

TITLE 100 – DEPARTMENT OF STATE

CHAPTER 50 – PUBLIC RECORDS ADMINISTRATION

SUBCHAPTER 40 – LOCAL GOVERNMENT RECORDS RETENTION SCHEDULES

PART 4 – MUNICIPAL BOARD, COMMISSION, COMMITTEE, AND COUNCIL MEETING RECORDS (LG4)

4.1 Purpose, Authority, Severability, and Destruction

4.1.1 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.

4.1.2 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.

4.1.3 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.

4.1.4 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)

LG4.1 Meetings and Hearings

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Accounts of the proceedings and actions of any board, commission, committee, or council. Included are Council Meetings, Commission Meetings, Committee Meetings, Board Meetings, Business Meetings, Financial Town Meetings, School Committee/Board Meetings, Special Meetings, Task Forces, Work Sessions, Meetings of Municipal Quasi-Public Agencies and Fire/Water Districts, Executive Sessions and Hearings. Includes minutes, transcripts, recordings, and notes. Also includes council packets assembled for a meeting. May include notices of meetings, warrants, agendas, meeting dockets, roll call, copies of official minutes, claims, correspondence, complaints, licenses, applications, bids, blueprints, petitions, waivers, reports, legal opinions, financial studies, budgets, election certificates, tallies and returns, declarations, recommendations, special local legislation, amendments to council rules, ordinances and resolutions, background papers, staff reports and supporting documentation.

Note: Formerly LG4.1.1 through LG4.1.11.

LG4.1A Town and City Council Meetings

Accounts of the proceedings and actions of the municipal council.

Retention: Permanent. Microfilm annually and store master film offsite. Weed duplicative materials (previously identified in approved municipal or general records control schedules) from the council packets excepting unique supporting records and those records specifically created for the meeting.

LG4.1B All Other Meetings

All other meetings of municipal boards, municipal quasi-public agencies, commissions, committees and councils including hearings, executive sessions, business meetings, special meetings, financial town meetings and school board/committee meetings.

Retention: Permanent.

LG4.1C Recordings

Recordings (audio or video) of meetings and/or hearings (that provide verbatim account of proceedings) created for the purposes of creating the minutes and/or transcription of the meeting.

Retention: Retain six (6) months after verbatim transcription and approval of minutes or proceedings or retain five (5) years if recordings are not transcribed. Retain transcripts permanently.

Note: Retain tapes permanently (unless transcribed) of proceedings, debate or actions of municipal boards, commissions, committees, or councils that document significant or landmark issues.

LG4.1D Stenographers' Tapes and Notebooks

Retention: Retain six (6) months after verbatim transcription and approval of minutes or proceedings or retain five (5) years if recordings are not transcribed. Retain transcripts permanently. For Zoning Boards of Review, retain stenographic records or sound recordings until transcribed or until all time for appeals is exhausted plus six (6) months (R.I. Gen. Laws § 45-24-61 and 45-24-69). Retain transcripts permanently. For Boards of Canvassers, any stenographic records taken per R.I. Gen. Laws §17-10-6 (Evidence given at final canvass), retain permanently.

LG4.1E Meeting Notes

Working notes of the clerk of the council, committee, board, or commission that are used only as an aid to the preparation of the minutes.

Retention: Retain until meeting minutes approved. No notification required.

LG4.1F Recordings for Public Broadcast

Video or digital images created of the proceedings of any municipal boards, commission, committee, or council and used for public broadcast.

Retention: Retain three (3) years.

Note: Retain tapes permanently (unless transcribed) of proceedings, debate or actions of municipal boards, commissions, committees, or councils that document significant or landmark issues.

LG4.2 Regulatory Matters

Includes local legislation in which the municipality has an interest or has been involved.

LG4.2.1 Ordinances: Adopted

May include lists of all ordinances, ordinance number and ultimate decision

Retention: Permanent. Microfilm annually and store master film offsite.

Note: Maintain certified copy of all official ordinances in a separate ordinance file.

LG4.2.2 Ordinances: Not Adopted

May include lists of all proposed ordinances, the proposer (e.g. department, boards, ward, councilor), ordinance number and ultimate decision (e.g. adopted, changed, withdrawn in committee indefinitely).

Retention: Retain ten (10) years, then review.

LG4.2.3 Resolutions: Adopted

May include lists of all resolutions, resolution number and ultimate decision.

Retention: Permanent. Microfilm annually and store master film offsite.

Note: Maintain certified copy of all official resolutions in a separate ordinance file.

LG4.2.4 Resolutions: Not Adopted

May include lists of all proposed resolutions, the proposer (e.g. department, boards, ward, councilor), resolution number and ultimate decision (e.g. adopted, changed, withdrawn in committee indefinitely).

Retention: Retain ten (10) years, then review.

LG4.2.5 Local Rules and Regulations: Adopted

May include sets of rules and regulations that govern a particular aspect of municipal development on the local level.

Retention: Permanent.

LG4.2.6 Local Rules and Regulations: Not Adopted

May include sets of rules and regulations that govern a particular aspect of municipal development on the local level.

Retention: Retain ten (10) years then review.

LG4.2.7 State Legislation: Proposed

May include local constituency requests to amend or change existing state laws.

Retention: Retain ten (10) years then review.

LG4.2.8 Notifications

Notifications sent to taxpayers, abutters, and citizens relative to proceedings before any municipal board, commission, committee, or council. May include certified mail receipts and returned mail.

Retention: Retain seven (7) years.

LG4.2.9 Registered/Certified Mail Logbook

Log used to document all certified and registered mailings relative to LG4.2.8 (Notifications).

Retention: Retain seven (7) years from last entry.

LG4.3 Appointments

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Records include lists of boards, commissions, committees or councils, and notices of appointment. May include but is not limited to lists of members with terms and dates of appointment, applications for

appointment, resumes, Certificates of Engagement, and code or executive order establishing the local board, commission, committee or council.

LG4.3A Unsuccessful Applications and Corresponding Resumes If Submitted

Retention: Retain three (3) years.

LG4.3B All Other Records

Retention: Permanent.

LG4.4 Correspondence

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Often referred to as general correspondence or general administrative files.

Note: Formerly LG4.4.1 through LG4.4.2.

LG4.4A Correspondence – Routine Nature

Retention: Retain one (1) year.

LG4.4B Correspondence – Special

Retention: Retain three (3) years.

LG4.5 Certificates of Records Destruction

LG4.5 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by 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 schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6, and 42-8.1-10)

Retention: Permanent.

Note: Formerly LG4.4.3.

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

LG4.6 Rhode Island Juvenile Hearing Board Records

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Juvenile Hearing Boards (JHBs) are a community-based alternative to the juvenile justice system. Hearing board members work with juveniles and parents/guardians to agree on community-based solutions and sanctions for committed low-level offenses (misdemeanors). Hearings and subsequent records created are closed to the public, minutes are not taken, and hearings are not subject to the Open Meetings Act (R.I. Gen. Laws § 42-46-5(a)(8)) due to confidentiality requirements. Records may include but are not limited to meeting notices, copies of police reports, copies of witness statements, copies of relative school records, information on diversion resources, referrals, correspondence, notes, statistics, and records documenting consent, notice of sanctions, disposition, and completion of community-based requirements. JHB annual statistics report is forwarded to the Juvenile Services Department of the Family Court per R.I. Gen. Laws § 8-10-23.1 for reporting of statistical outcomes.

LG4.6A Juvenile Hearing Files

Retention: Retain three (3) year after follow-up and/or resolution.

Note: JHB chair or designated member shall shred paper records and delete all digital files, including email, following the submission of a Certification of Records Destruction (CRD) to the Secretary of State/State Archives and receiving permission to destroy requested files.

LG4.6B Juvenile Hearing Board Annual Reports

Retention: Retain one copy permanently.

LG4.6C Reference Materials

Diversion Resources, referrals etc.

Retention: Retain until of no further administrative value.

Note: Store paper and digital files in a secure manner (such as a locked cabinet and/or password protected files and folders) to prevent accidental access and disclosure.

See Also: GRS5.11 (Reference Material). For
disposition of the juvenile arrest record,
see LG6.8.3 (Juvenile Arrest Files).