



THE LIBRARY OF VIRGINIA

RECORDS MANAGEMENT AND IMAGING SERVICES DIVISION
(Form RM-2 Nov 01)RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 166-001
SECRETARY OF THE COMMONWEALTH

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

AGENCY APPROVALSTATE APPROVAL

AGENCY HEAD OR DEPUTY

STATE RECORDS ADMINISTRATOR

AGENCY RECORDS OFFICER

COMPTROLLER OR DEPUTY

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CONDITIONS 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."
8. Custodians of records must ensure 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.
10. E-mail is not a separate records series. Utilize the appropriate correspondence records series to determine retention. Both incoming and outgoing e-mails are considered part of the record and should be retained appropriately. Care should be taken to preserve attachments to e-mails. Due to their historical value e-mails with a permanent retention period should be printed out and filed in the appropriate file.



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Administrative and Executive

Administrative Records

This series documents the common functions and administration of various types of offices as well as records not otherwise listed on this schedule.

Refer to *General Records Retention and Disposition Schedule GS No. 101, Administrative Records*, for retention guidelines.

Appointment Calendars: Secretary

This series documents the scheduled appointments and activities of the Secretary of the Commonwealth.

008307

Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.

Cabinet Meeting Records

This series contains materials collected at cabinet meetings by the Secretary and any annotations to the material made by the Secretary.

008308

Retain annotated materials until the end of the Governor's term, then transfer records to the Archives, Library of Virginia, for permanent retention. Record copy retained by the Chief of Staff, Governor's Office.

Correspondence and Supporting Documentation: Office of the Secretary

This series consists of correspondence and supporting documentation from the Office of the Secretary of the Commonwealth that is not a part of series 015126, "Executive Papers".

008309

Retain until the end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.

Electronic Mail: Official Records

This series documents the electronic sending or receipt of messages, mail, files, or other transmissions through a computer system, computer network and/or modem that are equivalent to hard copy correspondence or other official records. Any electronic mail that documents the actions of the Secretary or the Secretary's staff.

Refer to No. 10 on schedule cover page.



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<p><u>Executive Papers</u></p> <p>This series documents certain official actions of the Governor. Includes indexes to pre-1980 Executive Journals and Papers, lists of gubernatorial appointments, gubernatorial appointment orders, gubernatorial and judicial appointment oaths, gubernatorial appointment resignation letters, executive orders and memoranda, proclamations, copies of pardon/restoration of rights certificates, and writs of election. Refer to <i>Code of Virginia</i> §2.2-402.</p>	015126	Retain until the end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.
<p><u>Personal or Private Papers</u></p> <p>This group includes records that are not related to the official business of the Commonwealth. May include correspondence with family or friends, personal business records and records of/from political organizations, not related to the role of the Secretary.</p>		Non-records per Virginia Public Records Act; disposal reporting on Certificate of Records Disposal (RM-3 form) not required. Refer to Code of Virginia, §§ 2.2-126 and 42.1-76.
<p><u>Secretary's Web Site</u></p> <p>This series documents the history of the Secretary's web site. Series include files, images and related scripts of the official site of the Office of the Secretary.</p>	008312	Capture of this website is undertaken by The Library of Virginia and/or its contracted service provider. Select web site captures are retained permanently by the Archives, Library of Virginia.

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AuthenticationsAuthentication Files

008313

Retain 3 month after creation, then destroy.

This series documents the authentication and receipt of official documents such as birth certificates and professional licenses by individual citizens of the Commonwealth so that they will be acceptable to various foreign governments. Includes a copy of the cover letter requesting authentication, weekly and monthly authentication status reports, and air bills for delivery of authenticated documents to the requestor. Refer to *Code of Virginia* §2.2-402 and *Code of Virginia* §2.2-404.

Registration of Fraternal Benefits Societies

008314

Retain until the end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.

This series documents the names and insignia of certain societies as provided in *Code of Virginia* §2.2-411, through a registration form signed by the Secretary of the Commonwealth. Also refer to *Code of Virginia* §2.2-414.

Registration of State Agency Logos, Devices, and Slogans

008315

Retain until the end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.

This series documents the registration of logos, state mottos or slogans of state agencies through a form signed by the Secretary of the Commonwealth. Refer to *Code of Virginia* §2.2-416.

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Clemency and ExtraditionsClemency: Pardon Files

This series documents the pardons that have been granted by the Governor. Includes copy of pardon letter, parole board investigation, and recommendation letter. Refer to *Code of Virginia* §53.1-229 to 231, *Code of Virginia* §2.2-3703A(1) and *Code of Virginia* §2.2-3800, *Government Data Collection and Dissemination Practices Act*. NOTE: This series contains confidential and privacy protected information. Access is restricted for 75 years after date of creation per *Code of Virginia* §42.1-78.

008316

Retain until the end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.

Clemency: Pardon Files - Denied

This series documents the pardons that have been denied by the Governor. Includes copy of denial letter, parole board investigation, and recommendation letter. Refer to *Code of Virginia* §53.1-229 to 231, *Code of Virginia* §2.2-3703A(1) and *Code of Virginia* §2.2-3800, *Government Data Collection and Dissemination Practices Act*. . NOTE: This series contains confidential and privacy protected information. Access is restricted for 75 years after date of creation per *Code of Virginia* §42.1-78.

008317

Retain until the end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.

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<p><u>Extradition Requisitions and Renditions</u></p> <p>This series consists of requisitions and renditions. A requisition documents Virginia's request of another state to return a fugitive to Virginia's jurisdiction. A rendition documents another state's request of Virginia to return a fugitive to the returning state's jurisdiction. Refer to <i>Code of Virginia</i> §19.2-109 to 112, <i>Code of Virginia</i> §19.2-90 to 92 and <i>Code of Virginia</i> §2.2-3800, <i>Government Data Collection and Dissemination Practices Act</i>. NOTE: This series may contain confidential and privacy-protected information.</p>	008318	Retain until the end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.
<p><u>Extradition Waivers</u></p> <p>This series documents the consent of alleged criminals to return to the demanding state or jurisdiction holding warrant for arrest. A copy is sent to appropriate law enforcement agent. Refer to <i>Code of Virginia</i> §19.2-114.</p>	008319	Retain 3 months after executed, then destroy in compliance with No. 8 on schedule cover page.
<p><u>Travel Orders for Fugitives</u></p> <p>This series consists of an official order to transport fugitives from state to state. The original order is kept by the applicable law enforcement agency.</p>	008320	Retain 2 years after issuance of order, then destroy.

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Conflict of InterestConflict of Interest Files

This series documents the receipt of conflict of interest statements by the Secretary of the Commonwealth. Includes original financial disclosure statements and statements of economic interests. Refer to *Code of Virginia* §2.2-3117.

015120

Retain 1 year after year received, then transfer to the Records Center, Library of Virginia. Retain in Records Center 4 years then destroy in compliance with No. 8 on schedule cover page. Total retention 5 years, *Code of Virginia* §2.2-3114(C).

Resolutions of Reapportionment

This series documents the recording of resolutions of reapportionment. Includes certified copies of ordinance or resolution by the governing body of a county, city, or town, a description of the boundaries, and a map. Refer to *Code of Virginia* §24.2-304.3 and *Code of Virginia* §2.2-408.

008322

Retain 1 year after received, then transfer to the Records Center, Library of Virginia. Retain in Records Center 15 years, then transfer to the Archives, Library of Virginia for permanent retention.



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Gubernatorial Appointments

Gubernatorial Appointments Database

This series consists of an electronic database of collegial bodies to which the Governor makes appointments. Includes information on the authority for each appointment, term length and term expiration dates for each appointee, eligibility requirements, individual appointee's name, address and telephone number, identity of collegial body's chairman and vice-chairman, and name of collegial body's affiliated agency or entity that provides staff support, as well as name and telephone number for the contact person of that agency or entity. Refer to *Code of Virginia* §2.2-406.1.

008323

Retain permanently. Contact the Electronic Records Analyst, Library of Virginia, for technical assistance with long-term preservation and data migration issues. May be offered to the Archives, Library of Virginia.

Gubernatorial Appointment Files: Individuals Appointed

This series documents the Governor's appointments to boards and commissions. Includes application forms, recommendation letters, appointment worksheets, copy of resume, and confidential memoranda.

008324

Retain until the end of Governor's term, then destroy in compliance with No. 8 on schedule cover page.

Gubernatorial Appointment Files: Individuals Not Appointed

This series consists of applications, letters of recommendation, and other supporting documentation from individuals who were not appointed by the Governor to various boards and commissions.

008325

Retain until the end of Governor's term, then destroy in compliance with No. 8 on schedule cover page.

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<u>Gubernatorial Appointment Files: Resumes</u> This series consists of copies of resumes for all individuals that applied for appointment to boards and commissions, that were reviewed by various staff.	008326	Retain until the end of Governor's term, then destroy in compliance with No. 8 on schedule cover page.
<u>Gubernatorial Appointment Registers</u> This series documents the appointment of individuals to boards and commissions by the Governor. Includes names of boards and commissions, name and address of appointees, appointment date, length of appointment, date appointment expires, and name of previous appointee in a given position.	008327	Retain 12 years after last entry, then transfer to the Archives, Library of Virginia for permanent retention.

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Lobbyist RegistrationLobbyist Files

This series documents the registration of individuals as lobbyists to the General Assembly. Includes original lobbyist registration forms and disclosure statements. Refer to *Code of Virginia* §2.2-426.

015121

Retain 1 year after year received, then transfer to the Records Center, Library of Virginia. Retain in Records Center 4 years, then transfer to the Archives, Library of Virginia for permanent retention.

Lobbyist Registration Database

This series documents the registration of individuals as lobbyists to the General Assembly. Includes summary information from series 015121, "Lobbyist Files".

008328

Retain individual records until no longer administratively necessary, then delete.

Lobbyist Registration List

This series consist of an annual printout of all persons registered as lobbyists to the General Assembly. Includes the name, address, and phone number of each registered lobbyist, all organizations, including addresses and phone numbers, that they lobby for, and a brief statement listing their reason for lobbying for a particular organization. Refer to *Code of Virginia* §2.2-426.

008329

Retain permanently in agency.

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NotaryNotary Public Applications

This series documents the registration of notaries public and the dates of their appointments. Includes original application forms of those accepted and refused. Refer to *Code of Virginia* §47.1-10.

015122

Retain 2 years, then transfer to the Records Center, Library of Virginia. Retain in Records Center 8 years, then destroy in compliance with No. 8 on schedule cover page. Total retention 10 years.

Notary Public Database

This series documents the registration of persons appointed to be notaries public

008330

Retain individual records until no longer administratively necessary, then delete.

Notary Public Hearing Case Files: Disqualified

This series documents the hearing of complaints against notary publics that resulted in their disqualification. Includes correspondence, transcripts, and decision letters. Refer to *Code of Virginia* §47.1-24 and *Code of Virginia* §47.1-25.

008331

Retain 20 years after disqualification, then destroy in compliance with No. 8 on schedule cover page.

Notary Public Hearing Case Files: Exonerated or No Action Taken

This series documents the hearing of complaints against notary publics in which they were either exonerated or action was taken. Includes correspondence, transcripts, and decision letters. Refer to *Code of Virginia* §47.1-24 and *Code of Virginia* §47.1-25.

008332

Retain 4 years after resolution of complaint, then destroy in compliance with No. 8 on schedule cover page.

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Notary Public Register

008333

Retain until the end of Governor's term, then transfer to the
Archives, Library of Virginia for permanent retention.

This series of an annual printout produced from series 008330, "Notary Public Database", that documents the registration of persons appointed to be notaries public and the date they were appointed. Refer to *Code of Virginia* §47.1-10.

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Reports and PublicationsCompacts of the Commonwealth

This series documents compacts between the Commonwealth and other states or governing bodies/agencies. Includes a copy of the legislation, backup information, and correspondence. Refer to *Code of Virginia* §2.2-403.

008335

Retain one copy of each compact until expiration, then transfer to Archives, Library of Virginia for permanent retention.

Organization Chart: Virginia State Government

This series documents the organization of Virginia state government and is usually published at the beginning of new state fiscal year. NOTE: This document is now published only in electronic form.

Refer to record series 015126, "Executive Papers."

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Restoration of RightsRestoration of Rights Files

008336

Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.

This series documents requests for restoration of rights that were granted by the Governor. Includes copy of restoration of rights certificate, original application, recommendation letters, parole information, and police record checks. Refer to *Code of Virginia* §53.1-231.1 and *Code of Virginia* §2.2-3800, *Government Data Collection and Dissemination Practices Act*.

NOTE: This series contains confidential and privacy-protected information. Access is restricted for 75 years after the date of creation as per *Code of Virginia* §42.1-78.

Restoration of Rights Files: Denied

008337

Retain until the end of Governor's term, then transfer to the Archives, Library of Virginia for permanent retention.

This series documents requests for restoration of rights that were denied by the Governor. Includes copy of denial letter, original application, recommendation letters, parole information, and police record checks. Refer to *Code of Virginia* §53.1-231.1 and *Code of Virginia* §2.2-3800, *Government Data Collection and Dissemination Practices Act*.

NOTE: This series contains confidential and privacy-protected information. Access is restricted for 75 years after the date of creation as per *Code of Virginia* §42.1-78.

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Service of ProcessService of Process Files

008338

Retain 2 years after service, then destroy in compliance with
No. 8 on schedule cover page, *Code of Virginia* §8.01-329(E).

This series documents the service of legal notices to out-of-state defendants under the Long Arm Statute, *Code of Virginia* §8.01-329. Includes affidavit for service of process, information on the party or parties being served, and originating court information. May also include lists of individuals served and certified mail receipts.