



LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

**RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 108-001
Code Commission, Virginia**

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition policies listed below:

AGENCY APPROVAL

STATE APPROVAL

AGENCY HEAD OR DEPUTY Jase Chaffin
AGENCY RECORDS OFFICER Rhonda Dyer

STATE ARCHIVIST Sandra G. Trudewey
COMPTROLLER OR DEPUTY _____

EFFECTIVE SCHEDULE DATE: JAN 09 2015

POLICIES FOR RECORDS RETENTION AND DISPOSITION

- 1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, § 42.1-76, et seq. of the Code of Virginia for the retention and disposition of the records as stated on the attached page(s).
- 2. This schedule supersedes previously approved applicable schedules.
- 3. This schedule is used in conjunction with the Certificate of Records Destruction (RM-3 Form). A signed RM-3 Form must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 Form must be sent to Library of Virginia (LVA).
- 4. Any records created prior to 1913 must be offered, in writing, to LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from LVA. A copy of the offer must be attached to the RM-3 Form when it is submitted to LVA.
- 5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
- 6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations, or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.

- 7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with 17VAC15-20-10, et seq. of the Virginia Administrative Code, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting, or migration, it is the obligation of the agency or locality to do so.
- 8. Custodians of records must ensure that information in confidential or privacy-protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Ultimate destruction is accomplished through shredding, pulping, burning, and overwriting or physically destroying media. Deletion of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Records containing Social Security numbers must be destroyed in compliance with 17VAC15-120-30.
- 9. Under the Virginia Public Records Act, § 42.1-79, LVA is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. LVA may purge select records in accordance with professional archival practices in order to ensure efficient access.
- 10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



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RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Acts of Assembly: Publication Correspondence</u> This series documents the communication to and from the official publisher of the Code of Virginia. This series may include, but is not limited to: incoming and outgoing letters, memoranda, faxes, notes and their attachments.	006022		Permanent, In Agency
<u>Agency Compliance Records: Administrative Law Appendix</u> This series documents effective regulations by agency from 1975 to 1996. This series may include, but is not limited to: correspondence and reports.	006023		Permanent, In Agency
<u>Associations, Organizations and Societies</u> This series documents the participation or sponsorship of staff members in professional associations, societies, and related groups. This series may include, but is not limited to: correspondence, registers, logs, and reports.	100683	2 Years after expiration	Non-confidential Destruction
<u>Code of Virginia: Corrections/Additions</u> This series documents proprietary material as well as printer's errors, misspellings and other unmistakable errors and consequential changes made necessary by the use of language no longer appropriate. This series may include, but is not limited to: case annotations, indices, section and reference table notes, charts of legislative acts, and other "value added" material. COV 30-147; COV 30-150	100690		Permanent, In Agency
<u>Code of Virginia: Recodifications, Revisions</u> This series documents the recodification or title-revision process, as well as all revisions to the final Report of the Virginia Code Commission. This series may include, but is not limited to: recommendations, meeting minutes, reports, correspondence, studies, and other supporting documentation. COV 30-152	100691		Permanent, Archives

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<u>Guidance Documents: Annual List</u> This series documents each applicable agency's annual filing, for publication in the Virginia Register of Regulations, a list of guidance documents on which the agency currently relies. This series may include, but is not limited to: reports and lists. COV 2.2-4103; COV 2.2-4008	100703	0 Years after event	Non-confidential Destruction
<u>Report of the Virginia Code Commission</u> This series documents all draft and final revisions of reports and studies originated and published by the program. This series may include, but is not limited to: reports and studies.	100698	5 Years after event	Non-confidential Destruction
<u>Virginia Administrative Code</u> This series documents the proofing notes, corrections, editing, supplemental information, and supporting correspondence. This series may include, but is not limited to: correspondence with publisher pertaining to supplements and replacement volumes.	100704		Permanent, Archives
<u>Virginia Administrative Code: Additions and Corrections</u> This series documents printer's errors, misspellings and other unmistakable errors, and necessary changes to the published code. COV 30-150	006033		Permanent, In Agency
<u>Virginia Administrative Code: Historical Records</u> This series documents the history, development, and implementation of the Virginia Administrative Code in 1996. This series may include, but is not limited to: page proofs, agency certifications, and correspondence.	006035		Permanent, Archives
<u>Virginia Register of Regulations: Historical Records</u> This series documents the history, development and implementation of the Virginia Register of Regulations publication in 1984. This series may include, but is not limited to: reports and correspondence.	006031		Permanent, Archives



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<u>Virginia Register of Regulations: Miscellaneous Filings</u> This series documents the submissions that are filed and may or may not be approved for publication in the Register of Regulations. This series may include, but is not limited to: Appointments, miscellaneous corrections, Governor's Executive Orders, delegation of authority, proposed consent special orders, lottery rules, notice of general interest, violation notices, mandates for action, and tax bulletins.	100701	0 Years after decision	Non-confidential Destruction
<u>Virginia Register of Regulations: Regulation Records</u> This series documents the receipt of an agency's rules, regulations or other information received and maintained as evidence and information in pursuance of legal obligations as required by state law to form a complete and reliable regulation record. This series may include, but is not limited to: notices of intent, proposed regulations, economic impact analysis, requests for comments, final regulations, meeting/hearing notices, forms, errata notices, emergency actions, and any background documents.	100677		Permanent, Archives