

1. Title

Records and Information Management

2. Policy

Sec. 1 *Handbook of Operating Procedures.* A Records and Information Management policy is to be included in institutional *Handbooks of Operating Procedures.*

Sec. 2 Records Retention Schedule. The University of Texas System recognizes the need for orderly management and retrieval of all official State records and a documented records retention schedule in compliance with all State and federal laws and related regulations. All official records (paper, microform, electronic, including all electronically stored information (ESI), or any other media) will be retained for the retention periods stated in the institutional Records Retention Schedule as approved by the Texas State Library and Archives Commission and the Texas State Auditor's Office in compliance with *Texas Government Code*, Chapter 441. After a specified period of time, official records must be disposed of in a manner that is consistent with, and systematically carried out in accordance with prescribed records and information management guidelines and procedures.

Sec. 3 Convenience Copies. Convenience copies, library materials, and stocks of obsolete forms or pamphlets originally intended for distribution are not considered to be official State records. Convenience copies should be destroyed when they cease to be useful and should never be kept longer than the official record copy.

Sec. 4 Responsibility for State Records. The Chancellor and each institutional president, as State agency heads, are responsible for the proper management of State records as outlined in *Texas Government Code*, Chapter 441.

Sec. 5 Agency's Representative. The Records Management Officer (RMO) acts as the agency's representative in all issues of records and information management policy, responsibility, and statutory compliance pursuant to *Texas Government Code* Section 441.184.

Sec. 6 Records Retention Schedule. The institutional Records Retention Schedule provides a list of official State records for each department on the campus and prescribes the periods of authorized retention. The schedule may be revised periodically to include a newly created records series, to change retention periods, or to delete a records

series no longer held. Appropriate approval procedures must be followed and completed before any revisions would become effective.

Minimum Holding Period. All records are to be kept for the minimum periods listed in the Records Retention Schedule. Notwithstanding such minimum retention periods, an official State record whose retention period has expired may not be destroyed if any litigation, claim, negotiation, audit, public information request, administrative review, or other action involving the record is initiated; its destruction shall not occur until the completion of the action and the resolution of all issues that arise from it.

- 6.1 An official State record whose retention period expires during any litigation, claim, negotiation, audit, public information request, administrative review, or other action involving the record may not be destroyed until the completion of the action and the resolution of all issues that arise from it.
- 6.2 Documents may be maintained for the prescribed retention periods in microform if the microform reproduction is accomplished pursuant to a procedure that complies with *Texas Government Code* Section 441.188 and 13 *Texas Administrative Code* Sections 6.21-6.35.
- 6.3 Official records kept only in electronic format must be identified and must comply with the administrative rules of the Texas State Library (13 *Texas Administrative Code* Sections 6.91-6.97).
- 6.4 Vital records should be identified and protected in accordance with *Texas Government Code* Section 441.183.
- 6.5 Archival documents should be identified in the Retention Schedule and maintained in accordance with *Texas Government Code* Section 441.181. Archival or historical records are to be preserved in the archives of the institution.

Sec. 7. **Destruction of State Records.** No official State records may be destroyed without permission from the Texas State Library as outlined in *Texas Government Code* Section 441.187 and 13 *Texas Administrative Code* Section 6.7. The Texas State Library has two established methods for obtaining legal authority to destroy State records. Procedures differ for records listed on an approved Records Retention Schedule and any records not listed.

- 7.1 Reasons for Not Destroying on Disposal Date. A State record may not be destroyed if any litigation, claim, negotiation, audit, open records request, administrative review, or other action involving the record is initiated before the expiration of the retention period for the record set in the approved institutional Records Retention Schedule. If no action as described above has been taken, records may be destroyed in accordance with the approved retention periods shown in the Records Retention Schedule. Prior to disposal of official records, all State and institutional records and information management regulations and policies must be followed.
- 7.2 Disposal of Records Not on Retention Schedule. State records not listed on the approved Records Retention Schedule may be destroyed after receiving approval by officials at the Texas State Library. The Form RMD 102, Request for Authority to Dispose of State Records, must be completed and submitted to the Records Management Division of the Texas State Library to obtain approval for the destruction of such official State records. Unlisted records must not be destroyed until the State Library Administrator approves and returns the form to the appropriate University officials.
- Sec. 8 Release of Records (Texas Public Information Act). Under provisions of the Texas Public Information Act (*Texas Government Code*, Chapter 552), the Chancellor and the president of each U. T. System institution may delegate their authority as the custodians of records to Public Information Officers. The Chancellor has designated the Vice Chancellor and General Counsel as the Public Information Officer at U. T. System Administration. The Public Information Officer at each institution is the institution's chief business officer unless another individual is so designated in accordance with the procedures outlined in UTS139, *Texas Public Information Act*.
- Requests for Records. Written requests for documents under the Texas Public Information Act should be directed to the Public Information Officer and handled immediately pursuant to the provisions of the Act and UTS139, *Texas Public Information Act*.
- Sec. 9 Records Management Officer (RMO). State law requires each State agency to appoint a RMO to act as the agency's representative on all issues of records and information management policy, responsibility, and statutory compliance pursuant to *Texas Government Code* Section 441.184. The RMO from System Administration and from each institution will each submit their records retention schedules directly to the State Library for approval and recertification in accordance with

Texas Government Code 441.185 and 13 Texas Administrative Code Sections 6.1-6.10.

U. T. System Administration's RMO. The RMO at U. T. System Administration serves as coordinator of meetings of U. T. System and the institutions to collaborate on records and information management issues. In addition, the U. T. System RMO is available to assist institutional RMOs and any staff who are assigned records and information management responsibilities.

3. Definitions

Vital State Record - any State record necessary to the resumption or continuation of State agency operations in an emergency or disaster, the recreation of the legal and financial status of the agency, or the protection and fulfillment of obligations to the people of the state.

Archival State Record - any State record of enduring value that will be preserved on a continuing basis by the institutional archives until its archivist indicates that based on a reappraisal of the record it no longer merits further retention.

Confidential State Record - any State record to which public access is or may be restricted or denied under *Texas Government Code*, Chapter 552 or other State or federal law.

4. Relevant Federal and State Statutes

[*Texas Government Code, Chapter 441*](#)

[*Texas Administrative Code Sections 6.91-6.97*](#)

[*Texas Government Code, Chapter 552*](#)

5. Relevant System Policies, Procedures, and Forms

[*UTS139, Texas Public Information Act*](#)

[*Form RMD 102, Request for Authority to Dispose of State Records*](#)

[*SLR 104: Designation of State Agency Records Management Officer \(RMO\)*](#)

[*SLR 105: Records Retention Schedule*](#)

[SLR 105C: Records Retention Schedule Certification](#)

[SLR 122: Records Retention Schedule Amendment](#)

[Records Retention Schedule for State Agencies, 4th Edition](#)
Effective September 1, 2007

6. Who Should Know

All Employees

7. System Administration Office(s) Responsible for Policy

Office of Technology and Information Services

8. Dates Approved or Amended

August 8, 1998

Amended September 30, 2009

Amended March 10, 2011

9. Contact Information

Questions or comments about this policy should be directed to:

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