

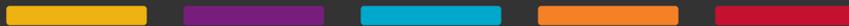
# Records Management and FOIA



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Records Analysis Section  
Coordinator

## How to simplify FOIA

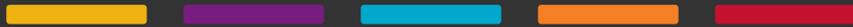
1. Have a records management program as mandated by the Virginia Public Records Act (VPRA).
2. Store records in a safe and accessible location.
3. Destroy non-permanent records at the end of their retention period.



# Virginia Public Records Act

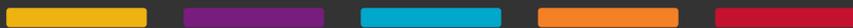
- Designate a records officer
- Establish and maintain a records management program
- Destroy records and report to LVA

COV § 42.1-76 et seq.



# Why practice sound records management?

- Control the growth of records
- Safeguard vital information
- Improve efficiency and productivity
- Ensure business continuity and consistency
- Ensure regulatory compliance
- Support decision making
- Minimize litigation risks
- Preserve the corporate memory



## Records management is...



Managing information. . .



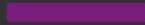
So that it may be efficiently accessed. . .



By the people who need it. . .



Without undue burden of time or cost.



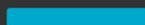
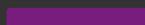
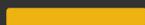
## What is a public record?

. . . documents a transaction or activity . . .

Regardless of physical form or characteristic . . .

. . . is produced, collected, received or retained in pursuance of law or in connection with the transaction of public business.

COV § 42.1-77



## Is my e-mail a public record?

"People view e-mail as personal, private communication . . . They are shocked to find out it is not their private property."

Lucy Dalglish, Reporters Committee for Freedom of the Press, *Richmond Times-Dispatch*, December 31, 2006



## Responsibility for electronic records

The agency shall be responsible for ensuring that its public records are preserved, maintained, and accessible . . .

. . . including converting and migrating electronic records as often as necessary so that information is not lost . . .

. . . ensure that [converted electronic record] is an accurate copy of the original record . . .

COV § 42.1-85



## Records storage

- Keep records in an area that is:
  - Locked with controlled access
  - Protected from fire by smoke detectors, water sprinklers, and fire extinguishers
  - Free of vermin and insects
  - Far from water pipes
- Make sure boxes are:
  - Sturdy and covered by a lid
  - At least 3 inches off the ground

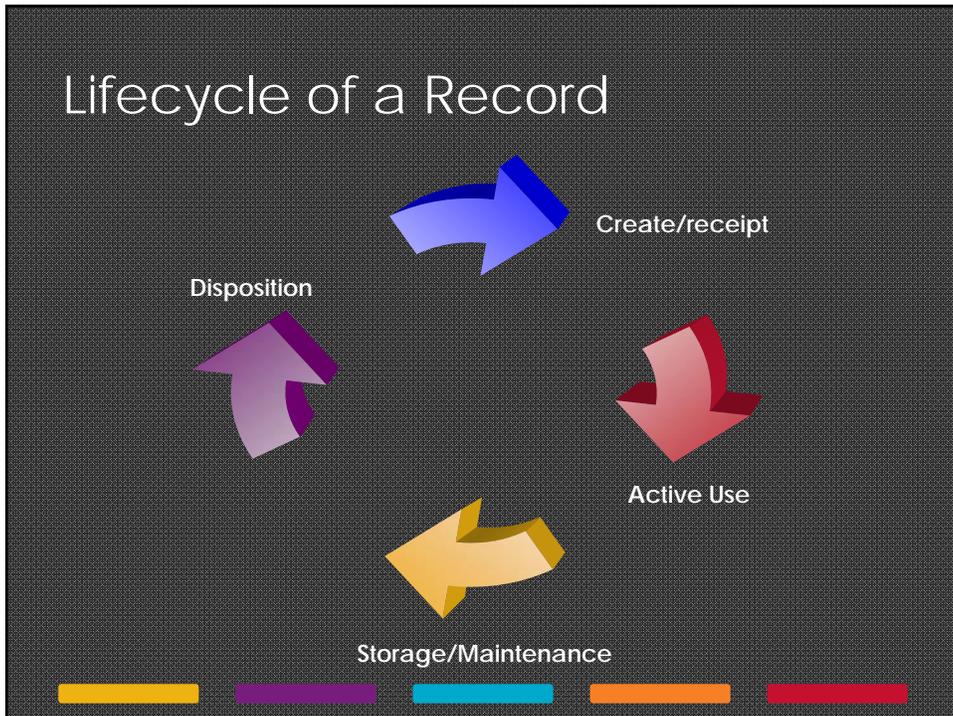
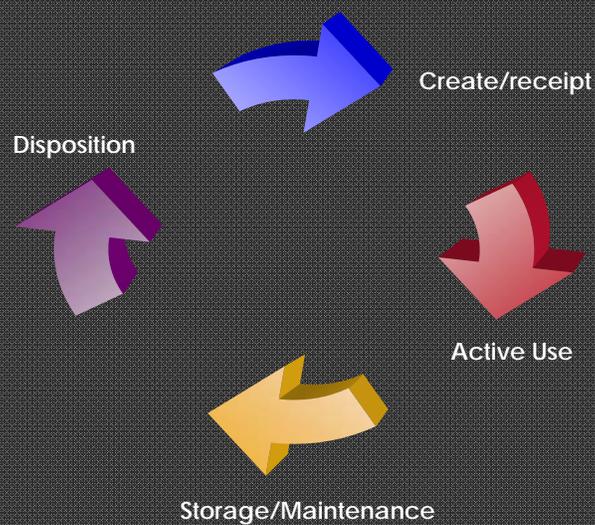


## State Records Center (SRC)

- Store inactive, non-permanent records
- Services include:
  - Storage
  - Records retrieval
  - Disposal at end of retention period
- For more information call 804-236-3705.



## Lifecycle of a Record



# Classifying records

**General Schedule**  
Common records created and maintained by localities and state agencies

**Specific Schedule**  
Records unique to an agency that reflects its responsibilities

**Record Series**  
Related documents normally filed together



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Home » Records Management » Retention Schedules

### Locality General Schedules

Searchable Database for Locally General Schedules

**General Administration**

- GS-18, Administrative Records (June 2012)
- GS-02, Fiscal Records (Aug 2012) *"complete revision"*
- GS-16, General Services (Nov 2011)
- GS-33, Information Technology (Mar 2008)
- GS-03, Personnel Records (Aug 2012) *"defunct series: 011151"*

**Local Departments**

- GS-31, Airports (Sep 2003)
- GS-05, Assessment Records (Dec 2007)
- GS-14, County and Municipal Attorneys (May 2010)
- GS-08, Land Use, Land Development and Public Works (June 2012)
- GS-11, Parks and Recreation (Mar 2008)
- GS-22, Public Library (June 2004)
- GS-21, Public School (Nov 2011)
- GS-07, Public Utilities (Nov 2011)
- GS-32, Redevelopment and Housing Authority (July 2007)
- GS-20, Treasurer (June 2001)
- GS-01, Voter Registration and Elections (May 2010)

**Human Services**

- GS-18, Community Services Board (CSB) (Mar 2008)
- GS-15, Social Services (Feb 2012)

**Judiciary**

- GS-12, Circuit Court (Nov 2011)
- GS-13, Commonwealth's Attorney (July 2009)
- GS-27, Court Appointed Special Advocate (CASA) (July 2009)
- GS-26, Pretrial Services (Sep 2005)

**Public Safety**

- GS-25, Community Corrections Act Program (Sep 2006)
- GS-29, Criminal Justice Training Academy (Dec 2007)
- GS-10, Fire and Rescue (Feb 2004)
- GS-24, Juvenile Residential Services (Nov 2003)
- GS-17, Law Enforcement (Sep 2010)
- GS-08, Sheriff and Regional Jail (Dec 2012) *"Series 200132 added"*
- GS-30, Virginia Alcohol Safety Action Program (VASAP) (June 1999)

*\* Recent updates are highlighted in red \**

## State Agency General Schedules

[Searchable Database for State General Schedules](#)

### General Administration

- GS-101, Administrative Records (June 2012) \*Defunct series: 100391\*
- GS-102, Fiscal Records (Aug 2012) \*Complete revision\*
- GS-106, General Services (Sep 2000)
- GS-113, Information Technology (Mar 2009)
- GS-103, Personnel Records (Aug 2012) \*Defunct series: 100507\*

### Specific Departments

- GS-111, College and University (Mar 2009)
- GS-108, Fire, Safety and Security (Nov 2011)
- GS-107, Food Service (May 2001)
- GS-120, Health Records (May 2011)
- GS-109, Library and Museum (Aug 2001)
- GS-104, Mailroom (Mar 2001)
- GS-105, Motor Vehicle (Apr 2001)

\* Recent updates are highlighted in red \*

EFFECTIVE SCHEDULE DATE: 8/9/2012

RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Insurance Records and Reports</u> <small>This series documents insurance coverage carried by the locality, such as commercial policies, third-party coverage, and self-insurance programs. This series may include, but is not limited to: insurance policies, claims, invoices, and investment files.</small>	010165	Retain 3 Years after end of state fiscal year	Confidential Destruction
<u>Payroll Records</u> <small>This series documents the payroll activities of the locality. This series may include, but is not limited to: deduction authorizations and registers, leave records, ledgers and reports, compensation files, retirement contributions, time and attendance records, time sheets, Virginia Employment Commission (VEC) reports, wage and income tax reports, W-2 Wage and Tax Statements, and Form 1099.</small>	200105	Retain 5 Years after end of state fiscal year	Confidential Destruction
<u>Purchasing Records</u> <small>This series documents the purchasing of equipment, goods, services, and supplies by the locality. This series may include, but is not limited to: bids, bid proposals, contracts, agreements, purchase orders, and requisitions.</small>	200106	Retain 5 Years after end of state fiscal year	Confidential Destruction
<u>Reimbursement Records</u> <small>This series documents the reimbursement of money to or from the locality. This series may include, but is not limited to: travel expense reimbursement and overpayment documentation.</small>	010190	Retain 3 Years after end of state fiscal year	Non-confidential Destruction
<u>Retirement Files: Locally Managed Retirement System</u> <small>This series documents the locally managed retirement system. This series may include, but is not limited to: employee participating and financial documentation.</small>	200107	Retain 3 Years after last action	Confidential Destruction

## Timeframe for records destruction

Each agency shall ensure that records created after July 1, 2006 . . .

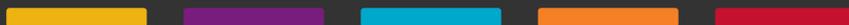
. . . are destroyed or discarded in a timely manner . . .

. . . such records that contain identifying information . . . shall be destroyed within six months . . .

COV § 42.1-86.1



## Documenting destruction



**LIBRARY OF VIRGINIA**  
 Records Analysis Section  
 800 E. Broad St., Richmond VA 23219  
 (804) 692-3800

**CERTIFICATE OF RECORDS DESTRUCTION**  
 (Form RM-3 March 2012)

This form documents the destruction of public records in accordance with the *Virginia Public Records Act*, § 42.1-76 through 42.1-91 of the *Code of Virginia*.

SUBMIT TYPE-WRITTEN FORM WITH ORIGINAL SIGNATURES

1. Agency / Locality	2. Division / Department / Section	3. Person Completing Form
4. Address, City, St. & Zip	5a. Telephone Number & Extension	5b. E-mail Address

6. Records to Be Destroyed					
a) Schedule and Records Series Number	b) Records Series Title	c) Date Range (mo/yr)	d) Location	e) Volume	f) Destruction Method

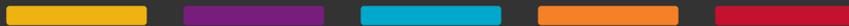
**DESTRUCTION APPROVALS**  
 NOTE: Public records may not be destroyed without receiving prior authorization from your agency or locality Approving Official and Designated Records Officer.  
 We certify that the records listed above have been retained for the scheduled retention period, required audits have been completed, and no pending or ongoing litigation or investigation involving these records is known to exist.

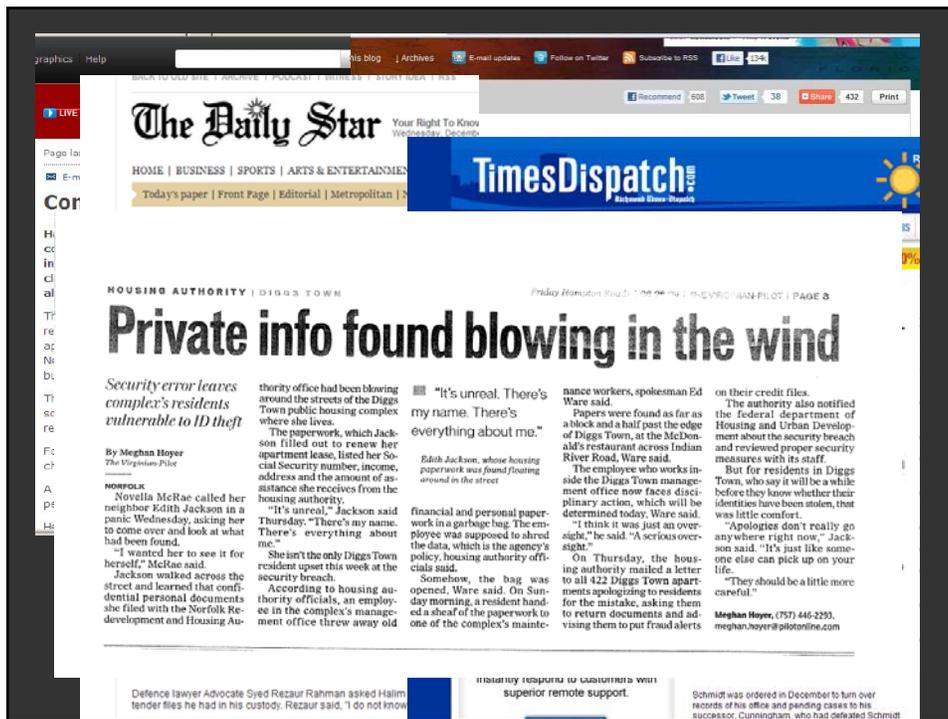
7. Approving Official (Print)	Signature	Date
8. Designated Records Officer (Print)	Signature	Date
9. Records Destroyed By (Print)	Signature	Date

# Legal ramifications

Records that are not destroyed according to their retention schedule are subject to discovery during litigation, investigation, and Freedom of Information Act (FOIA) requests.

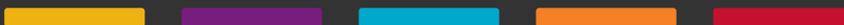
If you have it, you must produce it.





## Final tips

- Visibly label boxes with schedule number, records series, and destruction date.
- Do records destruction yearly and on a set schedule.
- Regularly review the schedules online for changes. Do not print schedules.



# Questions?

Records Analysis Section  
804-692-3600

All forms and schedules, as well as additional  
resources, available at:

[www.lva.virginia.gov/agencies/records](http://www.lva.virginia.gov/agencies/records)

