



RECORDS RETENTION AND DISPOSAL POLICY

This policy was adopted by Resolution #8 on the 7th day of August, 2019.

The purpose of this policy is to establish a policy and guidelines for the retention and disposal of records generated by Innovative Housing Concepts (aka Englewood Housing Authority) in the course of administering the housing authority's housing and housing services programs. In general, IHC complies with the provisions of Colorado law and the guidelines and standards promulgated by the Colorado State Archivist, and their respective implementing regulations.

WAIVERS

This policy is intended to apply in all cases. However, where warranted in rare and unique circumstances a special Waiver of a particular requirement can be considered and approved by the housing authority's Board of Commissioners. Such a Waiver may be made only if

1. Board Members with personal direct or indirect interests abstain from and are not present for both the Board's deliberations and decision;
2. full and complete public disclosure of a Waiver request occurs before, during, and after a vote;
3. a three-fifths (3/5) favorable vote of all Board Members is obtained; and
4. the waived Policy requirement is not required by federal housing programs, state or local law.

If the Board is unsure as to which provisions are required by federal, state or local law, they may consult with legal counsel.

DEFINITIONS

"Non-Records" see Appendix A for items that are not considered to be records under this Policy and are therefore not subject to the provisions of this Policy.

"Records" includes all books, papers, maps, photographs, cards, tapes, audio or visual recordings, or other documentary materials, regardless of physical form or characteristics, made and kept for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds. "Records" includes digitally stored data, including without limitation electronic mail messages, but does not include computer software.

RETENTION OF RECORDS

It is the policy of IHC to retain certain records for the time periods specified in various retention schedules promulgated by the Colorado State Archivist. The retention time period indicates the minimum length of time that the record copy should be retained before disposal can take place. Copies of all schedules adopted by IHC shall also be attached to this Policy.

Trigger dates are included in retention schedules whenever possible. A trigger date is the date of an event, action or cut-off point that begins the countdown to the end of the retention period. Examples of a trigger date in a retention period are highlighted in the following: "three years after expiration of the warranty" and "three years after the audit is complete." When a trigger date is not specified, the countdown to the end of the retention period begins on the date the file is closed, the date the file no longer has any administrative or reference value, or the date of the newest document in the file.

The housing authority currently retains and disposes of certain specified types of records under the following Schedule(s):

Colorado Archivist's Schedule No. 20 – Entities Appointed by a Municipality

Should any of the adopted retention periods conflict with requirements imposed by a federal, state, or other funding source, the longer of the two retention periods shall apply.

CRS 6-17-104 provides a default retention period of three years for records that state law requires to be retained when no retention period is otherwise specified.

REQUESTS FOR COPIES OF RECORDS

Requests for any records shall be made pursuant to IHC's Policy and Procedures Regarding Public Review of Records Under the Colorado Open Records Act.

RETENTION OF DUPLICATE COPIES OF RECORDS

In general, duplicate copies should be retained until no longer needed, but not longer than the record copy.

Duplicate copies created for administrative purposes should be retained for 1 year and then destroyed.

Duplicate copies created for convenience or reference should be retained until no longer needed for reference or 1 year, whichever is first, and then destroyed.

DISPOSAL OF RECORDS

The housing authority shall establish rules and procedures for the disposal of records which are ready for disposal under the particular retention schedule applicable to said records. It is permissible to either wait to destroy obsolete records until the end of the year in which they become eligible for destruction or to go ahead and destroy records at the end of the retention period. Obsolete records that remain in the possession of IHC are still subject to applicable open records and disclosure laws pending their destruction.

The housing authority shall keep a record of the records destroyed, regardless of whether destruction is coordinated at a centralized or decentralized level, to be able to show that destruction took place in the normal course of business. IHC will utilize a log or form to keep track of records destruction which will include the following information at a minimum:

1. Verified confirmation that the records being destroyed are not subject to a legal hold order or advisory (e.g., due to pending investigation, litigation, etc.).
2. Date of destruction.
3. Destruction method(s):
 - a) Shred paper records: This method is most suited for the secure destruction of confidential records such as personnel and financial records. Shredded records should be recycled whenever possible.
 - b) Recycle paper records: This method is desirable for nonconfidential records whenever possible.
 - c) Deletion of digital records from all [PHA] electronic storage devices.
 - d) Deletion/destruction of audio or visual recordings.
4. Volume/amount of records destroyed, usually in estimated cubic feet for paper; mega- or giga- bytes for electronic records; and estimated minutes or hours for audio and video recordings.
5. Records descriptions, such as the types and date ranges of the records destroyed [for example: Election records (2005) or project files (1979—1980)] or a listing of the specific file titles.
6. The name(s) of the housing authority employee(s) who authorized, supervised, and/or accomplished the records destruction.
7. Retention Schedule reference/category numbers for the type of record being destroyed.

Attachments:

Colorado Archivist's Schedule No. 20 – Entities Appointed by a Municipality
Colorado Archivist's Appendix A – Non-Records

SCHEDULE NO. 20

ENTITIES APPOINTED BY MUNICIPALITY

General Description: Records regarding the composition, operation, proceedings and enactments of boards, commissions, committees, authorities, task forces and similar bodies appointed by the governing body or municipal officials.

*No record may be destroyed under this Retention Schedule if it is pertinent to any current, pending or anticipated investigation, audit or legal proceeding. **The minimum retention periods specified in this schedule apply to the information contained within the record copy, regardless of the physical format of the record copy (paper, microfilm, electronic).** Each municipality must decide on the physical format for each type of record, ensuring authenticity, readability and accessibility for the entire retention period. **Duplicate Copies:** Retain duplicated copies until no longer needed but not longer than the record copy.*

20.010 AGENDAS AND SUPPORTING DOCUMENTATION

Listings showing date, time and locations of official meetings and items to be discussed. Supporting documentation includes material such as agenda item summaries and documentation explaining the rationale for staff recommendations, presenting background information or the history of agenda items being presented to the appointed entity for a decision.

A. Quasi-Judicial Entities

Appointed entities that are able to remedy a situation or impose legal penalties on a person or organization or have powers of adjudication in specific matters, usually limited to a specific area of expertise.

Retention: Permanent

B. Other Entities With Advisory Powers and Duties Only

Retention: 2 years

20.020 APPOINTMENTS AND RESIGNATIONS

Records of appointments and resignations, including applications, recruitment information, etc.

A. Appointed Applicants

Retention: 2 years after end of service

B. Unsuccessful Applicants

Retention: 2 years after conclusion of appointment process

20.030 BYLAWS

Documents adopted to set out rules and guidelines regarding how the entity operates.

Retention: Permanent

20.040 GOALS AND WORK PLANS

Formally adopted strategic plans, work plans or policy agendas.

Retention: Permanent

20.050 MEMBER LISTS

Retention: Permanent for cumulative lists; until superseded for lists of current members

20.060 MINUTES AND SUPPORTING DOCUMENTATION

The official record of proceedings of meetings and all supporting documentation such as exhibits or other material referenced in the minutes.

Retention: Permanent

20.070 NOTICES – MEETINGS

Documentation of compliance with laws requiring posting and distribution of notices of public meetings.

Retention: 2 years

20.080 OATHS OF OFFICE

Oaths taken by appointed officials upon taking office.

Retention: Term of office + 1 year

20.090 RECOMMENDATIONS, FINDINGS AND SUPPORTING DOCUMENTATION

Written findings or recommendations to the municipality, governing body or other entities rendered in an advisory or decision-making capacity; supporting documentation includes agenda item summaries and other documentation explaining the rationale for staff recommendations or presenting background information or the history of the recommendation.

Retention: 3 years, *except* retain those that have enduring historical or policy value permanently

20.100 RECORDINGS OF MEETINGS

Audio or video recordings of official meetings.

A. Executive Sessions

Retention: 90 days after meeting [CRS 24-6-402(2)(d.5)(II)(E)]

B. Open Meetings

Retention: 6 months after approval of minutes

C. Study Sessions

Retention: 6 months after meeting

Cross References

- Building Board Case Files – 05.040, Building Review Board Case Files
- Correspondence and general documentation – 40.100, Correspondence and General Documentation
- Internal committees – 40.080, Committees – Internal
- Policies and procedures – 40.220, Policies and Procedures Documentation
- Reports – 40.290, Reports
- Rules, regulations and standards – 40.310, Rules, Regulations and Standards

APPENDIX A

NON-RECORDS

The following types of administrative materials have no public record retention value and may be disposed of as soon as they have served their purpose at the discretion of the custodian:

1. **Catalogs, trade journals and other printed materials** received from other offices, commercial firms or private institutions, which require no action and are not needed for documentary purposes.
2. **Informational or extra copies** of correspondence, completed forms, bulletins, newsletters, etc., prepared for reference and information distribution.
3. **Letters of transmittal** that do not add any information to the transmitted materials.
4. **Miscellaneous memoranda or notices** that do not relate to the functional responsibility of the municipality, such as notices of community affairs, employee meetings, holidays, etc.
5. **Preliminary drafts** of letters, memoranda, reports, worksheets and informal notes that do not represent significant basic steps in the preparation of record documents.
6. **Routing slips, sheets, post-it notes or memos** used to direct the distribution of documents.
7. **Outdated or superseded stocks of publications** kept for supply and hand-out purposes.
8. **Telephone messages** that convey nonpolicy informational messages.
9. **Library or museum material** acquired for reference or exhibition purposes.
10. **Identical duplicate copies** of records.
11. **Notes, tapes or recordings** that have been transcribed.
12. **Temporary or transitory material** with little or no bearing on decision-making.
13. **Training material** from conferences, workshops or other types of external training opportunities.
14. **Unused blank forms** that are obsolete.