



RECORDS RETENTION AND DISPOSITION SCHEDULE  
SPECIFIC SCHEDULE NO. 192-001  
OFFICE OF THE SECRETARY OF COMMERCE AND TRADE

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

AGENCY APPROVAL

STATE APPROVAL

AGENCY HEAD OR DEPUTY

*Wayne [Signature]*

STATE RECORDS ADMINISTRATOR

*Onley R. Edwards*

AGENCY RECORDS OFFICER

*[Signature]*

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE FEB 27 2009

PAGE 1 OF 6 PAGES

**POLICIES 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." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must insure 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. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.


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PAGE 2 OF 6 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Administration Electronic Records</u> Electronic records document all aspects of the operation and decision-making processes of the Administration. Administration electronic records consist of electronic mail, calendars, word processing files, spreadsheets, and databases, in addition to digital photographs and other electronic documents created and received by the Offices of the Governor and Cabinet Secretaries.		Retain in accordance with the appropriate records series. Transfer of electronic records will be coordinated by the Library of Virginia and the Virginia Information Technologies Agency at the end of the Administration. Personal and private materials are non-records per the Virginia Public Records Act and should be deleted prior to transfer. See "Personal or Private Papers."
<u>Administrative Files</u> This is a general reference file used by the office. It contains memorandums to agency heads, archiving information and directives, Central Garage information, Fleet Management records, fixed assets, and fax machine information.	101361	Retain until end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.
<u>Appointment Calendars – Office of the Secretary</u> This series documents the scheduled appointments and activities of the Secretary of Commerce and Trade.	101362	Retain until end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention. See "Administration Electronic Records" for transfer details.
<u>Cabinet Meeting Records</u> This series contains materials collected at the Governor's Cabinet meetings by the Secretary and any annotations to the material made by the Secretary.	009051	Record copy of Cabinet meeting materials retained by the Chief of Staff, Governor's Office (series 006219, Governor's Office schedule). Retain <u>only</u> annotated materials until the end of the Governor's term, then transfer to the Archives, Library of Virginia, for permanent retention.
<u>Company Files – Prospects and Development</u> This series is used for reference relating to economic development. It contains information on the companies who are business prospects, as well as economic materials.	101364	Retain until end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.


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EFFECTIVE SCHEDULE DATE ~~FEB 07 2009~~

PAGE 3 OF 6 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Correspondence and Supporting Documentation – Assigned Agencies</u> This series documents the correspondence sent and received by the office to and from state agencies assigned to the Secretariat. Files are arranged and separated by agency. Legislative files may be filed within this series or in series 101359, "Legislative Files."	101365	Retain until end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.
<u>Correspondence and Supporting Documentation – Constituents</u> This series documents the receipt, forwarding or response to constituent correspondence.	009052	Retain until end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.
<u>Correspondence and Supporting Documentation – Office of the Secretary</u> This series documents the incoming and outgoing correspondence of the Secretary and Deputy Secretaries. Legislative files may be filed within this series or in series 101359, "Legislative Files."	101366	Retain until end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.
<u>Decision Memoranda and Briefs</u> This series documents the history of decision briefs sent by staff to the Secretary or the Governor for approval. This series includes decision memoranda and supporting documentation from assigned agency heads asking the Secretary's permission to perform a major function or policy initiative within their agency. This series also includes decision briefs and supporting documentation. This series may also be filed under 101365, "Correspondence and Supporting Documentation – Assigned State Agencies" or 101366, "Correspondence and Supporting Documentation – Office of the Secretary."	101360	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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**SPECIFIC SCHEDULE NO. 192-001**  
**OFFICE OF THE SECRETARY OF COMMERCE AND TRADE**

EFFECTIVE SCHEDULE DATE FEB 27 2009

PAGE 4 OF 6 PAGES

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<p><u>Development Projects and Initiatives Files</u>  This series documents the projects and initiatives of the Secretary's office relating to development.</p>	101367	Retain until end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.
<p><u>Electronic Mail – Official Records</u>  This series consists of any electronic mail which documents the actions of the Secretary or the Secretary's staff. Series consists of both incoming and outgoing electronic mail.</p>		Retain in accordance with the appropriate records series. Transfer of electronic records will be coordinated by the Library of Virginia and the Virginia Information Technologies Agency at the end of the Administration. Personal and private materials are non-records per the Virginia Public Records Act and should be deleted prior to transfer. See "Personal or Private Papers."
<p><u>Governor's Opportunity Funds Files</u>  This series contains general correspondence and approved Governor's Opportunity Fund listings and files.</p>	101370	Retain until end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.
<p><u>Legislative Files</u>  This series consists of legislation and supporting documentation affecting the Office of the Secretary, as well as state agencies assigned to the Secretariat. This series may also be filed under 101365, "Correspondence and Supporting Documentation – Assigned State Agencies" or 101366, "Correspondence and Supporting Documentation – Office of the Secretary."</p>	101359	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 and Records</u>  This series includes papers of the Secretary and Secretary's staff that are not related to the conduct of the Commonwealth's official business. The series may include correspondence and notes with family or friends, personal business papers, and political organization/party papers.</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.



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SPECIFIC SCHEDULE NO. 192-001  
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EFFECTIVE SCHEDULE DATE FEB 27 2009

PAGE 5 OF 6 PAGES

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<p><u>Planning and Budget Files – Assigned State Agencies</u> This series documents the interactions between the Office of the Secretary and the Governor's staff, assigned state agencies, and the Department of Planning and Budget regarding the development and modification of the Commonwealth's budget. This series may also be filed under 101365, "Correspondence and Supporting Documentation – Assigned State Agencies" or 101366, "Correspondence and Supporting Documentation – Office of the Secretary."</p>	101358	Retain until the end of Governor's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.
<p><u>Public Relations, Activities and Visits</u> This series documents planning for and preparation of public relations activities or visits sponsored or supported by the Office. This series includes flyers, publications, announcements, speeches, photographs and other related material.</p>	101357	Retain until the end of Governor's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.
<p><u>Regional/Local Economic Development Organizations Files</u> This series documents the activities of the various organizations and is a very general administrative file. It contains information on the various regional and local economic development boards/commissions/authorities.</p>	101374	Retain until end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.
<p><u>Regional Tourism Projects Files</u> This series documents the various projects regarding tourism. It contains information relating to the Commonwealth's efforts to participate in regional activities and events.</p>	101375	Retain until end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.
<p><u>Secretary's Web Site</u> 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. Web site is maintained by the Virginia Information Technologies Agency.</p>	009054	Capture of this web site 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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EFFECTIVE SCHEDULE DATE FEB 27 2009

PAGE 6 OF 6 PAGES

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<p><u>Special Projects and Studies</u> This series documents the office's interaction with and oversight of various projects and studies. This series may include, but is not limited to, projects and studies associated with Governor's initiatives and specific organizations, issues and topics. This series may be used for permanent records that are not identified elsewhere on the Secretary's schedule.</p>	101377	Retain until end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.
<p><u>Weekly Report Files</u> This series consists of documentation pertaining to the weekly report that is provided to the Governor's Office. This series includes weekly reports provided by assigned state agencies and Cabinet reports prepared for the Governor. This series may also be filed under 101365, "Correspondence and Supporting Documentation – Assigned State Agencies" or 101366, "Correspondence and Supporting Documentation – Office of the Secretary."</p>	101356	Retain until the end of Governor's term, then transfer inactive records to the Archives, Library of Virginia for permanent retention.