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TITLE 100 – DEPARTMENT OF STATE

CHAPTER 50 – PUBLIC RECORDS ADMINISTRATION

SUBCHAPTER 20 – STATE AGENCY RECORDS RETENTION SCHEDULES

PART 20 – COMMISSION FOR HUMAN RIGHTS RECORDS (CHR)

20.1 Purpose, Authority, Severability, and Destruction

20.1.1 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.

20.1.2 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.

20.1.3 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.

20.1.4 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)

CHR Commission for Human Rights

CHR1 Commission for Human Rights Meeting Records

Documents relating to Commission meetings, including minutes.

Retention: Permanent.

Note: Arranged chronologically by meeting date.

CHR2 Commission Surveys

Documents relating to various surveys conducted by the Commission. Included are surveys, survey results, correspondence.

Note: Arranged alphabetically by subject.

CHR2A Compilation of Responses, Summaries, Survey Results/Final Reports, and One (1) Copy of the Survey Instrument

Retention: Permanent.

CHR2B All Other Records

Retention: Retain ten (10) years.

CHR3 EEOC Governmental Relations Records

Documentation relating to annual contract with the federal Equal Employment Opportunity Commission (EEOC). Includes annual contract and related correspondence.

Retention: Permanent.

Note: Arranged chronologically.

CHR4 HUD Governmental Relations Records

Documentation relating to annual contract with the federal Housing and Urban Development Dept. (HUD). Includes annual contract and related correspondence.

Retention: Permanent.

Note: Arranged chronologically.

CHR5 Intake Documents (Non-Jurisdictional)

Records relating to intake of complaints found to be outside the Commission's jurisdiction. Includes Intake Questionnaires, supporting documents, correspondence.

Retention: Retain three (3) years.

CHR6 Discrimination Case Files – Active

Individual case files relating to charges of discrimination in employment, housing, public accommodations, and credit. Includes intake documents (CHR5 (Intake Documents (Non-Jurisdictional))), and charges/amended charges, position statements and rebuttals, evidentiary materials, conference notes, recommendations, rulings.

Retention: Transfer to Closed Case Files (CHR7 (Discrimination Case Files – Closed)) upon closure.

Note: Arranged numerically by case number.

CHR7 Discrimination Case Files – Closed

Records same as CHR6 (Discrimination Case Files – Active), but including closure documents such as settlements, decisions/orders.

Note: Arranged numerically by case number.

CHR7A Landmark or Policy Setting Cases

Retention: Permanent.

CHR7B All Other Cases

Retention: Retain entire case file seven (7) years after Commission closure, unless case is on appeal, in which case retain seven (7) years after final decision on appeal.

CHR8 Discrimination Case Files – Stayed

Cases that have been stayed due to circumstances such as receivership or liquidation. Records same as CHR6 (Discrimination Case Files – Active), but including such as Order of Liquidation, court orders, copies of relevant statutes.

Retention: Retain entire case file seven (7) years after court closure/final decision/end of litigation.

Note: Arranged numerically by case number.

CHR9 Discrimination Decisions/Orders

Decisions/Orders issued by the Commission.

Retention: Permanent.

Note: Arranged chronologically by decision date.

CHR10 Discrimination Case File Index

Index card system documenting each case file with the Commission. Includes case numbers, names of parties, and filing date.

Retention: Permanent.

Note: Arranged numerically by case number.

CHR11 Suits Against the Commission

Documents relating to suits filed against the Commission for Human Rights.

Retention: Retain seven (7) years after end of litigation.

CHR12 Letters of Complaint

Documents relating to complaints against the Commission, processes/procedures, agency employees.

Retention: Retain seven (7) years after end of litigation or last action.

CHR13 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 his and other applicable 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).