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UNIVERSITY ARCHIVES AND RECORDS SERVICE

Records Retention and Disposition Schedule

Planned Giving Division
Office of University Development
Schedule No. 2221-1158
Approved: June 22, 2007

Issued By:
University Archives and Records Service
Manuscripts Department
Wilson Library
The University of North Carolina at Chapel Hill

Managing Records at The University of North Carolina at Chapel Hill Table of Contents

Schedule Information	2
<ul style="list-style-type: none"> • What is a “records retention and disposition schedule? 2 • Why do I need a schedule? 2 • I do not have any records. 2 • What is a “legal hold” or “litigation hold” on records and when does it apply? 2 • What does “REFERENCE” mean? 2 • What if I have two records series with the same name in my schedule – an official and a “REFERENCE”? 3 	
North Carolina General Statute 132, Public Records Act	3
<ul style="list-style-type: none"> • What are “public records”? 3 • Can anyone see my records? 3 • What about my confidential records? 3 • What are the most common laws cited at UNC-CH for confidential records? 3 • Do I have to make drafts awaiting approval available to the public? 4 • Can I store our unused records in such places as the basement, attic, outdoor shed, or other off-site location? 4 • Our old records are stored in the basement, the attic or an off-site building. Do we have to honor requests to see them? 4 	
Electronic Records & Scanning	4
<ul style="list-style-type: none"> • Are the documents and other records on my computer also “public records”? 4 • Computer storage is cheap. I’ll just keep my computer records. 4 • We have an imaging system. Do we have to keep the paper? 4 • Why do you still recommend microfilm? 5 	
Email	5
<ul style="list-style-type: none"> • When can I delete my email? 5 • Do I have to print my email to file it? 5 • I use my personal email account for work. No one can see my personal email. 5 	
Destruction of Records	6
<ul style="list-style-type: none"> • When can I destroy records? 6 • What does “when administrative value ends” mean? 6 • What does “when reference value ends” mean? 6 • How do I destroy records? 6 • How can I destroy records if they are not listed on my schedule? 6 	
Historical Records & Transfers to University Archives.....	7
<ul style="list-style-type: none"> • What do I do with permanent records and records with historic value? 7 • Aren’t all of our old records at the University Archives? 7 • I have found some really old records. What should I do with them? 7 • Can I give my old records to the historical society or public library? 7 • When and how do I transfer records to the University Archives? 7 	
Disaster Recovery	7
<ul style="list-style-type: none"> • What should I do in case of fire or flood? 7 • What help do you give in case of an emergency? 7 	
Records Management Training	8
<ul style="list-style-type: none"> • What types of workshops or training do you offer? 8 • Will you design a workshop especially for our office? 8 • Is there a fee for workshops? 8 	
For More Information	8
Approvals/Signatures	9
Records Series	11

**Managing Records at
The University of North Carolina
At Chapel Hill
UNIVERSITY ARCHIVES AND RECORDS SERVICE**

SCHEDULE INFORMATION:

Q. *What is a “records retention and disposition schedule?”*

- A.** A records schedule is a tool for the employees of the University of North Carolina at Chapel Hill to use when managing the records of the university. It lists records found in an office and gives an assessment of their value by indicating when (and if) those records should be destroyed. The schedule is also an agreement between the office, the University Archives and Records Service (UARS) and the North Carolina Department of Cultural Resources (DCR).

This schedule serves as the inventory and schedule that the Department of Cultural Resources is directed by North Carolina General Statutes §121-5 (c) and §132-8 to provide. It supersedes all previous editions, including all amendments.

Q. *Why do I need a schedule?*

- A.** According to G.S. §121-5 and G.S. §132-3, you may destroy public records only with the consent of DCR. DCR has an agreement with UARS to provide records management services to the University of North Carolina at Chapel Hill. This schedule is the primary way DCR gives consent through UARS for the destruction of university records. Without an approved schedule, your office cannot destroy *any* record, no matter how insignificant.
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Q. *I do not have records.*

- A.** Nearly every university office generates, receives, or uses records. Computer files of any kind, including drafts and email, are public records. Even if your records are not the official or final versions, your records are public records. Not all records have great historical, legal, or fiscal value, but they all must be managed according to a records retention and disposition schedule.
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Q. *What is a “legal hold” or “litigation hold” on records and when does it apply?*

- A.** Records that are subject to a legal hold or litigation hold must not be destroyed until officially released from the hold. A hold is placed when either an official discovery order is served on the university requesting the production of certain records (for a litigation, regulatory investigation, audit, open records request, etc.), or when litigation is pending and the university is on notice to preserve all potentially relevant records. You must ensure that for a claim or litigation that is reasonably foreseeable but has not yet been initiated, any relevant records (in paper or electronic formats) are preserved and not destroyed until released by the University Counsel. The records in question must not be destroyed until the completion of the action and the resolution of all issues that arise from it regardless of the retention period set forth in the schedule. If you have any questions contact the University Counsel.
-

Q. *What does “REFERENCE” mean?*

- A.** A reference copy is usually a record that your office has for its own use and is not the original or official copy for the entire university. As an example, many academic departments maintain copies of student records (transcripts, applications, etc.); however, the official record keeper for these records is the University Registrar. Since the academic department needs these records for their own use – or reference use – they are listed in the schedule as “REFERENCE.” Reference copies have different retention periods based upon their designation as a reference copy.

Q. What if I have two records series with the same name in my schedule – an official and a “REFERENCE”?

- A. It is possible for an office to have official or record copies and reference copies of the same records series. A records series is a group of related records (in any format) held by an organization. An example would be *Committee and Council Records*. The official records of a committee are maintained by the chair of the committee. If your office has someone who is the chair of a committee, their records are the official/record copy and would follow that series in your schedule. However, if that person is a member of a committee (not the chair) those records would be reference copies and should follow the reference series in your schedule.

NORTH CAROLINA GENERAL STATUTE. 132 PUBLIC RECORDS ACT

Q. What are “public records”?

- A. The *General Statutes of North Carolina*, Chapter §132, provides this definition of public records:

"Public record" or "public records" shall mean all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data- processing records, artifacts, or other documentary material, regardless of physical form or characteristics, **made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions.** Agency of North Carolina government or its subdivisions shall mean and include every public office, public officer or official (state or local, elected or appointed), institution, board, commission, bureau, council, department, authority or other unit of government of the State or of any county, unit, special district or other political subdivision of government.

Q. Can anyone see my records?

- A. Yes, except as restricted by specific provisions in state or federal law, anyone may consult public records. G.S. §132-6 instructs:

Every custodian of public records shall permit any record in the custodian's custody to be inspected and examined at reasonable times and under reasonable supervision by any person, and shall, as promptly as possible, furnish copies thereof upon payment of any fees as may be prescribed by law. ... No person requesting to inspect and examine public records, or to obtain copies thereof, shall be required to disclose the purpose or motive for the request.

Q. What about my confidential records?

- A. Not all university records are open to public inspection. Exceptions to the access requirements in G.S. §132-6 and the definition of public records in G.S. §132-1 are found throughout the North Carolina General Statutes. We have added RESTRICTED ACCESS notations and confidentiality statements indicating the laws which restrict review of specific records series. Please note that as laws are constantly changing, some records series not listed as confidential may become confidential and others may be opened to inspection. You are responsible for knowing what records are confidential. Feel free to contact the University Records Manager (962-6402 or recman@unc.edu) or University Counsel with questions about confidential records.

Q. What are the most common laws cited at UNC-CH for confidential records?

- A. There are three laws which cover confidentiality of many records series held at UNC-CH.
- Family Educational Rights and Privacy Act of 1974 (FERPA – 20 U.S.C. 1232g) protects access to student records.
 - Health Information Portability Protection Act of 1996 (HIPPA) protects access to individual medical records.
 - NC General Statute 121 (Personnel Act) protects access to certain personnel records. It is important to note that current salary, and date and amount of last salary increase is not confidential under G.S. 121.

Q. Do I have to make drafts awaiting approval available to the public?

A. Yes. Any record that is not confidential by law must be provided when a request is received, whether it is “finished” or not.

Q. Can I store our unused records in such places as the basement, attic, outdoor shed, or other off-site location?

A. Public records are public property. While we encourage offices to find places to store records that do not take up too much valuable office space, the selected space should be dry, secured, and free from pests and mold. Your office must ensure that records stored away from your main office area are well protected from natural and man-made problems while remaining readily available to your staff and the public.

Q. Our old records are stored in the basement, the attic or an off-site building. Do we have to honor requests to see them?

A. Yes, as long as the records are not confidential by law. You should also be aware that confidentiality can expire.

ELECTRONIC RECORDS & SCANNING:

Q. Are the documents and other records on my computer also “public records?”

A. Yes, G.S. 132-1 points out that any record generated in the conduct of the university’s business is a public record, “regardless of physical form or characteristics.”

Q. Computer storage is cheap. I’ll just keep my computer records.

A. The best practice is to destroy all records that have met their retention requirements at the same time, regardless of format. Records in paper and electronic formats that have met their retention period but continue to be kept are still subject to public inspection and litigation/legal holds.

Q. We have an imaging system. Do we have to keep the paper?

A. No, however:

1. Permanent records must have a preservation copy as defined by G.S. §132-8.2:

Preservation duplicates shall be durable, accurate, complete and clear, and such duplicates made by a photographic, photo static, 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. ...
Such preservation duplicates shall be preserved in the place and manner of safekeeping prescribed by the Department of Cultural Resources.

The preservation duplicate of permanent records must be either on paper or microfilm.

2. Non-permanent records may be retained in any format. You will have to take precautions with records that you must keep more than 10 years. Computer systems do not have long life cycles. Each time you change computer systems, you will have to convert all records to the new system so that you can assure their preservation and provide access.

You may want to attend out workshop on Digital Imaging Systems to learn about the best practices for scanning and retaining scanned documents. It is also important to remember that scanned records also need to be deleted once they have met their retention period.

Q. Why do you still recommend microfilm?

- A. Microfilm is a legally acceptable replacement for original records, as outlined in G.S. §8-45 and §153A-436. The Department of Cultural Resources has a publication, *Micrographics: Technical and Legal Procedures*, linked from our website. It explains the four groups of national standards for the production of archival quality microfilm:
- manufacture of raw film
 - filming methods
 - processing (developing) film
 - storage methods

Microfilm has a proven long lifespan (100+ years) and can be read with nothing more sophisticated than a magnifying glass and light source. There is no software to keep current. Usually, deterioration in the film itself can be detected by visual inspection.

EMAIL:

Q. When can I delete my email?

- A. Electronic mail is just as much a record as any traditional paper record and must be treated in the same way. It is the content of each message that is important. If a particular message would have been filed as a paper memo, it should still be filed (either in your email program or in your regular directory structure), and it should be retained the same length of time as its paper counterpart. It is inappropriate to destroy email simply because storage limits have been reached. Review your schedule for the types of records in your email and follow the disposition instructions. Electronic records are not currently being accepted for transfer to the University Archives, so any email that should be transferred should be printed and transferred in paper format.

Three publications will be particularly helpful and can be found on our website:

- *E-Mail as a Public Record in North Carolina: Guidelines for its Retention and Disposition*
- *E-Mail User Guidelines Checklist*
- *North Carolina Public Records with Short-Term Value: Guidelines for their Retention and Disposition*

You may want to attend our workshop, "Email Management at UNC-CH," for more information about how to properly manage your email.

Q. Do I have to print my email to file it?

- A. If the email is not part of a records series that will be transferred to the University Archives, you may elect to keep it in electronic format. Any email that should be transferred to the University Archives should be printed with header information and transferred in paper format.

Q. I use my personal email account for work. No one can see my personal email.

- A. The best practice is to avoid using personal resources, including private email accounts, for public business. G.S. §132-1 states that records "made or received pursuant to law or ordinance *in connection with the transaction of public business* by any agency of North Carolina government or its subdivisions" are public records (emphasis added). The fact that public records reside in a personal email account is irrelevant. Likewise, you should limit the use of a public (UNC System) email account for personal email.

DESTRUCTION OF RECORDS:

Q. *When can I destroy records?*

- A. Each records series listed on your schedule has specific disposition instructions that indicate how long that series must be kept in your office.
-

Q. *What does “when administrative value ends” mean?*

- A. In your schedule a disposition which states “when administrative value ends” means that you can dispose of these records when your office has no administrative need or the records are no longer required to perform the duties of your office.
-

Q. *What does “when reference value ends” mean?*

- A. In your schedule a disposition which states “when reference value ends” means you can dispose of these records when your office has no further need of them for administrative or reference purposes.
-

Q. *How do I destroy records?*

- A. After your office has an approved records retention and disposition schedule, records should be destroyed in one of the following ways:
- a) burned, unless prohibited by local ordinance;
 - b) shredded, or torn up so as to destroy the record content of the documents or material concerned;
 - c) placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned;
 - d) buried under such conditions that the record nature of the documents or materials will be terminated;
 - e) sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold as documents or records.
— N.C. Administrative Code, Title 7, Chapter 4, Subchapter M, Section .0510

Confidential records should be destroyed in a secure manner so that the information contained in them cannot be used. You should confirm with any destruction service that confidential records are being properly destroyed.

UNC-CH Office of Waste Reduction and Recycling has confidential recycling services that meet the guidelines listed above. More information can be obtained about their services at:
<http://www.fac.unc.edu/WasteReduction/Recyclables/cpr.asp>.

Q. *How can I destroy records if they are not listed on my schedule?*

- A. Contact the University Records Manager (2-6402) or email: recman@unc.edu. We will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will work with you to revise your records schedule so that you can continue to destroy the records appropriately.

HISTORICAL RECORDS & TRANSFERS TO UNIVERSITY ARCHIVES:

Q. *What do I do with permanent records and records with historic value?*

- A.** Permanent records should be retained by the university forever. Some records will remain in the office of creation and must have a preservation duplicate, which is either a paper or microfilm copy. In some cases, permanent records should be transferred to the University Archives. Your schedule will indicate when a records series should be transferred. If you cannot maintain a permanent record in your office, please contact University Archives and Records Service for an evaluation of the records series for transfer.
-

Q. *Aren't all of our old records at the University Archives?*

- A.** Probably not. The University Archives accepts transfers of records series as listed in your schedule. We then review, organize and sort the transferred records to determine whether they have historical value. Some records that are transferred to the University Archives are not retained and are securely destroyed once they have been reviewed by a trained archivist.
-

Q. *I have found some really old records. What should I do with them?*

- A.** Contact the University Records Manager (2-6402) or recman@unc.edu. We will help you examine the records and assess their historical value and possible transfer to the University Archives.
-

Q. *Can I give my old records to the historical society or public library?*

- A.** University records belong to the university and should not be taken home or given to a historic society or library without the permission of the University Archivist. Please contact the University Records Manager for assistance with transferring records to the University Archives. Records listed as permanent in your schedule must be kept either in your office or at the University Archives.
-

Q. *When and how do I transfer records to the University Archives?*

- A.** You may transfer records to University Archives once the records series has met the retention period listed in your schedule. Follow the instructions on the Records Transfer Form (located on our website, <http://www.lib.unc.edu/mss/uars/>). If you have questions contact the University Records Manager (2-6402) or recman@unc.edu.
-

DISASTER RECOVERY:

Q. *What should I do in case of fire or flood?*

- A.** Secure the area, and keep everyone out until fire or other safety professionals allow entry. Then, call the University Archives and Records Service 962-6402 for advice on how to handle damaged records.
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Q. *What help do you give in case of an emergency?*

- A.** We can assist you in appraising the records that have been damaged so that precious resources (and especially time) are not spent on records with lesser value. We can provide lists of professional recovery vendors that you can contact to preserve your essential and permanent records.

RECORDS MANAGEMENT TRAINING:

Q. *What types of workshops or training do you offer?*

- We offer a series of records management workshops through Human Resources Training and Development. You can sign up for any of these workshops at their website (<https://s4.its.unc.edu/TrainDev/>). We also offer onsite workshops (min. 8 attendees) for individual offices and departments. Contact the University Records Manager for more information about a customized workshop for your specific needs.
Our basic workshops are:
 - *EMAIL MANAGEMENT at UNC-CH*: Includes email as a public record, email deletion, appropriate content for email distribution, handling attachments, and avoiding email clutter.
 - *PILES OF FILES? ORGANIZING YOUR RECORDS*: Learn about strategies for developing a filing system that works for you. Includes information about inventories, analysis of your filing system, organization strategies, and organizing electronic files.
 - *HISTORICAL RECORDS AND UNIVERSITY ARCHIVES*: Learn more about what kinds of records are considered historical from the perspective of University Archives and what should be done to preserve these records. (Workshop only available through Training & Development)
 - *ELECTRONIC RECORDS MANAGEMENT at UNC-CH*: Learn about managing electronic records. Includes overview of the complexities surrounding lifespan of electronic records, how organize your electronic records and issues about long term storage of electronic records.
 - *RECORDS MANAGEMENT at UNC-CH (AN INTRODUCTION)*: Learn about the laws that affect records at UNC. Includes NC Public Records Law, impact of records management on managing paper and electronic records, and how University Archives and Records Service can assist you with your records needs.
 - *PLANNING & IMPLEMENTING A DIGITAL IMAGING PROJECT*: Learn about digital imaging systems. Includes benefits and key concepts of digital imaging; planning process elements; legal, risk management and records management concerns; indexing and labeling; budget issues; technology assessment and selections.
 - *HOW TO CREATE & USE YOUR RECORDS RETENTION SCHEDULE*: Learn about creating a records retention schedule with University Archives and Records Service. Includes developing a records retention schedule, determining appropriate retention periods, and how to use your approved schedule.

Q. *Will you design a workshop especially for our office?*

- A. Yes. Contact the University Records Manager about a specialized workshop for your office. We require a minimum of 8 attendees for onsite workshops.

Q. *Is there a fee for workshops?*

- A. No. University Archives and Records Service provides assistance to UNC-CH and UNC-GA offices free of charge.

FOR MORE INFORMATION:

Q. *Where can I get more information?*

- A. You can contact the University Archives and Records Service at (919) 962-6402, email: recman@unc.edu or via our website (<http://www.lib.unc.edu/mss/uars/>) to obtain more information on records management issues, transfers to University Archives and workshop schedules.

RECORDS RETENTION AND DISPOSITION SCHEDULE

University of North Carolina at Chapel Hill University Advancement Office of University Development

Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

Planned Giving Division

do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The North Carolina Department of Cultural Resources consents to the destruction or other disposition instructions specified in the schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. **Public records, including machine readable records, not listed herein, are not authorized to be destroyed.**

Planned Giving Division

agrees to destroy, transfer or dispose of records in the manner and at the time specified herein. This schedule is to remain in effect until superseded.

APPROVAL RECOMMENDED



Janis G. Holder, University Archivist
University of North Carolina at Chapel Hill



David Brook
Division of Historical Resources

APPROVED



Lisbeth C. Evans, Secretary
N.C. Department of Cultural Resources

Date Approved: 6-22-2007
Schedule # 2221-1158

RECORDS RETENTION AND DISPOSITION SCHEDULE

University of North Carolina at Chapel Hill University Advancement Office of University Development

Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

Planned Giving Division

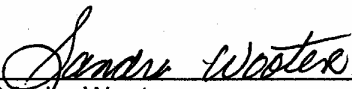
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Planned Giving Division

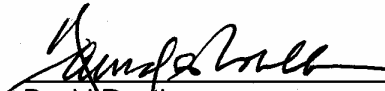
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APPROVALS

For Planned Giving Division (University Development)

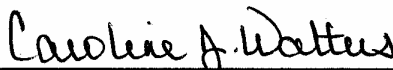


Sandra Wooten
Records Management Liaison




David Routh
Director, Planned Giving

For University Archives and Records Service



Caroline J. Walters
University Records Manager



Janis G. Holder
University Archivist

Approved: _____

RECORDS RETENTION AND DISPOSITION SCHEDULE
University of North Carolina at Chapel Hill
University Advancement
Office of University Development

Schedule 2221-1158
Approved 06-22-2007

Planned Giving Division

- Item 1. Contracts, Agreements, and Leases File.** AutoText 215 (Revised 4-8-2002)
Reference copies of contracts, agreements, and leases created and/or maintained in paper and electronic formats concerning services, facilities, and equipment used by school/department.
- Disposition Instructions:** Erase/destroy in office records in paper and electronic formats 5 years after expiration if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.
- Item 2. Correspondence File.** AutoText 216 (7/19/01)
Reference copies of records created and/or maintained in paper and electronic formats concerning the administration of the office. File includes directives, memorandums, official office correspondence, reports, and other related records.
- Disposition Instructions:** Transfer paper records to the custody of the University Archives after 5 years for appraisal and final disposition. Erase in office electronic records when administrative value ends and after records have been printed and filed into the office's filing system for eventual transfer to the University Archives.
- Item 3. Custodian Investment Reports File.**
Records created and/or maintained in paper and electronic formats concerning performance of investment reports. File includes monthly reports, investment activities, and other related records.
- Disposition Instructions:** Erase/destroy in office records in paper and electronic formats when administrative value ends.
- Item 4. Foundation Tax Returns File.**
Records created and/or maintained in paper and electronic formats concerning tax returns for foundations. File includes correspondence, tax reports, and other related records.
- Disposition Instructions:** Retain in office signed tax returns permanently.
- Item 5. Foundations (Legal) and Administrative File.**
Records created in paper and or electronic formats concerning the establishment and administration of legal matters regarding foundation funds. File includes budget reports, deeds, certification of deposit, contracts, by-laws, articles of incorporation, and other related records.
- Disposition Instructions:** Transfer records in paper format to University Archives after 5 years for appraisal and final disposition. Erase in office electronic records when administrative value ends and after paper records have been printed and filed into paper filing system for eventual transfer to University Archives.

RECORDS RETENTION AND DISPOSITION SCHEDULE
University of North Carolina at Chapel Hill
University Advancement
Office of University Development

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Planned Giving Division

Item 6. Investment Management Reports File.

Reports created and/or managed in paper and electronic formats concerning investment of funds by money managers on behalf of various foundations.

Disposition Instructions: Erase/destroy in office records in paper and electronic formats 3 years after publication of reports.

Item 7. Mailing List File.

Mailing lists created and/or maintained in paper and electronic formats.

Disposition Instructions: Erase/destroy in office records in paper and electronic formats when superseded or obsolete.

Item 8. Major and Planned Gifts File.

Records created and/or maintained in paper and electronic formats concerning major and planned gifts from donors. File includes correspondence, reports, financial records, acceptance policies, legal opinions, and other related records. (Comply with applicable provisions of state and federal law regarding confidentiality of tax payer information.)

Disposition Instructions: Transfer records in paper format to University Archives after 5 years for appraisal and final disposition. Erase in office electronic records when administrative value ends and after paper records have been printed and filed into paper filing system for eventual transfer to University Archives.

Item 9. Planned Gifts File.

Records created and/or maintained in paper and electronic formats concerning the establishment of charitable gift annuities, charitable remainder trusts, and statements of intent to include UNC-CH as a beneficiary under wills, life insurance, employee benefit plans, and trusts. (Comply with applicable provisions of state and federal law regarding confidentiality of tax payer information.)

Disposition Instructions: Erase/destroy in office records in paper and electronic formats when administrative value ends.

Item 10. Policies and Procedures File. AutoText 242 (7/19/01)

Reference copies of policies and procedures created and/or maintained in paper and electronic formats concerning office administration.

Disposition Instructions: Erase/destroy in office records in paper and electronic formats when superseded or obsolete.

RECORDS RETENTION AND DISPOSITION SCHEDULE
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Office of University Development

Schedule 2221-1158
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Planned Giving Division

Item 11. Property/Real Estate File.

Records created and/or maintained in paper and electronic formats concerning property owned, sold, swapped, or ownership transferred to the University. File. Includes leases, deeds, insurance policies, tax evaluations, survey maps, and other related records.

Disposition Instructions: Transfer records in paper format to University Archives when property is disposed of for appraisal and final disposition. Erase in office electronic records when administrative value ends and after paper records have been printed and filed into paper filing system for eventual transfer to University Archives.

Item 12. Publications File. AutoText 245 (1-25-2005)

Documents (such as reports, directories, statistical compendia, bibliographies, map, regulations, newsletters, pamphlets, brochures, periodicals, bulletins, compilations, or registers), created and/or maintained in paper, electronic or any other format, prepared as publications by the University or private organization, consultant, or research firm under contract with or under the supervision of the University. (NOTE: These publications do not include administrative documents used only within the University, or documents produced for instructional purposes that are not intended for sale or publication.)

Disposition Instructions: Transfer ten copies of departmental publications (not for sale) and five copies of departmental publications (for sale) to UNC-CH Publication Services, CB #6200 (962-3761), when received from printers, to be forwarded to the State Documents Clearinghouse, North Carolina State Library in accordance with the General Statutes of North Carolina 125-11.7/11.8. For departmental publications available only on the Web, provide UNC-CH Publication Services with a list of URL's for these publications to be forwarded to the State Documents Clearinghouse, North Carolina State Library in accordance with the General Statutes of North Carolina 125-11.7/11.8. Transfer one copy of each departmental publication to the North Carolina Collection, CB #3930 (962-1172) and retain one copy in the files of the office of origin for eventual transfer to the University Archives when reference value ends.