

February 16, 2023



Nita Whitener
Clerk of the Court
Tenth Court of Appeals
501 Washington Ave.
Room 415
Waco, TX 76701

Dear Ms. Whitener,

Lorenzo de Zavala
State Archives and
Library Building

1201 Brazos Street
Austin, Texas
78701

P.O. Box 12927
Austin, Texas
78711-2927

www.tsl.texas.gov

Commission Chair
Martha Wong

Members

David C. Garza
F. Lynwood Givens
David Iglesias
Arthur T. Mann
Bradley S. Tegeler
Darryl Tocker

Director and Librarian
Gloria Meraz

The 11th recertification of your agency's records retention schedule is approved for use as of **1/27/2023**, and it may be accessed on our website at <https://www.tsl.texas.gov/slrn/state/schedules>. Please ensure that all old copies of the schedule are superseded with this certified copy.

This approved retention schedule provides you with continuing authorization to dispose of agency records according to its terms. Please note that state rules (13 TAC §6.8) require documentation of the final disposition of records by your agency. This requirement may be met by maintaining a disposition log or other evidence of the records series titles, dates covered, volume, and date of disposition. The destruction of any records of your agency not on your schedule requires special authorization from us.

Each agency schedule must be reviewed, updated, and submitted for recertification according to a timeline established by the Texas State Library and Archives Commission. Your next recertification is scheduled for **January 2028**.

During a certification period, changes may need to be made to your schedule. State rules (13 TAC §6.4) also allow for the submission of amendments to the retention schedule as needed to keep the information in the schedule current. If you are not familiar with the amendment process, or if you have any other questions, please contact the Government Information Analyst assigned to your agency:

Anne Poulos
(512) 463-6627
apoulos@tsl.texas.gov

Your efforts in developing a records retention schedule are appreciated. It not only helps to ensure the integrity of your recordkeeping practices, but it is also essential to the success of your records management program.

Sincerely,

A handwritten signature in blue ink, appearing to read "CK", written over a light blue horizontal line.

Craig Kelso
Director and State Records Administrator

cc: Agency head

TSLAC

Preserving yesterday
Informing today
Inspiring tomorrow



STATE OF TEXAS

Records Retention Schedule Certification

SLR 105C

Form SLR 105 or SLR 122 must accompany all submissions of this form.

Section 1. Agency Information

(Submitting agencies complete this section only)

Agency Code 230

Agency Name Tenth Court of Appeals

(Check one)

- Initial Certification - Form SLR 105
Recertification - Form SLR 105
Amendment - Form SLR 122

I hereby certify that this records retention schedule was prepared in accordance with Texas Government Code, Chapter 441, Subchapter L.

(Check one)

- Agency Head
Records Management Officer

Signature Nita Whitener

Name (Print or type) Nita Whitener

Date September 13, 2022

Section 2. Approvals

(Submitting agencies do not write in this section)

State Auditor's Office (For the exclusive use of the State Auditor's Office)

Not Required at This Time

Signature

Name (Print or type)

Date

Texas State Library and Archives Commission (For the exclusive use of the State Library and Archives Commission)

Signature Gloria Mera

Name (Print or type) Gloria Mera

Date 1/27/2023

Cert/Recert No. 11 Amendment No.

CAUTION

A state record with an expired retention period 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.

A state record with a retention period that 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.

Amendment Note: If this schedule is amended at any point after certification, updated records series will be indicated by an asterisk (*) preceding the Agency Item Number (AIN).





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SLR 105
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A/I – Transfer to State/University Archivist
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3. Agency Item No.	4. Record Series Item No.	5. Record Series Title	6. Description	7. Ret. Code	8. Retention Period			9. AC Definition	10. Archival	11. Remarks	12. Legal Citations
					Years	Months	Days				
1	1.1	Meeting Agenda & Minutes (of the Court) Judgments & Orders		PM					A	Court retains permanent record copy. The archival requirement for minutes will be met by sending a copy to the State Archives (see record series: Opinions of the Court). Records may be maintained in an electronic storage format. The Court and the Office of Court Administration (OCA) have an existing executed contract whereby OCA has assumed responsibility to maintain electronic records located within the COA's server systems and the records maintenance will be done in compliance with "Electronic Records Standards Procedures" from the Texas State Library and Archives Commission.	Tex. Gov't Code § 51.204(d)(3).



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2	1.1	Case Files, Civil & Criminal, Duplicate Documents		AC			60	AC=All duplicate papers in the file on record of a case shall be destroyed not sooner than the 60th day and not later than the 90th day after the date of final disposition.		Some files may be open records. Records may be maintained in an electronic storage format. The Court and the Office of Court Administration (OCA) have an existing executed contract whereby OCA has assumed responsibility to maintain electronic records located within the COA's server systems and the records maintenance will be done in compliance with "Electronic Records Standards Procedures" from the Texas State Library and Archives Commission.	Tex. Gov't Code § 51.204(c)(d).



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2a	1.1	Case Files, Civil		AC	6			AC=After final disposition of the case, but not sooner than 90 days after the date the clerk provides notice to the district or county clerk.	R	Case file reviewed for archival records, non-archival records may be destroyed. Some files may be open records. Only open cases are vital. Records may be maintained in an electronic storage format. The Court and the Office of Court Administration (OCA) have an existing executed contract whereby OCA has assumed responsibility to maintain electronic records located within the COA's server systems and the records maintenance will be done in compliance with "Electronic Records Standards Procedures" from the Texas State Library and Archives Commission.	Tex. Gov't Code § 51.204(d)



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2b	1.1	Case Files, Criminal (Sentence of 20 years or less)		AC	25			AC=After final disposition of the case.	R	Case file reviewed for archival records, non-archival records may be destroyed. Only open cases are vital. Some Files may be open records. Some files may be open records. Records may be maintained in an electronic storage format. The Court and the Office of Court Administration (OCA) have an existing executed contract whereby OCA has assumed responsibility to maintain electronic records located within the COA's server systems and the records maintenance will be done in compliance with "Electronic Records Standards Procedures" from the Texas State Library and Archives Commission.	Tex. Gov't Code § 51.204(e)



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2c	1.1	Case Files, Criminal (Sentence of more than 20 years)		PM					A	Case file reviewed for archival records, non-archival records may be destroyed. Only open cases are vital. Some Files may be open records. Some files may be open records. Records may be maintained in an electronic storage format. The Court and the Office of Court Administration (OCA) have an existing executed contract whereby OCA has assumed responsibility to maintain electronic records located within the COA's server systems and the records maintenance will be done in compliance with "Electronic Records Standards Procedures" from the Texas State Library and Archives Commission.	Tex. Gov't Code § 51.204(e)



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2d	1.1	Exhibits		AC	3			AC=After final disposition of the case or at an earlier date if ordered by the Court		Exhibits submitted to the court by a party may be withdrawn by that party or the party's attorney of record and exhibits on file with the court will be destroyed three years after final disposition of the case or at an earlier date if ordered by the court. Some Files may be open records. Some files may be open records. Records may be maintained in an electronic storage format. The Court and the Office of Court Administration (OCA) have an existing executed contract whereby OCA has assumed responsibility to maintain electronic records located within the COA's server systems and the records maintenance will be done in compliance with "Electronic Records Standards Procedures" from the Texas State Library and Archives Commission.	Tex. Gov't Code § 51.204(b)(2).



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3	1.1	Opinions of the Court		PM					A	Retained by the court	Tex. Gov't Code § 51.204(d)(3)
4	1.1	Docket Sheets		PM					A	Retained by the court	Tex. Gov't Code § 51.204(d)(3)
5	1.1	Indexes of Court Cases		PM					A	Retained by the court	Tex. Gov't Code § 51.204(d)(3)
6	1.1	Case Management System	Docket management program. The OCA creates our cases management system and maintains the documents stored thereon.	US						Confidential record. Some files may be open records. TAMES is the current program. Records may be maintained in an electronic storage format. The Court and the Office of Court Administration (OCA) have an existing executed contract whereby OCA has assumed responsibility to maintain electronic records located within the COA's server systems and the records maintenance will be done in compliance with "Electronic Records Standards Procedures" from the Texas State Library and Archives Commission.	



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7	1.1.002	Audits	Audits and reviews performed by or on behalf of an agency, including the working papers that support the audit. Also includes audits performed on the agency.	AC	7			AC=Publication or release of final audit findings.		The State Auditor's Office (SAO) retains any copies of its audits performed on Texas state agencies. See RSIN 5.4.018 and 56.4.019 for Audit Plan records.	
8	1.1.004	Legislative Appropriation Requests (LAR)	Including any supporting documentation created and/or used to justify and support legislative appropriations requests by an agency.	AC	6			AC=September 1 of odd-numbered calendar years.		ARCHIVES NOTE: The archival requirement is met by sending the required copies of the requests to the Texas State Publications Depository Program, Texas State Library, and Archives Commission. Only copies of supporting documentation submitted to the Legislative Budget Board are archival.	



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9	1.1.007	Correspondence - Administrative	Incoming/outgoing and internal leadership, supervisory, managerial, executive, administrative, substantive, and other high-level correspondence in any media, including electronic communication, pertaining to the formulation, planning, implementation, interpretation, modification, or redefinition of the programs, services, or projects of an agency and the administrative regulations, policies, and procedures that govern them.		4				R	ARCHIVES NOTE: Only the administrative correspondence of executive staff, board or commission members, division directors and program heads, require archival review. Contact the State Archives when these records have met their retention periods. CAUTION: This records series and RSIN 1.1.008 should be used only for correspondence that is not included in or directly related to another records series on the agency's approved schedule. For example, a memorandum that documents an appropriations request must be retained for the minimum retention period prescribed by RSIN 1.1.004; a letter concerning an audit for that prescribed by RSIN 1.1.002, etc. See also RSIN 1.1.011.	



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10	1.1.008	Correspondence - General	Non-administrative incoming/outgoing and internal correspondence, in any media, including electronic communication, pertaining to or arising from the routine operations of the policies, programs, services, or projects of an agency.		2					See comment to RSIN 1.1.007. See also RSIN 1.1.010.	
11	1.1.010	Directives	Any document that officially initiates, rescinds, or amends general office procedures.	US	1					Some files may be open records.	
11a	1.1.011	Executive Orders	Any document that initiates, rescinds, or amends a regulation, policy, or procedure that governs the programs, services, or projects of an agency.	US	3				A		



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12	1.1.013	Calendars, Appointment, and Itinerary Records	Calendars, appointment books or programs and scheduling, or itinerary records maintained by staff during business hours that document appointments, itineraries, and other activities of agency officials or employees.	CE	1				R	ARCHIVES NOTE: Only the calendars, appointment, and itinerary records of elected officials, executive staff, board or commission members, division directors, and program heads require archival review. Contact the State Archives when these records have met their retention periods. CAUTION: A record of this type purchased with personal funds, but used by a state official or employee to document his or her work activities may be a state record and subject to this retention period. See Open Records Decision 635 issued in December 1995 by the Attorney General.	



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12a	1.1.014	Legal Opinions and Advice	From agency legal counsel or the Attorney General, including any requests eliciting the opinions.	AV					R	CAUTION: Does not include legal opinions or advice rendered on a matter in litigation or with regard to pending litigation, or opinions rendered for Public Information Act Requests. See RSIN 1.1.048, 1.1.020, and 1.1.021. ARCHIVES NOTE: Opinions and advice that set legal precedent or exhibit historical value will be evaluated by the Archives and Information Services Division of the Texas State Library and Archives Commission for archival preservation. See page ix for additional guidelines.	
12b	1.1.019	Public Relations Records	News, press releases, marketing files and collateral, or any public relations files maintained or issued by an agency. Includes print, electronic, audio, and audiovisual records.		2				R		



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13	1.1.020	Public Information Requests - Not Excepted	Includes all correspondence and documentation relating to requests for records that are furnished to the public under Public Information Act (Chapter 552, Government Code) and Rules of Judicial Administration (Rule 12).	AC	1			AC=Date request fulfilled or withdrawn.			
14	1.1.021	Public Information Requests - Excepted	Includes all correspondence and documentation relating to requests for records that are furnished to the public under Public Information Act (Chapter 552, Government Code) and Rules of Judicial Administration (Rule 12).	AC	2			AC=Date of notification that records are excepted.			



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15	1.1.023	Organizational Charts	Charts or diagrams that show the structure of an agency and the relationships and relative ranks of its departments and job positions	US					A	ARCHIVES NOTE: Only charts showing the overall arrangement and administrative structure of the state agency need to be transferred to the Archives and Information Services Division, Texas State Library and Archives Commission. Organizational charts showing division/department level detail are not considered archival.	
15a	1.1.024	Plans and Planning Records	Plans and records relating to the process of planning new or redefined programs, services, or projects of an agency that are neither included in nor directly related to other records series in this schedule.	AC	3			AC=Decision made to implement or not to implement result of planning process.	R	ARCHIVES NOTE: Data processing planning records are not archival.	
16	1.1.040	Speeches, Papers, and Presentations	Notes or texts of speeches, papers, presentations, or reports delivered in conjunction with agency work.	AC	2			AC=End of event, until superseded, or obsolete.	R	ARCHIVES NOTE: Only speeches, papers, and presentations given by or on behalf of executive staff, board or commission members, division directors and program heads require archival review.	



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					Years	Months	Days				
17	1.1.043	Training Materials	Instructional materials developed by an agency for training entities or individuals it regulates or serves.	US	1					See RSIN 3.3.030 for internal personnel training materials. CAUTION: Does not include hazardous material training records. See RSIN 5.4.007.	
18	1.1.048	Litigation Files	Records created by or on behalf of an agency in anticipation of or in the adjudication of a lawsuit.	AC	1			AC=As applicable, decision of an agency not to file a lawsuit or decision that a lawsuit will not be filed against it on a matter; dismissal of a lawsuit for want of prosecution or on motion of the plaintiff; or final decision of a court (or of a court on appeal, if applicable) in a lawsuit.	R	ARCHIVES NOTE: Cases that set legal precedent or exhibit historical value will be evaluated by the Archives and Information Services Division of the Texas State Library and Archives Commission for archival preservation.	



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19	1.1.057	Transitory Information	Records of temporary usefulness that are not an integral part of a records series of an agency, that are not regularly filed within an agency's recordkeeping system, and that are required only for a limited period of time for the completion of an action by an official or employee of the agency or in the preparation of an ongoing records series. Transitory records are not essential to the fulfillment of statutory obligations or to the documentation of agency functions. Some examples of transitory information, which can be in any medium (voicemail, fax, email, hard copy, etc.) are routine messages; telephone message notifications; internal meeting notices; routing slips; incoming letters or memoranda of transmittal that add nothing of substance to enclosures; and similar routine information used for communication, but not for the documentation, of a specific agency.	AC				AC=Purpose of record has been fulfilled.		CAUTION: Records management officers should make certain records are not part of another records series listed in this schedule or, for records series unique to an agency, are not part of a records series that documents the fulfillment of the statutory obligations of the agency or the documentation of its functions. The disposal of transitory information need not be documented through destruction signoffs (RSIN 1.2.001) or in records disposition logs (RSIN 1.2.010), but agencies should establish procedures governing disposal of these records as part of its records management plan (RSIN 1.2.014).	



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19a	1.1.058	Meetings, Agendas and Minutes of Open	Agendas and minutes of state boards, committees, commissions, and councils that conduct open meetings as required by Chapter 551, Government Code.	PM					A	ARCHIVES NOTE: Agency retains permanent record copy. The archival requirement will be met by sending a copy to the Archives and Information Services Division, Texas State Library and Archives Commission. CAUTION: This records series and RSIN 1.1.059, 1.1.060, 1.1.061, and 1.1.062 must be used for those state boards, committees, commissions, and councils, which by law or the biennial Appropriations Act, are administered by another state agency. These records and all others related to the functions of any of these dependent entities must be included in the records retention schedule of the administering agency.	



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19b	1.1.059	Meetings, Agendas and Minutes or Audiovisual Recordings of Closed	Agendas, minutes, or audiovisual recordings of closed meetings of state boards, commissions, committees, or councils.	AC	2			AC=The date of the meeting or completion of pending action involving the meeting, whichever is later.		See caution comment at RSIN 1.1.058.	Tex. Gov't Code § 551.104(a).
19c	1.1.062	Meetings - Supporting Documentation	Documents submitted at meetings of state boards, commissions, committees, and councils, including exhibit items, documentation for agenda items, public comment forms, etc. Includes documents sent in advance of meetings for briefing purposes, some of which may not be submitted at an actual meeting.		2				A	See caution comment at RSIN 1.1.058.	
20	1.1.064	Agency Performance Measures Documentation	Any records of an agency needed for the documentation of output, outcome, efficiency, and explanatory measures in an agency's appropriations request or strategic plan, and for performance measures used to manage the agency.	FE	3					See RSIN 1.1.068 for reports on agency performance measures. CAUTION: The FE+3 retention period overrides any shorter retention period for a records series in this schedule if the records series is needed for documentation of agency performance measures.	



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21	1.1.065	Reports and Studies (Non-Fiscal) - Raw Data	Information on data collected and compiled for the purpose of producing non-fiscal reports.	AV						See RSIN 1.1.067 for reports produced from raw data. CAUTION: Does not include source documentation used for information or data included in or directly related to another records series in this schedule. See RSIN 1.1.064.	
21a	1.1.066	Reports - Biennial or Annual Agency (Narrative)	Biennial narrative reports to the governor and legislature as required by an agency's enabling statutes, including annual narrative reports if they are required by statute. Includes working files and related documentation used in creating final report.	AC	6			AC=September 1 of odd-numbered calendar years.		ARCHIVES NOTE: The final version of these agency reports must be submitted to the Texas State Publications Depository Program per 13 TAC 3.3. The requirement is met by sending the required copies of the reports to the Texas State Publications Depository Program, Texas State Library and Archives Commission. Working files and related documentation used in creating the final report may be disposed of at the expiration of the retention period.	



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22	1.1.067	Reports and Studies (Non-Fiscal)	Annual, sub-annual, or special reports or studies on non-fiscal aspects of an agency's programs, services, or projects compiled by agency personnel, by advisory committees, or by consultants under contract with an agency that are not noted elsewhere in this schedule. Includes reports distributed either internally or to other entities.		3				R	See RSIN 1.1.065 for raw data used to produce reports. ARCHIVES NOTE: Reports are archival when they deal with significant aspects of the agency's programs. For agencies that have had an archival appraisal, separate this records series by each type of archival coding, A, R, or E. See page ix for more information.	
23	1.1.068	Reports on Performance Measures	Quarterly and annual reports on agency performance measures submitted to executive and legislative offices.	AC	6			AC=September 1 of odd-numbered calendar years.		Includes LBB Non-Tax Collected Revenue Survey (Agency Fee Survey). See Article IX Section 7.08 of the GAA; and sixth month sworn report. See RSIN 1.1.064 for documentation used to produce reports on agency performance measures.	Tex. Gov't Code § 51.207(e).
24	1.1.069	Reports - Activity	Reports compiled by agency personnel on a daily or other periodic basis pertaining to workload monitoring, task completion times, number of public contacts, and similar activities.		1					CAUTION: If reports are used to document performance measures, see RSIN 1.1.064.	



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25	1.1.070	Agency Rules, Policies, and Procedures	Manuals, guidelines, administrative rules, or similar records distributed internally for the use of employees or externally to the public or those individuals or entities regulated by an agency that sets out the rules, policies, and procedures that govern an agency's programs, services, or projects. Includes working files and related documentation used in creating rules, policies, and procedures.	AC	3			AC=Until superseded, or termination of program, rules, policies, or procedures, whichever applicable.	R	ARCHIVES NOTE: Working files and related documentation used in creating the final rules, policies, and procedures, are not subject to archival requirement and may be disposed of at the expiration of the retention period.	
27	1.2.005	Records Retention Schedule	A records retention schedule (i.e. form SLR 105) that identifies the records that are created and maintained by an agency, provides the minimum timeframes the records must be retained, and includes instructions for their disposition. This series may include working files and documentation of certification and approval by the Texas State Library and Archives Commission.	US						The original is retained for 50 years by the State and Local Records Management Division, Texas State Library and Archives Commission.	



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28	1.2.010	Records Disposition Logs	Logs or similar records listing records disposed of by an agency, which might include records series title, dates of records, and date of disposition.		10					CAUTION: Disposition can mean destroyed or transferred.	
29	1.2.014	Records Management Policies and Procedures	Records management plans and similar records that establish the policies and procedures under which records and information are managed in an agency.	US	1						



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29a	1.3.001	State Publications	One copy of each state publication as defined on page xi of this schedule, except a publication that is subject to a different retention period in this schedule. For example, a meeting agency (see RSIN 1.1.058) also meets the definition, but it must be retained permanently; RSIN 1.1.004, 1.1.055, 1.1.066, 1.1.068, and 4.5.003, which also meet the definition, are closely associated with the appropriations process and must be retained AC + 6.	AC	2			AC=Until superseded or obsolete.		CAUTION: Many state publications must be submitted to the Texas State Publications Depository Program, Texas State Library and Archives Commission, by law (Government Code, 441.103-441.105). The Texas State Library and Archives Commission will retain a copy of all state publications submitted to it on a continuing basis, subject to periodic evaluation to determine if the publication merits further retention. For additional information and requirements concerning state publications made available to the public through the internet, consult the administrative rules of the Texas State Publications Depository Program of the Texas State Library and Archives Commission (13 TAC §§3.1-3.8).	



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29b	1.3.002	Publication Development Files	Physical and digital development and design files used to create State Publications, including but not limited to background material, copy (drafts), original artwork, photo negatives, prints, flats, etc. This includes all work performed both inside and outside the agency.	AV					R	See RSIN 1.3.001 for final State Publications created from development files. ARCHIVES NOTE: Successive and substantive drafts of major publications may be archival. Major is defined by both the publication's authorship and its impact on Texas and Texans. Original artwork, including photo prints and negatives that have significant value as evidence of agency programs as well as the potential for re-use, may be archival.	
29c	2.1.002	Master Files and Application Data	Relatively long-lived computer files containing organized and consistent sets of complete and accurate electronic records and associated processing files. Examples include, but are not limited to, data tables of relational databases used by applications or computer programs.	AC				AC=Until electronic records are transferred to and made usable in a new system environment, or there are no electronic records being retained to meet an approved retention period established in this schedule that require the use of the system.		CAUTION: Records management officers must be certain before assigning the retention period of AC to agency master files and application data that the files do not fall under records series listed elsewhere.	



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30	2.1.007	Computer Software Programs	Agency-developed automated software applications, operating system files, and associated processing files, including job control language, programs, applications, scripts, source code, etc.	AC				AC=Until electronic records are transferred to and made usable in a new software environment or there are no electronic records being retained to meet an approved retention period that require the software to be retrieved and read.		CAUTION: Software needed for access to electronic records must be retained for the period of time required to access the records.	13 TAC 6.94.
30a	2.1.008	Computer Hardware Documentation	Records documenting operational and maintenance requirements of computer hardware such as operating manuals, hardware/operating system requirements, hardware configurations, and equipment control systems.	AC				AC=Until electronic records are transferred to and made usable in a new software environment or there are no electronic records being retained to meet an approved retention period that require the software to be retrieved and read.		CAUTION: Software needed for access to electronic records must be retained for the period of time required to access the records.	13 TAC 6.94.



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30b	2.1.009	Hardware and Software Technical Documentation	Records adequate to specify all technical characteristics necessary for reading or processing electronic records; to document modifications to computer programs; to access, retrieve, manipulate, and interpret data in an automated system; and allow for their timely, authorized disposition. Records include but are not limited to: user guides, system or sub-system definitions, system specifications, input and output specifications, system flow charts, program flow charts, program maintenance logs, change notices, data element dictionaries, file layouts, code books or tables, and other records that explain the meaning, purpose, structure, logical relationships, and origin of the data elements.	AC				AC=Until electronic records are transferred to and made usable in a new hardware or software environment with new documentation or there are no electronic records being retained to meet an approved retention period that require the documentation to be retrieved and read.		CAUTION: Software needed for access to electronic records must be retained for the period of time required to access the records.	13 TAC 6.94.



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31	2.2.014	Internet Browser Files	A record of web pages visited during an internet session, including data files of user-specific information created by the webserver, that allows users to access previously visited pages more quickly or to generate a record of usage of a state-owned computer.	AV						The disposal of internet history records need not be documented through destruction authorizations (RSIN 1.2.001) or in records disposition logs (RSIN 1.2.010), but agencies should establish procedures governing disposal of these records as part of its records management plan (RSIN 1.2.014).	
33	2.2.016	Software Registrations, Warranties, and License Agreements	Records documenting the registration and licensing of a software application to activate the software for legal use by the end users of a state agency, along with warranties providing that the software will perform in accordance with functional specifications.	LA	3						
34	3.1.001	Applications for Employment - Not Hired	Applications, resumes, transcripts, letters of reference, and similar documents whose submission by candidates for vacant positions is required on the application form, by application procedures, or in the employment advertisement.	AC	2			AC=Date of the making of the record or the personnel action involved, whichever occurs later.		CAUTION: Does not include ADA Accommodation Requests. See RSIN 3.1.042.	29 CFR 1602.31.



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35	3.1.002	Applications for Employment - Hired	Applications, resumes, transcripts, letters of reference, and similar documents whose submission by candidates for vacant positions is required on the application form, by application procedures, or in the employment advertisement.	AC	5			AC=Termination of employment.		Filed in personnel file.	
36	3.1.011	Employee Benefits	Agency copies of information relating to the selection by employees of life, disability, health, vision, dental, and other types of insurance or benefits offered by the State of Texas to its employees.	AC				AC=Until superseded or termination of employment		CAUTION: Documents that serve as payroll deduction authorizations must be maintained for the retention period prescribed for RSIN 3.2.001. Filed in personnel file.	
37	3.1.012	Employment Opportunity Announcements	Internal or external announcements or advertisements of job openings, promotions, training programs, or opportunities for overtime.		2						29 CFR 1602.31.
38a	3.1.013a	Employment Contracts - 9/1/2015 and After	Includes a contract or agreement regarding the terms and conditions of employment of an individual and a contract with a vendor for temporary staffing services. Executed, renewed, or amended on or after September 1, 2015.	AC	7			AC=Expiration or termination of the contract according to its terms.			Tex. Gov't Code § 441.1855, eff. 9/1/2015



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38b	3.1.013b	Employment Contracts 8/31/2015 and Prior	Includes a contract or agreement regarding the terms and conditions of employment of an individual and a contract with a vendor for temporary staffing services. Executed, renewed, or amended on or after September 1, 2015.	AC	4			AC=Expiration or termination of the contract according to its terms.			Tex. Gov't Code § 441.1855, eff. 9/1/2015
39	3.1.014	Employment Selection Records	Includes notes of interviews with candidates; questions asked of applicants; audio and videotapes of job interviews; driving record and previous injury checks; pre-employment physical examinations; polygraph examination results; and all other records that document the selection process, except for those notes in Remarks.	AC	2			AC=Date of the making of the record or the personnel action involved, whichever occurs later.		CAUTION: Does not include criminal history checks (see RSIN 3.1.026); drug screening test results (see RSIN 3.1.40a/b/c); preemployment skills tests (see RSIN 3.3.027 and 3.3.028).	29 CFR 1602.31.
39a	3.1.018	Grievance Records	Records relating to the review of employee grievances or complaints against personnel policies, working conditions, etc.	AC	2			AC=Final decision on the grievance.		CAUTION: Does not include formal complaints filed by an agency employee with the Equal Employment Office (EEO) of the U.S. Department of Labor (DOL). See RSIN 1.1.048.	



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40	3.1.019	Performance Appraisals	Job evaluations, performance appraisals, or other similar documents used to evaluate the performance of an employee.		2						29 CFR 1602.32(c).
40a	3.1.021	Personnel Disciplinary Action Documentation	Disciplinary actions are those actions which may affect pay, status, or tenure. They are imposed to discipline an employee whose conduct is harmful to the best interests of the state, the agency, or the employee workforce; and for failure to improve performance or conduct following imposition of corrective action. May include cause for demotion, suspension, or dismissal, and the reasons for failure to give written notice of resignation. May also be used to document evidence of employee self-improvement efforts, as well as favorable and unfavorable communication.	AC	5			AC=Termination of employment			



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41	3.1.022	Personnel Information or Action Forms	Forms or similar records used to create or change information concerning the records of an employee, including any grade, position classification, employee number, evaluation date, and termination of employment.		2						29 CFR 1602.31.
42	3.1.023	Position/Job Descriptions	Job descriptions, including all associated task or skill statements, for positions in an agency.	AC	4			AC=Until superseded or job eliminated.			40 TAC 815.106(i).
42a	3.1.026	Criminal History Checks	Criminal history record information on job applicants or agency employees obtained from the Department of Public Safety (DPS).	AC				AC=The criminal history record has served the immediate purpose for which it was obtained.		CAUTION: An agency that is authorized to obtain a criminal history record information from DPS must refer to its agency's legislation or see Subchapter F, Chapter 411, Government Code for appropriate retention and use of this information.	
43	3.1.027	Training and Educational Achievement Records (Individual)	Certificates of completion, certifications, licenses, transcripts, test scores, or similar records documenting the training, testing, certification, licensing, or continuing education achievements of an employee.	AC	5			AC=Termination of employment.			



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44	3.1.029	Employment Eligibility Documentation	Federal reporting form (Form I-9).	AC				AC=3 years after date of hire or 1 year after termination of employment, whichever is later.			8 CFR 274a2(b)(2)(i)(A) and (c)(2).
46	3.1.037	Employee Recognition Records	Awards, incentives, tenure, etc.	AC	5			AC=Termination of employment.			
46a	3.1.038	Public Access Option Records	Form completed and signed by employee or official, or former employee or official, electing to keep home address, home telephone number, social security number, and family information open or confidential under the Public Information Act, Government Code 552.024.	US						CAUTION: Most recent public access election information must be kept as long as the former employee verification records. See RSIN 3.3.011.	
48	3.2.001	Employee Deduction Authorizations	Documentation used to start, modify, or stop all voluntary or required deductions from payroll, including garnishment or other court-ordered attachments.	AC	4			AC=After termination of employment or after amendment, expiration, or termination of authorization, whichever sooner.			



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					Years	Months	Days				
49	3.2.002	Employee Earnings Records	Payroll records and registers documenting employees earnings, wages, and pay. This may include but is not limited to payroll input records, summary statements, payroll vouchers, payroll detail sheets, and payroll history.		4						40 TAC 815.106(i).
50	3.2.003	Federal Tax Records	Includes 1099, W2, FICA, and other tax records.	AC	4			AC=Tax due date, date the claim is filed, or date tax is paid, whichever is later.			26 CFR 31.6001-1(e)(2).
51	3.2.004	Income Adjustment Authorizations	Used to make increases or decreases to employees' gross pay, FICA, retirement, or in the computation of taxes.		2						29 CFR 516.6(c).
52	3.2.005	W-4 Forms	Employer's copy of "Employee's Withholding Exemption Certificate."	AC	4			AC=Until superseded, obsolete, or termination of employment.			26 CFR 31.6001-1(e)(2).
53	3.2.006	Wage Rate Tables	Records defining the wage or salary rate for each position in the agency expressed in dollars, grades, or step numbers.		2						29 CFR 516.6(a)(2).



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54	3.2.008	Direct Deposit Application/ Authorizations	Forms used to deposit employee's earnings into a specified personnel account.	AC				AC=Until superseded, cancelled, or last payment deposited after termination of employment, whichever applicable.			
55	3.2.009	State Deferred Compensation Records	Records documenting the amount of pension or deferred compensation earned by individual employees.		4						
57	3.3.004	Benefit Plans	Employee benefit plans such as pension; life, health, and disability insurance; deferred compensation; etc., including amendments.	AC	1			AC=Until superseded or plan terminated.			29 CFR 1627.3(b)(2).
58	3.3.011	Former Employee Verification Records	Minimum information needed to verify employment. Includes: name; social security number; exact dates of employment; last known address; and most recent public access authorization.	AC	75			AC=Termination of employment.		See RSIN 3.1.038.	
59	3.3.022	Texas Workforce Commission (TWC) Reports	Reports to the agency from TWC or its predecessor pertaining to employees.		3						



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60	3.3.023	Reimbursable Activity Records	Requests and authorizations for travel; participation in educational programs, workshops, or college classes; or for other work-related activities for which the expenses of the employee are defrayed or reimbursed.	FE	3						
61	3.3.024	Personnel Policies and Procedures	Any internally distributed manuals, guidelines, or similar records that define agency-wide policies and procedures concerning the personnel of an agency.	US	3						
62	3.3.026	Agency Staffing Reports	Any reports compiled by an agency on aspects of personnel staffing, including listings of all staff by program or name, staff hired during a month, detailed listings of employees within its organizational structure, position vacancies, analyses of turnover rates and seasonality of employment, etc.	US	3						
63	3.3.031	EEO Reports and Supporting Documentation	Includes documentation used to complete EEO (Equal Employment Opportunity) reports.		3						29 CFR 1602.32, 1602.48, and 1602.50.



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63a	3.4.001	Accumulated Leave Adjustment Requests	Used to create employee leave balances, to transfer leave balances when an employee transfers positions, to adjust carry-over balances at end of fiscal year, to correct errors on leave accumulation, and to close out leave accounts on separated employees.	FE	3						
64	3.4.002	Leave Status Reports	Cumulative report is issued each pay cycle and provides employee leave status information for each position.	FE	3						
65	3.4.006	Time and Attendance Records	Records documenting individual employee's hours worked, including work schedules and documentation evidencing adherence to or deviation from normal hours for those employees working on fixed schedules.		4						40 TAC 815.106(i).
66	3.4.007	Time Off and/or Sick Leave Requests	Requests and authorizations for vacation, compensatory, sick, Family and Medical Leave Act (FMLA), sick pool leave, and other types of authorized leave, and supporting documentation.	FE	3						Tex. Gov't Code § 661.152(d); 29 CFR 825.500(b).



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67	3.4.008	Sick Leave Pool Documentation	Records documenting number of hours transferred in and out of comprehensive sick leave pool.	FE	3						
67a	4.1.001	Accounts Payable Information	Claims; invoices; statements; copies of checks and purchase orders; expenditure authorizations; ledgers; encumbrance, purchase, general journal, expenditure, and special vouchers; and similar records that serve to document disbursements, including those documenting claims for and reimbursement to employees for travel and other expenses.	FE	3						
70a	4.1.009	Accounts Receivable Information	Bill copies or stubs, statement, billing registers, account cards, deposit warrants, cash receipts, credit card receipts, receipts books, cash transfers, daily cash reports, reconciliations, general journal vouchers, special vouchers, and similar records that serve to document money owed to or received by a state agency and its collection or receipt.	FE	3						



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82	4.5.002	Fiscal Management Reports	Internal and external periodic fiscal management reports and associated worksheets, including federal financial reports, salary reports, HUB reports, investment performance reports, etc.	FE	5					CAUTION: This series does not include fiscal reports created to fulfill grant requirements. See RSIN 4.7.008.	



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83	4.5.003	Annual Financial Reports	Annual Financial Reports (AFR) required by the General Appropriations Act (100 Day Report).	AC	6			AC=September 1 of odd-numbered calendar years.		ARCHIVES NOTE: The final version of Annual Financial Reports must be submitted to the Texas State Publications Depository Program per 13 TAC 3.3(a)(2)(a). Working files and related documentation used in creating the final plan are not subject to archival review and may be disposed of at the expiration of the retention period. CAUTION: If an agency does not produce a biennial or annual narrative report as described in RSIN 1.1.066, then these annual financial reports must be marked with Archival Code A. The archival requirement, when a biennial or annual narrative report is not produced, is met by sending the required copies of the reports to the Texas State Publications Depository Program, Texas State Library and Archives Commission.	



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86	4.5.007	USAS Reports - Daily/Monthly	Periodic reports compiled from information entered into the Uniform Statewide Accounting System (USAS).	AC				AC=Receipt and reconciliation of annual report.			
88	4.5.009	USAS Reports - Annual	Yearly report compilation from information entered into the Uniform Statewide Accounting System (USAS).	FE	3						
91	4.7.001	Accounting Policies and Procedures Manual	Records documenting the internal and external procedural requirements with respect to the accounting department of a state agency.	US	3						
92	4.7.003	Uncollectible Accounts	Records of accounts deemed uncollectible, including write-off authorizations and returned checks, warrants, and drafts.	AC	3			AC=Date account deemed uncollectable.			
93	4.7.004	Capital Asset Records	Documentation relating to the capital and fixed assets of a state agency, including equipment or property history cards containing data on initial cost, depreciation schedules or summaries used for capital outlay budgeting, and property sale, auction, or disposal records of agency owned equipment and property.	LA	3						



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96	4.7.012	Signature Authorizations	Signature cards or similar records establishing authority of an agency employee to initiate or authorize financial transactions on behalf of an agency.	AC	4			AC=Until superseded, date of expiration, or termination of employee, whichever sooner.			
96a	4.8.001	Banking Records	Bank statements, credit card statements, cancelled checks, check registers, deposit slips, debit and credit notices, reconciliations, and other banking related records.	FE	3						
96b	4.9.001	Annual Operating Budget	Required by the General Appropriations Act. Includes encumbrances and documentation about budget transfers and revisions, as well as detail charts of accounts.	FE	3						



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					Years	Months	Days				
97a	5.1.001a	Contract Administration Files - 9/1/2015 and After	Contracts, leases, and agreements include general obligation, land lease, utilities, and construction except for buildings. Documents include specifications, affidavits of publication of calls for bids, performance bonds, contracts, purchase orders, inspection reports, and correspondence. May also include other applicable documentation in the master contract file per Texas Comptroller of Public Accounts Contract Management Guide. Executed, renewed, or amended on or after September 1, 2015.	AC	7			AC=Expiration or termination of the instrument according to its terms.		See related RSIN 5.3.007a/b/c for bid documentation. See RSIN 5.2.028 for building construction contracts. See RSIN 5.1.017 for contract logs.	Tex. Gov't Code § 441.1855.



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					Years	Months	Days				
97b	5.1.001b	Contract Administration Files - Prior to 9/1/2015	Contracts, leases, and agreements include general obligation, land lease, utilities, and construction except for buildings. Documents include specifications, affidavits of publication of calls for bids, performance bonds, contracts, purchase orders, inspection reports, and correspondence. May also include other applicable documentation in the master contract file per Texas Comptroller of Public Accounts Contract Management Guide. Executed, renewed, or amended on or before August 31, 2015.	AC	4			AC=Expiration or termination of the instrument according to its terms.		See related RSIN 5.3.007a/b/c for bid documentation. See RSIN 5.2.028 for building construction contracts. See RSIN 5.1.017 for contract logs.	Tex. Gov't Code § 441.1855.
98	5.1.004	Mail and Telecommunications Listings	Any mailing address, telephone or fax number, or email address records maintained by an agency on its employees or on entities or persons it serves.	US						Some files may be open records.	
99	5.1.005	Postage Records	Records and reports of postage expenses, including postal meter usage.	FE	3						



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100	5.1.011	Photocopier and Telefax Usage Logs and Reports	Registers or logs of print copies and fax transmissions made by user or in total.	AV							
101	5.1.012	Charge Schedules/Price Lists	Schedules of prices charged by an agency for services to the public or other agencies, including any documentation used to determine the charges.	US	3						
102	5.1.014	Office Procedures	Any internally distributed manual, guidelines, or similar records that establish standard office procedures for an agency, e.g., agency style manuals, telephone protocols, mail room procedures, print shop and photocopy ordering instructions.	US	1						
103	5.2.003a	Building Plans and Specifications - State Owned	Includes architectural and engineering drawings, profiles, and blueprints or planning, design, construction, conversion, or modernization of state owned facilities, structures, infrastructure, and systems.	LA					R		



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104	5.2.006	Inventory and Property Control Records	Records documenting the inventorying, maintenance, usage, and disposal of supplies, equipment, and property of a state agency. Includes lost, stolen, and damage reports.	FE	3					See RSIN 5.2.008 for the maintenance logs of individual pieces of equipment.	
106	5.2.008	Inspection, Repair, and Maintenance Records - Equipment	Equipment history file, which may include logbooks and requests for installation, moves, service, repair, etc.	LA	3					For service agreements or contracts related to equipment repairs and service, retain in accordance with RSIN 5.1.001.	
108	5.2.010	Equipment Manuals		LA							
109	5.2.011	Equipment Warranties		AC	1			AC=Expiration of Warranty.			
112	5.2.019	Service Orders	Requests or work orders for repairs or maintenance to facilities, vehicles, or equipment completed by internal agency personnel or external service providers.		1						
116a	5.3.004	Shipping Information	Shipping information, including order acknowledgements, packing slips, and related documentation.	AV						CAUTION: Some shipping information may require longer retention period. State agencies must determine if longer retention period is required based on the type of materials shipped to or from their agency.	



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117a	5.3.007a	Bid Documentation - 9/1/2015 and After	Includes bid requisition/authorizations, invitations to bid or propose, bid specifications, awarded and unawarded bids, and bid tabulation/evaluations. Associated with a contract executed, renewed, or amended on or after September 1, 2015.	AC	7			AC=Expiration or termination of the instrument according to its terms or decision not to proceed with the bid.			Tex. Govt' Code § 441.1855.
117b	5.3.007b	Bid Documentation - 8/31/2015 and Prior	Includes bid requisition/authorizations, invitations to bid or propose, bid specifications, awarded and unawarded bids, and bid tabulation/evaluations. Associated with a contract executed, renewed, or amended on or before August 31, 2015.	FE	3						Tex. Govt' Code § 441.1855.
117c	5.3.007c	Bid Documentation - Invalid Bids	Invalid bids that do not meet agency submission requirements and are not included in bid evaluation process (e.g., withdrawn, missed submission deadline, incomplete submission, etc.).	AC	2			AC=Date of notification of denial or date of withdrawal, as applicable.			



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118	5.3.008	Purchasing Logs	Log, register, etc., providing a record of purchase orders issued, orders received, and similar data on procurement status.	FE	3						
118a	5.3.010	Vendor Records/W-9	W-9 IRS Form used to request a taxpayer identification number (TIN) for reporting information to the Internal Revenue Service (IRS). This includes W-9 forms received by a state agency from vendors.	AC	3			AC=Date account is opened or date instrument purchased.			26 CFR 31.3406(h)-3(g).
119	5.4.001	Occupational Accident Reports and Associated Documentation	Accident or occupational disease reports (by supervisors and employees) and other associated reports required to be submitted to the State Office of Risk Management (SORM) or its predecessors or maintained internally on accident frequency.	CE	5						29 CFR 1904.33; 28 TAC 120.1(c).
119a	5.4.011	Visitor Control Registers	Logs, registers, or similar records documenting visitors to limited access or restricted areas of agency facilities.		3						



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120	5.4.012	Security Access Records	Records relating to the issuance of keys, identification cards, building passes, passwords, signed statements or similar instruments of access to agency or state facilities, equipment or automated systems.	AC	2			AC=Until superseded, date of expiration, or date of termination, whichever sooner.			
122	5.4.013	Continuity of Operations Plans (COOP)	Plans developed (per Texas Labor Code, 412.054) to mitigate the damage of potential events that could endanger an agency's ability to function. Includes disaster preparedness, response, and recovery plans.	US						See RSIN 5.4.017 for records related to responding or recovering from an emergency.	