



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,
NY 12230

New York State Archives
Tel. 518-474-6926

To: Local Government Officials
From: Geoffrey A. Huth, Director, Government Records Services
Subject: *Records Retention and Disposition Schedule MI-1*
Date: June 15, 2011

Records Retention and Disposition Schedule MI-1, last revised in 2006, contains the following advice in the Introduction regarding retaining records beyond their legal minimum retention periods for legal actions:

Some records may be needed to defend the local government in legal actions. Records that are being used in such actions must be retained for the entire period of the action even if their retention period has passed. **If the retention period has expired by the time the legal action ends, the record must be retained for at least one additional year** to resolve any need for the record in an appeal. If the retention period has **not** expired, the record must be retained for the remainder of the retention period, but not less than one year after the legal action ends. Prior to disposing of records, local officials may wish to consult with their county attorney to verify that no legal actions have been initiated which would require longer retention of the records.

On April 1, 2007, Chapter 13 of the State Finance Law, known as the “False Claims Act,” went into effect. The law allows a local government to bring a civil action to recover financial losses from a fraudulent claim in triplicate, and in addition allows a private citizen with inside knowledge of such fraud to receive up to 30% of the proceeds. The broad scope of this statute covers almost any false claim or statement that involves a demand for payment from the local government or which deprives the government of revenues. Section 192 of this statute permits any legal action to be commenced “no later than ten years after the date on which the violation of this article is committed.” This legal requirement may require that certain records covered by this schedule be retained for longer than their stated legal minimum retention periods, in some cases up to 10 years. This longer retention may not only involve specific records covered by items found in the Fiscal section, but also other records found throughout the schedule needed for supplementary documentation. In instances involving potential actions under the “False Claims Act,” local officials may wish to consult with their attorney to verify whether any specific records warrant longer retention.

The New York State Archives intends to include this additional language in the Introduction of future editions of the *Schedule MI-1*. I invite you to contact my office or the State Archives’ Regional Advisory Officer (RAO) in your region if you have any questions about how this statute affects the use of *Schedule MI-1*.



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To: Local Government Officials
From: Geoffrey A. Huth, Director, Government Records Services
Subject: *Records Retention and Disposition Schedule MI-1*
Date: May 16, 2011

Records Retention and Disposition Schedule MI-1, last revised in 2006, includes an item, Records filed by contractor or sub-contractor with local government related to public works project, in the Public Property and Equipment section. This item, #789, in the current version of the *Schedule MI-1*, authorizes records destruction three years after contract completion.

The Laws of 2008 (Chapter 8) effectively revised Section 220 (3-a) of the Labor Law upon which the retention and disposition of this contractor records item was based. The revised law lengthens the retention period of contractor records to five years after contract completion. To avoid premature destruction of these records, government officials should cease destroying records as authorized by the relevant item and should instead follow the indicated retention period prescribed by law and by the proposed new item below. The New York State Archives intends to revise this item in future editions of the *Schedule MI-1*.

The proposed revision of the item is as follows:

[] **Records filed by contractor or sub-contractor with local government related to public works project**, pursuant to Section 220 (3-a), Labor Law, including but not limited to copy or abstract of payroll, classification of workers employed on a project, and statement of work to be performed by each classification:

RETENTION: 5 years after contract completion

Please be aware that the proposed revisions are tentative until they are formally approved. I invite you to contact my office or the State Archives' Regional Advisory Officer (RAO) in your region if you have any questions about the *Schedule MI-1* or comments on the proposed revision.

THE UNIVERSITY OF THE STATE OF NEW YORK
THE STATE EDUCATION DEPARTMENT
NEW YORK STATE ARCHIVES

To: Local Government Officials Date: February 1, 2006

From: Geoffrey Huth, Acting Director, Government Records Services

Subject: *Records Retention and Disposition Schedule MI-1* (REPLACEMENT PAGES)

I am enclosing **replacement pages** to be used for the revised 2006 edition of *Records Retention and Disposition Schedule MI-1*. **Please note that these are replacement pages only and are not a complete Schedule. You will need to insert these replacement pages into your copy of the 2002 edition of *Schedule MI-1*.** We suggest you discard those 2002 edition pages being replaced (other than retaining one set as a reference copy) to avoid possible confusion with the new pages. You will note that all replacement pages are marked "Rev. 2006" on the lower left of the page.

The enclosure includes the following replacement pages: Cover, title page and Regents page, iii-vi, ix-x, 1-2, 11-12, 23-33e, 34-35a, 36, 83-84, 87-88, 91-94, 105-111b, 112-114, 117-124, 149-150, 155-158, 169-170, 175-180, 201-202, 207-208, and 219-248. **Each of these pages replaces the same-numbered page from the 2002 edition, except pages 33a-33e, 35a, 111a-111b, and 248 are new. All pages in the 2002 edition not being replaced remain in effect as part of this new 2006 edition.**

This 2006 edition should be used in place of previous versions of *Schedule MI-1*. If your local government has already adopted Schedule MI-1, then no further action is needed to use this updated version. If you have not already adopted Schedule MI-1, then you should do so following instructions in the Introduction.

New and Revised Items:

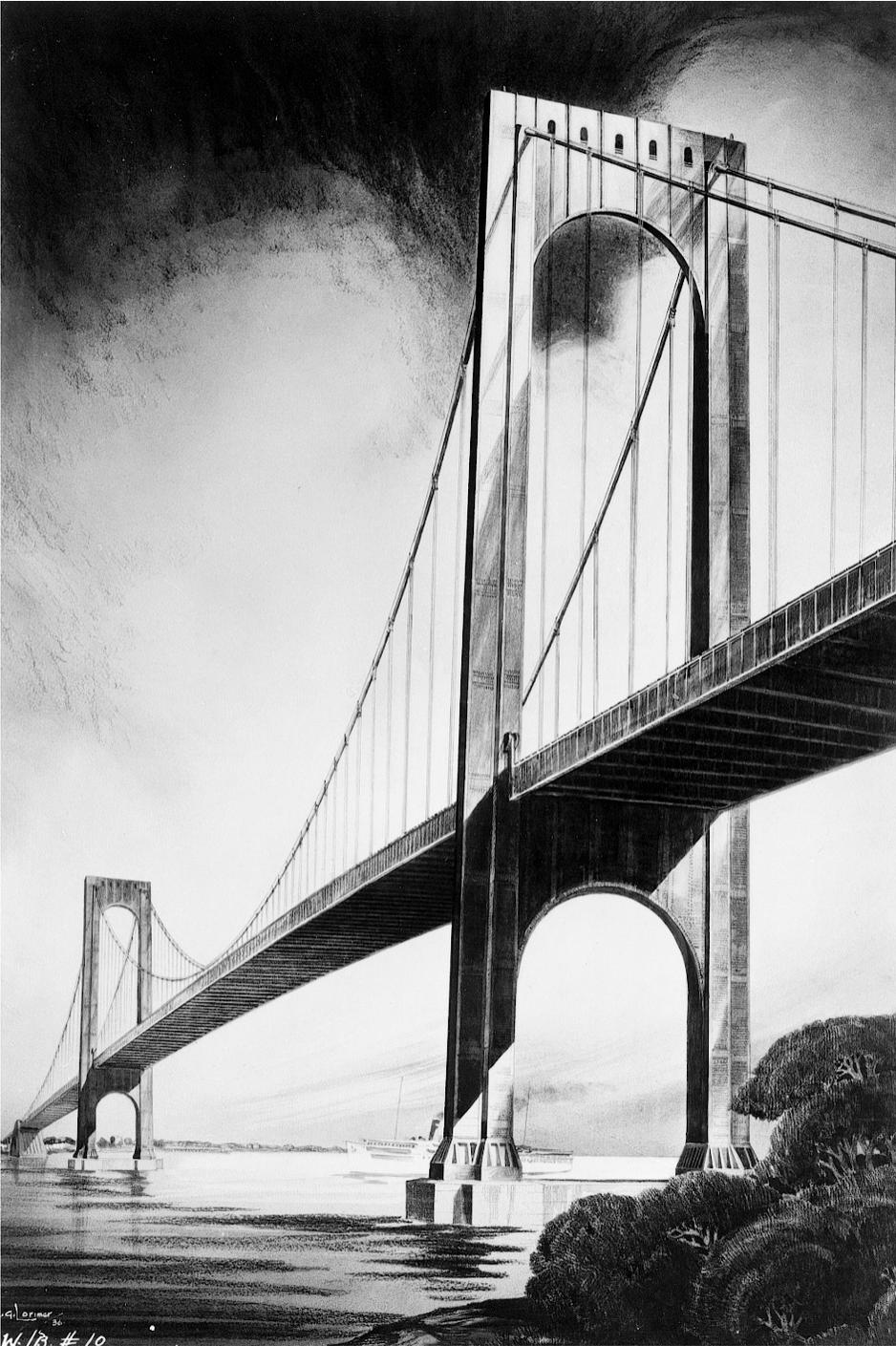
Items on the replacement pages preceded by double diamond symbols ♦♦ are either new to this 2006 edition or have been substantively changed from the previous (2002) edition. Items on the replacement pages, or on those pages not being replaced, preceded by a single diamond symbol ♦ were either new to the 2002 edition or were substantively changed in the 2002 edition from the previous version and have not been further changed in this 2006 edition. Revised items may have different retention periods, additional parts, or additional or revised explanatory notes. Please note these changes carefully because only the current items as contained in this edition of *Schedule MI-1* are legally applicable.

If you have any questions about specific changes in this new edition of the Schedule or need additional copies, please contact Government Records Services of the State Archives at (518) 474-6926. *Schedule MI-1* is also available on the State Archives website, at www.archives.nysed.gov.

Questions regarding use of this Schedule and identification of records listed therein should be directed to the New York State Archives Regional Advisory Officer (RAO) in your Region. Please contact your RAO about any records not listed on the Schedule so that we may incorporate new information in future updates. You may contact the State Archives for current information on our office in your Region.

Records Retention and Disposition Schedule MI-1

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REVISED 2006

The University of the State of New York
The State Education Department
New York State Archives
Government Records Services
Albany, New York 12230
www.archives.nysed.gov



The cover shows an artist's rendition of the Bronx-Whitestone Bridge by A.G. Lorimer, 1936. (Courtesy MTA Bridges and Tunnels Special Archive, Triborough Bridge and Tunnel Authority)

RECORDS RETENTION AND DISPOSITION
SCHEDULE MI-1
Section 185.14, 8NYCRR (Appendix K)

FOR USE BY
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The University of the State of New York
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1988, revised 2006

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the records will depend on:

- **When the records were created:** records created during a time of momentous change, which are scarce or which cover a long period of time tend to be more significant.
- **What kind of information the records contain:** records that contain more in-depth information are more likely to have enduring value.
- **Who created the records:** records that reflect an employee's perspective or individual point of view may be more significant.
- **What other records exist:** if the information in the records exists in other records within the local government or elsewhere in the state or country, then the records are less likely to be significant.
- **The unique history of the local government or community:** records created during important time periods or events can provide clues to how the events affected the development of the government and the community it serves.

The historical or other research importance of records will vary from local government to local government and from region to region. The people, places, or events in each community, and the unique circumstances of each government, determine which records are significant. Further information on identifying historically significant records is provided in the State Archives' Publication No. 50, *Appraisal of Local Government Records for Historical Value*. State Archives staff can also advise and assist local officials who are appraising records for potential long-term research value.

Records Created Before 1910

Disposition of records created before 1910 requires specific written approval from the State Archives, as required by Section 185.6 (c) of *8NYCRR*, the Regulations of the Commissioner of Education. Certain records which would normally be disposable under *Schedule MI-1* may need to be kept if created before 1910. Often these records have continuing historical or research value because:

(1) Other documentation no longer exists. Many earlier records were destroyed through natural disaster or through destruction by public officials prior to the passage of the first state statute in 1911 requiring the consent of the Commissioner of Education to the disposition of local public records;

(2) The volume and type of information contained in records have changed since the beginning of the 20th century. Older records often have more detailed and historically significant information than those produced today;

(3) Early records sometimes have intrinsic value beyond the information they contain.

"Intrinsic value" refers to qualities, such as value for exhibits, association with significant events, and aesthetic value, which records may possess beyond merely the information they contain. Further information on identifying records with intrinsic value is provided in the State Archives' Publication No. 36, *Intrinsic Value of Local Government Archival Records*.

Local officials desiring to dispose of any records created before 1910 should telephone or write the State Archives, to obtain disposition request forms. **This requirement also applies to the disposition of original records predating 1910 which have been microfilmed.** The State Archives will review each request and advise the local government on retention or disposition of the records.

Coverage

Schedule MI-1 is intended for use by:

public benefit corporations performing regional or local government functions (**except** housing authorities and the Utica Transit Authority)

NOTE: Public benefit corporations that perform statewide functions (such as the Thruway Authority and Dormitory Authority) do **NOT** use this Schedule. They are instead subject to the provisions of 57.05 of the Arts and Cultural Affairs Law and Part 188 of 8NYCRR. Contact the State Archives if there is any doubt as to which Law and Regulations apply to your public benefit corporation.

public school district, joint local government public, city/county public, miscellaneous public and special district public libraries and the Clinton-Essex-Franklin Library System

autonomous special or improvement districts with independently elected governing bodies

joint local government entities which function autonomously of the local governments that created them

regional planning agencies

soil and water conservation districts (**except** in Westchester County)

consolidated health districts

community colleges (**except** those sponsored by a single county)

miscellaneous local government entities created by state or local legislation

GENERAL

NOTE: Records common to most offices are listed under this section of the Schedule. In using the Schedule, one should first attempt to locate a specific item under a functional heading. If the record you are locating cannot be found under a functional heading, then proceed to this General section to search for a less specific item covering the record.

◆ 1.[1] **Official minutes and hearing proceedings** of governing body or board, commission or committee thereof including all records accepted as part of minutes:
RETENTION: PERMANENT

◆ ◆ 2.[2] **Recording of voice conversations**, including audio tape, videotape, stenotype or stenographer's notebook and also including verbatim minutes used to produce official minutes and hearing proceedings, report, or other record

a. Recording of public or other meeting of governing body or board, committee or commission thereof:
RETENTION: 4 months after transcription and/or approval of minutes or proceedings

NOTE: Videotapes of public hearings and meetings which have been broadcast on local government public access television are covered by item no. 581, below.

NOTE: Appraise these records for historical significance prior to disposition. Audio and videotapes of public hearings and meetings at which significant matters are discussed may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice on the long-term maintenance of these records.

b. Other recordings:
RETENTION: 0 after no longer needed

◆ 3.[3] **Meeting files** for meeting of governing body or board or agency, commission or committee thereof, including agendas, background materials and other records used at meetings:
RETENTION: 1 year

NOTE: Appraise these records for continuing administrative or historical value

prior to disposition. Agendas may have continuing administrative value and may be useful for accessing information in unindexed minutes and for indexing those minutes. Other records prepared for or used at meetings may have administrative or historical value for documenting issues discussed at the meetings and referenced in the minutes. See item no. 1, above, for records which are accepted as part of the minutes.

◆4.[4] **Legal opinion** or legal directive rendered by government agency:
RETENTION: PERMANENT

5.[5] **Local law (including certification that law was properly enacted), rule, regulation, ordinance, resolution, proclamation or court order:**
RETENTION: PERMANENT

◆6.[6] **Legal agreement**, including contract, lease, and release involving local government:
RETENTION: 6 years after expiration or termination or 6 years after final payment under contract, whichever is later

NOTE: This item does not apply to contracts (collective bargaining agreements) between a local government and a public employee labor organization. These contracts are covered by item no. 321 in the Personnel/Civil Service section, and must be retained permanently.

7.[7] **Signature card**, or equivalent record, showing signature of individual legally authorized to sign specific transaction:
RETENTION: 6 years after authorization expires or is withdrawn

◆8.[8] **Proof of publication or posting**, legal notices, or certification thereof

NOTE: This item does **not** apply to notice of forthcoming election (see item no. 143 in the Election section).

a. **Relating to bond or note issue or tax limit increase:**
RETENTION: 6 years after issue or increase disapproved or retired

b. **Not relating to bond or note issue or tax limit increase:**
RETENTION: 6 years

◆9.[9] **Manual of procedures**, or policies and standards

a. **Involving major procedures, policies and standards affecting local**

records:

RETENTION: 0 after no longer needed

◆ 6.[39] **Guide, listing, index, or other finding aid** to archival records:

RETENTION: 0 after superseded

NOTE: Local governments should retain any superseded guides, lists, indices or other finding aids containing record numbering and identification information, or any other significant information not carried forward to newer versions.

◆ 7.[40] **Records on use of archival materials**

a. Log or register of researchers, and patron's registration for use of archival records:

RETENTION: 6 years

b. Researcher interviews, reference statistics, requests for records, or similar reference service records:

RETENTION: 0 after no longer needed

ATTORNEY OR COUNSEL

- ◆ 1.[41] **Legal case file**, including but not limited to notice of claim, attorney and investigator activity logs, complaints, court order, motions, notes, briefs, releases and closing sheet:
RETENTION: 6 years after case closed, or 0 after any minor involved attains age 21, whichever is later

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of significant cases which have importance or which set major legal precedents. For instance, local governments may wish to permanently retain files for cases concerning major local controversies, issues, individuals and organizations which are likely to be the subject of ongoing research or which result in decisions or rulings of major significance to the local government or community or to the entire state. Contact the State Archives for advice in this area. In addition, local governments may wish to retain the complaint and release for routine cases longer for convenience of reference.

- 2.[42] **Legal brief file** ("brief bank") containing duplicate copies of legal briefs from case files, retained separately for future reference:
RETENTION: 0 after no longer needed

- ◆ 3.[43] **Legal case log** giving chronological listing of cases:
RETENTION: 0 after no longer needed

- 4.[44] **Legal case index**, including notations on activities related to case:
RETENTION: PERMANENT

- 5.[45] **Subject file** assembled and kept for reference purposes:
RETENTION: 0 after no longer needed

- ◆ ◆ 6.[880] **Subpoena**, along with documentation of response, issued to local government agency or officer, when not part of legal case file or any other series of records listed on this Schedule:
RETENTION: 6 months after date of response

NOTE: Subpoenas relating to legal case files or other series of records listed on this Schedule should be retained as part of or as long as that respective series.

COMMUNITY COLLEGE

◆◆NOTE: The Admissions subsection has been eliminated and the single item previously found there is now in the Student Records subsection, formerly known as the Registration subsection. The Affirmative Action subsection has been eliminated; items previously found there are now covered by items in the Personnel/Civil Service and Human Rights/Economic Opportunity sections. The Health Services subsection has been eliminated; items previously found there are now covered by items in the Public Health section.

Community colleges should also consult other sections of this Schedule, especially the General, Electronic Data Processing, Fiscal, Library/Library System, Public Property and Equipment, Public Safety, and Recreation sections, for records that are held by all types of local governments.

Records of special programs not covered by specific items on this Schedule are covered by item no. 12 in the General section. These include such programs as orientation of students and staff; speakers' bureaus and other community services; veterans, servicemembers, and ROTC programs; and incubator programs, small business development services, and technical assistance/training to business and industry.

ACADEMIC AFFAIRS

◆◆1.[53] **Accreditation records** for institutional or program accreditation by the Middle States Association of Colleges and Secondary Schools, the National League for Nursing and other organizations responsible for accrediting institutions of higher learning, including but not limited to institutional self-study documents, reports and determinations resulting from onsite visits for evaluation, and the college's response to deficiencies noted

a. Significant correspondence, reports, questionnaires, self-study records and reports, guides and related documents transmitted between the community college and accrediting bodies:

RETENTION: PERMANENT

b. Routine correspondence and transmittal records, drafts of guides and reports, and fiscal records:

RETENTION: 6 years after accreditation approved or denied

◆◆2.[54] **Curriculum development records**, covering internal development and approval for credit, non-credit, and continuing education programs and courses

a. Curriculum and related records describing course of instruction and course content, including transfer status information and course history records:

RETENTION: 7 years

NOTE: Records prepared as part of curriculum planning may have long-term

value meriting continued preservation. Community college officials should evaluate these records for continued, or permanent, preservation. Contact the State Archives for additional advice

- b. Approved internal application for curriculum:
RETENTION: 7 years
- c. Denied internal application for curriculum:
RETENTION: 1 year
- d. Curriculum planning records:
RETENTION: 0 after no longer needed

NOTE: Reports and studies prepared as part of curriculum planning may have long-term value meriting continued preservation. Community college officials should evaluate these records for continued, or permanent, preservation. Contact the State Archives for additional advice.

◆◆3.[55]

Academic program proposals, including proposals for registration of new programs and requests for approval of changes in existing program title, HEGIS (Higher Education General Information Survey) content, credit hours, curricular content, format, and/or resource commitment

- a. For successful registration of program:
RETENTION: PERMANENT
- b. For failed proposal:
RETENTION: 0 after no longer needed

4.[56]

Curriculum/program registration records including approvals from the State University of New York and registration letters from the State Education Department:
RETENTION: PERMANENT

◆◆5.[59]

Course information records

- a. Official copy of any literature or other material made available to the public, including college catalogs and student handbooks:
RETENTION: PERMANENT
- b. Detailed course descriptive information, including background materials and supporting documentation:
RETENTION: 7 years after course or program discontinued
- c. Routine internal information records relating to courses, including but not limited to draft descriptions and tentative course schedules:

RETENTION: 1 year

◆◆6.[881] **Faculty and faculty-student research records**, maintained separate from faculty personnel records and student individual academic records

a. Published books, papers, journal articles, and other materials made available to the public:

RETENTION: PERMANENT

b. Other records, including but not limited to records summarizing and publicizing research, and research files which are not the personal property of the researchers:

RETENTION: 1 year after research concluded or otherwise terminated

NOTE: Depending on the nature of the research, some of these files may be valuable for other researchers as well as in documenting research sponsored by and conducted at the college, and should be appraised for potential permanent retention. Appraisals of research files should involve consultation with both members of the faculty and acknowledged professionals in the respective field.

ALUMNI

◆◆1.[65] **Alumni contact records** including but not limited to name, address, occupation, degree attained, marital status, and summary records of financial contributions of alumni:

RETENTION: 0 after superseded or obsolete

◆◆2.[882] **Alumni directory** or other master summary record of alumni and all other degree recipients, such as published alumni catalog, providing names of alumni, years of graduation, and other information such as degrees granted and place of residence:

RETENTION: PERMANENT

ATHLETICS

1.[66] **Player recruitment/scouting file** concerning recruitment of student athletes for college sports programs, including but not limited to scouting reports, lists of prospects, recruitment proposals, and correspondence

a. For student athletes entering college:

RETENTION: 3 years after graduation or date of last attendance

b. For student athletes who do not enter college:

RETENTION: 0 after no longer needed

2.[67] **Athletic scholarship file** including but not limited to applications, recommendations, authorization of awards, financial statements, accounting data, and correspondence:

RETENTION: 6 years

◆◆3.[70] **Athletic program records**

a. Lists of athletes or participants, records of intercollegiate competitions and intramural athletics, and other records **except** scouting and training videotapes and other records:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Official score and record books, team and action photographs, and videotapes of and programs for intercollegiate competitions may have historical value in documenting intercollegiate student athletics. Records with historical value should be retained permanently.

NOTE: Health-related records are found in the Public Health section of this Schedule. Athletic training records are covered by item no. 885, below.

b. Videotapes, reports and other records used for scouting and training purposes:

RETENTION: 0 after no longer needed

◆◆4.[883] **Records of gender equity in athletics**, including audit and self-evaluation records for male and female athletes and related records, including any records created pursuant to Title IX of the Education Amendments of 1972, codified in Sections 1681-1688 of *20USC*, and Section 106.41 of *34CFR*:

RETENTION: 6 years

NOTE: For related reports and records on athletic program activities, see item no. 889 in the Miscellaneous subsection of this section.

◆◆5.[884] **Substance or alcohol abuse testing records** for individual athlete, not included in student health services case record

a. Positive test results and related records:

RETENTION: 6 years after last entry

b. Negative test results:

RETENTION: 3 years

◆◆6.[885] **Athletic training records**, including but not limited to records of training provided individual athletes and staff:

RETENTION: 6 years after last entry

- 7.[101] **Athletic health information report** determining student eligibility to participate in campus sports activities:
RETENTION: 6 years

COUNSELING SERVICES

- ◆◆1.[72] **Student counseling records**, including but not limited to request for assistance relating to emotional, psychological, personal, social, academic, or placement and career planning concerns, and also covering tutoring and mentoring services provided for and received by students:
RETENTION: 6 years
- 2.[73] **Academic termination record** containing information about transfer to another college, reason for termination, or future plans of student:
RETENTION: 0 after no longer needed
- 3.[74] **List of student appointments** including slips, return cards or counseling schedules:
RETENTION: 0 after obsolete
- 4.[75] **Statistical compilation or reports of students served:**
RETENTION: 0 after no longer needed
- ◆◆5.[76] **Catalogs and related public relations information** received from other academic, vocational or educational institutions:
RETENTION: 0 after no longer needed
- ◆◆6.[886] **Career placement records**, including but not limited to records of on-campus visits and interviews, job fairs, employer information sessions, and job searches, but not including individual student counseling records:
RETENTION: 0 after no longer needed

DEVELOPMENT

- ◆◆1.[78] **Donor (and prospective donor) information records** containing information on individuals, organizations, foundations, or corporations:
RETENTION: 0 after no longer needed

NOTE: Detailed records of specific gifts to a community college are now covered by item no. 283 in the Miscellaneous section of this Schedule.

DISABLED STUDENTS

- ◆◆1.[79] **Student file** including but not limited to information on disability, correspondence with student's sponsoring agency, orders for special equipment, and notes of contacts with counselors:
RETENTION: 6 years after graduation or date of last attendance
- 2.[81] **Staff development materials** relating to instructor orientation to disabled students and general disabilities:
RETENTION: 0 after obsolete

FINANCIAL AID

- ◆◆1.[84] **Student financial aid records** including but not limited to Free Application for Federal Student Aid (FAFSA) reports, applications for assistance, financial aid disbursement records, copies of income tax forms, financial aid transcripts from other schools, award and declination notices, verifications for non-taxable income and other tax-related records, instructor requests for work-study student, student work-study job descriptions, copies of work-study time records to verify hours with student schedule, and veteran's service information:
RETENTION: 6 years
- ◆◆2.[887] **Financial aid reports** (state, federal, and other) covering multiple students, including but not limited to Tuition Assistance Program (TAP) reports:
RETENTION: 6 years

NOTE: Appraise these records for continuing administrative or historical value prior to disposition. Records with historical value should be retained permanently. Reports containing information showing trends in student financial aid over time may be valuable for planning and other decision-making as well as research purposes.

FISCAL

- 1.[85] **Admissions collection record**, including but not limited to record of receipts and log of operations:
RETENTION: 6 years
- ◆◆2.[86] **Student's individual account records**, covering credit, non-credit, or continuing education courses, housing, food, laboratory and equipment use, and other fees, charges and expenses, and also including tuition waivers:
RETENTION: 6 years after last entry

NOTE: See item no. 210 in the Fiscal section, General Accounting and Miscellaneous subsection, for other billing records.

- ◆◆3.[87] **Fiscal reports submitted to or received from the State University of New York (SUNY) including operating report (budget) and annual report (year-end):**
RETENTION: 6 years

HOUSING

- ◆◆1.[102] **Residency occupancy records including but not limited to room and board contracts and room assignment, and records pertaining to damage of dormitory equipment and furnishings:**
RETENTION: 6 years after expiration of contract or room assignment
- 2.[104] **Off-campus rental records including lists of landlords and/or listings indicating apartments or rooms available:**
RETENTION: 0 after superseded or obsolete

INSTRUCTION

- 1.[105] **Course listing created for administrative convenience, containing department list of classes:**
RETENTION: 0 after superseded
- ◆◆2.[106] **Instructor's course syllabus or lesson plan:**
RETENTION: 0 after no longer needed by community college
- NOTE:** The community college may wish to retain representative or outstanding course syllabi for future reference, as well as any useful class reading lists or bibliographies.
- ◆◆3.[107] **Instructor's grade records, test scores, and marking sheets, including records documenting the evaluation of scientific models, biological specimens, chemical compounds or other objects or materials produced in lab or shop settings:**
RETENTION: 2 years
- 4.[108] **List of students majoring in a field of study:**
RETENTION: 0 after superseded
- 5.[109] **Class schedule including class title, location, dates, and time of meeting:**
RETENTION: 6 years

- ◆◆6.[110] **Completed examination test papers and answer sheets:**
RETENTION: 6 months after course completion

- ◆◆7.[888] **Course or laboratory attendance records necessary to provide documentation for student financial aid or other purposes:**
RETENTION: 6 years

- ◆◆8.[112] **Records relating to tax-free use of alcohol for educational purposes:**
RETENTION: 6 years after expiration of permit or denial of application

- 9.[113] **Evaluations of course instructor:**
RETENTION: 3 years

- ◆◆10.[115] **Records of hypodermic syringes and needles acquired for educational use or for administration of vaccines and other controlled substances to students and/or employees**
 - a. **Certificate of need for educational use:**
RETENTION: 6 years after certificate expires

 - b. **Other records, including records of purchase, inventory, destruction, loss or theft:**
RETENTION: 6 years

MISCELLANEOUS

- ◆◆1.[58] **Chartering documents and establishment plan concerning the community college's corporate status and degree-granting authority, including background materials:**
RETENTION: PERMANENT

- ◆◆2.[118] **Fire safety inspection reports prepared pursuant to Section 807-b, Education Law:**
RETENTION: 3 years

NOTE: Although Section 807-b of Education Law authorizes community college officials to destroy these reports after 3 years, the State Archives strongly urges that the “official” or “record” copies of these reports be retained for 21 years to meet possible legal needs, including personal injury litigation that may involve minors.

- 3.[69] **Special event file**
 - a. **Official copy of any program or promotional literature or photograph of events or games:**
RETENTION: PERMANENT

 - b. **Background materials and supporting documentation:**
RETENTION: 6 years

- ◆◆4.[889] **Institutional information/reports which must be sent or made available** to enrolled and prospective students and the public, under Sections 668.41, et seq. of *34CFR*, including related records, **exclusive of** campus security records required under Section 668.46 of *34CFR*

NOTE: For campus security records see item no. 891, below, as well as items found in the Public Safety section of this Schedule.

- a. Financial assistance information, institutional information, completion or graduation rate information, completion or graduation rates for student-athletes report, and athletic program participation rates and financial support data report:
RETENTION: 6 years after issued, superseded or obsolete, whichever is later

NOTE: Institutional information and reports may have long-term value to document college policies and the status of various college programs, especially if that information is not readily available in catalogs or other sources. For that reason, officials may wish to retain these records permanently to document these policies and programs.

- b. Notice of availability of information/reports as distributed or made available to enrolled and prospective students:
RETENTION: 3 years after issued, superseded or obsolete, whichever is later
- c. Designation of employee(s) authorized to assist enrolled and prospective students obtain the information/reports:
RETENTION: 3 years after superseded

◆◆5.[890] **Commencement records**

- a. Official copy of commencement program or other publication:
RETENTION: **PERMANENT**
- b. Other commencement records, including but not limited to copies of speeches, press clippings and press releases, and event planning and logistics records:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records such as speeches and photographs may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

◆◆6.[891] **Campus safety records**

NOTE: College security units should use the Public Safety section of this Schedule whether or not they have been recognized as accredited law enforcement agencies. This item covers records that must be maintained under Section 668.46 of 34CFR (Institutional Security Polices and Crime Statistics).

NOTE: Sexual offense or alcohol or drug abuse investigation records are covered by item no. 460 in the Public Safety section, Law Enforcement: General subsection. Lists and other records of parolees and sex offenders are covered by item nos. 468 and 830 in the Public Safety section, Law Enforcement: Miscellaneous subsection. Accident or incident reports that are not crime related are covered by item nos. 31 and 32 in the General section.

- a. Annual security report:
RETENTION: PERMANENT
- b. Notice of availability of the annual security report and related records as distributed or made available to enrolled and prospective students and current and prospective employees:
RETENTION: 3 years after issued, superseded or obsolete, whichever is later
- c. Designation of employee(s) authorized to assist enrolled and prospective students obtain the annual security report and related records:
RETENTION: 3 years after superseded
- d. Crime statistics, including lists of crimes by location and relevant maps, other than those statistics included in the annual security report:
RETENTION: 3 years
- e. Crime logs:
RETENTION: 3 years

◆◆7.[124] **College-related reports, studies or data queries**, including their supporting documentation, covering subjects such as institutional research, graduation rates, enrollment projections, ethnicity and other student profiles, faculty-student class ratios, honors lists, and fiscal matters

- a. Annual or semester reports submitted to the U.S. Department of Education, State University of New York (SUNY), or local sponsor(s), including the institutional profile, other reports, studies or queries having legal or fiscal value, and verifications of data following submission by the college:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Some of these reports and studies, including their detailed documentation, may

contain significant information valuable for long-term planning as well as historical and other research. Contact the State Archives for additional advice.

- b. Reports, studies or queries having no legal or fiscal value, such as daily activity or other routine internal reports:
RETENTION: 0 after no longer needed

◆◆8.[892] **Student activity or organization records**

- a. Lists of members or participants, records of activities, competitions and performances, and other records of officially supported student activities and organizations **except** scouting records and scouting and training videotapes:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Photographs and videotapes of programs for certain competitions and performances may have historical value in documenting student activities. Records with historical value should be retained permanently.

NOTE: Parental consents are covered by item no. 71 in the Student Records subsection. Health related records are found in the Public Health section of this Schedule.

- b. Scouting reports and videotapes used for scouting and training purposes, **not** associated with intercollegiate athletics:
RETENTION: 0 after no longer needed

◆◆9.[893] **Food management records**

- a. Program participation or other legal agreement or contract, including attachments and amendments:
RETENTION: 6 years after termination of agreement
- b. Other program records, including but not limited to application to participate as a sponsor, individual student participation application records, meal counts and dietary services studies, requisition and approval of requisition for donated commodities, menus, and fiscal records such as adding machine tapes, purchase orders, claims and vouchers:
RETENTION: 6 years

◆◆10.[894] **Food inspection and investigation records, including inspection report for preparation or serving area and food sanitation complaint investigation records**

- a. When any significant problem is encountered:
RETENTION: 3 years after oldest person involved attains age 18

- b. When no significant problem is encountered:
RETENTION: 3 years

PRESIDENT

◆◆1.[119]

President's office files including but not limited to correspondence, memoranda, reports, studies, publicity items, contracts and other legal documents, and also including association or organization membership files covering affiliation with or membership in professional, education or civic groups, including the National Junior College Athletic Association (NJCAA), by the college as a whole or some department or unit thereof

- a. Where file documents a significant subject, or major policy-making or program-development process:
RETENTION: PERMANENT
- b. Where file documents routine activity:
RETENTION: 6 years or 6 years after expiration of contract, as appropriate

STUDENT RECORDS

◆◆1.[60]

Admissions records including but not limited to application, entrance examinations and reports, letters of recommendation, transcripts from secondary schools and other colleges and universities, acceptance letters, advanced placement records, evaluations, and supporting documentation

- a. For applicants who are accepted and attend:
RETENTION: 6 years after graduation or date of last attendance

NOTE: If admission records for students who enter are made part of student records, see item no. 121, below. Duplicate copies retained by a separate admissions office can be disposed of when no longer needed.

- b. For applicants who are accepted and do not attend, and applicants who are not accepted:
RETENTION: 2 years following date of exclusion or end of permitted enrollment period for accepted applicants

NOTE: Community colleges may wish to keep these records longer for international students, for convenience of access by both college personnel and the prospective or accepted students.

◆◆2.[121] Student academic records

- a. Student permanent academic record (transcript):
RETENTION: PERMANENT

- b. Change of grade documents, withdrawal authorizations, graduation certification, Social Security certification, student roster and attendance verification records such as class roster, or final grade listing and student schedule:
RETENTION: 6 years

- c. Other student records including but not limited to academic action authorizations (dismissals and/or notification of problems); employment placement records; records of internships served; records of selection for and participation in remedial assistance, second language, academic honors, or other special academic programs; and assessment of life/work experience information for academic credits:
RETENTION: 6 years after graduation or date of last attendance of student(s) involved

- d. Change in Social Security number record, application for veteran's benefits and enrollment certification and related records:
RETENTION: 3 years

- e. Application for graduation, change of course (drop/add) records, credit/no credit (audit) approval, name and/or sex change authorization, pass/fail request, registration form, and request by student for transcript or other record:
RETENTION: 1 year

- f. Unclaimed diplomas:
RETENTION: 1 year

NOTE: Community colleges may wish to keep these records longer for convenience of both college personnel and graduates who may request their diploma at some later date.

◆◆3.[895] Non-credit and continuing education records

- a. Individual attendee records, including but not limited to residence verification, program participation application, summary of participant achievements and attendance, record of courses taken including grades and test results, **but excluding** test papers and answer sheets:
RETENTION: 6 years

NOTE: If participation in a non-credit or continuing education course is pertinent to an enrolled student's academic requirements, attendee records should be

maintained as part of the student's academic records as indicated by item no. 121, above.

- b. Test papers and answer sheets:
RETENTION: 6 months

◆◆4.[896]

Student information system containing electronic information on academics, financial matters, and other aspects of student life, regardless of whether or not similar information is contained in series covered by other items found in this Schedule

- a. Basic data on any student contained in or produced by an automated student information system, including name, age, sex, personal identification (social security number or other number used to identify student), address, grade and/or class, courses taken, and grades:

RETENTION: 6 years after graduation, date of last attendance, or financial accounting, whichever is later

NOTE: This information may be valuable for long-term planning and evaluation purposes by college administrators, and for instances where students reenter the college later in life. In addition, it may be useful in historical or other research. Creation of a "history file" in the information system may be a useful way to maintain this more important information. Contact the State Archives for additional advice.

- b. Detailed data on any student contained in or produced by an automated student information system, **other than** financial aid data:

RETENTION: 6 years

- c. Financial aid data on any student contained in or produced by an automated student information system:

RETENTION: 6 years or 6 years after loan is repaid, canceled or assigned, whichever is longer

◆◆5.[122]

Records of compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and related legislation concerning access to student education records and participation in surveys on or activities in designated areas

- a. Request for hearing on content of student education records, decision of hearing, and student statement on content of disputed record:

RETENTION: Retain for the same period the disputed records are maintained

- b. Record of requests for access to and disclosures of personally identifiable information from the student education records, as required by FERPA regulations:

RETENTION: Retain for the same period the requested records are

maintained

NOTE: For records of requests for student information which are not subject to FERPA requirements, see item no. 10 in the General section of this Schedule. Requests by students for information on themselves are covered by item no. 121e, above.

- c. Request for nondisclosure of directory information or non-participation in surveys on or activities in designated areas:
RETENTION: 1 year after request is terminated or is no longer valid or 1 year after the concerned records are no longer maintained
- d. Consent for records disclosure:
RETENTION: 1 year after consent is terminated or 1 year after the concerned records are no longer maintained
- e. Waiver of right to inspect and review confidential letters and statements placed in student education records:
RETENTION: 1 year after waiver is terminated or 1 year after the concerned records are no longer maintained
- f. Directory Information Policy Statement:
RETENTION: PERMANENT
- g. Annual or other notice of rights under FERPA or related legislation concerning access to student records or participation in surveys on or activities in designated areas:
RETENTION: 3 years after issued or superseded or obsolete, whichever is later

6.[123] **Proof of residence records**

- a. Community college copy of certificate of residence:
RETENTION: 6 years
- b. Lists of students residing in different political jurisdictions:
RETENTION: 1 year after superseded or obsolete

◆◆7.[125] **Scholarship records**

- a. Individual scholarship file including but not limited to applications, list of eligible candidates, list of competition winners and alternates, recommendations, authorization of awards, financial statements, accounting data, reports, and correspondence:
RETENTION: 6 years

b. List of scholarships awarded students:
RETENTION: PERMANENT

◆◆8.[897] **Records of gifts and prizes (other than scholarships) awarded students:**
RETENTION: 3 years

◆◆9.[898] **Student degree and grade audit records, other than those found in the student academic records, covered by item no. 121, above:**
RETENTION: 6 years

◆◆10.[899] **Student disciplinary records, including but not limited to suspension notice, suspension hearing record, probationary condition adherence record, expulsion records, correspondence, fine assessment, and related records:**
RETENTION: 6 years after the end of the academic year

11.[117] **Student grievance records including but not limited to grievance, investigative records, hearing proceedings, decision rendered, student appeal, records of arbitration procedure, final decision and correspondence:**
RETENTION: 6 years after grievance resolved

◆◆12.[900] **Recruitment records, other than recruitment of individual student athletes, including but not limited to plans and strategies, lists of potential students, records of socio-ethnic composition of student body, records of college planning workshops and visits by parents and prospective students, and relevant statistics, exclusive of records of individual prospective students as covered by item no. 901, below:**
RETENTION: 3 years

◆◆13.[901] **Records relating to individual prospective students who do not apply for admission, including resumes:**
RETENTION: 1 year

14.[71] **Parental consent record:**
RETENTION: 6 years

◆◆15.[902] **Nursing education program eligible list of candidates, received from New York State Education Department:**
RETENTION: 3 years after the end of the academic year

COMMUNITY DEVELOPMENT/ URBAN RENEWAL

- ◆◆1.[126] **Master summary record** (log or register) documenting all activity of agency, covering housing rehabilitation, tenant relocation, economic development, property acquisition and resale, program participant applications, loan or mortgage issuance, special projects and various contacts:
RETENTION: PERMANENT

- 2.[127] **Federal assistance application** submitted annually to U.S. Department of Housing and Urban Development or successor agency:
RETENTION: PERMANENT

- ◆◆3.[903] **Denied or withdrawn applications** for participation in any community development program:
RETENTION: 3 years

- ◆◆4.[904] **Financial and statistical reports, studies or data queries**, including their documentation
 - a. Reports, studies or queries having legal or fiscal value, including annual reports created from Integrated Dispersal and Information System (IDIS) or other automated system:
RETENTION: 6 years

NOTE: Appraise records covered by part "a" for archival value. Reports and studies containing data needed to supplement or explain narrative reports (which are maintained permanently and are covered by item no. 23 in the General Section) may be valuable as well as the narrative reports themselves. Contact the State Archives for additional advice.

 - b. Reports, studies or queries having no legal or fiscal value, such as daily activity or other routine internal reports:
RETENTION: 0 after no longer needed

- ◆◆5.[128] **Case files** of community development or urban renewal agency

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Contact the State Archives for additional advice.
 - a. Economic development case file, including but not limited to application, copy of loan approved, financial statements, progress reports, copies of plans and specifications, and correspondence:
RETENTION: 6 years after final payment on loan

- b. Business or resident relocation case file, including but not limited to vacation notice, income and need determination records, field reports, estimates of expenditures, copies of property acquisition records, rent collection records and correspondence:

RETENTION: 6 years after last entry in record, final payment on loan or discharge of mortgage, whichever is later

- c. Housing rehabilitation case file, including but not limited to application, notice of approval, contract, grant or loan agreement, copies of real property records, building department records, rental assistance records, specifications, property description, certificate of completion and correspondence:

RETENTION: 6 years after completion of project, final payment on loan or discharge of mortgage, whichever is later

- d. Property acquisition case file, including but not limited to maps, plans and specifications; rent collection records and copies of tenant relocation records; demolition records; records of property improvements; advertisements of property for sale; bids and records of bid acceptance or refusal; property description; appraisal and eminent domain records, and correspondence:

RETENTION: 6 years after sale of property by local government

NOTE: Rent collection records and copies of tenant relocation records need only be retained for 6 years.

- e. Property purchase and resale case file, such as F.H.A. or real property tax foreclosure, including but not limited to copies of real property records, foreclosure records, copies of building department records, property description, records of property improvements, advertisement of sale, bids and records of bid acceptance or refusal, copy of sale agreement and correspondence:

RETENTION: 6 years after sale of property by local government, final payment on loan or discharge of mortgage, whichever is later

- f. Public/community service project case file, such as involving community housing development organizations, including but not limited to project applications, interim financial and progress reports, inspection reports, notes and correspondence, **but excluding** final reports:

RETENTION: 6 years after completion of project

- g. Final reports on public/community service projects:

RETENTION: PERMANENT

- h. Home acquisition program case files, financed by federal HOME program or other funding source, including but not limited to application, review records and copies of mortgage documents:

RETENTION: 6 years after date of most recent entry in record, final payment on loan or discharge of mortgage, whichever is later

- i. Housing investigation case record for lead poisoning, when investigation is not part of case files covered by other parts of this item:

RETENTION: 7 years after case closed

- j. Vouchers and financial claims for payment or reimbursement related to community development cases:

RETENTION: Retain as long as related case file is retained

- k. Photographs, architects' plans and sketches of buildings, streets and urban areas from all case files:

RETENTION: 6 years after building no longer owned by local government

NOTE: Appraise these records for historical significance prior to disposition. Some photographs, plans and sketches may have continuing value for architectural, historical or other research and should be retained permanently. Contact the State Archives for additional advice.

◆ 6.[279] **Lower income housing rental assistance records** (created under Section 8 of the Housing and Community Development Act of 1974)

- a. Master summary record (index, log or register) of applications and payments:

RETENTION: PERMANENT

- b. Case file, including but not limited to applications for assistance, eligibility determination records, certifications, worksheets, correspondence and rental agreements:

RETENTION: 6 years after denial of application, termination of agreement or close of case

COOPERATIVE EXTENSION ASSOCIATION

BASIC ADMINISTRATIVE RECORDS

- 1.[129] **Organizational and establishment records**, including constitution, bylaws and approval of organization and administration by Cornell University:
RETENTION: PERMANENT

- 2.[130] **List of members, "enrollment" or equivalent record:**
RETENTION: PERMANENT

- 3.[131] **Lists of board members, officers, agents and employees** (known as "organization reports"):
RETENTION: PERMANENT

- 4.[132] **Election records**
 - a. Election results:
RETENTION: PERMANENT

 - b. Ballots, nominations, tabulations and other election records:
RETENTION: 1 year after election

- 5.[133] **Program records** on individual courses or programs offered the public
 - a. Official copy of any literature or other material available to the public:
RETENTION: PERMANENT

 - b. Summary record describing course or program offering and/or its progress and results:
RETENTION: PERMANENT

 - c. Listing of participants:
RETENTION: 6 years

 - d. Other course or program materials:
RETENTION: 1 year after course or program discontinued

 - e. Advice and referral records, covering information provided to individuals

FISCAL

AUDIT

- ◆ 1.[214] **Report of audit of financial affairs**
 - a. Audit filed pursuant to Section 35, General Municipal Law, conducted by Office of the State Comptroller or by New York City Comptroller or by an outside auditing firm:
RETENTION: PERMANENT
 - b. Other external audits:
RETENTION: 6 years
 - c. Internal audits, conducted by local government officials:
RETENTION: 6 years
- 2.[215] **Audit background documentation**, including summaries, posting records, and related records created by an auditing office as part of the auditing procedure:
RETENTION: 6 years
- 3.[216] **Audit hearing or review file:**
RETENTION: 6 years after audit accepted

BANKING AND INVESTMENT

- 1.[217] **Banking communications**, including but not limited to bank statement, reconciliation, notification of voiding or return of check, cancellation of payment, or other notice for checking or savings account:
RETENTION: 6 years
- 2.[218] **Canceled check (including payroll check)**, or other instrument of payment, such

as bank check, warrant check, order check, or order to fiscal officer to pay when used as a negotiable instrument, including voided check:

RETENTION: 6 years

NOTE: It is recommended that a list of destroyed unused checks be created and maintained for legal or audit purposes.

3.[219] **Copy of check or check stub:**

RETENTION: 6 years

4.[220] **Depository agreement**, including designation of depository, bond or surety, or other record relating to deposition of local government funds:

RETENTION: 6 years after agreement, contract, designation, bond or surety has expired or been superseded or rescinded

5.[221] **Deposit book for checking account:**

RETENTION: 6 years after date of most recent entry

6.[222] **Deposit book for savings account:**

RETENTION: 6 years after cancellation

7.[223] **Deposit slip:**

RETENTION: 6 years

BONDS AND NOTES

NOTE: The following record series provide disposition authority for records related to the issuance of bonds, notes or obligations. However, the actual bonds, notes or obligations are not covered by these items. Instead, bonds, notes or obligations may only be destroyed pursuant to Section 63.10 of the Local Finance Law. Questions should be addressed to the Office of the State Comptroller, Division of Legal Services, 110 State Street, Albany, NY 12236; phone, (518) 474-5586.

◆ 1.[224] **Bond issue preparation file**, covering bonds issued by local governments

a. Master summary record of bonds issued:

RETENTION: PERMANENT

b. Other records, including those relating to bond attorneys, preparation of

- 3.[232] **Summary record of outstanding or paid warrants or claims:**
RETENTION: 6 years
- 4.[233] **Notice of claim record and index** as required by Section 50-f of the General Municipal Law:
RETENTION: 6 years after final disposition of claim
- 5.[234] **Order or warrant to pay monies**
- a. For any funds held in a savings bank:
RETENTION: 20 years
- b. For any funds **not** held in a savings bank:
RETENTION: 6 years
- 6.[235] **Outstanding warrants listing**, including adding machines tapes:
RETENTION: 6 years
- 7.[236] **Assignment of claim:**
RETENTION: 6 years after satisfaction or 10 years, whichever is less

GENERAL ACCOUNTING AND MISCELLANEOUS

- ◆1.[199] **General ledger** showing summary receipts and disbursements from all funds and accounts:
RETENTION: 6 years after last entry
- NOTE:** Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. General ledgers containing detailed entries that include information on nature of transaction and parties involved may be valuable in documenting financial transactions involving a local government.
- ◆2.[200] **Subsidiary ledger** providing details of the general ledger accounts:
RETENTION: 6 years after last entry
- NOTE:** This does **not** apply to subsidiary ledgers of municipal electric utilities. See item no. 158 in the Electric and Gas Utility section.
- NOTE:** Appraise these records for historical significance prior to disposition. Records

with historical value should be retained permanently. Subsidiary ledgers containing detailed entries that include information on nature of transaction and parties involved may be valuable in documenting financial transactions involving a local government, if this detailed information is not contained in general ledgers.

- ◆ 3.[201] **Journal recording chronological entries of all fiscal transactions:**
RETENTION: 6 years after last entry
- NOTE:** Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Journals containing detailed entries that include information on payor, payee and purpose may be valuable in documenting financial transactions involving a local government.
- 4.[202] **Accounting register**, including but not limited to check register, transfer of funds register, encumbrance register, and register of claims presented for payment and paid claims:
RETENTION: 6 years after last entry
- 5.[203] **Cash transaction record** showing cash received from collection of various fees and petty cash disbursed:
RETENTION: 6 years
- 6.[204] **Tolls or fares collection record**, including but not limited to record of receipts and log of operations:
RETENTION: 6 years
- 7.[205] **Daily cash record**, including adding machine tapes, cashier's slips showing daily cash receipts and analysis of cash receipts:
RETENTION: 6 years
- ◆ ◆ 8.[206] **Notice of encumbrance** indicating funds encumbered and amount remaining unencumbered:
RETENTION: 6 years
- ◆ ◆ 9.[207] **Past due account fiscal records and summaries:**
RETENTION: 6 years after account satisfied or otherwise closed
- 10.[208] **Intermediary fiscal record of receipts and disbursements**, including but not limited to detail record, analysis, proof sheet or trial balance worksheet, and adding machine tapes:
RETENTION: 6 years
- 11.[209] **Abstract of receipts, disbursements, or claims:**

signed

- f. Local government's information copy of school, fire or special district payroll:
RETENTION: 0 after no longer needed

◆2.[292] **Payroll or related report covering all employees or an individual employee, and not covered by specific item in this section**

- a. When needed for audit or other fiscal purposes:
RETENTION: 6 years
- b. When **not** needed for audit or other fiscal purposes:
RETENTION: 0 after no longer needed

NOTE: Local governments may wish to retain records covered by item nos. 292 and 293 longer for social security or retirement documentation purposes.

3.[293] **Payroll distribution breakdown record used to distribute or classify labor costs:**
RETENTION: 6 years

4.[294] **Summary record of employee's payroll changes:**
RETENTION: 6 years after termination of employment

5.[295] **Employee's time cards, sheets, or books:**
RETENTION: 6 years

6.[296] **Record of employee absences or accruals**

NOTE: This item does **not** apply to an employee's time cards or sheets.

- a. When **not** posted to periodic cumulative time summary record:
RETENTION: 6 years
- b. When posted to periodic cumulative time summary record:
RETENTION: 1 year

◆7.[297] **Employee request for and/or authorization given to employee to use or donate sick, vacation, personal or other leave, or to work overtime:**
RETENTION: 6 years

- 8.[298] **Record of assignments, attachments, and garnishments of employee's salary**
 - a. When employment was terminated prior to satisfaction:
 RETENTION: 6 years after termination of employment
 - b. When satisfied:
 RETENTION: 5 years after satisfaction

- ◆ 9.[299] **Employee's voluntary payroll deduction request form:**
 RETENTION: 5 years after authorization expires

- 10.[300] **Schedule or other notification from issuing bank showing savings bond purchased for employee:**
 RETENTION: 5 years after latest bond issue

- ◆ 11.[301] **Employee's personal earnings record used to prove end-of-year total earnings, retirement or other deductions and taxes withheld:**
 RETENTION: 6 years

- NOTE:** Local governments may need to retain these records longer for social security or retirement documentation purposes.

- 12.[302] **Employee's declaration of intention to accept or reject Social Security:**
 RETENTION: 10 years after employee dies or reaches age 75, whichever is shorter

- ◆ 13.[303] **Quarterly or other periodic report of wages paid prepared for Social Security, and report of any adjustments or corrections:**
 RETENTION: 6 years after year in which wages were reported

- 14.[304] **Copy of federal determination of error in wage reports (Form OAR-S30 or equivalent record):**
 RETENTION: 6 years after determination received

- 15.[305] **Payroll report submitted to New York State Employee's Retirement System, Policemen's and Firemen's Retirement System, or any other official pension system:**
 RETENTION: 6 years

- ◆ ◆ 16.[306] **Employer's copy of Annual Federal Tax Return (Form 940), Quarterly Federal Tax Return (Form 941E) and Continuation Sheets (Form 941a), Notice of Tax Return Due**

(Form TY 14), or equivalent forms:

RETENTION: 4 years after tax paid

- ◆◆17.[307] **Employer's copy of U.S. Information Return for Calendar Year (Form 1099), Withholding Tax Statement (Form W-2) or Transmittal of Wages and Tax Statements (Form W-3), or equivalent forms:**

RETENTION: 4 years

- ◆◆18.[308] **Employee's Withholding Exemption Certificate (Form W-4), or equivalent form:**

RETENTION: 4 years after a superseding certificate is filed or employment is terminated

- ◆◆19.[309] **Employer's copy of New York state income tax records relating to employees:**

RETENTION: 4 years after tax was paid

- ◆20.[722] **Direct deposit records, covering direct deposit of employee's salary, including but not limited to application to begin or terminate direct deposit, and transaction log or similar reports:**

RETENTION: 5 years after authorization expires

- ◆21.[723] **Employee's declaration of intention to decline membership or participation in retirement system or benefit plan, including copy of written notification of options provided employee by local government**

- a. **For retirement system:**

RETENTION: 6 years after termination of employment

NOTE: Local governments may wish to retain these records for the life of the employee. State legislation in effect between 1993 and 1996 allowed for retroactive retirement system membership, for employees who were not previously offered membership, and the possibility exists that similar legislation may be passed into law in the future. If this occurs, these declarations of non-membership may be valuable for local governments to document intentions of present or former employees.

- b. **For benefit plan:**

RETENTION: 6 years after termination of employment

PURCHASING

- ◆1.[496] **Purchase order, purchase requisition, or similar record, used to obtain materials, supplies, or services:**

RETENTION: 6 years

- ◆◆2.[498] **Purchasing file**, including but not limited to bid (successful, unsuccessful), contract, specifications and related records for purchase of materials, supplies and services **not** connected with capital construction:

RETENTION: 6 years after completion of purchase or 6 years after final payment under contract, whichever is later

NOTE: For capital construction, see item no. 415 in the Public Property and Equipment section and item no. 544 in the Transportation and Engineering section. Local governments may wish to retain records documenting purchases for additional periods if those records may be needed for warranty claims concerning the purchased items.

- 3.[499] **Vendor file**, including but not limited to list of vendors doing business with the local government, vendor evaluation forms, price lists or other information received from vendors:

RETENTION: 0 after obsolete

- 4.[500] **Performance guarantee** or written warranty for products or similar record:

RETENTION: 6 years after expiration

- ◆5.[501] **Invoice**, packing slip, shipping ticket, copy of bill of lading or similar record used to verify delivery and/or receipt of materials or supplies:

RETENTION: 6 years

- ◆6.[502] **Invoice register**, or similar record used to list invoices:

RETENTION: 6 years after last entry

- 7.[504] **List or abstract of purchase orders, claims or contracts:**

RETENTION: 6 years

- 8.[505] **Standing order file**, used for purchase of materials and supplies which are received on a regular basis:

RETENTION: 6 years

- ◆9.[724] **Chargeback records**, showing specific fund to be charged for in-house expenditure:

RETENTION: 6 years

- ◆◆10.[905] **Canceled bids file**, including purchase requisitions, vendor solicitations, requests for proposals (RFPs), price quotations and related records concerning bids for goods or services which were canceled without a purchase being completed:

RETENTION: 1 year after subsequent procurement of the same goods or services completed under a re-initiated procurement, or 1 year after decision not to purchase such goods or services

MISCELLANEOUS

- ◆ 1.[276] **Ombudsman/referral service records** covering citizen complaint services, landlord/tenant advisory services, job placement consultation, handicapped person's assistance, and related services, including but not limited to log or master index, copies of complaints, intakes and referrals, and individual case file materials
- a. Relating to **other than** routine services or activities:
RETENTION: 6 years after final disposition of matter
- b. Relating to routine services or activities:
RETENTION: 1 year after final disposition of matter
- ◆ 2.[277] **Noise level monitoring records**, including but not limited to summary records, showing long-term trends and developments and original entry and intermediary records, including charts, graphs and statistics:
RETENTION: 6 years
- NOTE:** Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of summary records, showing long-term trends and developments, in cases where noise levels are a matter of public concern. Contact the State Archives for additional advice in this area.
- 3.[280] **Governmental establishment and reorganization records**, covering establishment, incorporation, annexation, consolidation, dissolution or charter revision, for political subdivision, including but not limited to petitions, special studies and surveys, correspondence with state agencies, records of voter action and reports:
RETENTION: PERMANENT
- 4.[281] **Census records** of all regular and special local, New York state and federal censuses:
RETENTION: PERMANENT
- ◆ ◆ 5.[906] **Annual financial disclosure statements**, filed by local political party official or candidate for local elected office, pursuant to Section 812.1 (a), General Municipal Law:
RETENTION: 7 years
- ◆ 6.[733] **Financial or political interest disclosure records**, filed by vendor or contractor

doing business with the local government:

RETENTION: 6 years

◆ 7.[282] **Minority- and women-owned business files**, covering minority- and women-owned businesses doing business with or in the jurisdiction of a local government

a. Summary record listing businesses, eligibility criteria and official government policy statement:

RETENTION: PERMANENT

b. Detailed application/questionnaire/response completed by business:

RETENTION: 5 years after date of most recent entry in record

NOTE: Appraise these records for historical significance prior to disposition. If the local government uses its own rather than statewide criteria for approving these businesses, then these records may document minority- and women-owned business operating in the community.

c. Directory of state-approved minority- and women-owned businesses, supplied by State Department of Economic Development:

RETENTION: 0 after superseded

d. Other records, including job quotes, bid lists, referrals, credit and character references and affidavits, **but not including** summary record, detailed application/questionnaire/response, eligibility criteria and official government policy statement, and state-supplied directory of businesses:

RETENTION: 6 years after contract expiration

◆ 8.[283] **Record of gifts and bequests to a local government**, including copy of will, copies of deeds, maps and surveys (if applicable) and records of establishment of and use of monies generated by trust fund or endowment

NOTE: This does not apply to donations of real property, which are covered by item no. 412 in the Public Property and Equipment section.

a. When trust fund or endowment is involved:

RETENTION: PERMANENT

b. For gift of work of art, historical or other artifact or historical manuscript:

RETENTION: PERMANENT

c. For gift or bequest not covered under parts "a" or "b", or by note above:

RETENTION: 6 years

- ◆ 9.[734] **Community service records**, showing time worked and type of tasks performed by person sentenced by court to community service:

RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

- ◆ ◆ 10.[735] **Miscellaneous non-government records**, received by local government:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Records which document the history of the community and its citizens may have continuing value for historical or other research and should be retained permanently. These records may contain valuable information which supplements records created by the local government itself. Records not retained permanently may be offered to a local historical records repository. Contact the State Archives for additional advice.

NOTE: Upon the receipt of these non-public records by a local government, these records become "local government records." Published materials received by a local government are not considered to be public records.

- ◆ 11.[736] **Photographs or other visual media records**, created by a local government, which are not part of a record series listed elsewhere in this Schedule:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Some photographs and other visual media records may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

- ◆ 12.[737] **Child abuse or maltreatment reports** and related records, reporting agency copy:

RETENTION: 3 years

NOTE: This item covers copies of child abuse and maltreatment reports and related records retained by agencies reporting suspected abuse and maltreatment to the State Central Register or to child protective services units of county social services departments. Reporting agencies may be in such areas as education, youth services and recreation. Reporting copies maintained by law enforcement agencies are covered by item no. 473 in the Public Safety section.

- ◆ 13.[738] **Lobbying activity records**, including but not limited to registration records,

individual reporter designation records, and periodic reports of lobbying activity filed with New York Temporary State Commission on Lobbying:

RETENTION: 3 years

- ◆ 14.[739] **Project review records**, covering projects requiring approval by the Adirondack Park Agency, Lake George Commission, or other government entity or agency, where local government receives records for comment or review, or for informational purposes

- a. When permit or other approval must be granted by local government involved:

RETENTION: Retain as long as related building, land use, planning, zoning, or environmental permit or approval records covered elsewhere in this schedule.

- b. When no permit or approval by local government is needed, and records are received for comment or informational purposes only:

RETENTION: 3 years after date of most recent entry

- ◆ ◆ 15.[907] **Child day care program records**

- a. Participant records, including applications to attend day care program; children's immunization and health records, including parent's consents for emergency medical treatment; and related records:

RETENTION: 3 years after child attains age 18

- b. Program records not covered by other items on this Schedule, including those required to be maintained by 18 NYCRR Sections 414.15, 418-1.15 and 418-2.15, including program registration records; video surveillance tapes; daily attendance records; staff health statements; Statewide Central Register clearance forms and related records; documentation of facility compliance with Uniform Fire Prevention and Building Code and other state requirements; description of program activities; and related records:

RETENTION: 6 years or 6 years after superseded or obsolete, whichever is longer

- c. Applications from parent/guardian for enrollment of child in program, where child is not accepted or is not enrolled in program:

RETENTION: 3 years

MUSEUM

- ◆ 1.[284] **Exhibit file** documenting planning, construction, and use of exhibit, including but not limited to installation photographs and slides, sketches, worksheets, publicity, brochures, exhibit catalogs, inventory lists, loan agreements and visitor surveys

- a. Brochures, exhibit catalogs, installation photographs and slides, and inventory lists:

RETENTION: PERMANENT

- b. All other records:

RETENTION: 6 years after exhibit closed

NOTE: Appraise these records for historical significance prior to disposition. Some of these records may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

- ◆ 2.[285] **Collections records** documenting acquisition, accession, deaccession, loan, conservation, and use of materials, including but not limited to accession register, loan agreement, inventory of collection and conservation treatment record

- a. Routine records, including but not limited to notes and internal memoranda:

RETENTION: 1 year

- b. All other collections records:

RETENTION: PERMANENT

OFF-TRACK BETTING CORPORATION

◆ 1.[286] **Daily activity folders**

- a. Betting parlor daily folder, including but not limited to daily branch settlement sheet, selling-cashing settlement sheets, worksheets, telephone betting deposit and withdrawal slips, reports of track conditions and report of scratches:

RETENTION: 90 days after release of New York State Racing and Wagering Board's audit report, or 3 years, whichever is shorter

- b. Corporation headquarters daily folder, including but not limited to daily branch settlement sheets from parlors, worksheets and summary of daily activity:

RETENTION: 90 days after release of State Comptroller's audit report, or 6 years, whichever is shorter

◆ 2.[287] **Paid or canceled bet tickets:**

RETENTION: 90 days after release of New York State Racing and Wagering Board's audit report, or 3 years, whichever is shorter

3.[288] **Reports submitted to New York State Racing and Wagering Board**

- a. Annual report:

RETENTION: PERMANENT

- b. Daily, weekly, monthly or other periodic report, including reports of any variance from normal operations:

RETENTION: 3 years

4.[289] **Reports and other records submitted to New York State Department of Taxation and Finance**

- a. Tax returns or tax transmittal reports:

RETENTION: 6 years

- b. Daily report on total handle and tax payable:

RETENTION: 3 years

- c. Report and transmittal notice for unclaimed winning tickets:

RETENTION: 6 years

- ◆ 5.[290] **Wagering reports and statements, created for internal administrative purposes**
 - a. Reports and statements relating to telephone betting:
RETENTION: 90 days after release of State Comptroller's audit report, or 6 years, whichever is shorter
 - b. Reports and statements **not** relating to telephone betting, including but not limited to offline ticket report, "settle report," daily activity report and daily terminal activity report:
RETENTION: 90 days after release of New York State Racing and Wagering Board's audit report, or 3 years, whichever is shorter, **but not less than 1 year** after superseded or obsolete

- ◆ 6.[740] **Lottery ticket sales records, covering sales of state lottery tickets by off-track betting corporations**
 - a. Monthly, annual or other summary records of ticket sales:
RETENTION: 6 years
 - b. Daily and weekly cashed ticket validation records:
RETENTION: 2 years
 - c. Cashed winning tickets:
RETENTION: 0

NOTE: The Division of the Lottery requests that cashed winning tickets be destroyed immediately upon validation, so that they no longer could be considered negotiable.

- ◆ ◆ 7.[908] **Report of winnings submitted to Internal Revenue Service (Form W-2G or equivalent):**
RETENTION: 5 years

- ◆ ◆ 8.[909] **Video lottery gaming records, including related Off-Track Betting Corporation (OTB) records which are created, received or maintained by an OTB in its capacity as a video lottery gaming agent**

NOTE: The New York State Division of the Lottery, in Section 2836-2.3 of *21NYCRR*, prescribes minimum retention periods for certain records of video lottery gaming agents as well as procedures that an OTB must follow to receive authorization to destroy those records. **An OTB subject to Division of the Lottery**

requirements for its video lottery operations must meet both the minimum retention periods indicated in Section 2836-2.3 as well as minimum retention periods established in *Schedule MI-1*. Any records for which the Division of the Lottery approves destruction after periods shorter than those indicated in Section 2836-2.3 must continue to meet the minimum retention periods established by *Schedule MI-1*.

NOTE: The Division of the Lottery requires that video lottery gaming agents proposing to destroy records specified in Section 2836-2.3 must notify the Division in writing at least 15 days prior to the scheduled destruction of any original record. The Division may prohibit such destruction within 15 days of receiving that notice of destruction. However, Division regulations exempt certain records from this requirement for prior notification of planned records destruction. Consult the Division's regulations or contact the Division for specific information on its requirements.

NOTE: *Schedule MI-1* authorizes the destruction of any original records which have been duplicated on microfilm or other media, subject to requirements of Section 57.29 of Arts and Cultural Affairs Law and State Archives procedures. The destruction of such original records maintained by an OTB pertinent to video lottery gaming operations also requires written notification to the Division of the Lottery as indicated in the second Note, above, and approval from the Division of the microfilm or other media system used to copy and store the records.

NOTE: Some provisions of Section 2836-2.3 establish retention periods less than or equal to the periods required by items in *Schedule MI-1*. Other provisions require certain records to be retained "indefinitely" without a specified retention period. Destruction of both of these categories of records requires approval of the Division of the Lottery as indicated in the second and third Notes, above. Other provisions of Section 2836-2.3 authorize destruction of certain records after no required minimum retention period and without prior notification to the Division of the Lottery of the intended destruction. The Division of the Lottery is also able to approve requests to destroy additional types of records after no Division-required minimum retention period and without need for prior notification to the Division of intended records destruction. However, in all of these circumstances, Schedule users must continue to meet retention requirements established by *Schedule MI-1*. Schedule users should consult this Schedule for the required minimum retention periods for specific records.

NOTE: The following parts indicate those records which are not otherwise covered by *Schedule MI-1* items or for which Section 2836-2.3 requires

lengthier retention periods than are required by *Schedule MI-1* items. Because some of the following parts cover broad categories of records, Schedule users should refer to the General, Fiscal and other sections of this Schedule to determine if specific records within those broad categories have retention periods greater than that indicated for the part. Records with longer retention periods should be retained for additional periods as specified by the applicable Schedule items. In the event that the Division of the Lottery approves a request from an OTB to reduce any of the following retention requirements, the OTB must continue to meet any minimum retention requirements for those records as specified by other items in this Schedule.

- a. Video lottery gaming-related records not specified in part “b,” including records concerning gaming-related vendors; and any other original record not otherwise listed in Section 2836-2.3 or approved for destruction pursuant to its procedures:

RETENTION: 5 years

- b. Cage documents, documentation supporting the calculation of video lottery terminal win, and records related to tax reporting and withholding:

RETENTION: 4 years after the date of the actual filing of the gross revenue tax return for the tax year in which the record was generated

- c. Payroll records, marketing department records, credit union records, copies of arrest reports, and patron gaming records:

RETENTION: 3 years

NOTE: Schedule users should note that the Fiscal section, Payroll subsection of this Schedule covers numerous types of payroll records, including many records with retention requirements greater than 3 years as well as other records with retention requirements less than 3 years. Any payroll records with retention requirements greater than 3 years should be retained for those longer periods.

- d. Mailroom records, advertising records, video gaming department daily activity logs, and any other records, other than those listed in Section 2836-2.3(c)(4), which contain information duplicative or less than that recorded on other documents listed in Section 2836-2.3(c)(1) through (c)(4):

RETENTION: 1 year

PERSONNEL/CIVIL SERVICE

PERSONNEL

◆1.[310] **Personnel records of local government employees (includes volunteers and interns)**

- a. Master summary record from personnel case file, including but not limited to age, dates of employment, job titles and civil service status:

RETENTION: PERMANENT

- b. Personnel case file materials, except summary information record, and including but not limited to application for employment, resume, report of personnel change, evaluation, civil service examination results, notice of resignation or termination, and correspondence:

RETENTION: 6 years after termination of employment

NOTE: Reports of personnel changes may be included in personnel case files, in which case they are subject to the indicated minimum retention period. Other copies of these reports are maintained by other offices and are covered by item no. 332, below.

◆2.[311] **Investigative records and disciplinary proceedings, including but not limited to statement of charge, transcript of hearing, notice of decision, letter of termination or resignation, letter of reinstatement, record of appeal procedure, and correspondence:**

RETENTION: 3 years after final decision rendered

NOTE: Records covered by this item may be destroyed before this retention period has been reached, if specified either in a union contract or settlement between the employer and employee.

NOTE: Affirmative action and related complaints may be covered by item no. 317c, below.

3.[312] **Employee's time records covering leave, absences, hours worked and scheduling, and including but not limited to employee's time cards or sheets, request for change of work schedule, vacation schedule, report of absence and request for leave without pay:**

RETENTION: 6 years

◆4.[313] **Annual or other financial disclosure statements, filed by local government**

employees or officials, pursuant to Section 812.1 (a), General Municipal Law, or local law:

RETENTION: 7 years

- ◆◆5.[314] **Employee training history records** documenting employee continuing education, training and development, including employee identification, training received, dates of training, and related records:

RETENTION: 6 years after termination of employment

NOTE: Additional records providing detailed information on training history can be destroyed when no longer needed, provided that summary records are retained for the indicated retention period. For retention requirements for specific types of employee training history records, see specific items in this Schedule.

- ◆6.[315] **Administrative organization chart and related records** showing administrative and supervisory organization:

RETENTION: 0 after superseded or obsolete

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Contact the State Archives for additional advice.

- ◆7.[316] **Identification card records**, when card is issued to local public employee:

RETENTION: 6 months after becoming invalid

- ◆8.[317] **Equal employment opportunity report and related records**

- a. Annual, long-term or special (narrative or statistical) reports, goals and achievements:

RETENTION: PERMANENT

- b. Periodic reports, statistics and other records used in compiling annual, long-term or special (narrative or statistical) reports, goals and achievements:

RETENTION: 1 year

- c. Affirmative action and related complaint investigation records:

RETENTION: 3 years after date of final determination

NOTE: Agencies may wish to retain records covered by part “c” of this item beyond the minimum retention period for use in establishing patterns of complaints and for investigating and resolving future complaints.

- ◆ 9.[318] **Health and life insurance records**
 - a. For employee with or without dependent survivor:
RETENTION: 3 years after termination of employee's or dependent survivor's coverage, whichever is later
 - b. Claim for benefits (copy, where original is submitted directly by employee):
RETENTION: 1 year
 - c. Health and life insurance coverage reports:
RETENTION: 6 years
 - d. Declination statement filed by employee:
RETENTION: 6 years after separation from service

- 10.[319] **Unemployment insurance records**
 - a. Claim filed by employee, when claim is approved:
RETENTION: 6 years after final payment
 - b. Claim filed by employee, when claim is disqualified:
RETENTION: 3 years after filing
 - c. Claim payment reports:
RETENTION: 6 years

- ◆ 11.[320] **Labor-management meeting records, including minutes of meeting, agenda, reports, and correspondence**
 - a. Minutes and reports:
RETENTION: **PERMANENT**
 - b. Meeting agenda, correspondence, and other records:
RETENTION: 6 years

- ◆ 12.[321] **Public employee contract negotiations records, including but not limited to proposals, summary of proceedings, copies of salary schedules and contracts, P.E.R.B. fact-finding report, and correspondence**
 - a. All documentation in record, **except** routine correspondence, routine memoranda and drafts:
RETENTION: **PERMANENT**
 - b. Routine correspondence, routine memoranda and drafts:

addresses, titles and other pertinent information:

RETENTION: PERMANENT

19.[328] **Oath of office or record of official signature of public employee**

a. Official copy:

RETENTION: PERMANENT

b. Oath of any election official:

RETENTION: 1 year after election

◆ 20.[329] **Log and summary of occupational injuries and illnesses, created pursuant to 12NYCRR, 801.7 and 29CFR, 1904.6:**

RETENTION: 5 years

NOTE: If these records are intended to also satisfy the legal requirements of Section 110, Workers' Compensation Law, and no separate records covered by item no. 741, below, are created, then these records must be retained for 18 years after date of injury or illness.

◆ 21.[741] **Employee injury record, covering work-related accident or occupational disease, created pursuant to Section 110, Workers' Compensation Law:**

RETENTION: 18 years after date of injury or illness

◆ ◆ 22.[330] **Employee medical records concerning exposure to toxic substances or harmful physical agents**

NOTE: This item does not include health insurance records, which are covered by item no. 318, above, or non-medical toxic substance exposure records, which are covered by item no. 325, above.

a. First aid records of one-time treatment and subsequent observation of minor illnesses and injuries, as defined in 29CFR 1910.1020 (d-1) (i-B), if made onsite by a non-physician and maintained separately from the employee medical records:

RETENTION: 3 years after completion of treatment and subsequent observation

b. Medical records, **other than** those covered by part "a", including medical questionnaires and histories, the results of medical examinations and laboratory tests, medical opinions, diagnoses and recommendations, first aid records, descriptions of treatments and prescriptions, employee medical

complaints, and related records, for employee who worked **one year or longer**:

RETENTION: 30 years after termination of employment

- c. Medical records, **other than** those covered by part "a", including medical questionnaires and histories, the results of medical examinations and laboratory tests, medical opinions, diagnoses and recommendations, first aid records, descriptions of treatments and prescriptions, employee medical complaints, and related records, for employee who worked **less than one year**, provided copies were given to the employee upon termination of employment, pursuant to 29CFR 1910.1020 (d-1) (i-C):

RETENTION: 3 years after termination of employment

NOTE: If copies are **not** given to the employee upon termination of employment, the retention specified in part "b," above, must be followed.

- ◆◆23.[910] **Employee medical records not related to exposure to toxic substances or harmful physical agents:**

RETENTION: 3 years after termination of employment

- 24.[278] **Notification of vacancy in office, or filling of vacant position:**

RETENTION: 0 after position filled or abolished

- ◆25.[742] **Drivers' license review records for local government officials, employees or volunteers**

- a. When **no** action is taken as result of review:

RETENTION: 0

- b. When action is taken as result of review:

RETENTION: 3 years

- ◆26.[743] **Employee attestation of knowledge of code of ethics, staff policy manual or other official policies or procedures:**

RETENTION: 3 years after attestation superseded or upon termination of employment

- ◆27.[744] **Records documenting the specimen collection and testing process, for commercial motor vehicle driver alcohol and drug testing**

- a. Official copy of all policies and procedures, including documentation of the random selection process:

RETENTION: PERMANENT

- b. Quality control records, including calibration records for testing equipment, assuring that testing equipment is operating correctly:

RETENTION: 5 years

- c. Annual statistical and other reports:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently.

- d. Other records, including periodic reports and statistics and collection logbooks:

RETENTION: 2 years

◆◆28.[745] **Drivers' test results and related records**

NOTE: Local governments may want to maintain these records concerning employees for an additional period or include them in the employee's personnel files, especially when they affect an employee's job status.

- a. Verified positive controlled substance test results or alcohol test results indicating a breath or blood alcohol concentration equal to or greater than 0.02, documentation that **individual employee's or job applicant's** test was conducted and specimen handled properly, records of dispute of test results by driver, justification for conducting other than random test, records of compliance with Substance Abuse Professional's (SAP's) recommendations, correspondence and related records:

RETENTION: 5 years

- b. Negative or canceled controlled substance test result or alcohol test result indicating a breath or blood alcohol concentration less than 0.02:

RETENTION: 1 year

- c. Records relating to an **individual employee's or job applicant's** refusal to take alcohol or substance abuse test:

RETENTION: 5 years

◆29.[746] **Documentation of other violations of alcohol or substance abuse rules, including results of alcohol or substance abuse tests administered by law enforcement personnel, copies of police reports and medical records:**

RETENTION: 6 years after termination of employment

◆ 30.[747] **Staff training and evaluation records** for commercial motor vehicle driver alcohol and drug testing

a. Official copy of course syllabus or any local government produced training or advisory publication or videotape:

RETENTION: 6 years after superseded

b. Other training records including lists of attendees, copies of instructors' course or class notes, documentation of instructors' training and proof that employees have received required reading materials:

RETENTION: 6 years

◆ ◆ 31.[911] **Employment Eligibility Verification Form I-9**, completed by employee and employer for all employees hired after November 6, 1986, verifying that the individual is eligible to work in the United States, including verification documents attached to the form:

RETENTION: 3 years from date of hire or 1 year after employment is terminated, whichever is later

◆ ◆ 32.[912] **Employee assistance program records**

a. Reports and statistical compilations:

RETENTION: 6 years after date of most recent entry

b. Program (including course and seminar) and literature files:

RETENTION: 1 year after program no longer offered or literature superseded or otherwise obsolete

c. Employee consultation records:

RETENTION: 3 years after date of most recent entry in record

CIVIL SERVICE

◆ 1.[748] **Copy of payroll, or payroll report**, submitted to civil service office for certification or approval:

RETENTION: 0 after superseded

NOTE: Official copy of payroll must be retained for 55 years. See item no. 291 in the Fiscal section.

- ◆ 2.[749] **Official civil service employee roster card:**
RETENTION: PERMANENT

- ◆ 3.[331] **Established position record** showing a history of each position and names and other pertinent information about persons who occupied it
 - a. If record contains detailed information about the position and persons who occupied it:
RETENTION: PERMANENT

 - b. If record only provides lists of names of employees:
RETENTION: 1 year after final entry in record

NOTE: The official listing or roster of all local government officials or employees, covered by item no. 327, must be retained permanently.

- ◆ 4.[332] **Report of personnel change**, (including employee transfer record), **except** copy retained in employee's personnel records
 - a. Copy held by office with official civil service function:
RETENTION: 0 after termination of employment, but not less than 6 years

 - b. Copy retained by fiscal office, where official civil service copy is maintained by **other** local government having the official civil service function:
RETENTION: 6 years

 - c. Employee transfer record:
RETENTION: 0 after termination of employment, but not less than 6 years

NOTE: Reports of personnel changes may also be found in employee personnel records. When filed in an employee personnel record, such copies are subject to lengthier retention requirements. See item no. 310, above.

- ◆ 5.[333] **Job classification records**, including job classification questionnaire, analysis of job duties and request for reclassification:
RETENTION: 1 year after subsequent classification action completed, but not less than 10 years

NOTE: Appraise these records for historical significance prior to disposition. Local

governments with official civil service functions should consider permanent retention of these records. Contact the State Archives for additional advice.

- ◆ 6.[334] **Official copy of job posting and position duties statement**
 - a. When duties of position are described in detail:
RETENTION: PERMANENT
 - b. When duties of position are **not** described in detail:
RETENTION: 6 years

- ◆ 7.[335] **Personnel requisition made to civil service or personnel office, requesting that vacancy be filled:**
RETENTION: 0 after obsolete

- ◆ 8.[336] **Civil service eligible list records**
 - a. Official eligible list and certification of eligible list:
RETENTION: 20 years after expiration of eligible list
 - b. Certification of eligible list sent to and retained by appointing authority:
RETENTION: 3 years after expiration of eligible list
 - c. Request for certification of eligible list:
RETENTION: 1 year after expiration of eligible list, but not less than 3 years
 - d. Individual's request for reinstatement to eligible list and reply:
RETENTION: 1 year after expiration of eligible list, but not less than 3 years
 - e. Eligible list canvass records, including but not limited to precanvass questionnaire and letter of canvass and reply:
RETENTION: 6 months after expiration of eligible list, but not less than 3 years
 - f. Military record of applicant, when applicant was **not** hired:
RETENTION: 3 years after expiration of eligible list

- ◆ 9.[337] **Application for employment, including resume, when applicant **not** hired:**
RETENTION: 3 years

NOTE: When the applicant is hired, the application is retained in or as long as the personnel file. See item no. 310 in the Personnel subsection, above.

- ◆ 10.[750] **Recruitment, hiring, interview and selection records**, including but not limited to correspondence, reports, selection criteria, interview notes, background check records, rating and ranking forms, evaluations and other records pertaining to the hiring, promotion, demotion, transfer, layoff and termination of employees:
RETENTION: 3 years after completion of personnel action

NOTE: This item does not cover personnel records of individual employees. See item no. 310 in the Personnel subsection, above.

- ◆ 11.[751] **Application for examination**
 - a. When eligible list is established:
RETENTION: 3 years after expiration of eligible list
 - b. When **no** eligible list is established:
RETENTION: 3 years after examination date
 - c. Supplemental documentation filed in conjunction with application, including but not limited to student loan statement, credentials and copies of transcripts:
RETENTION: 1 year

- ◆ ◆ 12.[339] **Civil service examination records and appointment review records**
 - a. Civil service examination and announcement (official copy held by office with official civil service function):
RETENTION: **PERMANENT**
 - b. Civil service examination and announcement (**other than** official copy held by office with official civil service function):
RETENTION: 0 after no longer needed
 - c. Candidate identification or admission card:
RETENTION: 3 years after date of examination
 - d. Examination preparation, administration, and rating records:
RETENTION: 5 years after date of examination
 - e. Veteran credit records:

RETENTION: 50 years

- f. Qualifying medical, physical fitness or agility examination report, when person is hired, and worked **one year or longer**:

RETENTION: 30 years after termination of employment

- g. Qualifying medical, physical fitness or agility examination report, when person is hired, and worked **less than one year**, provided copies were given to the employee upon termination of employment, pursuant to *29 CFR 1910.1020 (d-1) (i-C)*:

RETENTION: 3 years after termination of employment

- h. Qualifying medical, physical fitness or agility examination report, when person is **not** hired:

RETENTION: 3 years after date of examination

- i. Summary listing of examination results:

RETENTION: 1 year after date of examination

- j. Notification of examination results mailed to candidate:

RETENTION: 3 years

- k. Examination review records including but not limited to employee request, correspondence, and objection:

RETENTION: 3 years after expiration of eligible list

- l. Appointment review records, documenting review of applicant qualifications for non-competitive, temporary or other positions not requiring examinations:

RETENTION: 5 years

- 13.[338] **Seniority list ranking employees by length of service:**

RETENTION: 3 years after superseded or obsolete

- ◆14.[752] **Disclosures related to student loan status**, received as part of civil service examination application, transmitted to New York State Higher Education Services Corporation, along with transmittal documents:

RETENTION: 1 year

- ◆15.[753] **Local government requests to State Civil Service Commission** for approval of changes in policies or jurisdictional classifications:

RETENTION: 3 years after date of last entry in record

records:

RETENTION: 6 years after completion of project

NOTE: Some of these non-graphic documents may need to be retained for 6 years after the building or other facility no longer exists, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to disposition.

- e. Template or other similar automated framework or reference files used in conjunction with more specific automated design files:

RETENTION: Retain as long as the related specific automated design files are retained.

- f. Index or similar record used to locate, identify and access plans, maps, designs, sketches, architectural drawings, photographs and other existing records:

RETENTION: Maintain as perpetual data file or other record, deleting information only relating to records that have been disposed of.

- ◆ 6.[417] **Draft or intermediary plans, maps, designs, sketches or architectural drawings, including explanatory textual files, tracings and other than final or "as built" automated design files:**

RETENTION: 0 after no longer needed

NOTE: Some of these design documents may need to be retained for 6 years or longer, possibly as long as the building or other facility exists, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to disposition.

- ◆ 7.[769] **Maintenance, testing, service, operational and repair records for buildings and other facilities or their mechanical, electrical systems or other infrastructure**

- a. Cumulative summary records:

RETENTION: 6 years after building or other facility no longer in use

- b. Individual detailed report or related record, such as work request, work order, personnel deployment record, preventive maintenance schedules and records of work completed, when posted to cumulative summary record:

RETENTION: 6 years

- c. Individual report or related record, such as work request, work order,

personnel deployment record and records of work completed, when **not** posted to cumulative summary record:

RETENTION: 6 years after building or other facility no longer in use

d. Log, maintenance schedule or similar record of ongoing activity:

RETENTION: 6 years after last entry

e. Descriptive information on specific equipment or component parts:

RETENTION: 6 years after equipment or part no longer in use

f. Descriptive information on maintenance personnel, vendors or contractors:

RETENTION: 1 year after superseded or obsolete

g. Inventories of parts, materials and supplies needed for maintenance and repairs:

RETENTION: 6 years

h. Requests for inspection, repair or service, when no work is performed and no funds expended:

RETENTION: 1 year

NOTE: For plans, designs and schematic drawings of buildings and facilities, including their systems and component parts, see item no. 416, above.

◆ 8.[770] **Reports and studies relating to maintenance, testing, service, operation and repairs** for buildings and other facilities or their mechanical, electrical systems or other infrastructure:

RETENTION: 6 years

NOTE: Some of these reports may need to be retained longer for long-term facility management purposes, such as for 6 years after building or other facility no longer in use. Some may even have permanent historical or other research value. Contact the State Archives for additional information.

◆ ◆ 9.[418] **Building or facility security records**, including but not limited to visitor's register, watchman's or automated security system or false alarm reports, and records of building/room keys or passes issued:

RETENTION: 3 years, or 3 years after cancellation or return of key or pass

mechanical or manual means or control by use of herbicides):

RETENTION: 3 years

◆◆23.[913] **Hazardous waste generation records**

a. Individual load delivery and other detailed records, including manifest form:

RETENTION: 3 years after waste accepted by transporter

b. Annual and exception reports:

RETENTION: 3 years after due date of report

c. Test results and waste analyses:

RETENTION: 3 years after date waste was removed

NOTE: This item covers records of local governments which generate hazardous waste but do not operate programs to collect and dispose of hazardous waste. For governments that operate such programs, item no. 190 in the Environmental Health section, Environmental Facilities: Solid Waste Management Facilities subsection, covers records of the generation, collection and disposal of hazardous waste.

◆◆24.[773] **Building rehabilitation and reconstruction project files** when asbestos is installed, removed, encapsulated, applied, distributed or otherwise involved:

RETENTION: 30 years

◆25.[774] **Lead or copper content testing and remediation files** covering lead or copper content in drinking water of public facilities

a. Water sample test results and related records, when lead or copper level exceeds the action level as defined in Section 5-1.41, *State Sanitary Code*:

RETENTION: 50 years

b. Water sample test results and related records, when lead or copper level **does not** exceed the action level as defined in Section 5-1.41, *State Sanitary Code*:

RETENTION: 10 years

c. Records of remediation by replacement of lead or copper plumbing:

RETENTION: 6 years after building no longer exists

d. Records of remediation by elimination or replacement of water cooler not connected to plumbing:

RETENTION: 6 years after cooler eliminated or replaced

- ◆ 26.[775] **Pesticide (including herbicide, rodenticide and disinfectant) application record** (showing kind and quantity used, dosage rate, method of application, target organism, area and time of application):
RETENTION: 3 years

NOTE: Records of incidents of possible exposure to pesticides (including herbicides, rodenticides and disinfectants), and other records created because pesticides are considered "toxic substances," are covered by item no. 325 in the Personnel/Civil Service section.

- ◆ 27.[776] **Inventory of pesticides** (including herbicides, rodenticides and disinfectants) maintained by local government:
RETENTION: 40 years after superseded or obsolete

- ◆ 28.[777] **Annual report of pesticides** (including herbicides, rodenticides and disinfectants) used, submitted to New York State Department of Environmental Conservation:
RETENTION: 2 years

- ◆ 29.[778] **Application for business/agency pesticide registration**, including all related records:
RETENTION: 1 year after superseded or invalid

- ◆ 30.[779] **Records relating to certification for individual certified commercial applicator**, including copy of application, records of training in use of pesticides, examination results, copy of certificate and recertification records:
RETENTION: 6 years

- ◆ 31.[780] **Permits and approvals** from state or county health department to operate pool or beach:
RETENTION: 3 years after denial or expiration

- ◆ 32.[781] **Reports of pool or beach operation and inspection:**
RETENTION: 21 years

- ◆ 33.[782] **Facility inmate work crew records**, covering crews from state or county correctional facilities performing work outside the facilities for local government or not-for-profit organization, including but not limited to request for work crew and site visit report:
RETENTION: 2 years

- ◆◆ 34.[783] **Self-evaluation records**, required under Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or

requirements

- a. Voluntary compliance plan for facility, including list of persons consulted, description of areas examined, transition plan, list of problems identified and description of modifications anticipated and made:

RETENTION: PERMANENT

- b. Copies of work orders, progress notes and other supporting documentation:

RETENTION: 1 year after modifications completed

- ◆◆35.[784] **Inspection reports, reviews and audits** (internal and external) created relative to the Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements:

RETENTION: 6 years after building or facility involved is no longer in use

- ◆◆36.[785] **Individual case records**, filed under the provisions of the Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements, including but not limited to complaint, charge or request for reasonable accommodation, medical reports, responses, records of appeals, correspondence and internal memoranda, records documenting work done in response to complaint or request, and documentation of final resolution

- a. When complaint or request is filed by officer or employee of the local government involved:

RETENTION: 3 years after resolution of case and termination of any reasonable accommodation provided

- b. When complaint or request is filed by person **other than** officer or employee of the local government involved:

RETENTION: 3 years after date of final entry in record, but not less than 3 years after person involved attains age 18

- ◆◆37.[786] **Master summary record of all cases** under the Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements:

RETENTION: PERMANENT

- ◆38.[787] **Videotape or other recording maintained for security purposes**

- a. Videotape or other recording containing incidents warranting retention for administrative or potential legal uses:

RETENTION: 3 years, but not until any minor has attained age 21

- b. Videotape or other recording **not** containing incidents warranting retention for administrative or potential legal uses:

RETENTION: 0 after no longer needed

◆39.[788] **Records relating to protection of underground facilities**

a. Notice of or request for excavation, received by local government from excavator, pursuant to *16 NYCRR*, Section 753-5.2, including notice of postponement or cancellation and notice of discovery of unknown facility:

RETENTION: 4 years

b. Master list or central registry of operators of underground facilities located within borders of county or municipality:

RETENTION: 0 after superseded or obsolete

◆40.[789] **Records filed by contractor or sub-contractor with local government related to public works project, pursuant to Section 220 (3-a), Labor Law, including but not limited to copy or abstract of payroll, classification of workers employed on a project, and statement of work to be performed by each classification:**

RETENTION: 3 years after contract completion

◆41.[790] **Water supply system records, covering water supply system (such as private well) maintained by local government for its own use**

NOTE: Public water supply records, where a local government provides water for public consumption, are covered by items in the Environmental Health section, Environmental Facilities: General and Environmental Facilities: Public Water Supply subsections.

a. Permits and approvals necessary to establish or operate system, including supporting data and other related records:

RETENTION: PERMANENT

b. Original entry and intermediary charts, graphs and other data collected relating to water usage, water levels and water quality:

RETENTION: 10 years

c. Reports and related data collection and other summary records showing long-term trends and developments:

RETENTION: PERMANENT

d. Reports and related records **not** showing long-term trends and developments:

RETENTION: 10 years

e. Reports and test results on unsatisfactory water supply samples:

RETENTION: 20 years

f. Log recording summary information collected at periodic intervals such as

- c. Records of updates and corrections to property data:
RETENTION: 3 years after update or correction made

◆ 7.[804] **Documentation of macros, queries, and reports**

- a. Relating to specific case investigation or subject file:
RETENTION: Retain as long as the case investigation or subject file for which the documentation is created is retained.
- b. Not relating to specific case investigation or subject file:
RETENTION: 0 after no longer needed

NOTE: Depending on the results obtained from generating these macros, queries and reports, local officials may wish to retain these records for potential legal and other uses.

◆ 8.[805] **Hazardous materials records**

- a. Hazardous materials location report or exemption filed with fire department or district, or equivalent record:
RETENTION: 3 years after hazardous materials no longer stored at site

NOTE: Local officials may wish to retain these records longer, possibly as long as 40 years, if the hazardous materials listed on this record include substances listed in Subpart Z, 29 CFR (federal O.S.H.A. Regulations).

- b. Textual reference information containing medical, chemical or other information used to assist dispatchers and responding personnel, and maps of agency/service coverages:
RETENTION: 3 years after superseded or obsolete
- c. Reports on hazardous materials found in the service area in its entirety, or at specific locations:
RETENTION: 3 years after hazardous materials listed in report are no longer present at listed sites

NOTE: Local officials may wish to retain these records longer, possibly as long as 40 years, if the hazardous materials listed on this record include substances listed in Subpart Z, 29 CFR (federal O.S.H.A. Regulations). In addition, if these reports document the presence of hazardous materials in a community at a given time, they should be appraised for historical

significance. These records may have immediate significance for fire fighting and disaster prevention and long-term research value in situations where the hazardous materials found in the area had a significant impact on the community. Contact the State Archives for additional advice.

- ◆ 9.[806] **Standard Operating Procedures** for call receipt and dispatch, including codes, abbreviations and authority file data:
RETENTION: PERMANENT

NOTE: Detailed routine procedures are covered by item no. 9 in the General section.

- ◆ 10.[807] **Reference files on municipalities, districts and volunteer entities in service or neighboring areas:**
RETENTION: 0 after superseded or obsolete

NOTE: Appraise these records for historical significance prior to disposition. These records may have long-term historical value in documenting emergency services in a given area. Contact the State Archives for additional advice.

EMERGENCY MEDICAL SERVICES

- ◆ 1.[808] **Patient care records**
 - a. Ambulance run or prehospital care record created each time a patient is transported by emergency vehicle and/or administered medical treatment:
RETENTION: 6 years, or 3 years after individual treated and/or transported reaches age 18, whichever is longer
 - b. Patient care data file, containing medical treatment and/or billing information on individual treated by emergency medical personnel:
RETENTION: 6 years, or 3 years after individual treated and/or transported reaches age 18, whichever is longer
 - c. Summary record of all patients treated and/or transported:
RETENTION: 3 years
- ◆ 2.[440] **Ambulance run or emergency medical treatment chronological log, or equivalent record:**
RETENTION: 6 years after last entry

- b. Monthly or other periodic reports or listings:
RETENTION: 3 years

◆ 14.[457] Volunteer Firefighter Service Awards records relating to individual volunteer

- a. Records showing credits earned and providing breakdown of types of services and how individual earned credits:
RETENTION: 6 years after individual leaves service
- b. Copy of initial and vested certificates of membership in awards plan:
RETENTION: 6 years after individual leaves service
- c. Copy of application to join service awards plan and/or life insurance plan, along with declination statement and related records:
RETENTION: 6 years after individual leaves service
- d. Beneficiary designation records:
RETENTION: 0 after superseded or obsolete
- e. Records relating to individual's challenge to plan's, department's or district's assignment or of number of points earned:
RETENTION: 3 years after appeal concluded or other disagreement otherwise resolved

**◆ 15.[812] Controlled burn records, covering legally approved burning of leaves and debris permitted by fire department or district:
RETENTION: 3 years**

LAW ENFORCEMENT: GENERAL

**◆ 1.[458] Incident data summary record, including blotter, "desk record book," or equivalent record containing summary record of department or station activities:
RETENTION: PERMANENT**

◆ ◆ 2.[466] Law enforcement reports, studies or data queries, including their documentation

- a. Reports, studies or queries having legal or fiscal value, such as reports covering use of equipment and personnel resources, reports on crime in specific neighborhoods or on specific kinds of criminal activity, daily

activity reports and individual officer "diaries":

RETENTION: 6 years

NOTE: Appraise records covered by part "a" for archival value. Reports and studies analyzing law enforcement activity within a municipality for specific kind of criminal activity or a given area may be valuable for long-term planning, analysis of trends in law enforcement, and for historical and other research. Contact the State Archives for additional advice.

b. Reports, studies or queries having no legal or fiscal value, such as daily communications or other routine internal reports:

RETENTION: 0 after no longer needed

c. Uniform Crime Reports submitted to State Division of Criminal Justice Services:

RETENTION: 1 year

d. Incident-based reports or queries:

RETENTION: 3 years

e. Report or study of law enforcement activity within municipality, generated for local law enforcement agency by county, regional or state law enforcement agency (local law enforcement agency copy):

RETENTION: 0 after no longer needed

NOTE: Appraise records covered by parts "e" and "f" for archival value. Reports and studies analyzing law enforcement activity within a municipality or specific area may be valuable for long-term planning, analysis of trends in law enforcement, and for historical and other research. Contact the State Archives for additional advice.

f. Report or study of law enforcement activity within municipality, generated for local law enforcement agency by county, regional or state law enforcement agency (copy retained by county or regional creating agency):

RETENTION: 3 years

◆ ◆ 3.[460]

Case investigation record for adult, juvenile offender, youthful offender or juvenile delinquent, including but not limited to complaint, investigation report, arrest report, property record, and disposition of the case

a. For homicides, suicides, arson (first, second or third degree), missing persons (until located), active warrants, and stolen or missing firearms (until

recovered or destroyed):

RETENTION: PERMANENT

- b. For all felonies **except** those covered by parts "a" and "c", and fatalities other than homicides:

RETENTION: 25 years after case closed

NOTE: Appraise case investigation files for these felonies for historical and other research value, as well as for analysis of long-term trends. Contact the State Archives for additional advice.

- c. For fourth degree arson and non-fatal accidents:

RETENTION: 10 years after case closed

- d. For misdemeanor:

RETENTION: 5 years after case closed

- e. When offense involved was a violation or traffic infraction:

RETENTION: 1 year after case closed

- f. When investigation reveals no offense has been committed by adult:

RETENTION: 5 years

- g. When individual involved was a juvenile and no arrest was made, **or** no offense was committed:

RETENTION: 1 year after individual attains age 18

- h. Domestic incident report, created pursuant to Section 140.10(5), Criminal Procedure Law, when case investigation record is created:

RETENTION: Retain for 4 years or as long as rest of case investigation report, **whichever is longer**.

◆4.[813]

Master summary record of case investigation information:

RETENTION: 0 after no longer needed to access case investigation records

NOTE: Appraise this record for archival value. This record may supplement the incident data summary record in providing summary information on all case investigations conducted by the law enforcement agency. Contact the State Archives for additional advice.

◆5.[461]

Individual identification file, except jail or penitentiary prisoner case record, including but not limited to fingerprint cards, photographs, record sheets from other

agencies, local arrest and disposition records, and miscellaneous reports

NOTE: Section 160 of the Criminal Procedure Law requires that individual identification records be returned to the individual involved or destroyed when criminal actions are terminated in favor of the accused or by conviction for a noncriminal offense.

- a. When offense involved was a crime (misdemeanor or felony):
RETENTION: 5 years after death of individual, or 0 after individual attains age 80, whichever is shorter, provided no arrest in the last 5 years

NOTE: Records created before establishment of the D.C.J.S. statewide automated identification system in 1966 are not duplicated at the state level and should be appraised for both archival value and ongoing legal and administrative purposes. Contact the State Archives for additional information.

- b. When offense involved was a violation or traffic infraction:
RETENTION: 5 years
- c. Digital "mug shot" file, containing digital photos and relevant accompanying data on an individual, when official copies of photos are retained in hard copy as part of part "a" or "b," above:
RETENTION: 0 after no longer needed

NOTE: Digital "mug shot" file, containing digital photos and relevant accompanying data on an individual, when official copies of photos are **not** retained in hard copy, must be retained as specified in part "a" or "b," above.

NOTE: Appraise these digital files for archival, legal and administrative value. They may have long term value in criminal investigation. Contact the State Archives and the Division of Criminal Justice Services for additional advice.

- d. Digital fingerprint file, containing digital images used to produce fingerprint cards:
RETENTION: 0 after no longer needed
- e. Photo arrays, created by combining identification photos for identification and investigative purposes:
RETENTION: Retain as long as relevant case investigation record.
- f. Criminal record summaries ("rap sheets"), received from Federal Bureau of Investigation or other law enforcement agency:
RETENTION: Retain most current copy as long as relevant case investigation, or 0 after superseded or obsolete if unrelated to case investigation.
- g. Authorized requests for criminal information contained in local government law

enforcement agency records, along with response and record of action taken:

RETENTION: 6 years

◆6.[814] **Personal information data file**

a. Data on criminals and suspects:

RETENTION: Retain data for 5 years after death of individual, or 0 after individual attains age 80, whichever is shorter, provided no arrest in the last 5 years.

b. Data on associated persons, such as victims, relatives and witnesses:

RETENTION: Retain data as long as, or information as part of, relevant case investigation record.

c. Documentation of updates and changes to data:

RETENTION: Retain as long as data which has been changed or updated.

d. Trouble and discrepancy reports regarding personal information data:

RETENTION: 3 years

◆7.[815] **County- or region-wide arrest information cumulative data file**, covering county- or region-wide area:

RETENTION: Maintain as perpetual data file, with superseded or corrected data maintained for 3 years after data updated.

◆8.[816] **Profiling reports and related records**, including macros, workspaces or other files (including all documentation) created in profiling process

a. Relating to specific case investigation:

RETENTION: Retain as long as relevant case investigation record.

b. Not relating to specific case investigation:

RETENTION: 0 after obsolete

◆◆9.[914] **Confidential informant records**, maintained separately from confidential informant information contained in case investigation records

a. Master index or listing of confidential informants:

RETENTION: PERMANENT

b. Detailed information on confidential informant:

RETENTION: 0 after individual is deceased or attains age 90

LAW ENFORCEMENT: PERSONAL PROPERTY**◆ 1.[462] Personal property record**

- a. For dangerous weapon, including but not limited to receipt, identification tag, and report of destruction:

RETENTION: 6 years after disposition of property, or 0 after disposition of any related case investigation records, **whichever is longer**

NOTE: Local law enforcement officials may wish to retain these records longer for investigative or other long-term administrative purposes. See also item no. 492, below.

- b. For other property, including but not limited to receipt, confiscated currency report, identification tag, and report of public auction or destruction:

RETENTION: 6 years after disposition of property

◆ ◆ 2.[465] Identification records for an individual person or for number-engraved property

- a. Personal identification card for an individual, including Sheriff ID, copies of child fingerprint records and records of distribution of child identification kits:

RETENTION: 0 after no longer needed

NOTE: Local governments should consult with their legal counsel to determine if these records merit continuing retention due to legal value or for law enforcement purposes, such as in locating and identifying missing children.

- b. Property number assignment register:

RETENTION: 0 after obsolete

- c. Identification/validation records for missing or stolen property, license plates, licenses, registrations or ID cards (if **not** part of case investigation records):

RETENTION: 0 after no longer needed

3.[469] Pawn shop records, including lists of pawn shops, purchase and sale reports and reports on stolen property:

RETENTION: 5 years

4.[487] Bicycle licensing or registration record

- a. When a fee is charged:

180

- d. Abstract of tax roll:
RETENTION: PERMANENT

TAX COLLECTION

◆ 1.[529] Tax collection records

- a. Tax collection data file, returned copy of tax bill, copy of receipt issued taxpayer, collector's daily accounts, receiving office tapes, records of overpayment, rebate or refund, record or notice of payment of post-due taxes, report on tax monies collected, request for extension of time to collect taxes, and similar records:
RETENTION: 6 years

- b. Tax collection history data, containing summary tax collection history information, created from tax collection data file:
RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. This data may be useful for a number of years for convenience of reference, and may possibly have long-term historical value.

- c. Documentation of regular updates or corrections made to tax collection data file:
RETENTION: 6 years

◆ 2.[530] Statement or list of unpaid taxes or taxes due, or other lists, reports or studies relating to tax collection:

RETENTION: 6 years

◆◆ 3.[531] Tax escrow account records

- a. Notification of creation, transfer or termination of escrow account:
RETENTION: 1 year after termination of account

- b. List of tax escrow accounts:
RETENTION: 1 year after superseded or obsolete

MISCELLANEOUS

- ◆ 1.[532] **Informational listing or index** used in relation to taxation and assessment, including but not limited to lists of property owners, real estate transfers, address changes, exempt properties, filed grievances, tax redemptions, notice of bankruptcy or foreclosure proceeding, and billing addresses:
RETENTION: 1 year after superseded or obsolete
- 2.[533] **Records of apportionment of tax monies**
- a. Annual certificate of apportionment sent to municipality or district:
RETENTION: PERMANENT
- b. Apportionment records, **except** annual certificates:
RETENTION: 6 years
- 3.[534] **Tax search record**, including but not limited to record of searches conducted, abstract of search results, correspondence and memoranda:
RETENTION: 6 years
- 4.[535] **Tax levy and tax rate determination records**, including computation of constitutional tax margin and statement filed with State Comptroller's Office:
RETENTION: 6 years
- ◆ 5.[859] **Master summary record of real property transfers within area served by local government:**
RETENTION: 0 after no longer needed, but not less than 6 years

NOTE: Appraise these records for historical significance. These records, compiled from real property transfer reports received from the county, may have continuing value for historical or other research. Contact the State Archives for additional advice.

personal injury incurred by minors. Where appropriate, these records should be retained for 3 years after the individual involved attains age 18, even if the specified retention period has expired.

- ◆ 1.[541] **Highway or other transportation structure maintenance and repair records** covering routine maintenance and repair activities and pavement marking:
RETENTION: 6 years
- 2.[542] **Snow and ice removal records**, including log or report of weather conditions:
RETENTION: 6 years
- ◆ 3.[543] **Highway or transportation structure history file** containing summary information on highways, roads, streets, bridges, elevated railways, overpasses, underpasses, culverts, and other structures, **except** records covering routine maintenance and repair activities
 - a. All records in file, **except** draft or intermediary records documenting other than significant changes and those closely duplicating other records in file:
RETENTION: PERMANENT
 - b. Draft or intermediary records documenting other than significant changes, or closely duplicating other records in file:
RETENTION: 0 after no longer needed
- ◆ ◆ 4.[544] **Project file for capital transportation improvement** covering highways, roads, streets, bridges, other structures, parking lots and garages, and public transportation system improvements
 - a. Feasibility studies; successful bids; plans, specifications and designs; project description; in-progress and completion photographs; inspection reports; environmental impact statement; annual project statement; fiscal and other final reports, and significant correspondence:
RETENTION: 6 years after highway or structure no longer exists or is abandoned
 - b. Supplementary documentation, including application for assistance, project budget, interim fiscal reports, claims, contracts, vouchers, work orders, memoranda, worksheets, routine correspondence and detailed construction specifications:
RETENTION: 6 years after last entry in project file or until any service life requirement has been met, whichever is later
 - c. Unsuccessful bids:

RETENTION: 6 years after bid rejected

- d. All records, when project is proposed but **not** undertaken:

RETENTION: 6 years after last entry

NOTE: For additional plans, maps, designs, sketches, architectural drawings and photographs of buildings and facilities, see item nos. 546 and 863, below.

- 5.[545] **Master summary record** (index, log or register) of transportation improvement projects:

RETENTION: PERMANENT

- ◆ 6.[546] **Official maps, plans, diagrams, drawings, photographs, surveys, engineering and survey notes, detailed specifications, profiles or cross-sections of highways, roads, streets, bridges, or other structures** including indices or finding aids, when **not** relating to specific project design files, covered by item no. 863, immediately below

- a. Final or "as built" plans, maps, designs, sketches, architectural drawings and photographs, for significant highway or structure:

RETENTION: PERMANENT

- b. Final or "as built" plans, maps, designs, sketches, architectural drawings and photographs, for **other than** significant highway or structure:

RETENTION: 6 years after structure no longer exists

- c. Other related non-graphic design file documents, including correspondence, cost estimates, reports, planning studies and other records:

RETENTION: 6 years after completion of project

NOTE: Some of these non-graphic documents may need to be retained for 6 years after the highway or structure no longer exists, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to disposition.

- d. Template or other similar automated framework or reference files used in conjunction with more specific automated design files:

RETENTION: Retain as long as the related specific automated design files are retained.

- e. Index or similar record used to locate, identify and access plans, maps,

government acting as Local Administrative Agency):

RETENTION: 6 years after superseded or obsolete

NOTE: Appraise these records for archival value. These records may be useful in providing information on relieving traffic congestion problems in certain urban areas. Contact the State Archives for additional advice.

- b. Compliance plan (initial or consolidated), including but not limited to such records as worksite profile, survey results, average passenger occupancy (APO) calculations, forecasted participation, summary of trip reduction strategies, list of worksites and implementation schedule, and also covering revisions and updates (copy maintained by local government employer):

RETENTION: 3 years after superseded or obsolete

- c. Bi-annual maintenance report (copy maintained by local government employer or local government acting as Local Administrative Agency):

RETENTION: 6 years

- d. Information on potential participants, including list of applicants and individual employee surveys:

RETENTION: 3 years

◆ 11.[874] **Special public transportation related studies**, covering subjects such as commuter parking, car pooling, bicycle paths, bicycle lanes, and bus route changes

- a. **Final reports**, including all attachments:

RETENTION: PERMANENT

- b. Background materials and supporting documentation:

RETENTION: 6 years after completion of report or date of most recent entry in record

◆ 12.[875] **Special bus trip records** covering trips conducted outside normal public transportation schedule, such as "curb-to-curb" handicapped vehicle use; transportation provided by aging, youth, veterans' and other specialized services; and trips to special events; and including applications for service, lists of attendees, trip reports, and records of fees collected:

RETENTION: 6 years

◆ 13.[876] **Predecessor public transportation company records**, covering private bus companies, trolley, horse-car railroad, or turnpike companies, held by successor local government agency:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Some of these records will likely possess significant value for historical or other research and should be retained permanently. These records may contain valuable information which supplements records created by the local government itself, and may constitute some of very few existing records documenting these functions before the 1970s. Contact the State Archives for additional advice.

- ◆ ◆ 14.[915] **Annual affidavit of compliance** submitted to the New York State Department of Motor Vehicles certifying compliance with requirements for bus drivers as indicated in Article 19-A of Vehicle and Traffic Law, including accompanying annual statistical report on miles traveled by buses, driver convictions and accidents, and related information:
RETENTION: 3 years after end of current year

TOLL BRIDGE OR TOLL ROAD

- 1.[566] **Copies of, applications for, or canceled or validated tickets or pass books:**
RETENTION: 1 year
- 2.[567] **Cumulative record or sale or issuance of toll books, tickets, or passes:**
RETENTION: 6 years
- 3.[568] **Traffic or usage counts for toll bridge or toll road:**
RETENTION: 6 years
- 4.[569] **Operational log for toll bridge or toll road:**
RETENTION: 6 years after date of last entry

YOUTH SERVICES

- 1.[572] **Annual comprehensive plan and compliance report** relating to youth services, also includes detention care plan or report:
RETENTION: PERMANENT
- ◆2.[573] **Master summary record** (log or master index) of youths served by youth service program:
RETENTION: 15 years
- 3.[574] **Individual client consultation case file:**
RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer
- 4.[575] **Individual client employment placement records**, including but not limited to master index card, job order form, and periodic statistical report:
RETENTION: 3 years
- ◆5.[877] **Youth court case files**, documenting the operation of youth courts, including but not limited to records of cases heard by the courts; forms signed by defendants, their guardians, and youth court staff; records concerning completion of sentence requirements, such as community service; and case notes of contacts made in reference to a defendant's case:
RETENTION: 6 years after case closed or 3 years after individual attains age 18, whichever is longer

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