

Agency Specific Records Retention and Disposition Schedule

The Committee to Approve Retention and Disposition Schedules for Official State Records

Agency Name: Economic Development - Commission on
Economic Development Division
Office

This records retention and disposition schedule supersedes all previous versions.
This agency must also meet the requirements on the *General Records Retention and Disposition Schedules* (NRS 239.080). The most current version is available through the Records Management Program and at:
<http://dmla.clan.lib.nv.us/docs/nsla/records/instruct/genrec.htm>.

Agency Number: 300201

Version Date: 8/27/1986

Title: **Industrial Client Response File**

RDA Number: 86223

Description:

These are files control responses to promotional ads of the office. The file may contain; correspondence, Client Form (green sheet form MK-1, listing informational data on the business responding), and notes. The file is in alphabetical arrangement.

Authorized Retention:

Review annually, disposing of valueless, out dated and duplicated material.

Authorized Disposition:

These records may be disposed of in a normal manner, such as by dumping or recycling.

Legal Citations for Confidential or Sensitive Information:

None.

References:

None.

Title: **Industrial Files**

RDA Number: 86222

Description:

These are files kept on businesses inquiring into possible location or relocation in Nevada, or who actually do so. The record may include; press statements, governors and commission notes, brochures, pamphlets, newsletters, correspondence, booklets, reviews, copies of articles, telegrams, and similar documents.

Authorized Retention:

Review file annually, purging valueless, out dated and duplicated material.

Authorized Disposition:

These records may be disposed of in a normal manner, such as by dumping or recycling.

Legal Citations for Confidential or Sensitive Information:

None.

References:

None.

Title: **Client Files**

RDA Number: 86237

Description:

This file is used as a reference for information concerning film and television producers and companies. The files may include: correspondence, forms for permits, and supportive material.

Authorized Retention:

Review annually, discarding valueless, out-dated, and duplicated material.

Authorized Disposition:

These records may be disposed of in a normal manner, such as by dumping or recycling.

Legal Citations for Confidential or Sensitive Information:

None.

References:

None.

Title: **CDBG Consolidated Plan Files**

RDA Number: 2003086

Description:

This record series is used to document the Federal requirements for a Consolidated Plan for Community Development Block Grants (CDBG) as found in 24 CFR Part 91 [especially 24 CFR 91.305 to 330]. The files may contain: copy of the Consolidated Plan (signed original is sent to HUD), Consolidated Annual Performance Reviews (CAPR's), strategic plan & supporting documentation, action plan & supporting documentation, certifications (see 24 CFR 91.325), correspondence, plan amendments, and other documents as required by 24 CFR 91.305 to 91.330. Note: copies of the Consolidated Plan are sent to the Nevada State Library Publication Distribution Center in accordance with NRS 378.160 to 180.

Authorized Retention:

Retain these records for five (5) year duration of the original signed Consolidated Plan submitted to HUD and then for three (3) calendar years from the end of the calendar year in which the Plan was superseded with a new five-year Plan.

Authorized Disposition:

These records may be disposed of in a normal manner, such as by dumping or recycling.

Legal Citations for Confidential or Sensitive Information:

None.

References:

24 CFR 91.15.

Title: Community Development Block Grant (CDBG) Records

RDA Number: 2003005

Description:

This record series is used to document and control the granting of funds to counties and cities for this CDBG financed through the U.S. Dept. of Housing and Urban Development (HUD) under 42 USC s.3535 (d) and 42 USC s.5301 to 5320 and 24 CFR Part 570, Subpart I (24 CFR 570.480 to 570.497). The files may include copies of: proposals, award notice, narrative & financial reports, budgets and financial (accounting) documents, request for funds, invoices, notes, correspondence and related documents.

Authorized Retention:

Retain for five (5) calendar years from the end of the calendar year in which the grant project was closed out.

Authorized Disposition:

Some of these records may contain confidential (such as the Social Security Number) or sensitive (such as federal; Tax ID Number) information and should be destroyed in a secure manner, such as by shredding (See NAC 239.722).

Legal Citations for Confidential or Sensitive Information:

24 CFR 570.490[c] (2), 26 CFR 301.6109-1, 42 U.S.C. § 405 (c)(2)(C)(viii) [SSN], NRS 205.4617 (Identity Theft), AB 334 (2005 Session) [SSN] and SB 347 (2005 Session) [Personal Identifying Information].

References:

26 CFR 301.6109-1, 24 CFR 570.490 (d), 24 CFR 91.15 (b) (2) and OMB Circular A-133 "Audits of States, Local Governments, and Non-Profit Organizations."

Retention Guidelines.

A Records Retention and Disposition Schedule identifies the minimum time period the listed records must be retained, per NRS 239.080, meaning records disposition must not occur before this time period expires. When the minimum retention period has been met, the recommended disposition of the records, such as destruction or transfer to the State Archives, may be initiated. You are advised to implement regular, routine disposition procedures and not to "selectively retain" some records longer than others. Certain events (i.e., Disposition Holds) may occur that will require a stop to disposition procedures.

Disposition Holds include:**Audits.**

When an audit of your agency is begun, all destruction of records in your legal custody must cease. During the audit process, records should be made available to the auditors subject to confidentiality laws. Upon the completion and resolution of the audit, the agency may begin to dispose of records in accordance with the approved records retention and disposition schedule.

Investigations.

When you are notified by a regulatory authority, a law enforcement agency, a court of record, the governor, the Legislature or other similar oversight entities that an investigation is being conducted, all records must be preserved until the investigation is over. You should consult with your legal counsel and/or the Attorney General's Office for specific advice.

Litigation.

When an agency receives notification that a lawsuit has been filed against (or in behalf of) them, they should immediately consult their legal counsel and/or the Attorney General's Office. All records pertaining to the litigation should be identified, separated from other files and protected. All destruction of records pertaining to the lawsuit must be stopped until the legal action has been resolved. When the litigation has been concluded (your legal counsel can advise you of this), all of the records pertaining to the lawsuit must be retained as required by an Agency Specific Records Retention Schedule or one of the General Records Retention and Disposition Schedules. Your legal counsel may advise you not to destroy any records in the legal custody of the agency until after the disposition of the litigation. You should seek the advice of your legal counsel. Records Management staff are also available for consultation on these issues.

Disposition guidelines.

Most records may be disposed of by normal means, such as recycling or tossing. Some record types are identified on retention schedules as "confidential" (see NRS 239.010) or "restricted" (see NRS 239C.090). These records must be destroyed, per the guidelines identified in NAC 239.722 and, if they are in electronic format, 239.760 (4). However, many other records may contain "sensitive" information that has not been declared by law or regulation to be confidential. Some types of "sensitive" information are described in NRS 205.4617 "Unlawful Acts Regarding Personal Identifying Information." Since serious consequences may result if these records fell into the wrong hands you are advised to destroy these records per the guidelines identified in NAC 239.722 and/or 239.760. If you are in doubt about the sensitivity of certain documents or about an appropriate disposal method, you should contact your legal counsel, the Attorney General's Office, or a records management officer.