Records Retention

Developed by
The University of Texas at Dallas
Department of Environmental Health & Safety
Policies and Regulations

UT Dallas is a State of Texas agency and must comply with Texas records management policies and regulations. The law requires that UT Dallas inform you of your responsibilities in handling state records.

Policies

- Preservation and Management of State Records and Other Historical Resources, Government Code, Chapter 441, Subchapter L - State Records Management Laws - 441.180.
- Administrative Rules of Texas State Library and Archives Commission Texas Administrative Code, Title 13, Chapter 6 - Texas Administration Code.
- UT Dallas’ Records Retention Schedule - Records Retention Schedule.
Training Overview

Part 1: What Counts as a State Record?
Part 2: How to Handle State Records?
Part 3: Case Studies and Answers
Part 1

What Counts as a State Record?

Texas records management laws only apply to things that fit the definition of a state record. The law defines a state record as:

• “...any written, photographic, machine-readable, or other recorded information created or received by or on behalf of a state agency...that documents activities in the conduct of the state business or use of public resources.”

• Most of the things that we handle every day fit this definition.

Examples of State Records

• E-mails
• Meeting minutes/notes or recordings
• Calendar entries
• Time sheets
• Vacation requests
• Account reconciliations
What’s not Considered a State Record?

Not everything is a state record. The laws exclude these items:

- Library or museum material made or acquired and maintained solely for reference or exhibition purposes
- An extra copy of recorded information maintained only for reference
- A stock of publications or blank forms

For Example

If your office has a stack of brochures about the programs and services you offer, Texas record management laws do not apply to the brochures.
Part 2

Handling State Records

Why does the law require state records to be handled in specific ways and why is records management important?

• The [Texas Public Information Act](#) requires that our records remain accessible to the public.

• Some state records are important for the operations of state agencies, both on an ongoing basis and when needed during emergencies or after disasters.

• Some state records have value as original source materials related to Texas culture and history.

• Good records management saves time and money by:
  o Improving access to information for both external and internal users
  o Using our space efficiently
Each Type of State Record Requires Different Handling

The law defines four types of state records:
1. Confidential
2. Vital
3. Archival
4. Transitory

This training will focus on:
- Retention: How long each should be kept on file
- Disposal: How to dispose of the record when no longer needed

Because our focus is retention and disposal, we can look at state records as belonging to one of two groups:
1. Those you must keep on file
2. Those you can throw away
Each Type of State Record Requires Different Handling, Cont.

<table>
<thead>
<tr>
<th>Record Type</th>
<th>Brief Definition</th>
<th>Keep on File or Throw Away</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confidential</td>
<td>Public access is restricted or denied by state or federal law</td>
<td>Keep on file for the retention period</td>
</tr>
<tr>
<td>Vital</td>
<td>Needed for operations or to protect the rights of individuals and organizations</td>
<td>Keep on file for the retention period</td>
</tr>
<tr>
<td>Archival</td>
<td>Records of enduring historical value</td>
<td>Keep on file</td>
</tr>
<tr>
<td>Transitory</td>
<td>Needed only for a limited period of time to complete an action</td>
<td>Throw away when convenient</td>
</tr>
</tbody>
</table>

**Summary**

Transitory records are the only state records you can throw away without ever keeping on file.
Get Familiar with the Four Types of State Records

Confidential

Records which are under restricted access or inaccessible to the public due to state or federal law.

For Example

• Information in a personnel file, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy
• Student records
• Certain law enforcement and prosecutorial information
• Audit working papers
Get Familiar with the Four Types of State Records, Cont.

Vital
Records which contain information needed to continue operations during or shortly after a crisis and to protect the rights and interests of individuals and organizations. These records also serve to fulfill our obligations, such as the Public Information Act.

For Example
• Contracts
• Patents
• Academic records
• Customer records
• Laboratory notebooks
• Policy or procedure manuals
Get Familiar with the Four Types of State Records, Cont.

**Archival**
Records which have enduring historical value that will be preserved on a continuing basis until an archivist indicates the record no longer merits further retention.

**For Example**
- Manuscripts
- Maps
- Photographs and artistic depictions
- Other printed materials or recorded information relating to the history and culture of UT Dallas
Get Familiar with the Four Types of State Records, Cont.

Transitory Records are the only records you can throw away. Transitory records have temporary usefulness and are not an integral part of any other set of records. These records are required only for a limited period of time in order to complete an action.

For Example

- Routine messages
- Junk mail and unsolicited mail not related to university business
- Preliminary document drafts that don’t represent significant steps in the preparation of a record document
- Messages you did not originate or add to in a thread
- Any message not the final reply in a thread
- Materials with no informational value, such as telephone call slips, letters of transmittal, route slips, etc.
- Reference materials and any other similar routine information used for communication but not for the documentation of a specific agency transaction
Guidelines for Knowing What to Keep

Only keep the original record. You can keep copies for convenience, but you should never keep them longer than the original record. You must keep a record if any of the following apply:

- It was created by your department
- It details a business action with which you or your office are directly involved
- It is the only source of certain information; the information is not available anywhere else
- It was received from outside UT Dallas and relates to UT Dallas matters
- It contains information critical to UT Dallas business operations

Who keeps it?
The original records should be retained by the initiating office. If you’re keeping copies for convenience, make sure you do not keep them longer than the initiating office.

Remember
You can throw away transitory state records whenever convenient, but you must handle all other state records carefully.
How Long to Keep Records

Follow the UT Dallas Records Retention Schedule. It lists most types of records and specifies how long to keep each item on file.

Exceptions

• You must keep a record longer if it is involved in any claim, audit, litigation, negotiation, administrative review, public information request, or other action. It must be retained until the completion of the action and the resolution of all issues that arise from it.

• Records pertaining to grants and contracts must be retained for at least 3 years after the close of the grant/contract, but the time may vary depending on the agency.

Remember

If you file documents by date, it’s easier to follow the records retention schedule.
Always Get Authorization Before Disposing of Non-transitory State Records

Follow these steps when you believe that a record is no longer required to be kept on file.

1. **Complete** the appropriate form.
   - For state records listed in the records retention schedule use the Request for Disposal of State Records form, which requires an approval signature from the appropriate department head.
   - For state records not listed in the records retention schedule contact Teresa Johnston at 972-883-2797 or by e-mail at tjohnstn@utdallas.edu.

2. **Send** the completed form (s) to the Records Retention Officer at mailstop SG10 or by e-mail: tjohnstn@utdallas.edu or claudia.tatum@utdallas.edu.

3. **Wait** for a response. You might get authorization to destroy the records, other instructions, or follow-up questions.
Always Destroy Records Appropriately

Follow the law when disposing of state records. If the records contain confidential or private information, you must dispose of them in a way that maintains their security.

For Example

- Shredding
- Using a locked recycling container
Resources

UT Dallas’ Records Retention Schedule: [Records Retention Schedule](#).

Records Retention Training: Training module is available at the [EHS - Business Services - Records Retention website](#) and [UT Dallas’ Office of Institutional Equity and Compliance website](#).

Forms: Authorization forms to destroy state records.

- For state records listed on the records retention schedule use the [Request for Disposal of State Records](#) form, which requires an approval signature from the appropriate department head.
- For state records not listed on the records retention schedule contact Teresa Johnston at 972-883-2797 or [tjohnstn@utdallas.edu](mailto:tjohnstn@utdallas.edu).
- Send the completed form (s) to Mailstop SG10 or by e-mail to: [tjohnstn@utdallas.edu](mailto:tjohnstn@utdallas.edu) or [claudia.tatum@utdallas.edu](mailto:claudia.tatum@utdallas.edu).
Business Services Contact:

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