



# POLICY STATEMENT

Policy Statement 1003

Policy Area: General Counsel

Effective Date: FEB 27 2009

Approved

Adrienne Poteat, Acting Director

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## RECORDS MANAGEMENT

### I. COVERAGE

This Policy Statement provides guidance to employees of the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA or Agency) on the creation, maintenance, use, and disposition of Agency records and other documentary material. This Policy Statement does not apply to the District of Columbia Pretrial Services Agency.

### II. BACKGROUND

Records are a basic component of the Agency's information resources. Records protect the legal, financial, and other rights of the government and its citizens and ensure continuity and consistency in Agency administration. Because all Agency staff are involved in creating, maintaining, or using Agency records, it is important that everyone understands his or her records management responsibilities.

According to law (44 U.S.C. § 3301), federal records are defined as: "...documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States government under federal law or in connection with the transaction of public business and preserved or appropriate for preservation ... as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the government or because of the informational value of the data in them." Records may be created by Agency employees or may be received by Agency employees from contractors or other individuals or organizations for use in Agency business.

The National Archives and Records Administration (NARA) and the General Services Administration share statutory responsibilities for the Federal Records Management Program. Under this program, each federal agency must issue a directive establishing program objectives, responsibilities, authorities, standards, guidelines, and instructions for a records management program.

Section III of this Policy Statement serves to inform staff of the Agency's records management program objectives. References and/or links to the various federal statutes, regulations, and policies which govern records management are contained in Section IV. The procedures attached to this Policy Statement serve to inform staff of specific records management responsibilities and instructions (see Appendix A).

### **III. POLICY**

Agency employees, by virtue of following pertinent Agency policy and procedures, shall create or receive records that are sufficient to document the organization, functions, policies, decisions, procedures, and essential transactions of the Agency.

Agency offices shall maintain a centralized list and description of the records in use by the office, including electronic recordkeeping systems.

Agency records are to be maintained so that they are separated from non-record materials and personal papers, properly preserved, and can be accessed easily.

Agency records are to be listed and described in approved records schedules and be disposed of only as authorized by that schedule.

Agency records are the property of the federal government, not the property of individual employees. Agency records may not be removed from the Agency without proper authority and the approval of the employee's supervisor.

Agency records which are no longer sufficiently active to warrant retention in office space should be removed and forwarded to a federal or other approved records center for storage.

### **IV. AUTHORITIES, SUPERSEDURES, REFERENCES, AND ATTACHMENTS**

#### **A. Authorities**

- 18 U.S.C. 2071(b) (Fines and Penalties)
- 44 U.S.C. Chapter 31 (Records Management by Federal Agencies)
- 44 U.S.C. Chapter 33 (Disposal of Records)
- 36 C.F.R. Parts 1220 to 1238 (Records Management)
- 41 C.F.R. Parts 201-6 to 201-11 (Records Management)
- 48 C.F.R. Chapter 1 (Federal Acquisition Regulations System)
- OMB Circular A-130 (Management of Federal Information Resources)

#### **B. Supersedures**

None.

C. Procedural References

CSOSA's Continuity of Operations Programs

PS 2053 Automated Agency Email Archiving Policy

HRD 410.7 External Training and Conferences for Office of the Director

CSS Procedure: Training Request Guidance to Branch Chiefs (April 26, 2004)

Documenting Your Public Service, a NARA publication, may be found at  
[http://www.archives.gov/records\\_management/publications/documenting\\_your\\_public\\_service.html](http://www.archives.gov/records_management/publications/documenting_your_public_service.html)

General Records Schedules may be found at  
<http://www.archives.gov/records-mgmt/ardor/records-schedules.html>

D. Attachments

Appendix A. General Procedures

Appendix B. File Plan Form

Appendix C. Transferring Records to a Federal Records Center

Appendix D. Standard Form 115, Request for Records Disposition Authority

Appendix E. Standard Form 135, Records Transmittal and Receipt

## **APPENDIX A GENERAL PROCEDURES**

### **A. Responsibilities**

1. Agency employees must create or receive records sufficient to document their activities, maintain official Agency records separately from personal files and other nonrecord materials, and follow the retention and disposition guidance specified in the schedules and office recordkeeping requirements. Employees may not destroy or remove records except in accordance with a General Records Schedule or a NARA-approved schedule.
2. Managers or supervisors have the additional responsibility for the overall documentation of the activities of their program or unit. They must ensure that:
  - Records are being created, maintained, and used by their program or unit (including records being creating for Agency use by contractors) according to federal regulations and Agency policy.
  - Written procedures are in place to ensure that records are protected from theft, loss, and unauthorized access (e.g., securing offender files and other confidential records and removing them from desk tops and plain view).
  - Written procedures are in place for expunging, setting aside, and sealing records.
  - Custodians and file stations are identified for all records.
  - Inactive records are transferred or disposed of according to the appropriate schedule.
  - The Records Manager is notified of organization or program changes that will result in the establishment of new types of records, the transfer or termination of records no longer required, or an increase or decrease in the retention time of the records.
3. The Agency's Records Manager (a position within the Office of the General Counsel) is responsible for:
  - Developing Agency records management policy, procedures, guidance, and training materials.
  - Inventorying and scheduling Agency records.
  - Coordinating the approval of Agency records disposition schedules.
  - Coordinating the transfer of Agency records to federal records centers or approved records storage facilities.
  - Reviewing records disposition schedules and submitting the schedules for approval by NARA.
  - Reviewing file plans and procedures prepared for approval by Agency managers and/or supervisors.
  - Serving as the Agency's Vital Records Officer.

4. The Agency's Chief Information Officer is responsible for ensuring that electronic applications adopted for use by the Agency include appropriate records management capabilities.
5. The Agency's Records Management and Information Standards and Compliance (RISC) Competency Center is responsible for monitoring the Agency's compliance with federal requirements and standards pertaining to electronic, non-electronic and information management

#### B. Records Creation and Maintenance

1. Agency employees must create and maintain adequate and proper documentation for the program or cases for which they are responsible in accordance with pertinent Agency policies and procedures.
2. Program Office managers shall ensure that Statements of Work prepared for their offices shall specify the delivery of necessary records and data in accordance with 36 CFR 1222.48 and the Federal Acquisition Regulation.
3. Records may vary in their physical form or characteristics. Records may be paper-based, electronic, audiovisual, or based on other media. For example, records pertinent to the case management of a defendant or an offender may consist of paper forms and progress notes, photographs, and entries in database systems.
4. Email is not meant for indefinite storing of information or documents. Email used for documenting business activities are to be incorporated into an appropriate record file.

#### C. Records Filing

1. Each Agency component must establish a file plan for records created for its use. File plans ensure that duplicative or nonrecord materials (see Section D) are not needlessly maintained.
2. The file plan (see Appendix B for the form) identifies: the records to be created and/or maintained by the component; staff or staff positions creating or maintaining the records; the location of the records; the methods of organizing and accessing the records; and the disposition schedule for the records.
3. Operating units shall strive to standardize file arrangement systems and filing procedures and techniques. These shall be designed to enhance the current use of the files, the preservation of archival records, and the prompt and systematic disposition of temporary records according to the appropriate records schedule.

4. The Records Manager shall conduct a review of the Agency's file plans at least once every two (2) years and shall report the findings, including any recommendations for change, to the appropriate Associate Director for consideration.
5. Associate Directors shall ensure that the file plans and disposition schedules for their component records are current and adequate.

#### D. Nonrecord Materials and Personal Papers

1. Nonrecord materials are those federally-owned informational materials that do not meet the statutory definition of records (44 U.S.C. § 3301) or that have been excluded from coverage by the statutory definition. Excluded materials are extra copies of documents kept only for reference, stocks of publications and processed documents, and library or museum materials intended solely for reference or exhibit.
2. Items in the nonrecord category include:
  - Working papers that do not represent significant steps in the preparation of the record copy of official documentation.
  - Information copies of correspondence, directives, forms, and other documents on which no administrative action is taken.
  - Routing slips and transmittal sheets adding no information to that contained in the transmitted material.
  - Tickler, follow-up, or suspense copies of correspondence, provided they are extra copies of the originals.
  - Duplicate copies of documents maintained in the same file.
  - Extra copies of printed or processed materials for which complete record sets exist, such as current and superseded manuals maintained outside the office responsible for maintaining the record set.
  - Catalogs, trade journals, and other publications that are received from other government agencies, commercial firms, or private institutions and that require no action and are not part of a case on which action is taken.
  - Physical exhibits, artifacts, and other material objects lacking evidential value.
3. Nonrecord materials are not to be filed together with records and are to be destroyed when no longer needed for reference.
4. *Personal papers (or personal files)* are those documentary materials maintained in federal offices that belong to an individual because they relate solely to an individual's own affairs (e.g., files relating to political activities, personal and family matters, or social or civic activities) or are used exclusively for that individual's convenience and were not used in the transaction of government business or are indirectly related to agency business but outside the scope of the definition of federal records (i.e., not used to conduct government business).

Personal files are to be maintained separately from the records of the Agency. Proper identification of personal papers is most important for the Agency's senior executives. Traditionally, senior executive personal files have included the following categories of material:

- business or professional files created before entering government service, files created during or relating to previously held positions, political materials, and reference files.
- private files brought into, created, or received in the office; family and personal correspondence; and materials documenting professional activities and outside business or political pursuits, including manuscripts and drafts for articles and books and volunteer and community service records that are considered personal, even if created or received while in office, because they do not relate to agency business.
- work-related personal files including diaries, journals, notes, and personal calendars and appointment schedules; though work-related, they may be personal if they are used only as reminders and personal observations on work-related topics, not for the transaction of government business.

The last category is the most difficult to distinguish from records because of its work-related content. Additional guidance is available in the NARA publication "Documenting Your Public Service" (see Section IV.C of this Policy Statement for the URL address for this publication).

5. Any question about the status of material as either a record, a nonrecord, or a personal paper must be referred to the Records Manager who is responsible for consulting with the General Counsel and with NARA.

#### E. Safeguarding Records

1. Agency employees having custody or control over records or other nonrecord material are responsible to ensure their proper use and protection. Employees shall not allow Agency records or nonrecord materials to leave the custody or control of the Agency, even on a temporary basis, other than as authorized by Agency policy and procedures (for example, Disclosure of Records or Research and Evaluation).
2. Records and nonrecord materials are the property of the federal government, not the property of individual employees. Records are to be used to conduct Agency business in accordance with Agency policy and procedures. Records may not be removed from the Agency without proper authority and/or the approval of the employee's supervisor. All officers and employees shall maintain records and nonrecord materials separately from one another.

3. The concealment, mutilation, obliteration, falsification, or unauthorized removal or destruction of federal records is against the law and may lead to a fine and/or up to three years imprisonment, and possible forfeiture of the employee's position and disqualification from holding any other federal office (18 U.S.C. § 2071(b)).
4. Employees are required to report any apparent instances of unauthorized disposition (for example, unlawful or accidental removal, defacing, alteration, or destruction of Agency records) to their immediate supervisor, or, in the absence of the immediate supervisor, to the next level of supervision. The supervisor shall refer such reports with any pertinent comment to the Agency's Records Manager who shall make appropriate referrals to the Agency's Office of Professional Responsibility. The Director of the Office of Professional Responsibility shall make appropriate notifications regarding these reports to the Director, Associate Directors, the National Archives and Records Administration, and to the Department of Justice.
5. The Agency's vital records are to be identified and maintained in accordance with the Agency's Continuity of Operations Programs.

#### F. Records Scheduling and Disposition

1. Records are classified as either permanent records or temporary records.
  - Permanent Records. These are sufficiently valuable for historical or other purposes to warrant continued preservation. The administrative record (that is, documentation of the development and approval) for agency policies and procedures is an example of a permanent record.
  - Temporary Records. These records are used for agency business for a fixed period of time or until the occurrence of a particular event. The time is identified in a records disposition schedule and may range from a few months to many years. For example, offender case files have been assigned a disposition date of twenty (20) years after the close of supervision. Most Agency records are temporary records.
2. Schedules are to be initiated by the responsible program official through a Standard Form 115, "Request for Records Disposition Authority" (see Appendix D) to be submitted to the Agency's Records Manager for review and approval. The Agency's Records Manager is responsible for submitting approved SF 115s to NARA.
3. NARA has issued General Records Schedules (GRS) for many administrative records common to most federal agencies. See Section IV.C of this Policy Statement for the URL address for the GRS. The disposition instructions in the GRS are mandatory and must be adhered to unless an exception is approved by the Archivist of the United States on an SF 115.

4. The disposition instructions in operating unit record schedules are mandatory. Employees may not dispose of records prior to their authorized disposal date or retain them beyond that date. If a program official determines that records need to be retained longer than authorized by the schedule, the Agency's Records Manager shall be contacted to obtain approval from NARA and, if necessary, to revise the schedule. Records whose authorized retention periods have expired therefore are to be promptly disposed of in accordance with 36 CFR 1228.58, usually by destruction (records may be destroyed by burning, pulping, shredding, macerating, or other suitable means).

#### G. Records Transfer

1. Records that are no longer needed in the office but which are not yet eligible for final disposition should be timely and systematically transferred to a designated records storage site. NARA operates a network of federal records centers for the storage of such records.
2. Procedures for transferring records are well established and relatively simple. Failure to adhere precisely to them may result in extensive reboxing or return of the records from the federal records center. See Appendix C, Transferring Records to a Federal Records Center, for further details.
3. Records transferred to a federal records center remain the property of the Agency and may be retrieved upon request by the Records Manager.

#### H. Training

1. All staff must complete NARA's computer-based training module, Records Management for Everyone. New employees must complete the module within sixty (60) calendar days of their arrival. Current employees who have not completed the module must complete the module within 180 calendar days of the effective date of this Policy Statement.
2. Upon approval by the appropriate Associate Director, staff given significant records management responsibilities (for example, file custodians) may enroll for further records management training, including possible completion of NARA's Federal Records Management Training Certificate in accordance with CSOSA policy on external training and conferences and CSS guidance on training requests.

**APPENDIX B**



**Court Services and Offender Supervision Agency  
for the District of Columbia**

**FILE PLAN**

Page 1 of \_\_\_\_

<b>Office/Branch/Division and Location</b>		
<b>Prepared by (Files Custodian)</b>		<b>Telephone Number</b>
<b>Reviewed by (Supervisor)</b>	<b>Approved by (Records Manager)</b>	<b>Date Approved</b>

<b>Plan Item No.</b>	<b>Title or Description of Series or System and Location</b>	<b>Disposition Citation (Records Schedule Item No.)</b>

## APPENDIX C

### Transferring Records to a Federal Records Center

- a. Except as noted below, records must be shipped in 15" x 12" x 10" boxes specifically designed for records storage (National Stock Number 8115-00-117-8249). Program offices should consult their Agency's Records Manager to obtain NARA-approved boxes for shipping oversized records, drawings, ledgers, and other records not appropriate for standard records storage boxes.
- b. The document used to transfer records is an SF 135, Records Transmittal and Receipt. Instructions for its completion are on the back of the form. A detailed folder list or inventory of the contents of each box must accompany the SF 135 when it is sent to the Records Manager for review, approval, and assignment of an accession number. \* This list is essential to identify and retrieve temporary records and is required to be sent to the federal records center for permanent records.
- c. A separate SF 135 must be prepared for each records series or item in the records schedule. For example, contract case files may not be included with contract administration subject files. In addition, except in the case of a one-box shipment, all the records covered by the SF 135 must be for the same year. For example, contract case files closed in Fiscal Year (FY) 1991 may not be transferred under the same SF 135 as contract case files closed in FY 1990. Similarly, contract administration subject files from different years must be transferred separately. For this reason, program offices should cutoff and transfer records on a regular basis rather than allow files to accumulate and become intermingled. Because it will affect the month of disposition, the records description on the SF 135 should indicate whether the records span the fiscal year or the calendar year.
- d. When packing boxes, all correspondence files must be in folders with labels to facilitate retrieval. Letter size files should face the front of the box, i.e., the narrow side of the box opposite the side on which the box is stapled. Legal size files should face the left side of the box. The boxes should not be marked or labeled in any way until after the proposed shipment is reviewed and approved by the Records Manager. Box tops should never be sealed with tape. The box top flaps should be interfolded instead.
- e. Do not over pack the boxes. Leave a 1 - to 2 - inch space in each box to allow ease of reference.

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\* Accession numbers for CSOSA consist of a three digit identifier for the Agency ("562"), a two digit identifier for the fiscal year, and a sequential four digit identifier.

- f. After reviewing and approving the proposed transfer, the Records Manager will assign an accession number to the shipment and enter it on the SF 135. This number, which will consist of seven or eight digits, must be written, using a heavy black felt tip marker, in 1 1/2-inch high digits on the upper left-hand corner of the front of the box, i.e., the narrow side opposite the side on which the box is stapled together. On the upper right-hand corner of the front of the box should be written the specific box number and the total number of boxes in the shipment, e.g., 1/10, 2/10, and 3/10, or, alternatively, 1 of 10, 2 of 10, and 3 of 10. It is imperative that the marking be done correctly the first time. The federal records center will not accept boxes with corrections, and the records will have to be reboxed by the program office. It is not necessary to write any other information on the box, although individual operating units may establish specific requirements in this regard.

**Additional information on transferring records is available on the National Archives and Records Administration website at <http://www.archives.gov/frc/toolkit.html#transfer>.**

**APPENDIX D**

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b>		LEAVE BLANK (NARA use only)	
		JOB NUMBER	
To: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD, COLLEGE PARK, MD 20740-6001		Date Received	
1. FROM (Agency or establishment)		NOTIFICATION TO AGENCY	
2. MAJOR SUB DIVISION		In accordance with the provisions of 44 U.S.C 3303a, the disposition request, including amendments is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	
3. MINOR SUBDIVISION			
4. NAME OF PERSON WITH WHOM TO CONFER	5. TELEPHONE	DATE	ARCHIVIST OF THE UNITED STATES
6. AGENCY CERTIFICATION I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached _____ page(s) are not needed now for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies,			
<input type="checkbox"/> is not required <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested.			
DATE	SIGNATURE OF AGENCY REPRESENTATIVE	TITLE	
7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	See attached sheets		

**APPENDIX E**

<b>RECORDS TRANSMITTAL AND RECEIPT</b>									
Complete and send original and two copies of this form to the appropriate Federal Records Center for approval prior to shipment of records. See specific instructions on reverse.								PAGE <b>1</b>	OF PAGES
1. TO (Complete the address for the records center serving your area as shown in 3B CFR 1.228 150.) <b>Federal Records Center</b>									
5. FROM (Enter the name and complete mailing address of the office retaining the records. The signed receipt of this form will be sent to this address.)									
2. AGENCY TRANSFER LOCATION		TRANSFERRING AGENCY OFFICIAL (Signature and title)				DATE			
3. AGENCY CONTACT		TRANSFERRING AGENCY LIAISON OFFICIAL (Name, office and telephone No.)				DATE			
4. RECORDS RECEIVED BY RECEIPT		RECORDS RECEIVED BY (Signature and title)				DATE			
<b>RECORDS DATA</b>									
5. ACCESSION NUMBER	RG	AGENCY	VOLUME	AGENCY	SERIES DESCRIPTION	RESTRICTION	DISPOSAL AUTHORITY	DISPOSAL DATE	COMPLETED BY RECORDS CENTER
	Number	Block Numbers	(see 7)	(a)	(With inclusive dates of records)	(b)	(c) (Schedule and item number)	(d)	LOCATION
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
									SHELF PLAN
									(k)
									CONT. TYPE
									(l)
									AUTO. DISP.
									(m)
Fold Line ▶									
NSN 7540-00-634-4093									
135-107									
Standard Form 135 (Rev. 7-89) Prescribed by NARA 36 CFR 1228.152									