

*The Committee to Approve Schedules for the
Retention and Disposition of Official State Records
The “State Records Committee”
Minutes for June 8, 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:

Scott Anderson, for Barbara K. Cegavske, Secretary of State - Present

Kathryn Etcheverria, Governors Appointee - Present

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

Jeff Kintop, Administrator, Nevada State Library, Archives and Public Records – Present

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

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

Staff:

Teri Mark, State Records Manager, NSLAPR – Excused

Cynthia Laframboise, State Archives Manager, NSLAPR – Present

Sara Martel, Senior Records Analyst, NSLAPR – Present

Gerald Lindsay, Senior Records Analyst, NSLAPR – Present

Michelle Byrne, Administrative Assistant, NSLAPR – Present

Kimbra Andrews, Department of Transportation – Present

Guest Present:

Melinda Ridgely, Parole and Probation – Present

Shannon Wells, Parole and Probation – Present

Donna Wix, Nevada Department of Education – Present

Cece Zimmerman, SPWD – Present

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 April 13, 2016

- The minutes were approved as presented. The motion was made by Jim Earl and the second was by Jeff Kintop. Scott Anderson abstained from voting.

4: Department of Public Safety, Parole and Probation

A. 2003008 Case Files

Modify

Description:

These are working files on Parolees and Probationers. The files may contain, but are not limited to: applications for parole or probation, pre-sentence reports; sentence data sheets; disposition data sheets; discharge documentation; notes from parole officer; contact logs; progress reports; restitution agreements and schedules; probation violation agreements; related documentation.

Authorized Retention:

Retain ~~these records until the notification of death or~~ *for* one hundred (100) calendar years ~~birth date of the individual, whichever occurs first.~~ from the end of the calendar year in which the case was closed.

Agency review:

The appraisal is supported by Department of Public Safety, Parole and Probation Division Records Officer.

Justification for Modification of RDA 2003008:

The change provides a more defined trigger event. Currently, the records are microfilmed, and the retention requires research of the film, then manually cutting and splicing the film to remove the applicable records. The modified retention will allow all records pertaining to a calendar year to be destroyed at the same time.

Discussion and Vote:

This item was approved as presented with no further discussion needed. The motion was made by Jim Earl and the second was by Kathryn Etcheverria. The vote was unanimous.

5: Public Works Division

- | | | |
|-------------------|--|------------|
| A. 2016027 | CIP Project Drawings | New |
| B. 2016028 | CIP Project Files | New |
| C 2016029 | CIP Project Files: Structural And Testing Records | New |

A. Recommended New RDA:

Title: CIP Project Drawings

RDA: 2016027

Description:

These are the drawings made for Capital Improvement Projects (CIP), and compliment the CIP Project File. The records may contain, but are not limited to: (a) Original and copies of: site plans; working drawings (structural, mechanical, electrical and landscape), as built drawings, schematics,

presentation drawings, architectural renderings and similar records, and; (b) Project specifications, bid documents and similar documents.

Authorized Retention:

Retain these records for a period six (6) calendar years from the completion of the project. Transfer an original copy of the drawings to the legal custodian of the project after completion.

Agency review:

The appraisal is supported by Public Works Division Records Officer.

Justification for New RDA 2016027:

Assembly Bill 125 of the 2015 Legislative Session changed the statute of limitation that action may be taken on construction projects. The act became effective upon passage and approval on February 24, 2015. The agency has requested records created before 2015 be retained according to the current retention period of 12 years. To accommodate this request, new RDAs are being recommended so the records created before 2015 and currently stored in the Records Center can be retained for the 12 years and records created after 2015 can be stored for 6 years.

AB125 sec 17 NRS 11.202(1): No action may be commenced against the owner, occupier or any person performing or furnishing the design planning, supervision or observation of construction, or the construction of an improvement to real property more than 6 years after the substantial completion of such an improvement.....

B. Recommended New RDA:

Title: CIP Project Files

RDA: 2016028

Description:

These records are used to oversee and monitor Capital Improvement Projects (CIP's) that have been authorized by the Legislature and under the administration of the State Public Works board. The files may include, but are not limited to: A/E (Awards and Endorsements), Contracts/Endorsements File; Owner-Contractor Agreements/Insurance/Change Orders/Advertising Information File; Preconstruction Engineering Reports/ Inspector Reports/Lab Testing/Plan Check File; Budgets, Schedules and Estimates file; Energy Retrofit File, and, Correspondence File.

Authorized Retention:

Retain these records for a period of six (6) calendar years from the completion of the project.

Agency review:

The appraisal is supported by the Public Works Division Records Officer.

Justification for New RDA 2016028:

Assembly Bill 125 of the 2015 Legislative Session changed the statute of limitation that action may be taken on construction projects. The act became effective upon passage and approval on February 24, 2015. The agency has requested records created before 2015 be retained according to the current retention period of 12 years. To accommodate this request, new RDAs are being recommended so the records created before 2015 and currently stored in the Records Center can be retained for the 12 years and records created after 2015 can be stored for 6 years.

AB125 sec 17 NRS 11.202(1): No action may be commenced against the owner, occupier or any person performing or furnishing the design planning, supervision or observation of construction, or the construction of an improvement to real property more than 6 years after the substantial completion of such an improvement.....

C. Recommended Modification:

Title: CIP Project Files: Structural and Testing Records

RDA: 2016029

Description:

These records document the structural calculations, testing and related records associated with capital improvement projects that are required to be filed (See NRS 341.145 (9)). The files may contain, but are not limited to: Certificates of Occupancy, Soils testing records, Geothermal testing documents and Structural calculations.

Authorized Retention:

Retain these records for a period six (6) calendar years from the date of the disposition of the structure.

Agency review:

The appraisal is supported by the Public Works Division Records Officer.

Justification for New RDA 2016029:

Assembly Bill 125 of the 2015 Legislative Session changed the statute of limitation that action may be taken on construction projects. The act became effective upon passage and approval on February 24, 2015. The agency has requested records created before 2015 be retained according to the current retention period of 12 years. To accommodate this request, new RDAs are being recommended so the records created before 2015 and currently stored in the Records Center can be retained for the 12 years and records created after 2015 can be stored for 6 years.

AB125 sec 17 NRS 11.202(1): No action may be commenced against the owner, occupier or any person performing or furnishing the design planning, supervision or observation of construction, or the construction of an improvement to real property more than 6 years after the substantial completion of such an improvement.....

Discussion and Vote:

This item was approved as amended, with the amendment of a change in the title of the record series to more accurately reflect the records that were created after 2015. The motion was made by Jim Earl and the second was by Jeff Kintop. The vote was unanimous.

6: Department of Education, Career Readiness and Adult Learning Education Options, Private Schools

- | | | |
|------------|--|--------|
| A. 2007108 | Private School Files: Application
Documentation | Modify |
| B. 2007107 | Private School Files: License Records | Modify |

- | | | | |
|----|---------|---|--------|
| C. | 2007110 | Private School Files: Operational Records | Modify |
| D. | 2009067 | Private School Student Academic Records: Elementary Schools | Modify |
| E. | 2009066 | Private School Student Academic Records: Secondary Schools | Modify |
| F. | 2016026 | Private School Files: Crisis Response Plans | New |
| G. | 2016024 | Private School Files: License Records - Denied or Withdrawn | New |

A. Recommended Modification:

Title: Private School Files: Application Documentation

RDA: 2007108

Description:

This record series is used in the application process for licensing of private schools (See NRS and NAC chapter 394). The files may contain, but are not limited to: Sample catalog (NRS 394.251 (1)); Supplemental material (NAC 394.030 & 394.040); proposed advertisements; OSHA and fire department inspections; application financial documentation (NAC 394.140); facility plans and related documentation; related correspondence, and; similar documentation.

Authorized Retention:

Purge ~~these~~ *the superseded* records *upon renewal of application or declaration.* ~~from the file one (1) calendar year after the issuance or denial of the application (including renewals.~~

Agency review: The appraisal is supported by Department of Education, Career Readiness and Adult Learning Education Options, Private Schools Division Records Officer.

NSLAPR staff recommendation:

The retention period meets administrative needs.

Justification for Modification RDA 2007108:

Once the renewal application or declaration is received, previous submissions are obsolete. The suggested revision allows the unessential records to be purged at time of renewal instead of one year later. This change will help ensure the file only contains the current documentation and not unnecessary documents,

B. Recommended Modification:

Title: Private School Files: License Records

RDA: 2007107

Description:

This record series documents the licensing and monitoring of private schools (See NRS and NAC chapter 394). The records may contain, but are not limited to: Original applications (including renewals) (NRS 394.251 (1)); Surety bonds / certificate of deposit (NRS 394.251 (1)); Application investigation documentation (NRS 394.251 (2)); School inspections (NRS 394.245); Reviews; Related correspondence, and; Similar documentation.

Authorized Retention:

Retain for a period of four (4) ~~calendar~~ school years from the end of the school year ~~expiration, revocation or closure~~ of the school in which the school was closed. ~~Program correspondence may be purged when no longer needed.~~

Agency review:

The appraisal is supported by Department of Education, Career Readiness and Adult Learning Education Options, Private Schools Division Records Officer.

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Justification for Modification RDA 2007107:

The expiration or revocation of the license may be a different date from the closure of the school. The recommended change clarifies the trigger date. Since the agency's records are based on a school year, the agency has requested to change to "end of school year" to align the retention with the school year.

Recommended Disposition:

Destroy Securely

C. Recommended Modification:

Title: Private School Files: Operational Records

RDA: 2007110

Description:

This record series is used in the monitoring process for licensing of private schools (See NRS and NAC chapter 394). The files may contain, but are not limited to: ~~Crisis response plans (confidential, see NAC 394.168 to 394.1698);~~ Owner / operations information (NAC 394.140 (2)(b)); Licensed personnel (NAC 394.050); Occupational personnel (NAC 394.160); Enrollment, attendance and progress reports (NRS 394.130); Related correspondence, and; Similar documentation.

Authorized Retention:

Retain the most current version of these records for a period of four (4) ~~calendar school~~ years **from the end of the school year in which the school was closed.** ~~expiration, revocation or closure of the school. Older versions may be purged from the file after a four (4) calendar year retention.~~

Agency review:

The appraisal is supported by Department of Education, Career Readiness and Adult Learning Education Options, Private Schools Division Records Officer.

NSLAPR staff recommendation:

The retention period meets administrative needs.

Justification for Modification RDA 2007110:

The expiration or revocation of the license may be a different date from the closure of the school. The recommended change clarifies the trigger date. A new record series was created to schedule the crisis response plans. See RDA 2016026. Since the agency's records are based on a school year, the agency has requested to change to "end of school year" to align the retention with the school year.

D. Recommended Modification:

Title: Private School Student Academic Records: Elementary Schools

RDA: 2009067

Description:

These records document the academic records of individuals whose private elementary school went out of business (See NRS 394.341 (1)). The records may contain, but are not limited to: Academic

Records; Pupil Progress Reports; Health records; Copies of basic skills test results; Counselor reports; Registration documents; Referrals; Conduct reports; Correspondence, and; Similar documents.

Authorized Retention:

Retain these records for a period of three (3) ~~calendar~~ **school** years from **the end of the school year in which the school was closed** ~~receipt of the records.~~

Agency review:

The appraisal is supported by Department of Education, Career Readiness and Adult Learning Education Options, Private Schools Division Records Officer.

NSLAPR staff recommendation:

The retention period meets administrative needs.

Justification for Modification RDA 2009067:

The original justification for the 3 year retention was based on NRS 11.190 for fraud or mistake. The 3 year retention should start based on the close of the school not when the agency received the records. Since the agency's records are based on a school year, the agency has requested to change to "end of school year" to align the retention with the school year.

E. Recommended Modification:

Title: Private School Student Academic Records: Secondary Schools

RDA: 2009066

Description:

These records document the academic records of individuals whose private secondary school went out of business (See NRS 394.341 (1)). The records may contain, but are not limited to: academic transcripts; pupil progress reports; health records; copies of basic skills test results; counselor reports; registration documents; referrals ; conduct reports; related correspondence, and; similar documents

Authorized Retention:

Retain ~~the academic transcript~~ for a period of fifty (50) ~~calendar~~ **school** years from the **end of the school year in which the school was closed.** ~~closure of the school. All other documents may be disposed of after a retention period of six (6) calendar years from the receipt of the record.~~

Recommended Disposition:

Agency review:

The appraisal is supported by Department of Education, Career Readiness and Adult Learning Education Options, Private Schools Division Records Officer.

NSLAPR staff recommendation:

The retention period meets administrative needs.

Justification for Modification RDA 2009066:

This record series had two retention periods. The agency requested all records be kept for 50 years to eliminate the time required to purge records since they are sent as one file from the schools.

Since the agency's records are based on a school year, the agency has requested to change to "end of school year" to align the retention with the school year.

F. Recommended New RDA:

Title: Private School Files: Crisis Response Plans

RDA: 2016026

Description:

This record series is used in the monitoring process for the crisis response plans private schools (See NRS and NAC chapter 394). The files may contain, but are not limited to: Crisis response plans (confidential, see NAC 394.168 to 394.1698); and related correspondence.

Authorized Retention:

Retain for one school year from the end of the school year to which they pertain.

Agency review:

The appraisal is supported by Department of Education, Career Readiness and Adult Learning Education Options, Private Schools Division Records Officer.

NSLAPR staff recommendation:

The retention period meets administrative needs.

Justification for New RDA 2016026:

The record is currently scheduled under RDA 2007110 "Private School Files: Operational Records" which has a retention period of 4 years from the closure of the school. The crisis plans are renewed annually and superseded records do not have continuing value. Since the agency's records are based on a school year, the agency has requested "end of school year" to align the retention with the school year.

G. Recommended New RDA:

Title: Private School Files: License Records – Denied or Withdrawn

RDA: 2016024

Description:

This record series documents the licensing and monitoring of private schools (See NRS and NAC chapter 394). The records may contain, but are not limited to: original applications (including renewals) (NRS 394.251(1)); surety bonds / certificate of deposit (NRS 394.251 (1)); application investigation documentation (NRS 394.251 (2)); school Inspections (NRS 394.245); reviews; sample catalog (NRS 394.251 (1)); supplemental material (NAC 394.030 & 394.040); proposed advertisements; OSHA and fire department inspections; application financial documentation (NAC 394.140); facility plans and related documentation; related correspondence, and; similar documentation.

Authorized Retention:

Retain for one school year from the end of the school year to which they pertain.

Agency review:

The appraisal is supported by Department of Education, Career Readiness and Adult Learning Education Options, Private Schools Division Records Officer.

NSLAPR staff recommendation:

The retention period meets administrative needs.

Justification for New RDA 2016024:

A record series does not currently exist for these records. A one year retention satisfies the agency’s administrative needs. Since the agency’s records are based on a school year, the agency has requested “end of school year” to align the retention with the school year.

Discussion and Vote:

This item was approved as presented, with the exception of item G, which was tabled. Staff would like to look at the retention more to insure that it complies with an appeal process. The motion was made by Jim Earl and the second was by Kathryn Etcheverria. The vote was unanimous.

7: Department of Education, Career Readiness and Adult Learning Education Options, Charter Schools

- A. 2009063 Charter Schools: Not State Sponsored Written Charter Delete - Obsolete
- B. 2009062 Charter Schools Original Application Delete – Obsolete
- C. 2009064 State Board Sponsored Charter Schools (Approved) Delete – Obsolete
- D. 2009065 State Board Sponsored Charter Schools (Denied) Delete - Obsolete

A. Recommended Deletion:

Title: Charter Schools: Not Sponsored Written Charter

RDA: 2009063

Description:

~~These records are used for administrative purposes to monitor the continued operation of charter schools (See NRS chapter 386 and NAC chapter 387). The files may contain but are not limited to: Copy of application with related documentation; copy of written agreement; Copy of the Amended Final Approved Application; Written determination; supplemental information (See NRS 386.520 and NAC 386.140 to 150); related program correspondence, and; similar documentation.~~

Authorized Retention:

~~Retain these records for a period of three (3) calendar years expiration, revocation or other closure of the charter school. Program correspondence may be purged from the files when no longer administratively useful.~~

Agency review:

The appraisal is supported by Department of Education, Career Readiness and Adult Learning Education Options, Private Schools Division Records Officer.

NSLAPR staff recommendation:

Delete this RDA

Justification for Deletion of RDA 2009063:

The records are held by the school sponsor who would follow the applicable record series on the Local Government Retention Schedule

B. Recommended Deletion:

Title: ~~Charter Schools Original Applications~~

RDA: 2009062

Description:

~~These records document the initial or renewal charter school applications reviewed by the Department for completeness (See NRS and NAC Chapters 386 & 387 especially NRS 386.520). The records may contain but are not limited to: Copy of application with related documentation; Letter of intent to form a charter school; Written determination; Supplemental information (See NRS 386.520 and NAC 386.140 to 150), and; Related program correspondence.~~

Authorized Retention:

~~Retain these records for a period of one (1) calendar year from the deadline date established by the Department of Education.~~

Agency review:

~~The appraisal is supported by Department of Education, Career Readiness and Adult Learning Education Options, Private Schools Division Records Officer.~~

NSLAPR staff recommendation:

~~Delete this RDA~~

Justification for Deletion of RDA 2009062:

The records are held by the school sponsor who would follow the applicable record series on the Local Government Retention Schedule.

C. Recommended Deletion:

Title: ~~State Board Sponsored Charter Schools (Approved)~~

RDA: 2009064

Description:

~~These records are used to monitor the continued operation of charter schools (See NRS and NAC chapter 386 and 387) sponsored by the State Board of Education. The records may contain but are not limited to: Application and related documentation, including amendments; Written agreement; Monitoring / compliance / fiscal reports (See NRS and NAC chapters 386 and 387) and supportive documentation; Written notice of changes; Related program correspondence, and; Similar documentation~~

Authorized Retention:

~~Retain these records for a period of six (6) calendar years from the expiration, revocation or other closure of the charter school.~~

Agency review:

~~The appraisal is supported by Department of Education, Career Readiness and Adult Learning Education Options, Private Schools Division Records Officer.~~

NSLAPR staff recommendation:

~~Delete this RDA~~

Justification for Deletion of RDA 2009064:

The records were transferred to the State Public Charter School Authority when it was created in 2011. A new agency specific schedule was also created with the same retention and disposition. See RDA 2011031

D. Recommended Deletion:

Title: ~~State Board Sponsored Charter Schools (Denied)~~

~~RDA: 2009065~~

Description:

~~These records document the denied applications for charter schools (See NRS and NAC chapter 386) requesting sponsorship by the State Board of Education. The files may contain but are not limited to: Application; Written agreement; Related program correspondence, and; Similar documentation.~~

Authorized Retention:

~~Retain these records for a period of three (3) calendar years from the date of denial~~

Agency review:

The appraisal is supported by Department of Education, Career Readiness and Adult Learning Education Options, Private Schools Division Records Officer.

NSLAPR staff recommendation:

Delete this RDA

Justification for Deletion of RDA 2009065:

The records were transferred to the State Public Charter School Authority when it was created in 2011. A new agency specific schedule was also created with the same retention and disposition. See RDA 2011032

Discussion and Vote:

This item was approved as presented with no further discussion needed. The motion was made by Jim Earl and the second was by Jeff Kintop. The vote was unanimous.

8: Department of Administration, Library, Archives and Public Records, Archives and Records

- A. 2016017 Archives Accession Records – New
Memorandum of Transfer
- B. 2016019 Archives Accession Records – New
Deaccession Receipt
- C. 2016020 Archives Accession Records – Loan New
Receipt
- D. 2016021 Archives Accession Records – Images New
License Agreement

A. Recommended New RDA:

Title: Archives Accession Records – Memorandum of Transfer

RDA: 2016017

Description:

This record series is used to document receipt of records to the State Archives (NRS 378.250). The records may include, but are not limited to: “Memorandum of Transfer” authorization forms (the information may include - sending agency, name of sender, dates, number of boxes, contents of boxes, RDA number, disposition date, etc), index list, deeds of gift, receipts, and related correspondence.

Authorized Retention: Permanent

NSLAPR staff recommendation:

The retention meets administrative needs.

Agency review:

The appraisal is supported by the State Archives Manager.

Justification for New RDA 2016017:

A record series does not currently exist for these records. These records need to be retained permanently with the accessioned records.

B. Recommended New RDA:

Title: Archives Accession Records – Deaccession Receipt

RDA: 2016019

Description:

This record series is used to document the transfer of records from the State Archives (NRS 378.250). The records may include but are not limited to: “Deaccession Receipt”/Memorandum of Understanding authorization forms (the information may include -, name of transfer location, dates, number of boxes, contents of boxes, RDA number, disposition date, etc) index list, and related correspondence.

Authorized Retention:

Permanent

NSLAPR staff recommendation:

The retention period meets administrative needs.

Agency review:

The appraisal is supported by the State Archives Manager.

Justification for New RDA 2016019:

A record series does not currently exist for these records. These records need to be retained permanently to document the deaccessioned records.

C. Recommended New RDA:

Title: Archives Accession Records – Loan Receipt

RDA: 2016020

Description:

This record series is used to document the transfer of records from the State Archives (NRS 378.250). The records may include but are not limited to: “Transfer Receipt”/Memorandum of

Understanding authorization forms (the information may include -, name of transfer location, dates, number of boxes, contents of boxes, RDA number, disposition date, etc) index list, and related correspondence.

Authorized Retention:

Retain for four (4) calendar years from the end of the calendar year in which the records were returned.

Agency review:

The appraisal is supported by the State Archives Manager.

Justification for New RDA 2016020:

A record series does not currently exist for these records. A four year retention period is being recommended based on NRS 11.190(2)(c)

NRS 11.190 Periods of limitation. 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: 2. Within 4 years:

(a) An action on an open account for goods, wares and merchandise sold and delivered.

(b) An action for any article charged on an account in a store.

(c) An action upon a contract, obligation or liability not founded upon an instrument in writing.

D. Recommended New RDA:

Title: Archives Accession Records – Images License Agreement

RDA: 2016021

Description:

This record series is used to document the agreement to use images of records from the State Archives in programs or publications. The records may include but are not limited to: Images License Agreement, and related correspondence.

Authorized Retention:

Permanent

NSLAPR staff recommendation:

The retention period meets administrative needs.

Agency review:

The appraisal is supported by the State Archives Manager.

Justification for New RDA 2016021:

A record series does not currently exist for these records. As the “Images License Agreement” states that the “License Term shall be in perpetuity”, the agreement should also be kept permanently.

Discussion and Vote:

This item was approved as presented with no further discussion needed. The motion was made by Jim Earl and the second was by Kathryn Etcheverria. . The vote was unanimous.

9: Nevada Department of Transportation Update (discussion only)

- The Nevada Department of Transportation has a fee schedule again for Public Records Requests. It will be listed on their web page within the next week.

10: Discuss future agenda items:

Department of Public Safety: General Services Division
Commission on Ethics
Gaming Control Board
Environmental Protection: Bureau of Industrial Site Cleanup
Nevada System of Higher Education

11: Public Comment

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

- There was no public comment.

12: Determine time of next meeting

- The next meeting will be August 10, 2016 at 1:15 pm in the Nevada State Library and Archives Board room.

13: Adjourn

- The meeting was adjourned at 2:21 pm with the motion made by Jim Earl. The vote was unanimous.