Policy Statement

Policy on Records Management and Retention

STATEMENT RELATED TO AN INSTITUTIONAL RECORDS AND INFORMATION MANAGEMENT AND RETENTION POLICY: The University of Texas at Dallas recognizes the need for orderly management and retrieval of all official records and a documented records retention and destruction schedule congruent with all state and federal laws and related regulations. All official records (paper, microform, electronic, or any other media) will be retained for the minimum periods stated in the institutional Records Retention Schedule as approved by the Texas State Library and Archives Commission and the Texas State Auditor's Office in compliance with Texas Government Code, Chapter 441. After a specified period of time, official records must be disposed of in a manner that is consistent with, and systematically carried out in accordance with, prescribed records and information management guidelines and procedures.

Duplicate files, duplicate copies, library materials, and stocks of obsolete forms or pamphlets originally intended for distribution are not considered to be official records or record copies. Duplicates or non-record convenience copies should be destroyed when they cease to be useful and should never be kept longer than the official record copy.

Records Retention Schedule

The institutional Records Retention Schedule (Exhibit A1) provides a list of official records for each department on the campus and prescribes the periods of authorized retention. The schedule may be revised periodically to include a newly created record series, to change retention periods, or to delete a record series no longer useful. Appropriate approval procedures must be followed and completed before any revisions would become effective.

All records are to be kept for the minimum periods listed in the Records Retention Schedule. Notwithstanding such minimum retention periods, all records must be maintained until all required audits are completed and should be retained beyond the listed retention periods where there is a probability of litigation either involving records or requiring their use.

Documents may be maintained for the prescribed minimum retention periods in microform if the microform reproduction is accomplished pursuant to a procedure that complies with Texas Government Code Section 441.188; 13 Texas Administrative Code Sections 6.21-6.35.

Official records kept only in electronic format must be identified in the Retention Schedule and must comply with the administrative rules of the Texas State Library (13 Texas Administrative Code Sections 6.91-6.99).

Vital Records should be identified in the Retention Schedule and protected in accordance with Texas Government Code Section 441.183. State law defines a vital state record as any state record necessary to the resumption or continuation of state agency operations in an emergency or disaster; the recreation of the legal and financial status of the agency; or the protection and fulfillment of obligation to the people of the state.

Archival documents should be identified in the Retention Schedule and maintained in accordance with Texas Government Code Section 441.181. An archival state record is any state record that is retained permanently for lasting historical value and is used for research and reference by university offices and the general public. Archival or historical records are to be preserved in the archives of the institution.
Destruction of State Records

No state records may be destroyed without permission from the Texas State Library as outlined in *Texas Government Code* Section 441.187; 13 *Texas Administrative Code* Section 6.7. The Texas State Library has two established methods for obtaining legal authority to destroy state records. Procedures differ for records listed on an approved Records Retention Schedule and any records not listed.

A state record may not be destroyed if any litigation, claim, negotiation, audit, open records request, administrative review, or other action involving the record is initiated before the expiration of the retention period for the record set in the approved institutional Records Retention Schedule. If no action as described above has been taken, records may be destroyed in accordance with the approved retention periods shown in the Records Retention Schedule. Prior to disposal of official records, all state and institutional records and information management regulations and policies must be followed.

State records not listed on the approved Records Retention Schedule (*Exhibit A1*) may be destroyed after receiving approval by officials at the Texas State Library. Form RMD 102, Request for Authority to Dispose of State Records, (*Exhibit A2*), must be completed and submitted to the Office of the Associate Vice President for Finance, Mail Station AD24. The forms will be submitted to the Records Services Department of the Texas State Library to obtain approval for the destruction of public or official records. Unlisted records must not be destroyed until the State Library administrator approves and returns the form to the Associate Vice President for Finance and a copy is forwarded to the requestor.

Release of Records (Texas Public Information Act)

Under provisions of the Texas Public Information Act (*Texas Government Code*, Chapter 552), the Chancellor and the President of each U.T. System component institution may delegate their authority as the custodians of records to Public Information Officers. The Chancellor has designated the Executive Vice Chancellor for Business Affairs as the Public Information Officer at System Administration. The Public Information Officer at The University of Texas at Dallas, as designated by the President, is the Senior Vice President for Administration.

Written requests for documents under the Texas Public Information Act should be directed to the Public Information Officer and handled immediately pursuant to the provisions of the Act and U.T. System BPM 32-09-99. See Section A2-100.0 for more information.

Coordination with System Administration Records Management Officer

State law requires each state agency to appoint a Records Management Officer (RMO) to act as the agency’s representative in all issues of records and information management policy, responsibility, and statutory compliance pursuant to *Texas Government Code* Section 441.184. The Associate Vice President for Finance (Mail Station AD24) serves as the RMO at The University of Texas at Dallas.

The RMO at System Administration serves as the liaison between the Texas State Library and the U.T. System component institutions and provides a clearinghouse for collection of institutional Records Retention Schedules to be submitted to the Texas State Library for approval and recertification in accordance with *Texas Government Code* Section 441.185; 13 *Texas Administrative Code* Sections 6.1-6.10. In addition to coordinating the U.T. System records retention programs, the RMO is available to assist component staff members who are assigned records and information management responsibilities.

Policy Links

- Permalink for this policy: http://policy.utdallas.edu/utdbp3001
- Link to PDF version: http://policy.utdallas.edu/pdf/utdbp3001