

## RECORDS DESTRUCTION AUTHORIZATION

### Instructions

State agencies and local governments are encouraged to develop a records destruction authorization form to authorize and document records disposal. A sample form is provided below. This form is designed to be used internally -- for inhouse destruction or destruction by vendors -- and in conjunction with State Archives-approved records retention and disposition schedules. For state agencies who store records at the State Records Center, the records destruction (or transfer) notice that you receive should be adequate documentation of the actual destruction; however, agencies may wish to develop an internal process for the records management officer (RMO) and department head to review and approve the notice prior to destruction. Considerations for use of the form include:

- Destruction forms should document the destruction of records at the series level, rather than the document level. You would note that you are destroying all of the purchase or contract records from the year 2013, rather than listing every purchase order or RFP.
- Use of this form allows records management officers (RMOs) to fulfill their oversight responsibilities for records disposition. RMOs review and approve department requests to destroy records ensuring that records are regularly and consistently destroyed according to State Archives-approved retention schedules. When reviewing the form, RMOs should consider
  - whether retention schedule items exist and are being properly applied;
  - whether the minimum retention periods indicated on the schedule are appropriate or should be increased to match the actual retention practices, administrative needs of staff, or historical significance of the records;
  - whether staff are storing records for a needlessly long period of time and are incurring unnecessary storage costs or potential legal risks; or
  - whether any records are the subject of a current or impending legal action, audit, or FOIL request.
- Retention schedules indicate the minimum period of time that records must be retained. Staff may retain records longer. This form captures and documents the actual date that records are destroyed. RMOs should consider whether to document this longer retention period in policy or, for state agencies, by updating their agency-specific retention schedule.
- Destruction forms are an added layer of legal protection to show that your organization properly followed the retention schedules and that records weren't destroyed to avoid disclosing them in response to a FOIL, litigation, audit or other request. Courts tend to look more favorably on organizations that can demonstrate that they regularly destroyed records based on retention schedules.

