

Best Practices for Management of County Social Services Records: Common missteps and how to avoid them

Social Services Directors' Legal Conference
June 27, 2017

Presented by:
Records Analysis Unit
Government Records Section



Workshop Objectives

- Identify common missteps of records management and how to avoid them
- Using a Retention and Disposition Schedule
- Records Destruction
- Electronic Records
- Scanning and Microfilm



Public Records Laws


The screenshot shows the website for the State Archives of North Carolina. At the top, there is a search bar and navigation tabs for 'FOR THE PUBLIC', 'FOR GOVERNMENT', and 'FOR EDUCATORS'. The main content area is titled 'LAWS AND GUIDELINES' and includes a sidebar with links like 'News and Events', 'Staff List', and 'Requesting Records by Mail'. The main text lists 'General Laws and Guidelines' with links to 'General Statute 121: The North Carolina Archival and History Act' and 'General Statute 132: Public Records Law'. It also includes sections for 'Web Policies', 'Copyright Notice', and 'Doing Research and Using the Collections'. A small image of a document is visible on the right side of the page.

Holding Records Too Long




RECORDS RETENTION AND DISPOSITION
SCHEDULE

COUNTY SOCIAL SERVICES AGENCIES




Issued By:



North Carolina Department of Natural and Cultural Resources
Division of Archives and Records
Government Records Section
January 1, 2016


RECORDS RETENTION SCHEDULES

Values of Records



Administrative Fiscal

Historical Legal



STATE ARCHIVES of NORTH CAROLINA SEARCH WEBSITE Enter Search Term GO

FOR THE PUBLIC FOR GOVERNMENT FOR EDUCATORS

About Visit Us Contact Social Media Laws and Guidelines Get Involved

LOCAL GOVERNMENT SCHEDULES

FOR GOVERNMENT

- Digital Records
- Laws And Guidelines
- State Records Center
- Visit Us
- Forms
- Retention Schedules
 - Local Government Schedules
 - State Agency Schedules
 - University Schedules
 - Authorized Destruction
- Records Management Services and Training
- Imaging and Microfilming
- Frequently Asked Questions

» For Government »> Retention Schedules »> Local Government Schedules

Retention Schedules - Local

- Retention Schedules
 - Draft Schedules
- Records Analysis
- Forms
- Authorized Destruction of Records

Local retention and disposition schedules are a tool for the employees of local governments across the state to use when managing the records in their offices. The schedule gives an assessment of their value by indicating the length of time they should be retained.

These schedules are an agreement between the local government and the State Archives and Records Administration (SARA) and are subject to the provisions of G.S. § 132-8 to provide.


These schedules must be approved by your local government. That approval should be made as part of the consent agenda, by signature page to the Records Analysis Unit, Government Records Section, State Main Service Center, Raleigh, NC 27699-4615 or fax it to 919-715-3627. If you are unsure whether or not you have approved your schedule, please contact a [Records Analyst](#).

If you have an item that not listed on your retention and disposition schedule, please contact a [Records Management Analyst](#). The analyst will help to see if there is an existing item on the schedule that will allow to retain.


<http://archives.ncdcr.gov/For-Government/Retention-Schedules/Local-Schedules>

RECORDS RETENTION AND DISPOSITION SCHEDULE

COUNTY SOCIAL SERVICES AGENCIES



Issued By:




2017 Archives of North Carolina
NATURAL AND CULTURAL RESOURCES

North Carolina Department of Natural and Cultural Resources
Division of Archives and Records
Government Records Section

January 1, 2016

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STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS			
ITEM #	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
38.	NOTICES OF PUBLIC MEETINGS Includes notices and regular meeting schedules. See also AFFIDAVITS OF PUBLICATION , page 31, item 1, and PUBLICITY RECORDS , page 79, item 5.	Destroy in office after 1 year.	1
39.	 OFFICE SECURITY RECORDS Records concerning the security of agency offices, facilities, vehicles, equipment, and personnel. Includes visitors’ register; security, employee, or contractor access to facilities or resources; and surveillance system reports and recordings.	a) If the recording becomes evidence in a personnel investigation or lawsuit, transfer to DISCIPLINARY ACTIONS , page 40, item 12, or LITIGATION CASE RECORDS , page 35, item 13. b) Destroy in office recordings not required to support known investigations or litigation after 30 days. c) Destroy in office remaining records after 1 year.	Confidentiality: G.S. § 132-1.7
40.	ORDINANCE AND RESOLUTION DEVELOPMENT RECORDS Records documenting the analysis and development of ordinances and resolutions submitted before the governing board for approval.	Destroy in office when ordinance or resolution is no longer in effect.	
41.	ORDINANCES Includes code of ordinances. See the MICROFILM section on page 88 for instructions on microfilming.	a) Retain in office official copy permanently. b) Destroy in office additional copies (including tabled or failed ordinances) when reference value ends.† Agency Policy: Destroy in office after _____	

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION**, page ix.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction “destroy when reference value ends.” Please use the space provided.

‡ Records may be destroyed only after office is notified by Department of Health and Human Services – Office of the Controller that the records are released from all audits, reports, or other official actions. Transfer records involved in litigation to **LITIGATION CASE RECORDS**, page 35, item 13.

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STANDARD 6: PROGRAM OPERATIONAL RECORDS: SOCIAL SERVICES ADMINISTRATION			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	AFFORDABLE CARE ACT (ACA) NAVIGATOR RECORDS Includes official navigators and certified application counselors records, referrals to enrollment portal and hotline and other community assistance, and other related records.	Records may be destroyed on a fiscal year basis when the office is notified by Department of Health and Human Services - Office of the Controller that specific records are released from all audits, reports, or other official actions. ¹	Confidentiality: G.S. § 108A-80
2.	COMPLAINTS: ALL SERVICES Includes complaints received concerning specific service	Records may be destroyed on a fiscal year basis when the office is notified by Department of Health and Human Services - Office of the Controller that specific records are released from all audits, reports, or other official actions. ¹	
3.	CLIENT ACCOUNT FINANCIAL (TRUST ACCOUNTS) Includes copies of authorization and disbursement forms, cancelled checks, deposit slips, financial journals and ledgers, and other related records concerning client accounts managed by local social services agencies.		

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page ix.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." Please use the space provided.

¹Records may be destroyed only after office is notified by Department of Health and Human Services – Office of the Controller that the records are released from all audits, reports, or other official actions. Transfer records involved in litigation to LITIGATION CASE RECORDS, page 35, item 13.

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If you can't find it in the index...

Ctrl+F

STANDARD 11. PERSONNEL RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.	EMPLOYEE EDUCATIONAL ASSISTANCE PROGRAM RECORDS Includes records requesting tuition assistance, repayments, and other related records. See also PERSONNEL RECORDS (OFFICIAL COPY) item 45, page 83.	Destroy in office 3 years after completion, denial, repayment, or removal from program.*	
19.	EMPLOYEE ELIGIBILITY RECORDS Includes the United States Immigration and Naturalization Service (INS) Employment Eligibility Verification (E-9) forms.	Mandatory retention throughout the duration of an individual's employment. After separation, destroy records in office 3 years from date of hire or 1 year from separation, whichever occurs later.	8 USC 1324a(b)(3)
20.	EMPLOYEE EXIT INTERVIEW RECORDS See also PERSONNEL RECORDS (OFFICIAL COPY) item 45, page 83.	Destroy in office after 1 year.	
21.	EMPLOYEE HEALTH CERTIFICATES Includes health or physical examination reports, or certificates created in accordance with Title VII and the Americans with Disabilities Act (ADA).	a) Transfer records as applicable to PERSONNEL RECORDS (OFFICIAL COPY) item 45, page 83. b) Destroy in office all other records 2 years after resolution of all actions.	29 CFR 1602.31

*See [AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS](#), page vi.
† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

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19 Highlight All Match Case



Office of the Controller
NC Department of Health and Human Services

Search DHHS:

Records Retention

- [Records Retention and Disposition Schedule Memorandum](#) (September 2015)
- [Records Retention and Disposition Schedule Background](#) (September 2015)
- [Records Retention and Disposition Schedule Spreadsheet](#) (September 2015) - REV-04.06.2016

Other Sites of Interest:

[Office of State Controller \(OSC\)](#)
[Office of State Auditor \(OSA\)](#)
[Department of State Treasurer](#)
[National Association of State Human Services Finance Officers](#)

[NC Office of the Controller Home Page](#)

[NC Department of Health and Human Services](#)

[North Carolina Home Page](#)

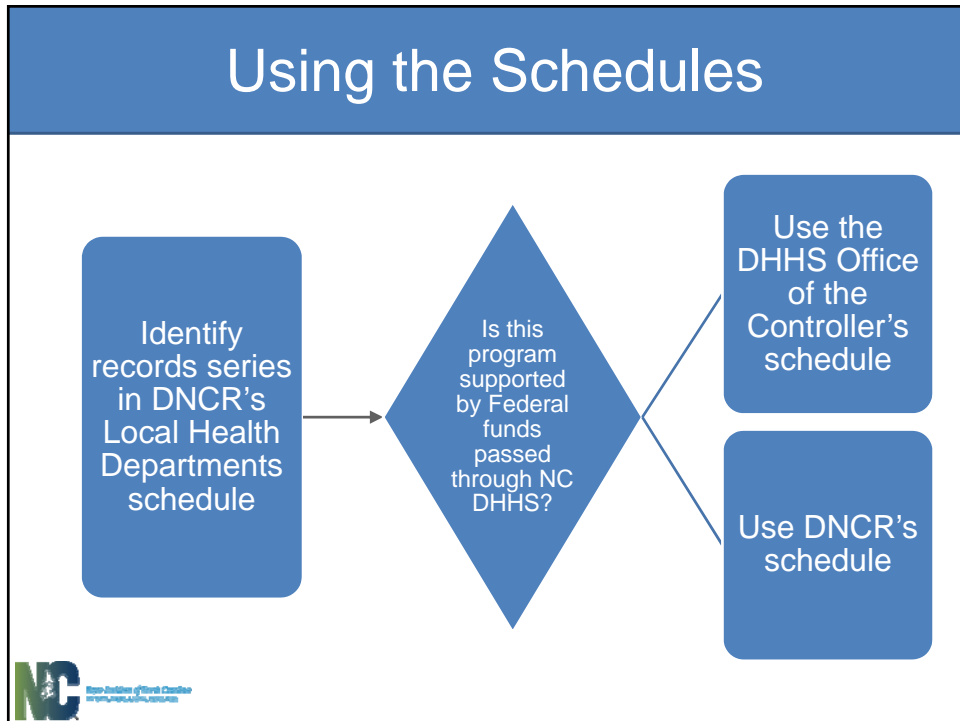
Last updated April 20, 2016

Program Name	Fiscal Year (SFY)	Retention Date
Cuban-Haitian Refugee	SFY 04	May 1, 2012
Cuban-Haitian Refugee	SFY 05	November 1, 2012
Cuban-Haitian Refugee 90RC0033/01-03 FFY 2009 - 2011	SFY 09	Do Not Purge - Retain Files
Cuban-Haitian Refugee 90RC0033/01-03 FFY 2009 - 2011	SFY 10	Do Not Purge - Retain Files
Cuban-Haitian Refugee 90RC0033/01-03 FFY 2009 - 2011	SFY 11	Do Not Purge - Retain Files
Cuban-Haitian Refugee	SFY 12	Do Not Purge - Retain Files
Improving Child Welfare Outcomes Through Systems of Care	SFY 04	May 1, 2011
Improving Child Welfare Outcomes Through Systems of Care	SFY 05	June 1, 2012
Improving Child Welfare Outcomes Through Systems of Care	SFY 06	May 1, 2013
Improving Child Welfare Outcomes Through Systems of Care	SFY 07	January 1, 2015
Refugee School Impact	SFY 05	February 1, 2014
Refugee School Impact	SFY 06	February 1, 2014
Refugee School Impact 90ZE0076/01-05 2005 - 2009	SFY 05	Do Not Purge - Retain Files
Refugee School Impact 90ZE0076/01-05 2005 - 2009	SFY 06	Do Not Purge - Retain Files
Refugee School Impact 90ZE0076/01-05 2005 - 2009	SFY 07	Do Not Purge - Retain Files
Refugee School Impact 90ZE0076/01-05 2005 - 2009	SFY 08	Do Not Purge - Retain Files
Refugee School Impact 90ZE0076/01-05 2005 - 2009	SFY 09	Do Not Purge - Retain Files
Refugee School Impact	SFY 10	Do Not Purge - Retain Files
Refugee School Impact	SFY 11	Do Not Purge - Retain Files
Refugee School Impact	SFY 12	Do Not Purge - Retain Files
Refugee School Impact	SFY 12	Do Not Purge - Retain Files
Refugee School Impact	SFY 13	Do Not Purge - Retain Files
Child Support ARRA	SFY 09	November 1, 2014
Child Support ARRA	SFY 10	Do Not Purge - Retain Files
Food Stamps	SFY 06	January 1, 2013
Food Stamps	SFY 07	January 1, 2013
Food Stamps	SFY 08	January 1, 2014
SNAP (aka Food Stamps)	SFY 09	January 1, 2015
SNAP (aka Food Stamps)	SFY 10	Do Not Purge - Retain Files
SNAP (aka Food Stamps)	SFY 11	Do Not Purge - Retain Files
SNAP (aka Food Stamps)	SFY 12	Do Not Purge - Retain Files
SNAP (aka Food Stamps)	SFY 13	Do Not Purge - Retain Files
SNAP (aka Food Stamps)	SFY 14	Do Not Purge - Retain Files
SNAP ARRA	SFY 09	January 1, 2015
SNAP ARRA	SFY 10	Do Not Purge - Retain Files
Community Services Block Grant moved to DSS effective 7/1/2011		
Community Services Block Grant	SFY 10	Do Not Purge - Retain Files
Community Services Block Grant	SFY 11	Do Not Purge - Retain Files
Community Services Block Grant	SFY 12	Do Not Purge - Retain Files
Community Services Block Grant	SFY 13	Do Not Purge - Retain Files
Child Development Grants		
Headstart	SFY 05	April 1, 2011

Records-Retention-September 2015-REV-04 20 16.xlsx

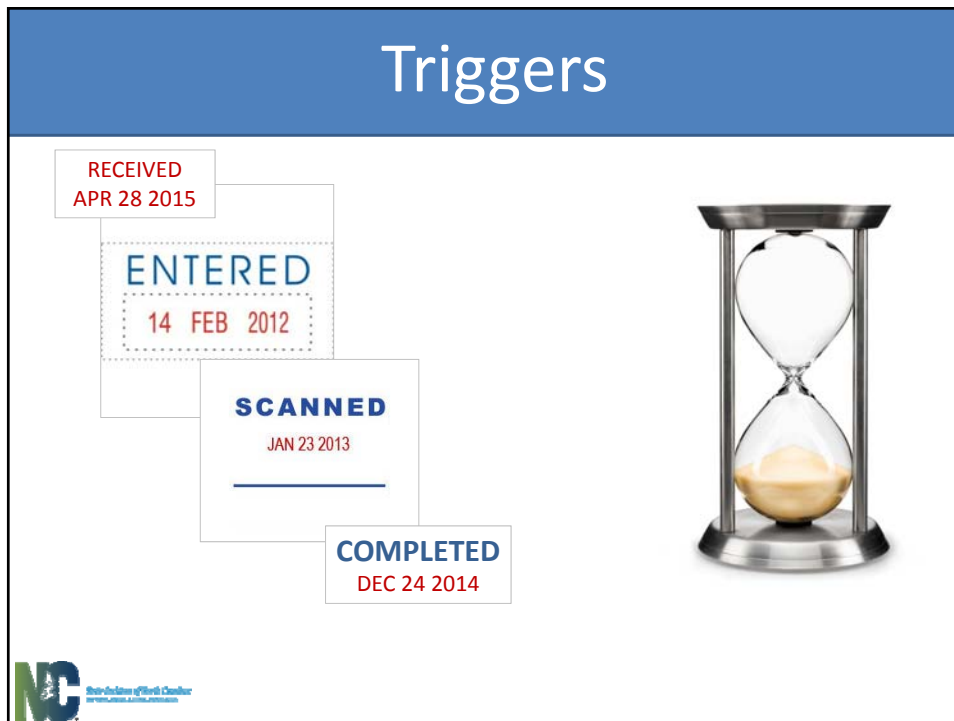
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Effective as of 9/30/2015
Federal Grants Retention



North Carolina Department of Health and Human Services Controller's Office
Attachment to Memorandum entitled "North Carolina DHHS Records Retention and Disposition Schedule for Grants"

Grant Name (North Carolina Accounting System Name/Official Grant Name)	State Fiscal Year To Be Purged	Date that Fiscal Records May Be Purged
Cuban-Haitian Refugee	SFY 04	May 1, 2012
Cuban-Haitian Refugee	SFY 05	November 1, 2012
Cuban-Haitian Refugee 90R00033/01-03 FFY 2009 - 2011	SFY 09	Do Not Purge - Retain Files
Cuban-Haitian Refugee 90R00033/01-03 FFY 2009 - 2011	SFY 10	Do Not Purge - Retain Files
Cuban-Haitian Refugee 90R00033/01-03 FFY 2009 - 2011	SFY 11	Do Not Purge - Retain Files
Improving Child Welfare Outcomes Through Systems of Care	SFY 04	May 1, 2011
Improving Child Welfare Outcomes Through Systems of Care	SFY 05	June 1, 2012
Improving Child Welfare Outcomes Through Systems of Care	SFY 06	Do Not Purge - Retain Files
Improving Child Welfare Outcomes Through Systems of Care	SFY 07	Do Not Purge - Retain Files
Refugee School Impact	SFY 05	Do Not Purge - Retain Files
Refugee School Impact	SFY 06	Do Not Purge - Retain Files
Refugee School Impact 90ZE0076/01-05 2005 - 2009	SFY 05	Do Not Purge - Retain Files
Refugee School Impact 90ZE0076/01-05 2005 - 2009	SFY 06	Do Not Purge - Retain Files
Refugee School Impact 90ZE0076/01-05 2005 - 2009	SFY 07	Do Not Purge - Retain Files
Refugee School Impact 90ZE0076/01-05 2005 - 2009	SFY 08	Do Not Purge - Retain Files
Refugee School Impact 90ZE0076/01-05 2005 - 2009	SFY 09	Do Not Purge - Retain Files
Child Support ARRA	SFY 09	Do Not Purge - Retain Files
Child Support ARRA	SFY 10	Do Not Purge - Retain Files
Food Stamps	SFY 06	January 1, 2012
Food Stamps	SFY 07	January 1, 2013
Food Stamps	SFY 08	Do Not Purge - Retain Files
SNAP (aka Food Stamps)	SFY 09	Do Not Purge - Retain Files
SNAP (aka Food Stamps)	SFY 10	Do Not Purge - Retain Files
SNAP (aka Food Stamps)	SFY 11	Do Not Purge - Retain Files
SNAP (aka Food Stamps)	SFY 12	Do Not Purge - Retain Files
SNAP ARRA	SFY 09	Do Not Purge - Retain Files
SNAP ARRA	SFY 10	Do Not Purge - Retain Files
Community Services Block Grant moved to DSS effective 7/1/2011		
Community Services Block Grant	SFY 10	Do Not Purge - Retain Files
Community Services Block Grant	SFY 11	Do Not Purge - Retain Files
Child Development Grants		
Headstart	SFY 05	April 1, 2011
Headstart	SFY 06	April 1, 2012
CCDF - Mandatory	SFY 04	November 1, 2011





Records Destruction

07 NCAC 04M .0510
METHODS OF DESTRUCTION

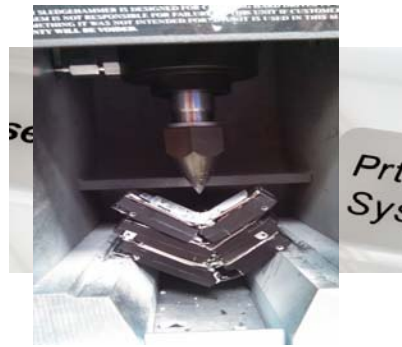
Four images illustrating different methods of records destruction: 1. A close-up of bright orange and yellow flames. 2. A pile of white shredded paper. 3. A row of blue metal drums, likely used for chemical destruction. 4. A roll of light-colored burlap fabric, which is used for incineration.

Public Records Destruction Regulation

North Carolina Administrative Code 7.4.M.0510 Electronic Records

data and metadata are overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

- Purge hard drives from computers and copiers before surplussing
- There may be more copies on other computers!
- Hitting “delete file” isn’t good enough



Audit and Litigation Holds

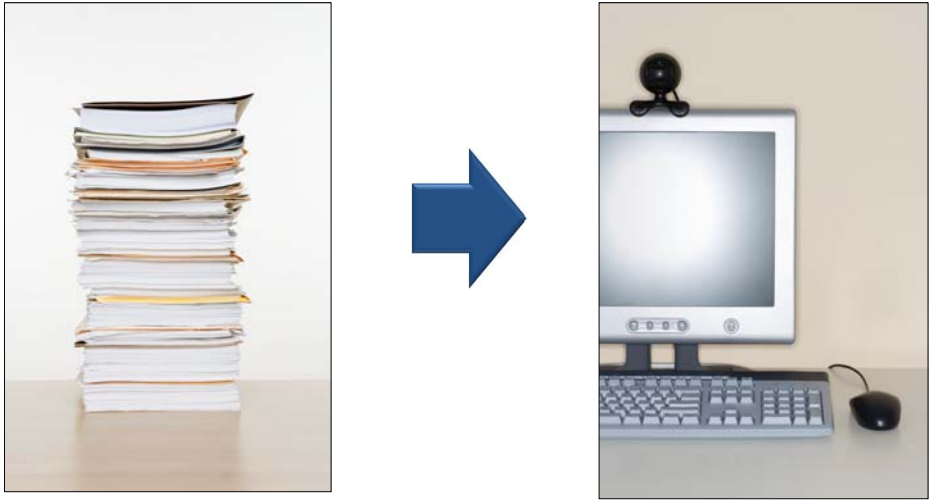


Remember:

If there’s a lawsuit, or even a possible lawsuit, you may be required to retain records, *including the metadata* associated with electronic records **EVEN IF THEY COULD BE DESTROYED LEGALLY UNDER THE RETENTION RULES**

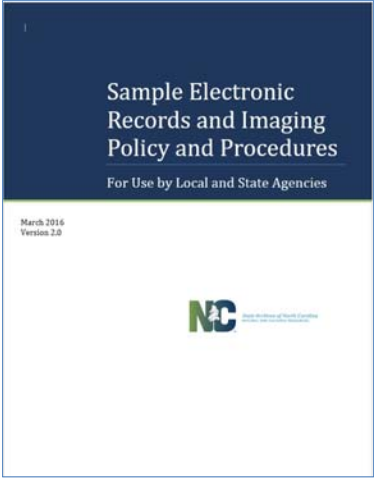


Unnecessary Records Duplication



NC North Carolina State Archives
www.ncsars.gov

Sample Electronic Records and Imaging Policy




Sample Electronic
Records and Imaging
Policy and Procedures

For Use by Local and State Agencies

March 2016
Version 2.0

NC North Carolina State Archives
www.ncsars.gov

Electronic Means Form



Rev. 2016

webforms.mhdsr.gov 4015 Mail Service Center, Raleigh, NC 27699-4199 919-897-7390

Request for Disposal of Original Records Duplicated by Electronic Means

If you have questions, call (919) 897-7350 and ask for a Records Management Analyst.

This form is used to request approval from the Department of Natural and Cultural Resources to dispose of non-permanent paper records that have been scanned, entered into databases, or otherwise duplicated through digital imaging or other conversion to a digital environment. This form does not apply to records that have been microfilmed or photocopied or to records with a permanent retention.

Agency Contact Name: _____ Date (MM-DD-YYYY): _____

Phone (area code): _____ Email: _____


County/Municipality: _____ Office: _____

Mailing address: _____


Record Series Title **Description of Records** **Inclusive Date** **Approx. Volume of Records** **Retention Period**

A group of records as listed in records retention schedule. Duplicate records as referred to in-office. 1/01/7-10/1/2005 present in g. 1 file cabinet, 18 boxes As listed in records retention schedule.

Record Series Title	Description of Records	Inclusive Date	Approx. Volume of Records	Retention Period



Scan-and-Destroy Authorization



North Carolina Department of Natural and Cultural Resources

Pat McCrory, Governor Susan Kluttz, Secretary Division of Archives and Records Kevin Cherry, Deputy Secretary

January 22, 2016

Pam Cook
Person County Health Department
355A South Madison Boulevard
Roxboro, NC 27573


Dear Ms. Cook:

Thank you for your Request for Disposal of Original Records Duplicated by Electronic Means form dated January 21, 2016. We find that this document has been properly executed. The original form is included with this letter, and an additional copy remains on file in our office.


When your office is ready to add new types of records (records series) to your scanning work, please complete a new Request for Disposal of Original Records Duplicated by Electronic Means form, and send it to us.

Thank you for your office's commitment to the proper management of the records of Person County Health Department.

Sincerely,



Rebecca McGee-Lankford
Assistant State Records Administrator



Microfilming

- Saves space
- Sustainable for permanent records
- Provided for in the law (G.S. § 8-45.1)
- Economical
- Ensure file integrity
- Protect originals

§ 132-8.2. Selection and preservation of records considered essential; making or designation of preservation duplicates; force and effect of duplicates or copies thereof.

In cooperation with the head of each State agency and the governing body of each county, municipality, and other subdivision of government, the Department of Cultural Resources shall establish and maintain a program for the selection and preservation of public records considered essential to the operation of government and to the protection of the rights and interests of persons, and, within the limitations of funds available for the purpose, shall make or cause to be made preservation duplicates or designate as preservation duplicates existing copies of such essential public records. Preservation duplicates shall be durable, accurate, complete and clear, and such duplicates made by a photographic, photostatic, microfilm, micro card, miniature photographic, or other process which accurately reproduces and forms a durable medium for so reproducing the original shall have the same force and effect for all purposes as the original record whether the original record is in existence or not. A transcript, exemplification, or certified copy of such preservation duplicate shall be deemed for all purposes to be a transcript, exemplification, or certified copy of the original record. Such preservation duplicates shall be preserved in the place and manner of safekeeping prescribed by the Department of Cultural Resources. (1961, c. 1041; 1973, c. 476, s. 48.)

For More Information

The G.S. 132 Files
State Archives of North Carolina

Home About News Resources Electronic Records Analyst Insight Schedules Contact Workshops

N.C. State Archives
is Proud to Present
Managing Public Records Workshops
Topics include your legal responsibilities, key principles of records management, using records retention and disposition schedules, managing electronic records, and e-mail as a public record.
Interactive Format Only!
All workshops are free and open to local government employees and elected officials. To register, please contact Euse Fernandez at Euse.Fernandez@ncsars.gov or 919-857-7266.
March 16, 2014 (1-4 pm)
City, Town or City Council Chambers
April 15, 2014 (1-4 pm)

ANNOUNCING: managing public records workshops
[Continue reading -->](#)

Governors' Records finding aids now available online
The State Archives of North Carolina is currently in the process of making many of our paper and legacy finding aids available online. It is with great pleasure that I announce that some of our...
[Thoughts on the Lexis Nexis Decision](#) [Perquimans County Poor House Records](#) [The Art of Interfiles](#)
Preserve records to be transferred to

NC North Carolina State Archives

ncrecords.wordpress.com

Records Management Analysts

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archives.ncdcr.gov