



RECORDS RETENTION AND DISPOSITION SCHEDULE
 SPECIFIC SCHEDULE NO. 245-001
 STATE COUNCIL FOR HIGHER EDUCATION IN VIRGINIA
 PRIVATE IN-STATE AND OUT-OF-STATE AND RELIGIOUS
 INSTITUTIONS

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

AGENCY APPROVALSTATE APPROVAL

AGENCY HEAD OR DEPUTY

David H. Haddock
[Signature]

STATE RECORDS ADMINISTRATOR

Robert F. Neuenkle
[Signature]

AGENCY RECORDS OFFICER

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE

NOV 3 2004

PAGE 1 OF 3 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 Disposal* (Form RM-3). A signed RM-3 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 must be sent to Library of Virginia (LVA).
4. Any records created before the Constitution of 1902 came into effect (January 1, 1904) must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the 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 insure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.
9. Under the *Virginia Public Records Act*, (§ 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. The Library may purge select records in accordance with professional archival practices in order to ensure efficient access.



**RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 245-001
STATE COUNCIL ON HIGHER EDUCATION FOR VIRGINIA
PRIVATE IN-STATE AND OUT-OF-STATE AND RELIGIOUS
INSTITUTIONS**

EFFECTIVE SCHEDULE DATE

PAGE 3 OF 3 PAGES

RECORDS SERIES AND DESCRIPTION

SERIES NUMBER

SCHEDULED RETENTION AND DISPOSITION

Certificate to Operate Administrative Files

007106

Retain for 10 years after date of initial filing then destroy in compliance with No. 8 on the schedule cover page. Once the letter of exemption is issued, transfer the final year's (10th year) filing to the letter of exemption file (series 007108).

This series documents the process of certification for private in-state and out-of-state educational institutions which operate in the Commonwealth. The out-of-state institutions are those officially headquartered in another state but who teach classes within the Commonwealth. All private institutions must meet certification standards established by the Council in order to conduct classes. The series contains the application form, surety information and bond checklist, surety bond certification, certification attestation statement, copy of the certificate to operate and other related materials. Files may also contain copies of student complaints against institutions and the Council's response. Institutions that have operated within the Commonwealth for a period of 10 consecutive years, without adverse incident, qualify for an exemption from the established criteria for certification and receive a letter of exemption. The criteria for approval are located in 8 Virginia Administrative Code Chapter 30.

Certificate to Operate Administrative Files – Religious Institutions

007107

Retain for 5 years after date of filing, then destroy in compliance with No. 8 on the schedule cover page.

This series documents the process of certification required by the Commonwealth for religious educational institutions. Religious institutions are exempt from standards established for out-of-state institutions. However, their exemption is for a 5 year period and then must be renewed. The series may contain course listings, catalogs, or other documents that provide documentation that its instruction is religious in nature.



**RECORDS RETENTION AND DISPOSITION SCHEDULE
 SPECIFIC SCHEDULE NO. 245-001
 STATE COUNCIL ON HIGHER EDUCATION FOR VIRGINIA
 PRIVATE IN-STATE AND OUT-OF-STATE AND RELIGIOUS
 INSTITUTIONS**

EFFECTIVE SCHEDULE DATE

PAGE 3 OF 3 PAGES

RECORDS SERIES AND DESCRIPTION

SERIES NUMBER

SCHEDULED RETENTION AND DISPOSITION

Letters of Exemption Files

007108

Retain until institution no longer meets the exemption criteria and all issues are resolved, then destroy.

This series documents that the institution has met the established criteria for certification for a period of 10 years, without incident, and is now exempt from the annual filing for certification. This series contains the letter of exemption and the final filing (10th year) of the institution's application for certification. If an institution fails to meet the exemption criteria they must then re-submit the application for certification.