

**STATE OF VERMONT  
AGENCY OF HUMAN SERVICES  
DEPARTMENT OF CORRECTIONS**

**Policy: 252**

**Subject:** Records Retention And Disposition  
**Effective Date:** August 27, 1982 **Review and Re-Issue Date:**  
**Supersedes:** NEW **APA Rule Number:**

<b>Recommended for approval by:</b>		<b>Authorized By:</b>	
_____	_____	_____	_____
<b>Signature</b>	<b>Date</b>	<b>Signature</b>	<b>Date</b>

**1. Authority:**

**1.1** Pursuant to V.S.A. T.3 § 218, each State Agency or Department shall establish, maintain, and implement an active and continuing program for the effective management preservation, and disposition of records. The Department shall establish accurate inventories, develop justifiable retention periods, dispose of records as authorized, and otherwise report to the Division of Public Records.

**2. Purpose:**

**2.1** It is the purpose of this policy and procedural directive to establish and maintain a records retention and disposition program for the Department of Corrections. The program shall be aimed at the systematic, timely, and effective removal or destruction of obsolete or inactive records from expensive and limited office space and the effective, but economical preservation of records of permanent value.

**3. Applicability/Accessibility**

**3.1**

**4. Policy**

**4.1 POLICY CONTENT**

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## 4.2 ESTABLISHING THE RECORDS PROGRAM

### 4.2.1 Inventory

4.2.1.1 The primary step in developing a records program is to identify all the records maintained within the Department, from the routine to the essential. Inventories provide necessary information for the subsequent determination of retention and disposition of records such as what they are, how used, their contents and function, frequency of use and how much equipment is involved. To facilitate the inventory, records are grouped by record series.

### 4.2.2 Appraisal

4.2.2.1 Once the inventory is prepared, the record series is appraised to establish the period of usefulness in relation to the value of the records to the Department, as well as to State Government. Appraising records allows the establishment of reasonable retention periods and the identification of those records which (a) are inactive and can be transferred to the records center, (b) can be microfilmed and destroyed, and (c) have lasting value.

### 4.2.3 Preparing The Inventory And Appraisal

4.2.3.1 The information for each record series is prepared on the Records Inventory and Appraisal Form (AA PR-20, Appendix A) by the person(s) designated as the Records Officer. Once the plan is completed for all record series in the Department and reviewed by the Records Officer, and the Legal Division to ensure legal requirements are met, it is submitted to the Public Records Division for approval.

### 4.2.4 The Disposition Request

4.2.4.1 The Public Records Division personnel will review and appraise the Records Inventory and Appraisal Plan and recommend changes if necessary.

## 4.3 MAINTAINING THE RECORDS PROGRAM

4.3.1 Pursuant to V.S.A. T.3 § 218, the Department is required to apply disposition orders for the prompt disposal of records authorized for destruction and the

preservation of records in an efficient, economical manner. Disposition orders must be applied on a regular basis, at the end of each calendar year at a minimum. The Record Series Analysis Form (AA PR-22, Appendix B) provides the agency with the essential data necessary for complying with disposition orders. – Specific procedures will be dictated to all locations within the Department via the Records Officer.

**4.3.2** The disposition orders must be kept up to date by the person(s) responsible.

**4.3.2.1 Transferring Records to State Records Center**

**4.3.2.1.1** Orders that call for the transferring to the records center for preservation, or prior to destruction, must be complied with, by the Records Officer or the Records Coordinator.

**4.3.2.2 Destroying Records After a Retention Period If Microfilmed**

**4.3.2.2.1** Most records in the records center will have a destruction date assigned to them when they are first processed for storage. This date will be indicated on the Records Transfer List, Box Label, and Records Center control cards.

**4.3.2.2.2** The Commissioner or his designee will indicate, by following the instructions on the Notification Reports, whether they agree with the destruction of the records or if they wish them to be held longer.

**4.3.2.3 Destroying Records From Office Areas**

**4.3.2.3.1** Orders that authorize destruction after a stated retention period without being transferred to the records center may be destroyed directly from office areas. Yearly the Records Officer and Records Coordinators shall review disposition orders issued to the Department and implement the prompt destruction of all records as authorized in the orders. An Agency/Department Records Disposition Notification Report (AA PR-26, Appendix E) shall be forwarded to the Public Records Division.

**4.3.2.4 Method of Physical Destruction**

**4.3.2.4.1** All records maintained by the Department of Corrections shall be classified as confidential and restricted. The method of destruction shall be shredding.

**4.3.2.5 Records Coordinator**

**4.3.2.5.1** It shall be the responsibility of the Records coordinator to follow all records procedures as dictated by the Records Officer. The coordinator shall be familiar with the Records Management Procedure Manual and carry out its intent and specifics as required by the Public Record Division.

**4.3.2.6 Necessary Action**

**4.3.2.6.1** All staff will make reference to office memorandum of April 28, 1982, which details decisions on all specific records currently being stored at all field locations and take necessary action as ordered. (See Appendix F.)

**4.4 REFERENCE TO RECORDS**

**4.4.1** Although records stored in the Records Center are inactive, some records will be needed from time to time by Department staff.

**4.4.2** The Department remains the custodian of records transferred to the Records Center. However, the Public Records Division assumes the responsibility for their safe-keeping. All referrals to these records will be made through the Public Records Division, either via the Department Records Officer, or the Records Coordinator at each location.

**4.4.2.1 Procedures For Retrieval of Records**

**4.4.2.1.1** The Department Records Officer or Records Coordinator, or a designate in their absence, will contact the Public Records Division either by: personal visit, telephone, or mail.

**4.4.2.1.2** Whichever method is used, the information provided on Department of Corrections Records Retrieval Form (Appendix G) must be given to Records Center personnel.

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**4.4.2.1.3** Records shall be returned to the Public Records Division within thirty (30) days to be promptly refilled by Public Records personnel, unless Department requests a later date.

**4.5 ACCESS TO RECORDS**

**4.5.1** Access, disclosure, and dissemination of records maintained, stored, or otherwise in the care of Department of Corrections personnel shall comply with Policy #266, Security, Privacy, and Confidentiality of Offender Information

**5. Training Method**

**5.1**

**6. Quality Assurance Processes**

**6.1**

**7. Financial Impact:**

**7.1**

**8. References**

- 3 V.S.A. Sec. 218 – 219
- 12 .S.A. Sec. 510- 511
- 20 V.S.A., Sec. 2051-2053
- 22 V.S.A. Sec. 451-455

**9. Responsible Director and Draft Participants**