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# Instructions for Completing the Certificate of Records Destruction (RM-3 Form)

Updated: May 6, 2020

The RM-3 documents that records were destroyed properly and in accordance with the *Virginia Public Records Act*. Destruction of non-records such as reference material, personal items, and additional copies *must not* be reported on the RM-3. If you have questions about the form or the *Virginia Public Records Act* that are not answered by these instructions, please contact [your designated Records Officer or your Library of Virginia Records Analyst](#).

## Before a state agency, locality, or regional entity (hereafter referred to as “agency”) can destroy public records:

- A Records Officer must be designated for your agency or department by completing a *RECORDS OFFICER DESIGNATION AND RESPONSIBILITIES (RM-25 FORM)* and filing it with the Library of Virginia.
- Records to be destroyed must be covered by a Library of Virginia-approved general or agency-specific *RECORDS RETENTION AND DISPOSITION SCHEDULE*, the retention period for the records must have expired, and the schedule must not be undergoing renegotiation.
- All investigations (including requests under the *Freedom of Information Act*), litigation, and required audits must be completed.
- The organization’s designated Records Officer and an Approving Official must grant authorization prior to the destruction by adding their name, title, and date to each RM-3 form.

## After public records have been destroyed:

- A responsible person must affirm that the records were destroyed by completing line 9 of the form. This may be the agency staff member or representative of the company who destroyed the records or it may be an agency staff member affirming that they have the knowledge that the records have been destroyed. Either way, this is the final action that certifies the records have **actually been destroyed**. No vendor certificates or other attachments (such as lists of records destroyed) will be accepted with the RM-3.
- A copy of the RM-3 form must be retained by the agency pursuant to GS-19-010090 for localities/regional entities or GS-101-100365 for state agencies.

The RM-3 form must be e-mailed by the Records Officer to the Library of Virginia where it will be retained for fifty (50) years.

Please save the document with the filename “YourAgencyName RM3 YYYY MM DD” where the YYYY MM DD are the date the form was completed. For example, if the file is for the Library of Virginia and the last approval is dated January 22 2020, you would save the form with the filename Library of Virginia RM3 2020 01 22.pdf. For continuity of data, please use your full agency name. For example, use “Library of Virginia” rather than “LVA.” If your agency is the City of Richmond, you would use “Richmond City RM3 2020 01 22.pdf” and if your agency is the Department of Corrections you would use “Corrections Dept of RM3 2020 01 22.pdf.” If you submit multiple forms for the same date, please use the naming format “Corrections Dept of RM3 2020 01 22 01.pdf,” “Corrections Dept of RM3 2020 01 22 02.pdf,” and so forth.

E-mail completed electronic forms to:

[records.destruction@lva.virginia.gov](mailto:records.destruction@lva.virginia.gov)

Please use the subject line: “Your Agency Name RM-3 Form Submission”

Please **DO NOT** use any sort of encryption on the form itself or the email transmitting the form. Do not submit the form from any email address that cannot directly receive email replies (i.e. “do not reply” mailboxes or ones requiring Virtru verification, etc.)

For additional information on records destruction refer to the [Virginia Public Records Management Manual](#) (Chap. 8).

## Instructions:

1. Type the full name of agency, locality, or regional entity.
2. Type the name of division, department, and/or section.
3. Type the name of the individual completing the form (to whom any questions about the form or records may be directed).
4. Type the mailing address of the agency.
5. Type the
  - a) Telephone number of the person completing the form including any direct extension.
  - b) E-mail address of the person completing the form.
6. Records to be destroyed:

- a) Type both the retention schedule and series numbers that apply to the records to be destroyed. ENTER ONLY ONE SERIES NUMBER PER FORM ROW. If you are destroying multiple groups of the same records series, you can combine them all into one row.
  - b) Type the exact records series title as listed on the approved retention schedule. You may add detail to this title if it is important to identifying the records.
  - c) Type the date range of the records to be destroyed, from oldest to most recent. Indicate starting month/year and ending month/year (mm/yyyy – mm/yyyy).
  - d) Type the location where the records are stored (optional).
  - e) Type the total volume for each series of analog records to be destroyed in cubic feet (cf). Refer to the [Volume Equivalency Table](#) to convert boxes, drawers, open shelves, or even “piles” of paper or microform records to their cubic-footage equivalents. If electronic records are being destroyed, then enter the approximate size of the files in some form of byte (KB, MB, GB, etc.). If needed, please use two rows to report destruction of electronic and paper records from the same series.
  - f) Type the method used to destroy the records, i.e., trash, recycle, shred, burn, pulp, electronically shred, degaussed, etc.
7. Send the form to an Approving Official for review. The individual responsible for the records, or the work that the records support, should ensure that no pending litigation, audits, or FOIA requests would require a legal hold placed on these records. If not, this Approving Official should type his/her name, title, and date on Line 7, and forward the form to the appropriate Records Officer for approval.
  8. The designated Records Officer should review the form for completeness and accuracy. If the form is complete and accurate, he/she should type his/her name, title and date on Line 8 to indicate authorization, and forward the form to the person who will affirm destruction.
  9. After the records are destroyed, an agency employee or representative of the destruction company should type his/her name (and destruction company name, if appropriate), title, and date on Line 9 to affirm that the records have actually been destroyed. The completed form should then be emailed to the agency Records Officer, and the Records Officer will be responsible for forwarding the completed form to the Library of Virginia. Do not attach anything to the original form, or anything other than RM-3 form(s) to the email being sent to the Library of Virginia.

**Multiple forms may be submitted within a single email. If multiple forms are submitted together, lines 7-9 must be completed for each form.**

**Do not modify the RM-3 form or allow the form to extend to a second page.**

**For an example of a completed RM-3, please see the [Completed Sample RM-3](#).**