NEW YORK STATE OF OPPORTUNITY. | Developmental Disabilities Planning Council

Governor Andrew M. Cuomo

Sheila M. Carey, Executive Director

NYS Developmental Disabilities Planning Council

Record Retention and Destruction Policy

Helping Individuals with Developmental Disabilities Live Independently and Participate Fully in the Community

DDPC.NY.GOV

Version 1.0 (08/2015)

Introduction & Overview

Purpose

The purpose of this Policy is to ensure that necessary records produced and/or under the care of the New York State Developmental Disabilities Planning Council (NYSDDPC) are adequately protected and maintained, and to ensure that records that are no longer needed by the NYSDDPC or are of no value are discarded securely and at the proper time. This Policy also serves the purpose of aiding employees of the NYSDDPC in understanding their obligations in retaining electronic documents - including e-mail, Web files, text files, sound and movie files, PDF documents, and all Microsoft Office or other formatted files.

Definition of "Record"

For the purposes of this policy, records include, but are not limited to:

- General correspondence
- Financial transactional records
- Databases (including the underlying tables, as well as routine reports)
- Personnel documentation and agency administration documents
- Websites (including Web pages, images, documents, and audio/video files)
- Electronic backup media (including tapes, disks, and other storage devices)
- Grant administration and award documents (contract files, RFPs, proposals, grantee reports, etc.)

Policy

This Policy represents the NYSDDPC policy regarding the retention and disposal of records and the retention and disposal of electronic and print documents.

Administration

Attached as Appendix A is a Record Retention Schedule that is approved as the initial maintenance, retention and disposal schedule for physical and electronic records of the New York State Developmental Disabilities Planning Council and the retention and disposal of electronic and physical documents. The NYSDDPC Records Retention Officer is the officer in charge of the administration of this Policy and the implementation of processes and procedures to ensure that the Record Retention Schedule is followed. The Record Retention Officer shall:

- Make modifications to the Record Retention Schedule from time to time to ensure that it is in compliance with local, state and federal laws, and that it includes the appropriate document and record categories;
- Monitor local, state and federal laws affecting record retention; and
- Annually review the record retention and disposal program; and monitor compliance with this Policy.

Suspension of Record Disposal

In the event that the NYSDDPC is served with any subpoena or request for documents or any employee becomes aware of a governmental investigation or audit concerning the agency or the commencement of any litigation against or concerning the NYSDDPC, such employee shall inform the Administrator and any further disposal of documents shall be suspended until such time as the Administrator, with the advice of counsel, determines that document disposal should resume.

Introduction & Overview

Applicability

This Policy applies to all physical and electronic records generated in the course of the operation of the New York State Developmental Disabilities Planning Council, and includes both original documents and reproductions.

Annual Records Review

The NYSNYSDDPC will annually review its physical and electronic records and inventory those records which should be destroyed, per the document retention schedule.

For more information on the document retention please contact : Maureen Gannon, (402-3468)

Secure Destruction of Records

This Policy applies to all physical and electronic records generated in the course of the operation of the New York State Developmental Disabilities Planning Council, and includes both original documents and reproductions.

Physical Records — Documents which are in hard-copy format shall be destroyed through cross-cut shredding prior to disposal.

Electronic Records — All instances of an electronic record which has reached end-of-life shall be deleted from the electronic storage media upon which it is stored. In the event that records are archived, those records shall be stored on systems and media which meet or exceed the standard set forth by any applicable policies, laws and regulations.

Roles

Information Owner — The Information Owner provides policies and guidelines for the proper use of the information, and may delegate the interpretation and implementation of those policies and guidelines to appropriate personnel.

NYSDDPC information owners are selected based upon their organizational function, and are assigned to one or more record categories.

Data Custodian — The Data Custodian is responsible for implementing the policies and guidelines established by the Information Owner. These responsibilities include physical data storage, assigning permissions, back-up and recovery, and the operation of security and data management systems.

The NYSDDPC Computer Network System Administrator shall act as the Data Custodian for all NYSDDPC records covered under this policy.

Record Retention Schedule

Record Retention Schedule

SECTION TOPICS

A. Budget and Finance
B. Grant, Publication, and Conference Funding Records
C. Correspondence and Internal Memoranda
D. Email Records
E. Legal Filings and Papers
F. Personnel Records
G. Reports and Filings
H. Publications and Research Documents
I. Leases, Contracts, and Service Agreements
J. Miscellaneous

A. Budget and Finance

Record Type	Retention Period	Owner
Accounts Payable Records	7 years	Fiscal Officer
Grant Payment Records	7 years	Fiscal Officer
Conference Funding Records	7 years	Fiscal Officer
Publication Funding Records	7 years	Fiscal Officer
Agency Credit Card Transaction Records	7 years	Fiscal Officer
Journal Voucher Records	7 years	Fiscal Officer
Internal Fiscal Audit Documents	7 years	Fiscal Officer
External Fiscal Audit Documents	7 years	Fiscal Officer
Agency Budget Reports - State	7 years	Fiscal Officer
Agency Budget Reports - Federal	7 years	Fiscal Officer
Staff and Council Member Travel & Lodging Reimbursement Records	7 years	Fiscal Officer
Meeting and Event Expense Records	7 years	Fiscal Officer
Procurement Records	7 years	Fiscal Officer

Record Retention Schedule

B. Grant, Publication and Conference Funding Records

Record Type	Reten-tion Peri-od	Owner
Funding Motions	7 years	Committee Prog. Planner
Motion Approval Records	7 years	Committee Prog. Planner
Requests for Proposal and Related Documents	7 years	Committee Prog. Planner
Submitted Letters-of-Intent	7 years	Committee Prog. Planner
Project Proposals	7 years	Committee Prog. Planner
Proposal Evaluations	7 years	Committee Prog. Planner
Grant Award Notification Letters	7 years	Committee Prog. Planner
Grant Acceptance Forms		Committee Prog. Planner
Project Budget Reports and Related Documents	7 years	Committee Prog. Planner
Project Performance Reports and Related Documents	7 years	Committee Prog. Planner
Project Fiscal Reports and Related Documents	7 years	Committee Prog. Planner
Grant Performance Agreements	7 years	Committee Prog. Planner
OSC Approval Records	7 years	Committee Prog. Planner
Provider Agency Information Sheets	7 years	Committee Prog. Planner
Vendor Responsibility Profile	7 years	Committee Prog. Planner
Vendor Responsibility Questionnaire	7 years	Committee Prog. Planner
Grantee Year End Reports	7 years	Committee Prog. Planner
Fiscal Approval and Payment Amount Letters	7 years	Committee Prog. Planner
Outcome Measurement & Evaluation Documents	7 years	Committee Prog. Planner
Publications Funding Records	7 years	Committee Prog. Planner
Conference Funding Records	7 years	Committee Prog. Planner
RFP Dissemination Records	7 years	Committee Prog. Planner

Record Retention Schedule

C. Correspondence and Internal Memoranda

Most correspondence and internal memoranda should be retained for the same period as the document they pertain to or support. For instance, a letter pertaining to a particular contract would be retained as long as the contract (7 years after expiration). It is recommended that records that support a particular project be kept with the project and take on the retention time of that particular project file.

Correspondence or memoranda that do not pertain to documents having a prescribed retention period can generally be discarded sooner. These may be divided into two general categories:

1. Those pertaining to routine matters and having no significant, lasting consequences should be discarded within four years. Some examples include:
    - Routine letters and notes that require no acknowledgment or follow-up, such as notes of appreciation, congratulations, letters of transmittal, and plans for meetings;
    - Form letters that require no follow-up;
    - Letters of general inquiry and replies that complete a cycle of correspondence;
    - Letters or complaints requesting specific action that have no further value after changes are made or action taken (such as name or address change); and
    - Other letters of inconsequential subject matter or that definitely close correspondence to which no further reference will be necessary.

Please note that copies of interoffice correspondence and documents where a copy will be in the originating department file should be read and destroyed, unless that information provides reference to or direction to other documents and must be kept for project traceability.

2. Those pertaining to non-routine matters or having significant lasting consequences should be retained for a period of seven years.

Record Retention Schedule

D. Email Records

Email retention lengths are set and administered by the NYS Office of Information Technology Services. Email deletion is automated based upon retention policies set in the Microsoft Exchange email system.

When the possibility of litigation or inquiry by audit and oversight agencies exists, the NYSDDPC will preserve electronically stored information (including e-mail) that's relevant to the case. This expectation can occur before the specifics of the case are known, and preservation is often broad.

It shall be the policy of the NYSDDPC that users in leadership and/or decision-making roles whose role, conduct or work-product have a significant likelihood of being be questioned or examined through litigation or audit will have their mailboxes placed on “litigation hold”. When a mailbox is on litigation hold, the user’s messages continue to be deleted as expected, but are not permanently removed, and may be recalled for examination at a later date.

E. Legal Files and Papers

Record Type	Retention Period	Owner
Legal Memoranda and Opinions (including all subject matter files)	7 Years	Executive Assistant
Litigation Files	1 year after expiration of appeals or time for filing appeals	Executive Assistant
Court Orders	Permanent	Executive Assistant
Requests for Departure from Records Retention Plan	7 Years	Executive Assistant

Record Retention Schedule

F. Personnel Records

Record Type	Retention Period	Owner
Employee Handbooks & Policy Manuals	Permanent	Executive Assistant
Employee Personnel Records (including individual attendance records, application forms, job or status change records, performance evaluations, disciplinary records, termination papers, training and qualification records)	Separation + 6 Years	Executive Assistant
Employment Records - Correspondence with previous employers and Advertisements for Job Openings	Hiring Decision Date + 3 Years	Executive Assistant
Employment Contracts – Individual	Separation + 6	Executive Assistant
Job Descriptions	3 Years after Super-	Executive Assistant
Employment Records - All Non-Hired Applicants (including all applications and resumes - whether solicited or unsolicited, results of post-offer, pre-employment physicals, results of background investigations, if any, related correspondence)	4 years	Executive Assistant

G. Reports and Filings

Record Type	Retention Period	
Program Performance Reports (PPR's)	Permanent	Executive Assistant
NYSDDPC State Plans	Permanent	Executive Assistant
Other Federally Mandated Reports and Filings	Permanent	Executive Assistant
New York State Mandated Reports and Filings	Permanent	Executive Assistant
NYSDDPC Annual Reports	Permanent	Executive Assistant
NYSDDPC Strategic Plans	Permanent	Executive Assistant
NYSDDPC Technology Plans	Permanent	Executive Assistant

Record Retention Schedule

H. Publications & Research Documents

Record Type	Retention Period	Owner
Agency-Funded Publications & Research	7 years	Assigned per Document
Agency-Produced Publications & Research	7 years	Assigned per Document

I. Leases, Contracts and Service Agreements

Record Type	Retention Period	Owner
Program Performance Reports (PPR's)	Permanent	Executive Assistant
NYSDDPC State Plans	Permanent	Executive Assistant
Other Federally Mandated Reports and Filings	Permanent	Executive Assistant
New York State Mandated Reports and Filings	Permanent	Executive Assistant
NYSDDPC Annual Reports	Permanent	Executive Assistant
NYSDDPC Strategic Business Plan	Permanent	Executive Assistant
NYSDDPC Annual Technology Plan	Permanent	Executive Assistant
Leases and Related Records	Expiration + 4 Years	Executive Assistant

J. Miscellaneous

Record Type	Retention Period	
Material of Historical Value (photos, publications, awards, etc.)	Permanent	Executive Assistant
Policy and Procedural Manuals	Current Version + 4 Years of Versions	Executive Assistant

Want More Information?

If you have questions or would like more information about the New York Developmental Disabilities Planning Council, please call or email us, 9:00am to 5:00pm, Monday through Friday.

You may also find more information by visiting our website at: **www.ddpc.ny.gov**.

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