Records Management at the University of Virginia

Records management is the administrative term for the process of:
1. the maintenance of currently-active, administratively-useful, public records;
2. the disposition of public records that no longer serve administrative, legal, fiscal, or historical purposes; and,
3. the preservation of those records that have historical value or that must be preserved by law or for other reasons.

At the University of Virginia records management is governed both by the state's records management program as mandated by the Code of Virginia (Chapter 7, Public Records Act), and by University policies and procedures. Responsibility for the state records management program under the Public Records Act is given to the State Library Board which delegates the operation of the program to the staff of the Library of Virginia in Richmond. Each state agency is required to designate a records officer/records manager to be responsible for the operation of the records management program at that agency.

At the University of Virginia (Agency 207), for all academic and administrative departments and the schools of Medicine and Nursing in their teaching functions, Professor Ervin L. Jordan Jr. is the University Records Manager. He may be contacted at the Special Collections Department, Harrison/Small Library, (434) 924-4975 or by email at elj7t@virginia.edu. The Records Officer for health care records created at the UVA Health Sciences Center (Agency 209) is Mr. Abraham Segres (4-5595), Director, Office of Risk Management, P. O. Box 800503.

The Public Records Act mandates state control over the "public records," and defines them as:

recorded information that documents a transaction or activity by or with any public officer, agency, or employee of the state government or its political subdivisions. Regardless of physical form or characteristic, the recorded information is a public record if it is produced, collected, received, or retained in pursuance of law or in connection with the transaction of public business. The medium on which such information is recorded may be, but is not limited to paper, film, magnetic, optical or solid state devices which can store electronic signals, tapes, mylar, linen, silk or vellum. The general types of records may be, but are not limited to books, papers, letters, documents, printouts, photographs, films, tapes, microfiche, microfilm, photostats, sound recordings, maps, drawings, and any representations held in computer memory.

The Act goes on to state:

Nonrecord materials, meaning reference books and exhibit materials made or acquired and preserved solely for reference use or exhibition purposes, extra copies of documents preserved only for convenience or reference, and stocks of publications, shall not be included within the definition of public records as used in this chapter.

In practical terms, the provisions of the Public Records Act govern the majority of materials created in or received by University offices other than exempted reference materials, and the law mandates further that no material that falls under the definition of public records may be destroyed without permission. There are legal penalties for destroying records without official authorization, and the University can be held liable should a court discover that public records needed in a trial were destroyed without written authorization by a duly appointed records officer. Courts often deem the lack of such written documentation obstructions of justice.

The University requires all faculty and staff to cooperate with the University Records Manager and adhere to the provisions of the Public Records Act, the regulations of the Library of Virginia and of the University concerning public records. All state agencies are required to be in compliance with the Act; any and all state employees should be advised that once the RM-3 paperwork process for select records disposal is begun it must be officially completed. The major benefit to UVA by your properly completing this process is the legal and documented destruction of select obsolete records in the normal course of university business and that Richmond is promptly notified of said destruction in accordance with state law.
General Records Retention and Disposition Schedules for State Agencies

Any University employee, department or agency who wishes to destroy records should contact the appropriate agency records officer to learn the procedure to be followed, but this process might best begin with a review of the state’s General Records Schedules (GS-101 to GS-112 & GS-2000) to determine if the state has established a minimum period of retention for the type of record that is being considered for destruction. The Library of Virginia has prepared schedules for various types of records such as correspondence and financial records that are created in many state agencies. In each schedule, there is a brief descriptive title of the type of records, and information about the period for which these records much be retained. Records series titles are listed alphabetically within each General Schedule and are generally easy to locate and understand.

The following General Schedules for state agencies (including UVA) are applicable:

- GS 101, Administrative Records (May 00)
- GS 102, Fiscal Records (Jan 03)
- GS 103, Personnel Records (Jun 05)
- GS 104, Mailroom Records (Mar 01)
- GS 105, Motor Vehicle Records (Apr 01)
- GS 106, General Services Records (Sep 00)
- GS 107, Food Service Records (May 01)
- GS 108, Fire, Safety and Security Records (Sep 05)
- GS 109, Library and Museum Records (Aug 01)
- GS 110, Electronic Records (Oct 98) (html) (See GS 2000 for Y2K Records)
- GS 111, College and University Records (May 01)
- GS 112, Community College Records, formerly 261-GS-1, now replaced by GS-111.
- GS 2000, Y2K Records (July 99) (html)

Paper copies of General Schedules may be obtained from the University Records Manager (Prof. Jordan). The most common schedules used at UVA are GS-101, GS-102, GS-103, and GS-111.

University Policies and Procedures

You may also consult the University's Policies and Procedures manuals. They are available on the Office of the University Comptroller's website. Here you will find links to the University Policies Manual. For University policies concerning its records, consult Section "II.C.1 Records Retention And Disposition."

For most fiscal records (GS-102), the University requires retention for the current fiscal year, and five back fiscal years, or until audited, whichever is longer, while the general state requirements for these records are for shorter periods. For fiscal records that are information copies, the University retention requirement is for the current and the past fiscal year. However, state law/regulations takes precedence over University policies; the University Records Manager (Prof. Jordan) can be of further assistance if you have any questions.

Destruction of Public Records

Under no circumstances is it permissible to destroy university records without the University Records Manager's written consent/authorization; unauthorized destruction of records could place the University in violation of state and/or federal laws. To ensure that records are destroyed only after their administrative usefulness to the office that created them has ended, and that there are no legal, fiscal, or historical reasons for the preservation of the records, the Library of Virginia (LVA) has established a procedure for review of records that are being considered for destruction. A form (RM-3) must be completed by any...
office/department that wishes to destroy records. An university employee must sign the form certifying that the records described on it are no longer needed in the office/department, and that "the records listed . . . have been retained for the scheduled retention period, that required audits have been completed, and that no pending or ongoing litigation involving these records is known to exist." If you are uncertain as to whether your records have been audited, contact Ms. Barbara J. Deily, Director of Audits, Carruthers Hall, 924-4110. Completion of audits does not mean automatic approval to destroy/discard/recycle/erase any records without written approval on an RM-3 form.

The RM-3 form and its instructions are available on the University's forms site on the Web. Change "All Departments" to "Records Management" (or "Library, UVA"), then click the small white triangle on the right. This will take you to the "Certificate of Records Destruction" (form RM-3) site. A blank RM-3 form may be accessed by clicking its URL address. The form may then be completed online (using Adobe Acrobat Reader 4.0 or higher), then printed out; instructions for its completion are available by clicking 'Procedure.' Detailed information, "Records Management at the University," is available under "Policy."

Completing an RM-3 form takes only a few minutes. The name of the agency (University of Virginia--207), your "Division/Department" head (or the University vice president under whose jurisdiction your office falls under), and the "Section/sub unit" (the name of your office) are entered. Information that must be entered on an RM-3 form for each series of records considered for destruction includes:

- the applicable General Schedule and Series numbers;
- the "Records Series Title" taken from the General Schedule;
- the date range covered by the records; and
- the volume of records expressed in cubic feet.

Refer to Chapter 5, Procedures for Destroying Public Records/Chapter Attachments/Volume Estimation Table or Certificate of Records Destruction (RM-3 Form) (Nov. 99) / Volume Estimation Table to convert boxes or drawers of paper or microfilm records to their cubic foot (cu. ft.) equivalents. If destroying electronic records, enter the approximate size of the files by megabytes, type of media containing data, or number of files. (This link is to a table that translates file drawers of material into cubic feet.)

Send the signed original RM-3 form (faxes are not acceptable) and two copies to either Professor Ervin L. Jordan, Jr., University Records Manger for Agency 207, Special Collections Department, Harrison/Small Library, P. O. Box 400110, or, if your UVA agency number is 209, to Mr. Abraham Segres (4-5595), Director, Office of Risk Management, UVA Health System (Agency 209), at P. O. Box 800503. The appropriate Records Manager will check the records proposed for destruction against the General Schedules' required periods of retention.

If the University Records Manager approves the proposed destruction, he will sign the RM-3 form approving the specific records' destruction and send a temporary copy of the form, with an authorization memo, back to the office/department. Upon receipt of an approved RM-3 form the office/department may proceed with destruction of the records. The University Records Manager will later complete on Line 9 the name of the person who can certify the records were properly and legally destroyed and the date of their final destruction; a final copy of the officially approved RM-3 form will be sent to your office/department. The University Records Manager will retain a copy for the University's records management files and send the original to the Records Management and Imaging Services Division, The Library of Virginia, Richmond.

After you have received written authorization from the University Records Manager to dispose of your records, some non-confidential records may be recycled. Although most General Records Retention and Disposition Schedules for state agencies require shredding of confidential records, in some cases they may instead be recycled; if so they must be kept in a secure place until they are picked up by a bonded recycling firm. Contact Mr. Bruce Beale, Director UVA Recycling, (982-5050), Facilities Management/Utilities/Recycling, for assistance, after you have received my written authorization to destroy selected records.

Timely Destruction of Records: Important Change to the Virginia Public Records Act, 2006

The Governor of Virginia signed a new law enacted by the General Assembly that amended the Virginia Public Records Act (VPRA). This change concerns the disposition of public records created after July 1, 2006 by state agencies, localities and political subdivisions: "Each agency shall ensure that records created after July 1, 2006 and authorized to be destroyed or discarded in accordance with subsection A, are destroyed or discarded in a timely manner in accordance with the provisions of this chapter; provided, however, such records that contain identifying information as defined in clauses (iii) through (ix), or clause (xii) of subsection C of section 18.2-186.3, shall be destroyed within six (6) months of the expiration of the records retention period."

According to section 18.2-186.3 of the Code of Virginia, "records with identifying information" are those containing, but not limited to: social security numbers; driver's license numbers; bank account numbers; credit or debit card numbers; personal identification numbers (PIN); electronic identification codes; automated or electronic signatures; and passwords.

The Library of Virginia (Richmond), the governing agency for records management in the Commonwealth of Virginia, interprets "timely manner" to mean that records scheduled for destruction will be destroyed no later than the end of the year (calendar or fiscal) in which the retention period expires. However, "knowledge of audits, subpoenas, investigations, or litigation that may reasonably include the records suspends any disposal or reformatting process until all issues are resolved." [See also the following section, "Records/Document Reformatting and/or Scanning"]

Records/Document Reformatting and/or Scanning

Commonwealth of Virginia records management policies state that paper records should not be converted or reformatted solely for space-saving purposes or in order that your office/department can appear to be "keeping up with the times/21st century." According to the Virginia Public Records Management Manual: "Low-use, inactive paper records with retention periods of less than 20 years generally should be kept in their original form and stored in the most secure, lowest-cost space available" (Chapter 8, Records Reformatting Options.)

When records are to be converted to another format, such as electronic imaging or microfilm, the procedures must comply with standards and guidelines issued by the Library of Virginia. (Refer to the "Related Resources" section of this chapter and Chapter 8, Records Reformatting Options.) Once the information in the new format has been verified, the records from which the new images were created can be destroyed. The information in the new format then becomes the copy of record (also known as the record or master copy) and must be retained as specified on the retention schedule. To destroy records once they have been converted, an RM-3 form must be completed. A statement on the RM-3 form must affirm that valid reformatting procedures and guidelines were followed. For example:

Microfilm reformatting: "Microfilm of these records has been completed and the film has been inspected and approved in accordance with the Library of Virginia's Standards for the Microfilming of Public Records for Archival Retention."

Optical disk, CD-ROM or magnetic tape reformatting: "These records have been converted to a digitized visual format in accordance with the Library of Virginia's Electronic Records Guidelines."

Electronic reformatting: "These records have been converted to an electronic media format in accordance with the Library of Virginia's Electronic Records Guidelines." See the Library of Virginia's state records management website, "Destruction After Reformatting":
http://www.lva.lib.va.us/whatwedo/records/manuals/00m-ch5.htm

Reformatting is often risky, unnecessary, and cost inefficient in terms of labor and storage. Given the rapid
advances in computers and electronic storage systems, today's reformatted records may become inaccessible as technology and standards change. If your office/department is considering reformatting records (microfilm or electronic storage media, etc.), you must first consult Professor Ervin Jordan (University of Virginia Records Manager) and the Library of Virginia's Records Management Services website for mandatory state guidelines and standards. Be advised that even though records may be reformatted under some circumstances, you, your department and the University will be required to legally maintain and/or document the destruction of their paper originals! And, state and federal Freedom of Information Act (FOIA) laws and procedures may be applicable.