

## Policy GA-LA-PO2

### Records Management and Retention

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#### **I. Statement Related to an Institutional Records and Information Management and Retention Policy**

- A. The University of Texas at Arlington recognizes the need for orderly management and retrieval of all official records and a documented records retention and destruction schedule congruent with all state and federal laws and related regulations. All official records (paper, microform, electronic, or any other media) will be retained for the minimum periods stated in the institutional Records Retention Schedule as approved by the Texas State Library and Archives Commission and the Texas State Auditor's Office in compliance with *Texas Government Code*, Chapter 441. After a specified period of time, official records must be disposed of in a manner that is consistent with, and systematically carried out in accordance with, prescribed records and information management guidelines and procedures.
- B. Duplicate files, duplicate copies, library material, and stocks of obsolete forms or pamphlets originally intended for distribution are not considered to be official records or record copies. Duplicates or non-record convenience copies should be destroyed when they cease to be useful and should **never** be kept longer than the official record copy.

#### **II. Records Retention Schedule**

- A. The Institutional Records Retention Schedule provides a list of official records for each department on the campus and prescribes the periods of authorized retention. The schedule may be revised periodically to include a newly created record series to change retention periods, or to delete a record series no longer useful. Appropriate approval procedures must be followed and completed before any revisions would become effective.
- B. All records are to be kept for the minimum periods listed in the Records Retention Schedule. Notwithstanding such minimum retention periods, an official state record whose retention period has expired may not be destroyed if any litigation, claim, negotiation, audit, public information request,

administrative review, or other action involving the record is initiated; its destruction shall not occur until the completion of the action and the resolution of all issues that arise from it. An official state record whose retention period expires during any litigation, claim, negotiation, audit, public information request, administrative review, or other action involving the record may not be destroyed until the completion of the action and resolution of all issues that arise from it.

- C. Documents may be maintained for the prescribed minimum retention periods in **microform** if the microform reproduction is accomplished pursuant to a procedure that complies with *Texas Government Code* Section 441.188; 13 *Texas Administrative Code* Sections 6.21-6.35.
- D. Official records kept only in **electronic format** must be identified in the Retention Schedule and must comply with the administrative rules of the Texas State Library (13 *Texas Administrative Code* Sections 6.91-6.99).
- E. **Vital records** should be identified in the Retention Schedule and protected in accordance with *Texas Government Code* Section 441.183. State law defines a vital state record as any state record necessary to the resumption or continuation of state agency operations in an emergency or disaster; the recreation of the legal and financial status of the agency; or the protection and fulfillment of obligation to the people of the state.
- F. **Archival** documents should be identified in the Retention Schedule and maintained in accordance with *Texas Government Code* Section 441.181. An archival state record is any state record of enduring value that will be preserved on a continuing basis by the institutional archives until its archivist indicates that based on a reappraisal of the record it no longer merits further retention. Archival or historical records are to be preserved in the archives of the University of Texas at Arlington.

### III. Destruction of State Records

- A. No official state records may be destroyed without permission from the Texas State Library as outlined in *Texas Government Code* Section 441.187; 13 *Texas Administrative Code* Section 6.7 The Texas State Library has two established methods for obtaining legal authority to destroy state records. Procedures differ for records listed on an approved Records Retention Schedule and any records not listed.
- B. A state record may not be destroyed if any litigation, claim, negotiation, audit, open records request, administrative review, or other action involving the record is initiated before the expiration of the retention period for the record set in the approved institutional Records Retention Schedule. If no action as described above has been taken, records may be destroyed in accordance with the approved retention periods shown in the Records Retention Schedule. Prior to disposal of official records, all state and institutional records and information management regulations and policies must be followed.
- C. State records **not** listed on the approved Records Retention Schedule may be destroyed after receiving approval by officials at the Texas State Library. The form RMD 102, Request for Authority to Dispose of State Records, must be

completed and submitted to the Records Management Division of the Texas State Library to obtain approval for the destruction of such official state records. Unlisted records must not be destroyed until the State library administrator approves and returns the form to the appropriate university officials.

**IV. Release of Records (Texas Public Information Act)**

- A. Under provisions of the Texas Public Information Act (*Texas Government Code*, chapter 552), the Chancellor and the President of each U.T system component institution may delegate their authority as the custodians of records to Public Information Officers. The Public Information Officer at the University of Texas at Arlington is the Vice President for Business Affairs and Controller in accordance with the procedures outlined in UT System Administration UTS139, Texas Administration Act.
- B. Written requests for documents under the Texas Public Information Act should be directed to the Public Information Officer and handled immediately pursuant to the provisions of the Act and UT System Administration UTS139.

**V. Coordination with U. T. System Administration Records Management Officer**

- A. State law requires each state agency to appoint a Records Management Officer (RMO) to act as the agency's representative in all issues of records and information management policy, responsibility, and statutory compliance pursuant to *Texas Government Code* Section 441.184. The RMO from the University of Texas at Arlington will submit records retention schedules directly to the Texas State Library for approval and recertification in accordance with *Texas Government Code* Section 441.185; 13 *Texas Administrative Code* Sections 6.1-6.10.
- B. The RMO at System Administration serves as a coordinator of meetings of UT System and the institutions to collaborate on records and information management issues. In addition, the UT System RMO is available to assist institutional RMOs and any staff who are assigned records and information management responsibilities.