NRS 239.073 regarding the composition, and possible modifications, of The Committee to Approve Schedules for the Retention and Disposition of Official State Records

- Jim Earl made the motion to recommend to the Secretary of State to consider taking action to expand the committee makeup to include, for example, Health and Human Services, Public Safety, and a Governor appointee from Boards and Commission. This item was second by Sarah Bradley, and the vote was unanimous.

10: Nevada Department of Transportation Update (discussion only)

- There was no update at this meeting.

11: Discuss future agenda items:

- Environmental Protection
- Secretary of State
- General Schedule – Body Cameras

12: Informational Items (discussion only)

- The Attorney General’s Office will be hosting a training class on February 25, 2016 from 8:30 AM to 12:00 PM. This class will be discussing the Opening Meeting Law and Public Records, and will be located at the Department of Transportation Offices in Carson City, Las Vegas, Elko, Ely and Tonopah.

13: Public Comment

Comment may be limited to 5 minutes at the discretion of the Chairman

- There was no public comment.

14: Determine time of next meeting

- The next meeting will be held March 9, 2016 at 1:15 pm in the Nevada State Library and Archives Board room.

15: Adjourn

- The meeting was adjourned at 2:40 pm with the motion made by Sarah Bradley. The vote was unanimous.