Records Management and Documenting Destruction

The purpose of this document is to provide guidance to state and local government agencies on effectively destroying public records.

Agencies need to consider the following five factors when undertaking the destruction process:

1. **Documenting records destruction is not an option**
   The Virginia Public Records Act (VPRA) § 42.1-86.1 prescribes that all records destruction be documented on a Certificate of Records Destruction (RM-3 Form) that is currently published by the Library of Virginia, proved accurate and complete by the agency’s designated records officer, and authorized by an agency’s approving official.

2. **Report destruction of only “the record”**
   Destruction of copies of records should not be reported. For example; if a set of paper records are scanned, stored electronically, and declared to be the record, then the paper originals become a copy, and destruction of that copy should not be reported.

3. **Reporting the Volume of records destroyed need not be exact**
   When reporting the quantity of records destroyed be as accurate as possible, but estimate whenever necessary, especially when reporting the destruction of electronic records. A Volume Estimation Table is available for guidance on the Website under “Forms.” However, always report the volume using either cubic footage (cf) for paper or a byte size for electronic records (MB, GB...).

4. **The signer of Line 9 does not have to destroy, or witness the destruction of, the record**
   The current RM-3 form allows for the affirmation of the records destruction, rather than require that the signer either perform or witness the destruction. Any agency personnel with knowledge of the destruction, whether obtained through observation of the destruction or through the receipt of a vendor’s destruction certificate, may affirm that the records were destroyed by signing Line 9 next to their printed name.

5. **The agency’s copy of the RM-3 is a record**
   Following the records destruction and completion of the RM-3, a copy is made, and the original is mailed or delivered to the Library of Virginia. The copy becomes a record of the agency, per GS-19 and GS-101, and is to be kept by the agency for three years, after which time, the destruction of the certificate of records destruction is reported on a certificate of records destruction.

Records Analysis Section
www.lva.virginia.gov/agencies/records/