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TITLE 100 – DEPARTMENT OF STATE

CHAPTER 50 – PUBLIC RECORDS ADMINISTRATION

SUBCHAPTER 20 – STATE AGENCY RECORDS RETENTION SCHEDULES

PART 2 – STATE COUNCIL ON THE ARTS RECORDS (RISCA)

2.1 Purpose, Authority, Severability, and Destruction

2.1.1 Purpose

To establish the official retention, maintenance, and disposal requirements for a public record based upon any administrative, legal, fiscal, and/or historical value related to that record created or received by an agency, department, division, board, commission, office, or quasi-public corporation under any branch of State or local government which performs functions relating to government, or acts on behalf of a governmental agency, pursuant to law or relating to the transaction of public business.

2.1.2 Authority

This Regulation is promulgated pursuant to the authority granted in R.I. Gen. Laws Title 38 ("Public Records"), including expressly but without limitation R.I. Gen. Laws §§ 38-3-1 et seq.

2.1.3 Severability

If any provision of these Regulations or the application thereof to any Person or circumstances is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations shall not be affected thereby.

2.1.4 Destruction Review Procedure

Government employees should also consult with their administration to determine if any records eligible for destruction may be involved in current, pending, or anticipated litigation, any government investigation or regulatory proceeding, or request under the Access to Public Records Act. (Part 10-2 of this Chapter (Legal Records) and R.I. Gen. Laws Chapter 38-2)

RISCA1 Council Records

RISCA1.1 Meeting Minutes

Accounts of the proceedings of any meeting or sub-committee meeting of the agency. Includes recorded minutes of meetings, agendas and supporting documentation. May include meeting notices.

Retention: Permanent.

Note: Destroy recordings/tapes six months after transcription and approval of minutes or proceedings. If recordings, tapes or notebooks are not transcribed, they must be retained permanently.

RISCA1.2 Public Hearing Files

Documents relating to public hearings held by the agency. Includes agendas, copies of legal advertisement and payment invoices and sign-up sheets/requests to be heard before the committee.

RISCA1.2A Record Copy of Meeting Notice/Legal Advertisement, Agendas, Sign-Up Sheets and Meeting Minutes

Retention: Permanent.

RISCA1.2B Copies of Legal Advertisement and Fiscal Records

Retention: Retain one (1) year after audit.

RISCA1.3 Council Members Resumes

Resumes of the current and former members of the Arts Council.

Retention: Permanent.

RISCA1.4 Council Members Terms of Office

Documents include copies of appointment letters of the Governor, Advice and Consent of the Senate, and Ethic Commission reports.

RISCA1.4A Ethics Commission Reports

Retention: Retain until updated or superseded.

RISCA1.4B All Other Records

Retention: Permanent.

RISCA2 Grant Records

RISCA2.1 Grant Program Files

Records relating to the agency's grant proposals to state or federal agencies or other funding sources, as well as records related to the administration of its own grant programs or programs it administers, such as the public arts program. Records may include, but are not limited to, grant applications and agreements, studies, notices, technical specifications, drawings, plans, bid and contract records, accounting, banking, purchasing, and payroll records, bonds, monitoring and performance reports, expenditure and outlay reports, memoranda, and correspondence.

RISCA2.1A Grant Applications and Amendments, Final Performance, Disposition and Expenditure Reports

Retention: Permanent.

RISCA2.1B Financial and Programmatic Records, Periodic Performance Reports, Supporting Documents, Statistical Records, Other Required and Pertinent Records

Retention: Retain ten (10) years from submission of closeout and final expenditure report or submission of annual financial status report for grants renewed annually.

Note: If any litigation, claim, negotiation, audit or other action has been started before the expiration of the 10-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the 10 year period, whichever is later. Any records related to a contract or liability under seal, or any judgment or decree by a federal or state court, should be retained for twenty years. (R.I. Gen. Laws § 9-1-17)

RISCA2.1C Income Transaction Records (Earning of Income) After Grant Support Where Required by the Terms of the Grant

Retention: Retain ten (10) years from the end of fiscal year in which the income is earned.

Note: If any litigation, claim, negotiation, audit or other action has been started before the expiration of the 10-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the 10 year period, whichever is later. Any records related to a contract or liability under seal, or any judgment or decree by a federal or state court, should be retained for twenty years. (R.I. Gen. Laws § 9-1-17)

RISCA2.1D Unsuccessful Grant Applications

Retention: Retain three (3) years.

Note: If any litigation, claim, negotiation, audit or other action has been started before the expiration of the 10-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the 10 year period, whichever is later. Any records related to a contract or liability under seal, or any judgment or decree by a federal or state court, should be retained for twenty years. (R.I. Gen. Laws § 9-1-17)

RISCA2.2 Special Project and Grant Files

Records relating to in-house projects or statutory grants that are either a periodic or one-time allocation of state grant monies. Types of grants may include, but are not limited to, the State Poet Selection; the Governor's Portrait Commission; Administrative Grants and Director's Grants. Documents include meeting agendas, correspondence, and fiscal records.

Retention: Permanent.

RISCA2.3 Donation and Endowment Records

Records relating to the establishment and administration of endowments, bequests and donations. May record donations made in the memory of an individual, group or corporate body.

Retention: Permanent.

RISCA3 Administration

RISCA3.1 Public Relations Files

Documents relating to the public relations activities of the agency. May include copies of press releases, brochures, announcement postcards and copies of speeches.

RISCA3.1A Press Releases, Brochures, Publications and Speeches

Retention: Retain one copy permanently.

RISCA3.1B Supporting Documentation

Retention: Retain until of no further administrative value.

RISCA3.2 Policy Memos

Documents relating to agency policies. Includes policy memos.

Retention: Permanent.

RISCA3.3 Comprehensive Plan Act File

Reviews by the agency (on Statewide Planning form) of city and town plans that address arts and culture initiatives. May include copies of the municipal plan and correspondence.

Retention: Retain one (1) year after audit.

Note: Record copy kept by the Department of Administration – Statewide Planning.

RISCA3.4 Reports

Internally generated reports including reports and returns to other municipal departments and state agencies.

RISCA3.4A Daily and Weekly Reports

Retention: Retain one (1) year.

Note: Reports required in audit process must be retained one (1) year after audit is completed.

RISCA3.4B Monthly, Quarterly and Periodic Reports

Retention: Retain three (3) years.

RISCA3.4C Annual and Special Reports and Studies

Retention: Permanent.

RISCA3.5 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6, and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).