



**RECORDS RETENTION AND DISPOSITION SCHEDULE**  
**SPECIFIC SCHEDULE NO. 166-001**  
**SECRETARY OF THE COMMONWEALTH**

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

AGENCY APPROVAL

AGENCY HEAD OR DEPUTY

*[Signature]*

AGENCY RECORDS OFFICER

*[Signature]*

STATE APPROVAL

STATE ARCHIVIST

*[Signature]*

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE: OCT 20 2015 SUPERSEDES SCHEDULE DATED: May 16, 2013 PAGE 1 OF 11 PAGES

**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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RECORDS SERIES AND DESCRIPTION

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**Administrative and Executive**

Administration Electronic Records

Electronic records document all aspects of the operation and decision-making processes of the Administration. Administration electronic records consist of electronic mail, calendars, word processing files, spreadsheets, and databases, in addition to digital photographs and other electronic documents created and received by the Offices of the Governor and Cabinet Secretaries.

Retain in accordance with the appropriate records series. Transfer of electronic records will be coordinated by the Library of Virginia and the Virginia Information Technologies Agency at the end of the Administration. Personal and private materials are non-records per the Virginia Public Records Act and should be deleted prior to transfer. See "Personal or Private Papers."

Appointment Calendars: Office of the Secretary

This series documents the scheduled appointments and activities of the Secretary of the Commonwealth. This series may include, but is not limited to: electronic and paper appointment-keeping instruments.

008307

Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention. See "Administration Electronic Records" for transfer details.

Cabinet Meeting Records

This series documents the Secretary of the Commonwealth's participation in Cabinet meetings. This series may include, but is not limited to: materials collected at the Governor's Cabinet meetings by the Secretary with annotations to the material made by the Secretary.

008308

Record copy of Cabinet meeting materials retained by the Chief of Staff, Governor's Office (series 006219, Governor's Office schedule). Retain only annotated materials until the end of the Governor's term, then transfer to the Archives, Library of Virginia.

Compacts of the Commonwealth

This series documents compacts between the Commonwealth and other states or governing bodies/agencies. This series includes, but is not limited to: a copy of the legislation, background information, and incoming and outgoing correspondence related to compacts. Refer to Code of Virginia §2.2-403.

008335

Retain one copy of each compact until expiration, then transfer to the Archives, Library of Virginia for permanent retention.



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<p><u>Correspondence and Supporting Documentation: Office of the Secretary</u> This series documents the communication of the Secretary, Deputy Secretaries, and other office personnel not specified elsewhere. This series may include, but is not limited to: general incoming and outgoing correspondence in paper, as well as electronic formats sent or received by state-issued and/or private accounts.</p>	008309	Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.
<p><u>Executive Papers</u> This series consists of executive orders and memoranda, proclamations, and writs of election.</p>	015126	Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.
<p><u>Judicial Appointments and Oaths</u> This series documents the judicial appointment process. This series may include, but is not limited to: judicial appointment orders, oaths, and resignations.</p>	200453	Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.
<p><u>Name and Insignia Registration of Organizations</u> This series documents the process of registering names, mottos, logos, and insignia of certain societies, organizations, and associations. This series may include, but is not limited to: applications, registration forms signed by the Secretary of the Commonwealth, and other supporting documentation. Refer to Code of Virginia §2.2-412 and Code of Virginia §2.2-414.</p>	008314	Retain as long as administratively necessary, then destroy.

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<p><u>Personal or Private Papers</u>            This series includes papers of the Secretary and Secretary's staff that are not related to the conduct of the Commonwealth's official business. The series may include correspondence and notes with family or friends, personal business papers, and political organization/party papers. Records containing both public and private information are considered public records and should be retained according to the appropriate series.</p>		<p>Non-records per Virginia Public Records Act; Do not report destruction. Refer to Code of Virginia, §§ 2.2-126 and 42.1-76.</p>
<p><u>Public Relations: Activities and Visits</u>            This series documents the preparation and planning process for public relations activities or visits sponsored or supported by the Office of the Secretary. This series may include, but is not limited to: fliers, publications, announcements, and other related material.</p>	200454	<p>Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.</p>
<p><u>Public Relations: Photographs and Speeches</u>            This series documents the history of the Secretary's involvement at official functions. This series may include, but is not limited to: speeches, photographs, digital images, audio files, and video files.</p>	200455	<p>Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.</p>
<p><u>Resolutions of Reapportionment</u>            This series documents the recording of resolutions of reapportionment due to redistribution of representation. This series may include, but is not limited to: certified copies of ordinance or resolution by the governing body of a county, city, or town; a description of the boundaries; and a map. Refer to <i>Code of Virginia</i> §24. 2-304.3 and <i>Code of Virginia</i> §2.2-408.</p>	008322	<p>Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.</p>



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<p><u>Secretary's Website</u> This series documents the history of the Secretary's website and other official social media platforms. This series also includes the Virginia state government organizational chart and the Report of the Secretary of the Commonwealth (Bluebook). This series may include, but is not limited to: files, images, documents, and related scripts of the official website of the Office of the Secretary.</p>		<p>Capture of this website is undertaken by the Library of Virginia and/or its contracted service provider. Select website captures are retained permanently by the Archives, Library of Virginia.</p>
<p><u>Special Projects and Studies</u> This series documents the Office of the Secretary's interaction with and oversight of various projects and studies, including those related to the Council on Women, low-digit and Governor's-series license plates, Virginia Indians, the Virginia Commission on Higher Education Board, and other Governor's initiatives, organizations, issues, and topics. This series may include, but is not limited to: project files, studies, meetings records, and correspondence. This series may be used for permanent records that are not identified elsewhere on the Secretary's schedule.</p>	200456	<p>Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.</p>
<p><u>Weekly Report Files</u> This series documents the weekly reporting process required of staff in the Office of the Secretary of the Commonwealth. This series may include, but is not limited to: the weekly report provided to the Governor's Office and Cabinet reports prepared for the Governor. This series may also be filed under 008309, "Correspondence and Supporting Documentation: Office of the Secretary."</p>	200457	<p>Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.</p>



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**Authentications**

Authentication Files

008313

Retain 6 months after creation, then destroy.

This series documents the authentication and receipt of official documents that verify to foreign governments that certain Virginia officials are in good standing. This series may include, but is not limited to: a copy of the cover letter requesting authentication and supporting documentation, weekly and monthly authentication status reports, and air bills for delivery of authenticated documents to the requestor. Refer to *Code of Virginia* §2.2-402 and *Code of Virginia* §2.2-404.

**Clemency**

Clemency: Pardon Files

200458

Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.

This series documents all aspects of the pardon process, including pardon approvals granted by the Governor, denials issued, and incomplete files. This series may include, but is not limited to: a copy of the pardon or denial letter, parole board investigation documentation, recommendation letter, and other correspondence. Refer to *Code of Virginia* §53.1-229 to 231, *Code of Virginia* §2.2-3703A(1) and *Code of Virginia* §2.2-3800, *Government Data Collection and Dissemination Practices Act*. NOTE: This series contains confidential and privacy protected information.



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**Conflict of Interest**

Conflict of Interest Files

015120

Retain 5 years from end of calendar year, then destroy in compliance with No. 8 on schedule cover page.

This series documents the receipt of conflict of interest statements for elected and appointed officials by the Secretary of the Commonwealth. This series includes, but is not limited to: original financial disclosure statements and statements of economic interests. Refer to *Code of Virginia* §2.2-3117 and *Code of Virginia* §2.2-3114(C).

[Moving to Ethics Council as of July 1, 2015. This series to remain on SoC schedule for the next five years as current records will not transfer to Ethics.]

**Extraditions**

Extradition Requisitions and Renditions

008318

Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention

This series documents the extradition process. This series may include, but is not limited to: requisitions (Virginia's request of another state to return a fugitive to Virginia's jurisdiction), renditions (another state's request of Virginia to return a fugitive to the requesting state's jurisdiction), and supporting documentation. Refer to *Code of Virginia* §19.2-109 to 112, *Code of Virginia* §19.2-90 to 92 and *Code of Virginia* §2.2-3800, *Government Data Collection and Dissemination Practices Act*. NOTE: This series may contain confidential and privacy-protected information.

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<p><u>Extradition Waivers</u></p> <p>This series documents the consent of alleged criminals to return to the demanding state or jurisdiction holding warrant for arrest. A copy is sent to appropriate law enforcement agent. This series may contain, but is not limited to: waiver and supporting documentation. Refer to <i>Code of Virginia</i> §19.2-114.</p>	008319	Retain 3 months after executed, then destroy in compliance with No. 8 on schedule cover page.
<p><u>Travel Orders for Fugitives</u></p> <p>This series documents official orders to transport fugitives from state to state. The original order is kept by the applicable law enforcement agency. This series may include, but is not limited to: orders and supporting documentation.</p>	008320	Retain 2 years after issuance of order, then destroy.
<p><b>Gubernatorial Appointments</b></p>		
<p><u>Gubernatorial Appointments</u></p> <p>This series documents the appointments made by the Governor to boards and commissions including the information on the authority for each appointment, term length and term expiration dates for each appointee, eligibility requirements, as well as the individual appointee's name, address and telephone number. This series consists of a database. Refer to <i>Code of Virginia</i> §2.2-406.1.</p>	008323	Retain permanently. May be offered to the Archives, Library of Virginia.
<p><u>Gubernatorial Appointment Process</u></p> <p>This series documents the process of appointing, and declining to appoint, applicants to boards and commissions. This series may include, but is not limited to: applications, recommendation letters, appointment worksheets, resumes, confidential memoranda, and other supporting documentation.</p>	008324	Retain until the end of Governor's term, then destroy in compliance with No. 8 on schedule cover page.

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<p><u>Master Board Files</u></p> <p>This series documents the Governor's appointment of an individual to a board or commission. This series may include, but is not limited to: name of board or commission, name and address of appointee, appointment date, length of appointment, date appointment expires, oath of office and name of previous appointee.</p>	008327	Retain 12 years after last entry, then transfer to the Archives, Library of Virginia for permanent retention.
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**Lobbyist Registration**

<p><u>Lobbyist Files</u></p> <p>This series documents the registration of individuals as lobbyists to the General Assembly. This series includes, but is not limited to: original lobbyist registration forms and disclosure statements. Refer to <i>Code of Virginia</i> §2.2-426.</p>	015121	<p>Retain 5 years after received, then destroy in compliance with No. 8 on schedule cover page.</p> <p>[Disclosure statements will be received by the Ethics Council starting July 1, 2015. This stays on SOC for the next five years until current records are destroyed.]</p>
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<p><u>Lobbyist Registration</u></p> <p>This series documents the registration of individuals as lobbyists to the General Assembly and includes summary information from series 015121, "Lobbyist Files," such as name, contact information, and a brief statement listing the reason for lobbying for a particular organization. This series includes a searchable database that is made available to the public through the Secretary's website.</p>	008328	Retain individual records until no longer administratively necessary, then delete.
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<p><u>Lobbyist Master List</u></p> <p>This is the annual report to the General Assembly that contains the personal information for all registered lobbyists including, but not limited to the name, address, and phone number of each registered lobbyist, all organizations for which he or she lobbies, and a brief reason for lobbying for a particular organization. Refer to <i>Code of Virginia</i> §2.2-426.</p>	008329	Retain permanently in agency.
<p><b>Notary</b></p>		
<p><u>Notary Public Applications</u></p> <p>This series documents the registration of notaries public and the dates of their appointments. This series may include, but is not limited to: original, approved applications. Refer to <i>Code of Virginia</i> §47.1-10.</p>	015122	Retain 75 years after creation then destroy in compliance with No. 8 on schedule cover page.
<p><u>Notary Public Registrations</u></p> <p>This series documents the registration of persons appointed to be notaries public, including summary information from series 015122, "Notary Public Applications", and commission information, including name, commission number, expiration date and status. This series consists of a database that is made available to the public through the Secretary's website.</p>	008330	Retain individual records until no longer administratively necessary, then delete.
<p><u>Notary Public Hearing Case Files: Disqualified</u></p> <p>This series documents the hearing of complaints against notary publics that resulted in disqualification. This series may include, but is not limited to: correspondence, transcripts, and decision letters. Refer to <i>Code of Virginia</i> §47.1-24 and <i>Code of Virginia</i> §47.1-25.</p>	008331	Retain 20 years after disqualification, then destroy in compliance with No. 8 on schedule cover page.



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Notary Public Hearing Case Files: Exonerated or No Action Taken

008332

Retain 4 years after resolution of complaint, then destroy in compliance with No. 8 on schedule cover page.

This series documents the hearing of complaints against notary publics in which they were either exonerated or no action was taken. This series may include, but is not limited to: correspondence, transcripts, and decision letters. Refer to *Code of Virginia* §47.1-24 and *Code of Virginia* §47.1-25.

**Restoration of Rights**

Restoration of Rights Files

200459

Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.

This series documents all aspects of the restoration of rights process. This series may include, but is not limited to: a copy of restoration of rights certificate or denial letter, original application, recommendation letters, parole information, and police record checks. Refer to *Code of Virginia* §53.1-231.1 and *Code of Virginia* §2.2-3800, *Government Data Collection and Dissemination Practices Act*.

NOTE: This series contains confidential and privacy-protected information.

**Service of Process**

Service of Process Files

008338

Retain 2 years after service, then destroy in compliance with No. 8 on schedule cover page, *Code of Virginia* §8.01-329(E).

This series documents the service of legal notices to out-of-state defendants under the Long Arm Statute, *Code of Virginia* §8.01-329. This series may include, but is not limited to: affidavit for service of process, information on the party or parties being served, and originating court information. May also include lists of individuals served and certified mail receipts.