

0910.02 Records Retention and Disposal Schedules

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PURPOSE

To specify procedures for establishing Retention and Disposal Schedules for state government records in order to comply with all legal, fiscal, administrative, and historical requirements of state government.

APPLICATION

Executive Branch Departments and Sub-units and all other state operations which utilize Records Management Services.

CONTACT AGENCY

Department of Technology, Management and Budget (DTMB)
Office of Support Services (OSS)
Logistics and Operations Support (LOS) Division
Records Management Services (RMS)
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Website: <https://stateofmichigan.sharepoint.com/sites/SOM-SPC-Records-Management>

SUMMARY

Retention and Disposal Schedules provide the only legal authorization to destroy Michigan government records. Agencies are required by MCL 18.1285 to have Retention and Disposal Schedules that comprehensively and accurately cover all of their records, regardless of the media or format used, or where the records are stored.

APPLICABLE FORMS

None.

DEFINITIONS

Records – Recorded information in physical or electronic formats, made or received by a Michigan government agency or employee. Records document the performance of government business, and serve as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities.

Records Management Officer (RMO) – The person within a department who is designated by the department director in accordance with MCL 18.1287(3)(f) with the responsibility of coordinating the records management activities of that department.

Retention Period – The length of time a record must be retained to satisfy administrative, legal, financial, audit and historical requirements.

PROCEDURES

General Information

- Retention and Disposal Schedules are legal documents which are reviewed and approved by the agency's authorized representative, Records Management Services (RMS), Archives of Michigan, Attorney General, Auditor General and State Administrative Board in compliance with MCL 18.1287(3)(c).
- The state of Michigan (SOM) utilizes two types of Retention and Disposal Schedules:
 - Agency-specific Retention and Disposal Schedules are prepared specifically for an individual agency and identify the unique records the agency is responsible for maintaining. Retention periods listed on the agency-specific schedules override general schedules when the same records are listed on both. Copies may be obtained by visiting the RMS website or by contacting RMS.
 - General Records Schedules identify records that are commonly found in multiple offices, such as administrative, accounting and personnel records. They promote consistent record retention practices and reduce the duplication of effort. Copies may be obtained by visiting the RMS website or by contacting RMS.
- An approved Retention and Disposal Schedule shall remain in effect until it is amended, superseded, or declared obsolete.
- No records can be disposed of unless they are listed on an approved Retention and Disposal Schedule (general or agency-specific). If it is necessary to specify retention requirements in a state policy (statewide or departmental), the policy shall refer to the applicable SOM Retention and Disposal Schedule.

Agency

- Required to have all of its records, regardless of physical format or media, listed on an approved Retention and Disposal Schedule in compliance with MCL 18.1285.
- Acquires the services of a records analyst from RMS for the purpose of establishing a new or revising an existing Retention and Disposal Schedule.
- Required to review, approve, and sign its agency-specific Retention and Disposal Schedule.

- Maintains its records in accordance with agency-specific or general Retention and Disposal Schedules.
- Temporarily suspends destruction of records affected by an open Freedom of Information Act (FOIA) request, litigation hold, audit, or investigation until they are notified that the issue is closed.

DTMB RMS

- Inventories agency records, regardless of physical format, storage location, or media, and prepares Retention and Disposal Schedules.
- Submits a proposed Retention and Disposal Schedule for approval by the respective agency, RMS, Archives of Michigan, Attorney General, Auditor General and State Administrative Board in compliance with MCL 18.1287(3)(c).
- After receiving approval, sends a copy of the approved Retention and Disposal Schedule to the Records Management Officer (RMO) of the department whose records are listed on the schedule, and to the agency responsible for the records. The original signed Retention and Disposal Schedule is retained by RMS.

Archives of Michigan

- Reviews Retention and Disposal Schedules and identifies which records are to be transferred to the Archives for permanent preservation once they have fulfilled their retention periods in the creating agency and the State Records Center.
- May take custody of records that do not possess historical value. May destroy records that are authorized for destruction and have met their retention requirements per an approved Retention Schedule.
- If the records are identified for permanent preservation but are later authorized for destruction, the Retention and Disposal Schedule must be revised to remove that preservation designation before the records are destroyed.

Attorney General

- Reviews Retention and Disposal Schedules to ensure that retention periods meet legal requirements.
- Reviews Retention and Disposal Schedules to ensure that retention periods will support the state of Michigan during litigation.
- Approves Retention and Disposal Schedules.

Auditor General

- Reviews Retention and Disposal Schedules to ensure that retention periods meet fiscal and audit requirements.
- Approves Retention and Disposal Schedules.

State Administrative Board

- Reviews and approves Retention and Disposal Schedules.
- The State Administrative Board approval date is the legally effective date of the document.
